

Reference: 01578802

Information Requests
information.requests@ofcom.org.uk

3 April 2023

Freedom of Information request: Right to know request

Thank you for your request for information concerning Ofcom's investigation into the programme *Panorama - Pandora Papers: Political Donors Exposed*. Your request was received on 7 March 2023 and we have considered it under the Freedom of Information Act 2000 (the "FOI Act").

Your request

On Ofcom Broadcast and On Demand Bulletin No 469 it says "Panorama - Pandora Papers: Political Donors Exposed BBC 1 4 October 2021 Fairness Discontinued". Please disclose, preferably by PDF, the latest version of any adjudication or part-adjudication that was drafted or any responses from the broadcaster and/or decision Ofcom was proposing making prior to the discontinuation.

Our response

We are unable to disclose this information as we consider its disclosure is exempt under section 44 of the FOI Act. Section 44 of the FOI Act exempts disclosure of information if its disclosure is prohibited by or under any enactment. Section 393 of the Communications Act 2003 (the 'Communications Act') prohibits the disclosure of information about a particular business (in this case, the BBC) which has been obtained in exercise of Ofcom's functions relating to broadcast standards. This exemption applies unless we have the consent of that business or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which applies here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to a public interest test.

If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

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If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF