

Reference: 02245667

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 the timing of an announcement and correspondence with the Molly Rose Foundation.

We received this request on 20 July 2026, and you provided clarification of your name on 21 July 2026. We needed more time to consider the public interest test on withholding or disclosing the information requested, and we notified you of this on 17 August 2026 – we have now concluded those considerations. We have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request

I am requesting access to all recorded information held by Ofcom relating to the public announcement made on 20 July 2026, regarding the decision to take no further legal action against a suicide discussion forum.

Specifically, I request the following:

1. Internal communications regarding the timing of the announcement

- All internal correspondence, emails, meeting minutes, and instant messages discussing or deciding the timing of the public announcement made on 20 July 2026. This includes, but is not limited to:*
- Discussions of alternative dates for the announcement.*
- Any consideration of external factors, such as political events or parliamentary schedules, in choosing the date.*
- Any internal assessment of the potential public or stakeholder reaction to announcing on this specific date.*

2. Communications with the Molly Rose Foundation (MRF) prior to the announcement

- All records of communication between Ofcom and the Molly Rose Foundation between 1 July 2026 and 20 July 2026 relating to the investigation and the decision to take no further action. This includes:*
- Any correspondence regarding whether, when, and how the Foundation would be informed of the final decision.*
- Any records of meetings or calls between Ofcom and MRF representatives during this period.*

3. Monitoring and future action

All internal documents, including reports, assessments, or minutes, relating to Ofcom's plan to monitor the forum's geoblock and its ongoing work with the government to explore strengthening enforcement powers.

Our response

As set out in your request, Ofcom announced on 20 July 2026 that our investigation into a suicide discussion forum had concluded, and that the provider had effectively blocked access to its service for the vast majority of UK users. We confirmed that we would continue to monitor the geoblock established by the service, and would consider whether any further regulatory intervention is required in the event the service is made available to UK users.

The decision and timing of the announcement were made following usual Ofcom processes, which are independent from any third parties, and include the desire to publish final decisions as soon as practicable after they are taken. Our priority was to conclude this work as quickly and robustly as possible, then inform the bereaved families of the decision as soon as practicable, and publish our decision on the same day (20 July).

While we do hold information in scope of your request, the information is being withheld for the following reasons.

We consider some information in scope of your request is exempt from disclosure under section 36 of the FOI Act. Section 36(2)(b)(ii) and (c) of the FOI Act provide that information held by a public authority is exempt from disclosure if, in the reasonable opinion of a qualified person, disclosure of the information:

- would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation; and
- would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

Section 36 is a qualified exemption, which means that Ofcom is required 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 that the public interest favours withholding the information for the reasons set out in Annex B to this letter. In Annex A of this letter, the qualified person, the Corporation Secretary for Ofcom, has confirmed that the exemption applies.

Furthermore, there is additional information we are unable to disclose under section 44 of the FOI Act. Under this section, information is exempt from disclosure if its disclosure is prohibited by or under any enactment. The enactment that prohibits the disclosure of this information is section 393(1) of the Communications Act 2003 ("the Communications Act"). Under this section, we are prohibited from disclosing information with respect to a particular business that has been obtained in the exercise of our regulatory functions, unless that business consents or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which apply here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to the public interest test.

Some information we hold we consider is exempt from disclosure under section 42 of the FOI Act. This deals with the exemption of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex C, attached to this letter, sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

Some information we consider is exempt under section 40(2) of the FOI Act. This section provides that personal information about persons other than the requester is exempt where, among other things, its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulation and the Data Protection Act 2018. This includes the principle that personal data must be processed fairly and lawfully. Section 40(2) is an absolute exemption under the Act and does not require a public interest test.

Lastly, we are unable to disclose some information as we consider it is exempt from disclosure under Section 31(1)(g) of the FOI Act. This part of the Act deals with information that, if disclosed would, or would be likely to, prejudice the exercise by any public authority of its functions. Specifically in this case, as per s31(2)(c), the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise.

Section 31(1)(g) of the FOI Act is a qualified exemption 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 D to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

To note, we are aware that you have made a significant number of FOI requests recently and these are having an impact on our limited resources. Additionally, this request is in itself wide-ranging in nature, and in the context of Ofcom having made a public announcement as to its decision in this matter, it is not clear what public interest is furthered by the request. In that context we will review future requests to determine whether they are vexatious.

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 A

Freedom of Information: Right to know request

Section 36 exemption

I am a "qualified person" as referred to section 36(2) of the Act and duly authorised by a Minister of the Crown for the purposes of that section. In my reasonable opinion, disclosure of the relevant information requested

- would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation; and/or
- would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

In applying this exemption, I have had to balance the public interest in withholding the information against the public interest in disclosing the information.

I have set out in Annex B the exemption in full, as well as the factors I considered when deciding where the public interest lay in relation to the information concerned. If you have any queries about this letter, please contact information.requests@ofcom.org.uk.

Corporation Secretary

Date: 11 September 2026

Section 36: Prejudice to effective conduct of public affairs

Section 36 exempts information whose disclosure would, or would be likely to, have any of the following effects:

- inhibit the free and frank exchange of views for the purposes of deliberation, or
- otherwise prejudice the effective conduct of public affairs.

Key points:

- Section 36 can only be used if, in the reasonable view of a "qualified person", disclosure of the requested information would have one of the specified effects.
- would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation; and/or
- would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.
- The application of section 36 is subject to a public interest balance.

Factors for disclosure	Factors for withholding
• Ofcom recognises that its monitoring of the geoblock on the suicide forum might be a matter of interest to the wider public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum.	• The documentation in relation to which the exemption is claimed reflects internal discussion and correspondence on the investigation of the suicide forum, including discussion regarding the implementation and monitoring of the geoblock on the suicide forum and the announcement regarding the outcome of our investigation. • These discussions are necessary for the ongoing pursuit of Ofcom's duties as the online safety regulator. Ofcom colleagues need to be able to have free and frank discussions internally regarding information relating to our online safety duties. To disclose internal assessments of and discussions regarding such information could inhibit this free and frank exchange of views, and prejudice the effective conduct of Ofcom's regulatory functions and public affairs. • The documents contain information and assessments in draft or early iterations which, if disclosed, would prejudice Ofcom's ability to regulate effectively. • Ofcom also needs to be able to run itself effectively, which includes having appropriate internal processes and timelines for projects, and discussions

	on how best to engage with the public effectively. It would prejudice the effective conduct of public affairs if these had to be made public. • Disclosure would not increase transparency given Ofcom has made its decision public.
Reasons why public interest favours withholding information	
• We consider that the public interest in withholding outweighs the public interest in disclosure. • This is because the disclosure of this information is likely to prejudice the effective conduct of public affairs, as it would affect Ofcom's ability to freely and effectively deliberate on and discuss such matters. • Whilst there may be some weight attached to the public interest in disclosing, we consider this is limited, and that significant prejudice would be caused by such a disclosure.	

Annex C

Section 42 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings is exempt information.	
Factors for disclosure	Factors for withholding
Ofcom recognises that the Online Safety Act and our regulation of services based outside of the UK is a matter of interest to the wider public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum.	- The documentation in relation to which the exemption is claimed contains legal advice regarding Ofcom’s enforcement powers, and the monitoring of the accessibility of the forum by UK users. - These documents contain information which is subject to legal professional privilege, as the information was made for the purpose of providing or obtaining legal advice about Ofcom’s investigation and ongoing monitoring of the geoblock introduced by the service.
Reasons why public interest favours withholding information	
- It is in the public interest that decisions taken by Ofcom in relation to policy development, enforcement, and litigation are taken in a fully informed legal context, where relevant. Ofcom therefore needs high quality effectively obtained legal advice for the effective conduct of its business. That advice needs to be given in context, and with a full appreciation of the facts. It needs to be sought and given in a timely fashion to ensure that policy develops in a fully informed way. - Legal advice cannot be effectively obtained unless Ofcom is able to put all the facts before its in-house legal advisers or external counsel without fear that they may afterwards be disclosed and used to its prejudice. Without such effectively obtained advice, the quality of Ofcom’s decision making would be much reduced because it would not be fully informed and this would be contrary to the public interest.	

Annex D

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,

Factors for disclosure	Factors for withholding
• Disclosure of any information 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 monitoring and ability to monitor the online space, as well as detail as to how Ofcom will continue to monitor the accessibility of the service for UK users, which will inform Ofcom’s decision as to whether we will take further action in relation to the forum. • 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. Disclosure of the requested information would potentially allow services to circumvent Ofcom’s monitoring, and so undermine the effectiveness of our regulation. • Ofcom’s enforcement actions are transparent, and we regularly publish information regarding investigations on our website. Where considerations regarding enforcement action are ongoing or are being considered, it is important that Ofcom can make such decisions without disclosing the status of initial considerations, to allow for colleagues to reach thorough and fair conclusions.
Reasons why public interest favours withholding information	
• If disclosed, this information would be prejudicial to the exercise of our functions for the purpose of ascertaining whether circumstances which would justify regulatory action exist or may arise and contrary to a strong public interest. • We consider that, on balance, the public interest in withholding the requested information outweighs the public interest in disclosing the information.	