

Reference: 02121197

Information Requests
information.requests@ofcom.org.uk

14 January 2026

Freedom of Information request: Right to know request

Thank you for your request concerning complaints relating to callsign GB3TU.

We received this request on 14 December 2025 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request & our response

Please provide all recorded information held by Ofcom relating to complaints concerning the amateur radio repeater GB3TU for the period 01/12/2024 to 30/11/2025.

In particular, I request the following, where such information is held:

- 1. The total number of complaints received relating to the GB3TU repeater during this period.*
- 2. A breakdown of complaints by category or type, such as (but not limited to) interference, frequency coordination, technical operation, licence compliance, operational conduct, or misuse.*
- 3. The month and year in which each complaint was received (or another aggregated time breakdown if monthly data cannot be disclosed).*
- 4. Whether complaints were recorded as substantiated, unsubstantiated, resolved, ongoing, or closed, where such classifications exist.*
- 5. Details, at a high level, of any investigation, correspondence, guidance, monitoring, or enforcement activity carried out by Ofcom in relation to the GB3TU repeater as a result of these complaints.*
- 6. Any policies, guidance, or internal criteria applied by Ofcom when assessing complaints relating to amateur radio repeaters, insofar as these were applied to GB3TU.*

While we hold the information you are after, we are unable to provide this at this time as this information is being used as part of our active investigation and we consider that it is exempt from disclosure under the FOI Act.

In particular, section 30 of the FOI Act provides that information held by a public authority is exempt from disclosure if it has at any time been held by the authority for the purposes of—

- any investigation which the public authority has a duty to conduct with a view to it being ascertained—
 - i) whether a person should be charged with an offence, or
 - ii) whether a person charged with an offence is guilty of it,

- any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or
- any criminal proceedings which the authority has power to conduct.

We are currently conducting an investigation into whether offences have been committed under sections 35 and 8 of the Wireless Telegraphy Act 2006 (which relate to unlicensed use) and/or Wireless Telegraphy (Content of Transmission) Regulations 1988 (which relates to the sending of messages, communications or other matter in whatever form that are grossly offensive or of an indecent, obscene or menacing character). As explained [on this page](#), there are a number of enforcement actions we could take in cases of contraventions such as issuing criminal prosecutions.

Section 30 is subject to the public interest test which means that we have had to consider whether or not the public interest in disclosing the information you have requested outweighs the public interest in withholding the information. In this case, we consider the public interest favours withholding the information.

The attached Annex to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).

Annex

Section 30 of the FOI Act provides that: –

(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—

(a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—

(i) whether a person should be charged with an offence, or

(ii) whether a person charged with an offence is guilty of it,

(b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct, or

(c) any criminal proceedings which the authority has power to conduct.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> • Open policy making and public confidence in regulated activities especially in regard to investigations. 	<ul style="list-style-type: none"> • To enable us to protect the effective conduct of this investigation and prosecution of offences (where appropriate). • Premature disclosure of the number of complaints at this stage could compromise the investigation. For example, it may inadvertently reveal the scale or focus of our enquiries, or provide information that could influence potential witnesses or affect evidence gathering. • Releasing this information could enable individuals acting with malicious intent to identify or target persons who cooperate with Ofcom as witnesses. For example, a person could use the disclosed data to infer patterns of reporting and submit further FOI requests to confirm whether reports have escalated on a particular repeater. This could expose the identity or cooperation of witnesses, placing them at risk and undermining their willingness to assist in investigations.

	<ul style="list-style-type: none"> • Therefore, while the request is only for the number of complaints, disclosure of this might nonetheless compromise the safety of individuals and compromise the investigation. • Due to the above, such a disclosure at this time might then undermine confidence in our regulatory processes.
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Reasons why public interest favours withholding information

<ul style="list-style-type: none"> • Protecting the integrity of investigations and safeguarding individuals from harm is essential to effective law enforcement. We have considered the public interest test and whilst recognising the necessity to be transparent that has to be balanced against the need to prevent crime and protect witnesses, which outweighs the arguments for disclosure in this case. • Ofcom needs to be able to carry out investigations, including conducting enquiries, without the risks associated with premature disclosures in active cases.
