

Rachael Ward

From: Neil Land
Sent: 22 September 2011 15:16
To: Dominic Coles-Private
Subject: RE: FoI - Wimbledon Men's Final tickets / F1

OK

From: Dominic Coles-Private
Sent: 22 September 2011 15:06
To: Neil Land
Cc: Barbara Slater & Assistant; Louisa Fyans; Ben Gallop
Subject: RE: FoI - Wimbledon Men's Final tickets / F1

Thanks, Neil.

I will let Bernie know when the information is released - do let me know.

D

Dominic Coles
 Chief Operating Officer
 BBC NEWS GROUP, NATIONS & LONDON 2012

From: Neil Land
Sent: 22 September 2011 14:58
To: Dominic Coles-Private
Cc: Barbara Slater & Assistant; Louisa Fyans; Ben Gallop
Subject: FoI - Wimbledon Men's Final tickets / F1

Dominic

We've had a long-running FoI on Wimbledon tickets from a freelance journo (Matthew Davis – working for a company he set up called DataNews – see below). He has now honed his request seeking to whom the BBC allocated 12 (complimentary) tickets to the Men's Wimbledon Final. *[Not relevant to request.]* At the last minute the TMS team handed back their tickets and they were re-allocated on a first come first served basis. Although we do not have comprehensive written records about who received the tickets, we have pieced together their journey and it appears that Jenson Button requested 4 (for his Chief Mechanic) and Bernie Ecclestone the other 2. We have been told by the FOI legal advisers that this information will need to be released (probably end next week) – if we withheld it would almost certainly be overturned on a second (internal) review.

Assuming we go ahead, will you need to forewarn Bernie?

Neil

Neil Land
 Chief Adviser & Business Manager
 3rd Floor | Quay House | Media City | Salford M50 2QH
 Tel | 07715 760341

31/10/2011



Matthew Davis:

Having been a journalist for the last 20 years and the director of a successful press agency I set up my new company DataNews Ltd in January 2009 – just in time for the end of global capitalism. DataNews Ltd utilises information and statistics, often obtained using Freedom of Information legislation, to provide news stories for a variety of media outlets. As well as a wealth of practical experience in FoI requests I have represented myself successfully in an Information Tribunal against the Department of Culture, Media and Sport ([link](#)) and have had numerous appeals upheld by the Information Commissioner.

Rachael Ward

From: Neil Land
Sent: 03 October 2011 15:26
To: Rachael Ward; Dominic Coles-Private; Gordon Turnbull; Mark Wilkin; Louisa Fyans; Barbara Slater & Assistant; Brendan Knox-Peebles; Ben Gallop; David Murray-Sport
Subject: FoI - Wimbledon Tickets: final version
Attachments: Response to Matthew Davis 031011 draft final.doc

All

See attached the draft final version of the FoI response incorporating everyone's points (where possible) re: Wimbledon tickets. Please note that we are not able to withhold the names of the non-BBC individuals that were allocated tickets (Steve Aldous, Jonathan Brookes, Bernie Ecclestone) but we are resisting the release of BBC staff members who received tickets (data protection).

Please can you feed back any final comments to me by close of play, Tuesday.

Thanks
Neil

From: Rachael Ward
Sent: 30 September 2011 16:24
To: Dominic Coles-Private; Neil Land
Cc: Gordon Turnbull; Mark Wilkin; Louisa Fyans; Barbara Slater & Assistant
Subject: RE: FoI - Wimbledon Tickets.

Hello

I've added some wording to explain the exemption we are withholding the names under.

Matthew Davis has asked us to supply him with names and he is entitled to recorded information we hold about who the tickets went to (subject to exemptions), including any informal email communications or written notes.

[*Not Relevant to request.*

]if we remove Bernie's name also then we are effectively responding in the same way we did the first time, which he is clearly not satisfied with and there is a strong chance he will appeal to the ICO.

So in short, it depends how/what information is recorded.

Rachael

From: Dominic Coles-Private
Sent: 30 September 2011 12:46
To: Neil Land
Cc: Rachael Ward; Gordon Turnbull; Mark Wilkin; Louisa Fyans; Barbara Slater & Assistant
Subject: Re: FoI - Wimbledon Tickets.

Rather than naming Bernie Ecclestone specifically, can we not say two tickets were offered for use by Formula One Management?

Dominic Coles

31/10/2011

Chief Operating Officer
BBC NEWS GROUP, NATIONS & LONDON 2012

On 30 Sep 2011, at 12:39, "Neil Land" <neil.land@bbc.co.uk> wrote:

All

Comments welcome on the draft response to the journo, Matthew Davis re: tickets for the Men's Final at Wimbledon re: Radio Sport & F1/Bernie.

Neil

From: Rachael Ward
Sent: Thu 22/09/2011 09:50
To: Neil Land
Subject: FW: Request for Internal Review of FOI Request RFI20111078 - Wimbledon Tickets.

Hi Neil

Matthew Davis has come back to request the actual names of those who were given tickets. As discussed before, I think we need to supply him with whatever information we are able to.

Shall we have a chat about this later today?

Rachael

From: Appeal - DataNews Ltd [mailto:appeal@datanews.co.uk]
Sent: 21 September 2011 20:25
To: FOI Enquiries
Cc: FOI Enquiries
Subject: Request for Internal Review of FOI Request RFI20111078 - Wimbledon Tickets.

Request for Internal Review of FOI Request RFI 2011078 – Wimbledon Tickets

Thank you for your letter of 14th September in reply to my FOI request.

In light of your detailed reply to my earlier FOI request (Your Ref FOI 20110803 – copy attached) where you provided me with list of the names of those people who had been allocated the tickets, I was rather hoping for a similar reply to this request. As such please take this email as a formal request for an internal review of your response to FOI 20111078 which did not contain the detail required.

I specifically asked:-

In a previous Freedom of Information Act response (REF: 20110803) you state that 12 tickets were given away by the BBC for use on Centre Court on the final day of the championships. **Please state who these 12 tickets were given to.** (My emphasis)

Your reply was rather general in saying that they were given on merit but did not name those who received them. Please would you reconsider your reply and include the names of those who received the 12 tickets to the final day of Wimbledon. Where those individuals took a guest I would not expect the guest to be named. If possible I would appreciate, where the individual is a BBC staff member, you give consideration to identifying what their position within the organisation is. (Mindful of the S40 exemption)

31/10/2011

Please can you acknowledge receipt of this request and advise me of a date when it is likely to be concluded

Yours sincerely

Matthew Davis

DataNews Ltd.

<Response to Matthew Davis 300911 draft.doc>

Mr Matthew Davis

Email - newsdesk@datanews.co.uk

3 October 2011

Dear Mr Davis,

Freedom of Information Act 2000 – second response to RF120110078

Thank you for email dated 21 September 2011 seeking clarification of the previous request (RF12011078) you made under the Freedom of Information Act ('the Act'). Please accept my apologies for the slight delay in responding to you.

I have copied the relevant parts of your email below:

*"In a previous Freedom of Information Act response (REF: 20110803) you state that 12 tickets were given away by the BBC for use on Centre Court on the final day of the championships. Please state **who** these 12 tickets were given to.*

Your reply was rather general in saying that they were given on merit but did not name those who received them. Please would you reconsider your reply and include the names of those who received the 12 tickets to the final day of Wimbledon. Where those individuals took a guest I would not expect the guest to be named. If possible I would appreciate, where the individual is a BBC staff member, you give consideration to identifying what their position within the organisation is. (Mindful of the S40 exemption)"

To recap, the previous response I sent to you on 7 September 2011 noted that:

Our records indicate that the twelve tickets for Centre Court on the last day of the Championships were allocated for use as a reward for staff and contributors to BBC Sport. The tickets were handed out based on merit - for example, to some of the BBC's Sony award winning production team for the Ryder Cup (plus guests).

Following your request I have investigated what records the BBC has regarding the twelve tickets allocated for use as a staff reward:-

- The twelve tickets were allocated to the Head of Radio Sport, Gordon Turnbull for use as staff reward for staff and contributors of the BBC's Radio Sport department.
- Six tickets went to three members of the 5 live Sport 'Ryder Cup' production team. I can confirm that the individuals were senior members of the production team with significant responsibility for the programme output. However, under Section 40 of the Act we are withholding this information because it constitutes personal information. Personal information about living individuals is exempt under the Freedom of Information Act if disclosure to a third party would breach one or more principles of the Data Protection Act 1998. As individuals who work at the BBC do not expect information about performance-related reward they receive to be disclosed, to do so

would be unfair; therefore, disclosure would breach the First Data Protection Principle, fairness.

- The other 6 tickets were subsequently returned by the Head of Radio Sport as they were no longer required. As noted in my first letter dated 26 July 2011, *“Some of the complimentary tickets only become available at short notice (for example, due to the intended recipients no longer requiring them). These tickets are placed in a pool for re-distribution by production teams and senior staff members. The recipients of these tickets are therefore not included [in the names listed above].”*
- The BBC does not keep written records of all the recipients of tickets that are returned and placed in the pool for re-distribution. However, on this occasion there is a record that 2 tickets were provided to each of the following: Bernie Ecclestone (President of Formula One Management), Steve Aldous (freelance producer) and Jonathan Brookes (McLaren Racing).

Appeal Rights

If you are not satisfied that we have complied with the Act in responding to your request, you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Yours sincerely,

Neil Land
Chief Adviser & Business Manager, BBC Sport