



**IN THE FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
(INFORMATION RIGHTS)**

Case No. EA/2011/0272

**ON APPEAL FROM:
Information Commissioner
Decision Notice ref FS50397330
Dated 24 October 2011**

Appellant: Dennis Wrigley

Respondent: Information Commissioner

Ruling

The appeal has no reasonable prospect of succeeding and is accordingly struck out under rule 8(3)(c) of the Tribunal's rules of procedure.

Reasons

1. The Appellant, Mr Wrigley, is the Community Leader of the Maranatha Community. On 20 May 2011 he made a request under the Freedom of Information Act 2000 on behalf of the Community for the BBC to disclose how many times they had quoted, interviewed or featured the National Secular Society in its news or current affairs programmes during 2009 and 2010.

2. The BBC refused to supply the requested information on the basis that it was held “for the purposes ... of journalism” and was therefore outside the purview of the 2000 Act. Mr Wrigley applied to the Information Commissioner under section 50 and he upheld the BBC’s approach. He has now appealed to the Tribunal.
3. On seeing the papers I formed the preliminary view that the information requested was clearly held by the BBC for the purposes of journalism and that the appeal was therefore hopeless and I directed that Mr Wrigley could make written representations as to why the appeal should not be struck out. In the event Mr Wrigley emailed the Tribunal on 24 January 2012 and stated that he and his colleagues and advisors had given the matter careful consideration and come to the view that the appeal should be struck out.
4. Accordingly I confirm my preliminary view that the appeal stands no reasonable prospect of success and that it should be struck out.

Signed

HH Judge Shanks

Dated 25 January 2012