

Reference: 02269451

Information Requests
information.requests@ofcom.org.uk

11 September 2026

Freedom of Information request: Right to know request

Thank you for your request for information about investigations into the Belfast disorder. We note this is a follow up request following your [previous request](#) and its internal review.

We received this request on 20 August 2026 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

1. Investigation status: Belfast disorder

(a) Has Ofcom opened an investigation into any regulated service in connection with the civil disorder that commenced in Belfast on 9 June 2026?

I am not asking which service, nor the substance of any such investigation - only whether one has been opened, consistent with Ofcom's stated practice of announcing opened investigations via the Enforcement Bulletin. I note that this is a narrower and different question from the one addressed by s.31(3) NCND in my previous request and its internal review, which concerned pre-investigation assessment records rather than the fact of an investigation being opened.

2. The anonymised formulation of Question 3(b)

My original request's Question 3(b) asked: "If a paragraph 3.9 assessment was conducted in relation to any named regulated service in connection with the Belfast disorder, please confirm that such a record exists without identifying the service, and state the date on which it was produced." The internal review addressed Question 3(a) directly but did not separately engage with the anonymised, existence-only formulation of Question 3(b) - it was resolved solely by reference to the Question 2 response, which concerned a different and broader question (whether any documents of that character are held, generally).

(b) I ask Ofcom to now specifically address Question 3(b) as put: whether a paragraph 3.9 assessment record exists in relation to any named regulated service in connection with the Belfast disorder, confirming existence alone without identifying the service, and the date of production.

Our response

In response to question 1, in line with Ofcom's [Online Safety Enforcement Guidance](#), we generally announce investigations on our website and/or in a media release when we open them. However,

we may delay doing so if we consider it may prejudice our ability to carry out an investigation. There may also be certain exceptional cases which we consider it would be inappropriate to publicise. We have not announced any investigations in connection with the civil disorder in Belfast in June 2026.

In response to question 2 we neither confirm nor deny whether we hold information in scope of your request, pursuant to s31(3) of the FOI Act. We consider that confirmation or denial of whether the information is held would, or would be likely to, prejudice the exercise by Ofcom of its functions per s31(1)(g) for the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise, as per s31(2)(c).

Section 31 of the FOI Act is a qualified exemption which means that we have had to consider whether or not the public interest in disclosing information, which we can neither confirm nor deny holding, outweighs the public interest in withholding any potential information. In this case, we consider the public interest favours withholding any in scope 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.

We wish to reiterate that if a decision is made to investigate any platforms, this will generally be published on our [Enforcement Bulletin](#). You can sign up to receive email notifications [here](#).

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 31 (1) of the FOI Act provides that:

Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice –

(g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2);

Section 31(2) provides that the purposes referred to in subsection (1)(g) include:

(c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,

Section 31(3) of the FOI Act provides that the duty to confirm or deny does not arise if, or to the extent that compliance with section 1(1)(a) would or would be likely to, prejudice any of the matters mentioned in subsection (1).

Factors for disclosure	Factors for withholding
• If we were able to confirm that we held any information, disclosure of it would promote general transparency with the public in relation to areas and stakeholders we regulate. • Ofcom is mindful that our regulatory actions in relation to Online Safety are of particular interest to the public.	• The requested information relates to Ofcom's consideration of enforcement action against platforms. • There is a strong public interest in protecting the ability of Ofcom to effectively monitor and determine whether regulatory action is justified under the Online Safety Act. • We consider that confirming or denying the status of Ofcom's assessment of enforcement action would be prejudicial to Ofcom's ability to consider whether enforcement action is appropriate and proportionate and then effectively take such action against platforms if required. • Ofcom's enforcement actions are transparent, and we regularly publish information regarding investigations on our website. Where considerations regarding enforcement action are ongoing, it is important that Ofcom can make such decisions without prematurely disclosing the status of initial considerations, to allow for colleagues to reach thorough and fair conclusions, and to protect the overall integrity of our enforcement decisions.
Reasons why public interest favours withholding information	
• If we did hold any information, disclosing this information early through a freedom of information request could cause harm and damage to our enforcement activities (if any). Those negative consequences would be prejudicial to the prevention or detection of crime and contrary to a strong public interest.	

- We consider that, on balance, the public interest in neither confirming nor denying whether we hold the requested information outweighs the public interest in disclosing the information if any was held.