



Information Rights

[bbc.co.uk/foi](http://bbc.co.uk/foi)      [bbc.co.uk/privacy](http://bbc.co.uk/privacy)

Ms Walker

Via email: [request-584118-81620e81@whatdotheyknow.com](mailto:request-584118-81620e81@whatdotheyknow.com)

09 July 2019

Dear Ms Walker

### **Freedom of Information request – RFI20191049**

Thank you for your request to the BBC of 20 June 2019 seeking the following information under the Freedom of Information Act 2000 ('the Act'):

*Will the Manchester BBC please confirm if ex- Liverpool reporter "Josh Parry" is working for the Manchester BBC?*

*The reason is he in 2015 wrote up a fake news report on "St James Court" a building that was a part of "Tony Freeman's" scam, this report came from one "Richard Caton"*

*We asked him who sent this in, and he said he would look into his notes, next think was he no longer works at the Liverpool Echo.*

*There is no address or phone details for him, and we think he needs to be questioned over this by both the press and the police.*

*A member of Manchester Pinnacle developments that are now under investigation we are told by the SFO and the Hong Kong police?*

*At the Liverpool echo as on the 17th June 2019 the night desk reporter, Jenny Kirkham thinks it's funny that we can't seem to find her mate "Josh Parry" she said this "It's none of my business or your business"*

*I had to try to explain to her the facts that there is an on-going investigation into this with Angel-gate, Manchester, Liverpool Chinatown, Pall Mall, she was not at all interested.*

*Some ago (Jenny Kirkham) had said he may have had a problem with his past apartment in the city (Liverpool) over rent, then his ties to Daniel Hughes PR?*

*Will, there be an investigation to the number of Liverpool echo reporters into the 3-year long investigation into the number of failed sites – off plan scam developments into Liverpool by the echo reporters?*

*As to why Jenny Kirkham is protecting "Josh Parry and Daniel Hughes PR with a number of failed developments in Liverpool.*

*Jenny Kirkham was told all about the “fire risk” at the “Fox St, Village in Everton, that could have could killed many young overseas students and UK students.*

*Jenny thinks it's so funny we can not call or e-mail “Josh Parry” at the BBC.*

*Jenny also thinks it's very funny, that a PR drug- dealer who works with the Liverpool echo can just carry on his scams with some of the Liverpool echo reporters?*

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 and will not be doing so 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<sup>1</sup>.

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. However, the BBC makes a huge range of information available about our programmes and content on [bbc.co.uk](http://bbc.co.uk).

## **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, tel: 0303 123 1113 or see <http://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,

Information Rights

**BBC Legal**

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<sup>1</sup> For more information about how the Act applies to the BBC please see the enclosure which follows this letter.

Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

## **Freedom of Information**

From January 2005 the Freedom of Information (FOI) Act 2000 gives a general right of access to all types of recorded information held by public authorities. The Act also sets out exemptions from that right and places a number of obligations on public authorities. The term “public authority” is defined in the Act; it includes all public bodies and government departments in the UK. The BBC, Channel 4, S4C and MG Alba are the only broadcasting organisations covered by the Act.

## **Application to the BBC**

The BBC has a long tradition of making information available and accessible. It seeks to be open and accountable and already provides the public with a great deal of information about its activities. BBC Audience Services operates 24 hours a day, seven days a week handling telephone and written comments and queries, and the BBC’s website [bbc.co.uk](http://bbc.co.uk) provides an extensive online information resource.

It is important to bear this in mind when considering the Freedom of Information Act and how it applies to the BBC. The Act does not apply to the BBC in the way it does to most public authorities in one significant respect. It recognises the different position of the BBC (as well as Channel 4 and S4C) by saying that it covers information “held for purposes other than those of journalism, art or literature”. This means the Act does not apply to information held for the purposes of creating the BBC’s output (TV, radio, online etc), or information that supports and is closely associated with these creative activities.

A great deal of information within this category is currently available from the BBC and will continue to be so. If this is the type of information you are looking for, you can check whether it is available on the BBC’s website [bbc.co.uk](http://bbc.co.uk) or contact BBC Audience Services.

The Act does apply to all of the other information we hold about the management and running of the BBC.

The BBC's aim is to enrich people's lives with great programmes and services that inform, educate and entertain. It broadcasts radio and television programmes on analogue and digital services in the UK. It delivers interactive services across the web, television and mobile devices. The BBC's online service is one of Europe's most widely visited content sites. Around the world, international multimedia broadcaster BBC World Service delivers a wide range of language and regional services on radio, TV, online and via wireless handheld devices, together with BBC World News, the commercially-funded international news and information television channel.

The BBC's remit as a public service broadcaster is defined in the BBC Charter and Agreement. It is the responsibility of the Ofcom (the BBC’s independent regulator) to ensure that the organisation delivers against this remit by setting key objectives, approving strategy and policy, and monitoring and assessing performance. Ofcom also safeguard the BBC's independence and ensure the Corporation is accountable to its audiences and to Parliament.