



Information Rights

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

Peter Jones

request-349086-66a1a72e@whatdotheyknow.com

19 August 2016

Dear Mr Jones,

Request for Information – RFI20161416

Thank you for your request of 31 July 2016 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

I recently read with great interest (and disbelief) and TV Licensing spokesman's claim that "We (TV Licensing) have a 99 per cent conviction rate". The claim was published in this article on the Daily Express:

<http://www.express.co.uk/news/uk/694956/Licence-dodgers-cost-BBC-283m>

Given that far fewer than half of all TV Licensing "Code 8" cases actually result in a conviction, please provide any relevant information about how this claimed "99 per cent conviction rate" was calculated.

Failing that, would you care to retract or distance the BBC from this "99 per cent conviction rate" claim, which quite clearly cannot be accurate.

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd ('Capita'). Over-the-counter services are provided by PayPoint plc ('PayPoint') in the UK, and by the Post Office in the Isle of Man and Channel Islands. Marketing and printing services are contracted to Proximity London Ltd. Media services are contracted to Media Planning Limited trading as Havas Media UK. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

By way of background, I should explain that the conviction rate to which you refer is predicated on the statistics provided by Capita on the number of people prosecuted and convicted for evasion of the Television Licence Fee in England, Wales & Northern Ireland.

Please be advised that prosecutions are defined as the number of cases heard in court; whereas a “Code 8” denotes a prosecution statement taken from a person suspected of TV Licence evasion following an interview conducted under caution. A case may be lodged with the court - the first stage in the court process where a summons has been requested – and subsequently withdrawn¹ before it is heard.

I can confirm that we hold recorded information relevant to your request and I am happy to provide you with this. Please see below our case results statistics for the previous financial year.

	England & Wales and Northern Ireland
Cases heard	193,678
Cases withdrawn	26,126
Found not guilty	32
Convictions	167,520

Of the cases heard, only 32 defendants were found not guilty and therefore the 99% conviction rate is derived by comparing the number of cases heard minus the number of cases withdrawn and comparing this to the number of convictions.

For your information, the penalty for licence fee evasion is a maximum £1,000 fine. In Scotland, Scottish criminal law applies. The maximum fine is £2000 in Guernsey and £500 in Jersey.

Appeal Rights

If you are not satisfied that the BBC has 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 under the Act 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 SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.org.uk/>.

Kind regards

Rupinder Panesar

Freedom of Information Advisor, TV Licensing Management Team

¹Cases may be withdrawn for a number of reasons such as the customer purchasing an appropriate licence following an interview under caution (this option applies only to first time offender and is available if there are no aggravating factors in the offence such as having a black and white licence where a colour licence is required). In a very small proportion of cases, prosecutions may also be withdrawn for other reasons such as on public interest grounds.

