



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

Mr Christian Nedrum  
Via email: [request-301-30319a7b@whatdotheyknow.com](mailto:request-301-30319a7b@whatdotheyknow.com)

20 May 2008

Dear Mr Nedrum

**RFI20080452 - Freedom of Information request**

Thank you for your email of 28 April requesting:

*a copy of the Balen report on the possibility of an anti-Israel bias in BBC Journalism.*

The reference number for your request is RFI20080452.

The review in question is currently used by senior editors in BBC News to inform coverage of the Middle East. The Freedom of Information Act 2000 (“the Act”) does not apply to this document because the BBC holds this document for the purposes of “journalism, art or literature”. Schedule I, Part VI of the Act provides that the legislation only applies to information held for other purposes. We are not therefore obliged 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.

Please note that in 2005 the Information Commissioner upheld the BBC’s decision that the Act does not apply to this document. More recently, in January 2008, the Court of Appeal refused to interfere in the Information Commissioner’s decision.

For more information about how the Act applies to the BBC please see [www.bbc.co.uk/foi](http://www.bbc.co.uk/foi) Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

The BBC makes a huge range of information available about our programmes and content on [bbc.co.uk](http://bbc.co.uk). We also proactively publish information covered by the Act on our publication scheme and regularly handle requests for information under the Act.



## **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>

Yours sincerely,

Fern Kersey

**Adviser, Information Policy & Compliance**