



**Information Policy and Compliance**

[bbc.co.uk/foi](http://bbc.co.uk/foi)

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30 October 2007

Dear Sir/Madam,

**Freedom of information request – RFI2007000889**

Thank you for your request received on 2 October 2007 seeking further information about TV Licensing. Your request is being dealt with under the Freedom of Information Act 2000 (“the Act”).

Please note that “TV Licensing” is a trading name 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 (which undertakes the majority of the administration of the TV Licensing system), with the administration of our cash related payment schemes contracted to Revenues Management Services Ltd (RMS). PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. The marketing and public relations activities are contracted to the AMV Consortium. The consortium is made up of the following four companies: Abbott Mead Vickers BBDO Ltd, Fishburn Hedges Boys Williams Limited, PHD Media Limited and Proximity London Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

In your request you asked the following (I have numbered your requests for ease of reference):

- 1) *We request information about the number of Magistrates Summons issued in Northern Ireland . . .*



INVESTOR IN PEOPLE

I can confirm that we do hold the information you have requested. However, I am withholding it under section 31(1)(a),(b),(d) and (g) of the Act which relates to law enforcement, specifically, that disclosure would, or would be likely to prejudice the prevention or detection of crime.

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 considered the public interest test in the section on why information has been withheld below.

2) . . . and the percentage of those Summons which are issued against female defendants.

Our records show that around 65% of the summons issued in Northern Ireland in 2006-07 were issued against defendants whose titles were given as 'Miss', 'Mrs' or 'Ms'. However, this does not necessarily equate with the total percentage of female defendants who were issued with a summons, as it does not include female defendants who may have used other titles (such as Prof or Dr). The total percentage of summons which were issued against female defendants in Northern Ireland in 2006-07 is therefore not held.

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

I am required under s 2(2) of the Act to assess whether the public interest in maintaining the exemption outlined in response to question two above outweighs the public interest in disclosing the information.

There is a public interest in disclosure in order to reassure the public that the licensing authority is exercising its functions appropriately and proportionately, ie that:

1. people will not be unfairly prosecuted;
2. the TV licensing system is being efficiently run; and
3. value for money is being obtained.

I consider that the above public interest factors in favour of disclosure are served by the following:

1. The BBC/TV Licensing does not prosecute except where it is in the public interest to do so, which includes having sufficient evidence. This is a key principle of the Crown Prosecution Guidelines which we publicly state that we adhere to. Further, a magistrate would not allow a prosecution to take place if there was not sufficient evidence and public interest.
2. The BBC is required to satisfy the National Audit Office ('NAO') as to the value for money of the collection and enforcement arrangements and is accountable for the economy, efficiency and effectiveness of such arrangements. NAO's most recent audit is published at [http://www.nao.org.uk/publications/nao\\_reports/06-07/0607183.pdf](http://www.nao.org.uk/publications/nao_reports/06-07/0607183.pdf).

3. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/2, when it took over from the Home Office, to 4.1% for the financial year 06/07. This demonstrates that the TV Licensing system is being efficiently run. This and further related information is available in the BBC's annual report (see [www.bbc.co.uk](http://www.bbc.co.uk)), the TV Licensing Annual Review and the *About TV Licensing* document (see <http://www.tvlicensing.co.uk/aboutus/index.jsp>).

Providing further information relating to our prosecution process would reveal information which may be useful to people attempting to evade the licence fee.

There is hence a greater public interest in ensuring the effective collection of the licence fee than in disclosing the information you have sought. 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.

### **Appeal rights**

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address provided, 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/>

I hope this response is helpful.

Yours sincerely,

**Natalie Sanderson**  
**Policy Adviser**  
**BBC TV Licensing Management Team**