

Reference: 2111950

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

19 December 2025

## Request for information

Thank you for your request for information on behalf of Tattle Life dated 21 November 2025.

We note your letter contains a number of questions and asks for views. This response addresses the questions we consider fall under the Freedom of Information Act 2000 ('the FOI Act'). We will provide a separate response to your questions which do not fall within the FOI Act.

### Your request and our response

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• **Question 9:** *please confirm or deny whether Ofcom holds any document stating the definition, adopted by Ofcom as regulator under the OSA, of the phrase 'significant number' as used at section 4(5) of that Act;*

We can confirm that Ofcom considers jurisdiction on a case-by-case basis, and we do not have a standard definition of 'significant number' per s4(5) of the Online Safety Act 2023.

We have considered the application of 'significant number' of UK users at pages 13-14 of the [Confirmation Decision](#) issued following our investigation into 4chan.

We have also issued confirmation decisions in respect of our investigations into [Itai Tech Ltd](#) and [AVS Group Ltd](#), which consider the application of 'significant number' of UK users. Non-confidential versions of these decisions will be published on our website in due course. We consider that disclosure of these confirmation decisions is currently exempt under s22 of the FOI Act, namely that the information is intended for future publication and that it would be against the public interest to release the information at this time. 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.

Pages 12-13 of our [Guidance on highly effective age assurance and other Part 5 duties](#) also sets out how we will consider whether a service has links with the United Kingdom.

Please note that having a "significant number" of UK users is only one of the three ways in which a service may have "links to the UK" for the purposes of section 4.

• **Question 10:** *if the request above is confirmed, please provide the document setting out that definition;*

Not applicable – please see our response to question 9 above.

• **Question 11:** *if the request above is denied, please provide any document setting out the criteria by which Ofcom deems a service provider's explanation regarding 'significant number' to be adequate or inadequate.*

We do not hold this information. As set out above, Ofcom considers the question of jurisdiction on a case-by-case basis.

• **Question 12:** *Please confirm or deny that the enclosed 'illegal content duties: record-keeping template' was available on the Ofcom website;*

This template was never available on our website.

• **Question 13:** *If the above request is confirmed, please provide the dates during which the template was available on the Ofcom website;*

Not applicable – please see our response to question 12 above.

• **Question 14:** *If the above request is confirmed, please provide any document (as defined above) held by Ofcom setting out the legal basis for prescribing recording of the information at (a) to (g) above in accordance with the risk assessment duty under section 9 of the OSA.*

Not applicable – please see our response to question 12 above.

**Question 15:** *Please provide any document (as defined above) held by Ofcom setting out the legal basis, whether under the OSA or otherwise, for prohibiting service providers from actively promoting or encouraging ways for UK users to avoid OSA protections or restrictions on UK IP addresses.*

We addressed this in our guidance for Part 5 services, and Part 3 age assurance guidance: please see in particular the discussion of the 'robustness criterion' (paras. 4.44-4.60 of the [Part 5 guidance](#) and 4.22-4.37 of the [Part 3 guidance](#)). We have also addressed stakeholder feedback on this matter in our [Statement](#) on age assurance (paras. 3.177-3.179 and 3.189-3.192).

As set out in these documents, we consider that if providers were to deliberately and explicitly promote means of circumventing highly effective age assurance, it would be difficult for them to achieve the outcome that their implementation is able to secure the outcome that children are not normally able to access pornographic content on the service. We therefore highlighted this as an example of likely-non compliance with highly effective age assurance duties.

We hope this information is helpful.

Yours sincerely,

Information Requests

**Annex**

**Section 22: Information Intended For Future Publication**

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be **reasonable** in all the circumstances;
- Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;
- Section 22 is subject to a public interest balance.

<b>Factors for disclosure</b>	<b>Factors for withholding</b>
<ul style="list-style-type: none"> <li>• Ofcom recognises that its approach to its duties under the Online Safety Act 2023 is a matter of interest to the public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum.</li> </ul>	<ul style="list-style-type: none"> <li>• Ofcom has published information regarding our investigations into Itai Tech and AVS Group, including confirming that Confirmation Decisions have been issued to both providers. Ofcom’s updates on our investigations confirm that non-confidential versions of the confirmation decisions will be published.</li> <li>• Ofcom intends to publish the requested documentation in early 2026.</li> </ul>

**Reasons why public interest favours withholding information**

- Ofcom has conducted investigations into AVS Group and Itai Tech. We have issued confirmation decisions to both services, and intend to publish non-confidential versions of these notices in due course. It is in the public interest that Ofcom publishes this information in line with its investigation otherwise it may prejudice proper consideration of the issues and the interests of the subjects of the investigations.

**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](mailto: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](#).