



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)

Mr Philip Chillag  
[request-21908-9893061c@whatdotheyknow.com](mailto:request-21908-9893061c@whatdotheyknow.com)

November 24<sup>th</sup>, 2009

Dear Mr Chillag

### Freedom of Information request – RFI20091471

Thank you for your request to the BBC of October 25th, requesting information under the Freedom of Information Act 2000 about the political and ethnic make-up of the studio audience of the edition of Question Time broadcast on October 22<sup>nd</sup>.

Please note that your request is outside the scope of the Freedom of Information Act 2000 (“the Act”) but we are happy to inform you that the Question Time audience reflects the people of the area. Question Time audiences are a broad and balanced cross-section wherever we are in the country. The programme aims to provide a wide range of views across the political spectrum and the audience selection supports that. You can also find out more about how the BBC selects the Question Time audience at the following website:

[http://news.bbc.co.uk/newswatch/ukfs/hi/newsid\\_4200000/newsid\\_4202800/4202877.stm](http://news.bbc.co.uk/newswatch/ukfs/hi/newsid_4200000/newsid_4202800/4202877.stm)

This article was written by Ric Bailey, now the BBC’s Chief Political Adviser, but what he wrote still holds.

In case you are interested, the Executive Editor of Question Time has written about this edition of Question Time on the Editors’ Blog:

[http://www.bbc.co.uk/blogs/theeditors/2009/10/nick\\_griffin\\_on\\_question\\_time.html](http://www.bbc.co.uk/blogs/theeditors/2009/10/nick_griffin_on_question_time.html)

We hope this is helpful. The information you have requested is excluded from the Act because it is held for the purposes of ‘journalism, art or literature.’ The BBC is therefore not obliged to provide this information to you but has volunteered the information on this occasion. Part VI of Schedule 1 to FOIA provides that information held by the BBC and the other public service broadcasters is only covered by the Act if it is held for ‘purposes other than those of journalism, art or literature’. The BBC is not required to supply information held for the purposes of creating the BBC’s output or information that supports and is closely associated with these creative activities.

You may not be aware that one of the main policy drivers behind the limited application of the Act to public service broadcasters was to protect freedom of expression and the rights of the media under Article 10 European Convention on Human Rights (“ECHR”). The BBC, as a media organisation, is under a duty to impart information and ideas on all matters of public interest and the importance of this function has



been recognised by the European Court of Human Rights. Maintaining our editorial independence is a crucial factor in enabling the media to fulfil this function.

### Appeal Rights

The BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF telephone 01625 545 700. <http://www.ico.gov.uk>

Please note that should the Information Commissioner's Office decide that the Act does cover this information, exemptions under the Act might then apply.

Yours sincerely

Stephanie Harris  
Head of Accountability, BBC News