



Information Policy & Compliance

bbc.co.uk/foi bbc.co.uk/privacy

Sean Moran

By email to: request-183440-04bfabe3@whatdotheyknow.com

20 December 2013

Dear Mr Moran,

Freedom of Information Act 2000 – RFI20131643 and RFI20131894

Thank you for your requests under the Freedom of Information Act ('the Act') of 4 November and 16 December, seeking:

Please provide details of all independent investigations carried out by the BBC in to the alleged holocaust during World War Two.

Could you please provide me with the following information on the alleged murder of 6 million jews by the Germans during World War Two known as the "holocaust":

How many hours of BBC TV Channels or Radio Stations programming were there supporting this allegation and how many refuting it over the last five years?

Could you break the figures down for each year and seperate for TV and radio please?

How much was paid for this information? Please seperate the figures for supporting and refuting this allegation.

Under section 14(1) of the Act, public authorities are not obliged to comply with a request for information if the request is vexatious. The Information Commissioner's guidance with respect to vexatious requests states that 'determining whether a request is vexatious is a balancing exercise, taking into account the context and history of the request. The key question is whether the request is likely to cause unjustified distress, disruption or irritation'.¹

The BBC is of the view that the following questions, which the ICO recommends an organisation considers, are of particular relevance to your request:

¹

http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_22_vexatious_and_repeated_requests_final.pdf

- Is the request harassing the authority or causing distress to staff?
- Is the request designed to cause disruption or annoyance?

This request could fairly be characterised in terms of the Information Commissioner's guidance on the matter as 'harassing the authority' and is 'designed to cause disruption or annoyance'. Based on these factors, where the information requested is covered by the Act, we are of the view that the BBC is not obliged to comply with this request.

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. www.ico.org.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,

The Information Policy and Compliance Team
BBC Information Policy and Compliance

