



Information Policy & Compliance
bbc.co.uk/foi

Via email:

7 January 2008

Dear Mr

Freedom of information request – RFI2007001047

Thank you for your request received on 7 December 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 message you requested the following:

1. *The number of court cases in the past year where evidence from “electronic detection equipment” such as “detector vans”, has resulted in a conviction.*
2. *The number of search warrants obtained in the past year where evidence from “electronic detection equipment” has been used in order to obtain the warrant.*



INVESTOR IN PEOPLE

3. *The number of "detector vans" that are currently in operation and the number of staff operating these vans.*

It is a criminal offence to install and use television-receiving equipment to watch or record television programme services without a valid licence. TV Licensing investigates and prosecutes such unlicensed use of television receiving equipment.

I can confirm that we do hold all the information that you have requested. However, I am withholding this information under section 31 subsections (1)(a),(b),(d) and (g) of the FOIA 2000 of the Act which relates to law enforcement, specifically, that disclosure would, or would be likely to prejudice the prevention or detection of crime and collection of the licence fee.

Why information has been withheld

I am required under s 2(2) of the Act to assess whether the public interest in maintaining the exemptions outweigh the public interest in disclosing the information. I have considered the public interest test in the section on why information has been withheld below.

The following factors are in favour of disclosure:

1. ensuring that the licensing authority is exercising its functions appropriately and proportionately, ie that people will not be unfairly subjected to detection;
2. ensuring that public funds are being appropriately applied, that is:
 - a. ensuring that the TV Licensing system is being efficiently run; and
 - b. ensuring that 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 has a duty to enforce the television licensing system and it is essential that effective deterrents against evasion are maintained for this purpose. Without an effective deterrent, evasion would invariably increase. This would be to the detriment of the honest majority of people who are properly licensed and to the overall amount of revenue available to the BBC. It would also increase detection costs.
2. The Office of Surveillance Commissioners is an independent body which monitors the BBC's compliance with legislation regarding detection, hence the public interest in people not being unfairly subject to detection is satisfied.
3. 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.

4. 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), the TV Licensing Annual Review and the *About TV Licensing* document (see <http://www.tvlicensing.co.uk/aboutus/index.jsp>). A key part of this success has been the use of detection as a significant deterrent element.

In this instance, the public interest is served by maintaining an effective deterrent to licence fee evasion and thus in turn protecting the BBC's revenue stream.

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 Saunderson
Policy Adviser
BBC TV Licensing Management Team