



Information Rights

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Duncan Cushenan

Via email: [request-365260-ee679e9b@whatdotheyknow.com](mailto:request-365260-ee679e9b@whatdotheyknow.com)

9<sup>th</sup> November 2016

Dear Mr Cushenan

**Request for Information – RF120161962**

Thank you for your request of 16<sup>th</sup> October 2016 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*"I would like to know in the year of 2016 how many TV licenses have been purchased.  
How many of these are for black and white televisions.  
How many people have been prosecuted for not paying for a TV license [sic]."*

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.

I shall address your requests in turn below.

**Requests 1 and 2**

Please note that the BBC and TV Licensing publish data by financial year relating to licences in force ("LIF") rather than licences issued. This is due to the fact that licences issued may lapse in any given year. A more accurate measure is therefore the number of licences in force at a specific point in time.

Figures for colour and monochrome LIF in the UK for the last financial year (2015/16) can be found on page 35 in the Notes to the Accounts in the Financial Statements section of the BBC's Annual Report. This is available on the BBC website at - <http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/reports/pdf/BBC-FS-2016.pdf>.

Whilst we do hold UK LIF figures for the remainder of the 2016 calendar year i.e. April to October 2016, I am withholding this information under section 22(1)(a) of the Act which relates to information which is intended for future publication (specifically, that the information is held with a view to its being published by the BBC at a future date). Please note that this information is intended for publication in the TV Licensing Annual review 2016/17.

I am satisfied in terms of section 2(2) of the Act that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. I have provided further explanation of my consideration of the public interest in the section '*Why information has been withheld*', below.

### **Why information has been withheld**

I am required under section 2(2) of the Act to assess whether the public interest in maintaining the exemption used above outweighs the public interest in disclosing the information.

In favour of disclosure, there is a general public interest in providing further information about the BBC's television licensing activities (e.g. information about planned work) which affect a large percentage of the general public.

In addition, I consider that the following factors are in favour of withholding the information:

1. That surprise and interest in relation to stories and developments to be released to the media regarding the importance of purchasing a television licence should be maintained.
2. That the publication of information by public authorities is a carefully planned and managed activity.
3. That the release of the information would not serve to increase the public's understanding of television licensing and could undermine the purpose of media planning.

In this instance, the public interest is served by maintaining the BBC's media planning procedures. I am therefore satisfied in terms of section 2 of the Act that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest (outlined above) in disclosing the information.

### **Request 3**

The BBC does not hold official statistics on the precise numbers of people actually prosecuted for evasion of the Television Licence Fee. For England, Wales and Northern Ireland, prosecution figures are retained by both the Ministry of Justice ("MOJ") and individual magistrates' courts and can be requested using the following address - Data Access and Compliance Unit, Postal Point 6.25, Floor 6, 102 Petty France, London, SW1H 9AJ.

However, the BBC does retain informal statistics on prosecution figures for England, Wales & Northern Ireland which I have provided overleaf. Please be advised that this information is indicative only and has not been verified against the official figures.

<b>Financial year</b>	<b>Number of prosecutions for TV Licence evasion (cases heard) in England, Wales and Northern Ireland</b>
2015/16	193,678

Please also note that whereas the BBC defines prosecutions as the number of cases heard in court, the MOJ defines prosecutions in respect of TV Licence evasion as the number of cases laid to court; which is the first stage in the court process where a summons has been requested. Cases may subsequently 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 offenders 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. As a result of this distinction, the MOJ's statistics for what it defines as "prosecutions" will always be overstated.

### **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.gov.uk/>.

Kind regards

Rupinder Panesar

**Freedom of Information Advisor, TV Licensing Management Team**

