

03 February 2025

**ICO Case Reference IC-358438-V3L2**

**Request for information**

Request received 27 January 2025:

"In November 2024, the Information Commissioner gave an interview with the Times in which he made comments about his policy on enforcement, including its effectiveness on big tech firms. I assume that the Commissioner holds a copy of the interview. I would like to request a copy of the text of the interview if it is held.

To provide some context for my request, the article is behind a paywall, so the only way to read it is to provide a private company with personal data and pay for access to the article. Even if I used the free trial option, I would be obliged to provide personal data. I cannot find any information about this aspect of the ICO approach to enforcement anywhere on the ICO's website. On this basis, I do not believe that the information in the article is reasonably accessible to me - I do not believe that it is reasonable to expect members of the public to either register on commercial websites or to pay for access to news articles in order to understand the Commissioner's enforcement policy."

Your request has been handled under the Freedom of Information Act 2000 (the FOIA). This legislation provides public access to recorded information held by a public authority unless an appropriate exemption applies.

**Our response**

We understand your request to be for a copy of an article that appeared in The Times newspaper on Monday 18 November 2024 with the headline 'Big fines on tech companies are counter-productive, says regulator'.

We can confirm that we do hold a copy of this article. However, we are withholding it as per section 21 of the FOIA. Section 21 states:

- “(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.
- (2) For the purposes of subsection (1)—
  - (a) information may be reasonably accessible to the applicant even though it is accessible only on payment”

A copy of the article is reasonably accessible through a subscription to The Times. A subscription can be obtained on a trial basis, sometimes for free or at significantly reduced cost, and requiring limited personal data (name, email address, payment information). There is more information on the [Subscriptions](#) page of The Times website, including the cancellation policy.

In addition, some libraries have print and/or digital subscriptions to newspapers and journals which the public can access for free. The Times website also explains that subscribers can share individual articles via email or social networks to non-subscribers (see [New e-paper app FAQs](#)).

If you are interested in the enforcement policies and actions of the ICO then we publish information about this on our website. For example, we have published documents such as our [Regulatory Action Policy](#), [Communicating our Regulatory and Enforcement Activity Policy](#), and [ICO25 – Our regulatory approach](#). We also publish information on our website about [Action we've taken](#). The ICO also regularly conducts and publishes information regarding [stakeholder consultations](#), including on matters of our approach to regulation, the guidance we issue, and so on.

This concludes our response to your request.

## **Next steps**

You can ask us to review our response. Please let us know in writing within 40 working days if you want us to carry out a review.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you remain dissatisfied, you can [raise a complaint](#) to the ICO as regulator of the Freedom of Information Act. This complaint will be handled just like a complaint made to the ICO about any other public authority.

## **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely

## **Information Access Team**

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Telephone: 0303 123 1113. Website: [ico.org.uk](https://ico.org.uk)

For information about what we do with personal data, please see our [privacy notice](#)