



Information Policy & Compliance

bbc.co.uk/foi

Via email:

25 January 2007

Dear Ms

Freedom of information request – RFI2006000775

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 28 December 2006, seeking:

1. “The number and whereabouts of inspections conducted in university halls of residence in London from 2003 to date (or whenever the most recent figures you have to cover)”

Regarding the number of visits made by TV Licensing visiting officers to addresses without a television, I confirm that I do hold the information that you’ve requested. However, I am withholding the information you have requested under subsections 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;
- the apprehension and prosecution of offenders;
- the assessment or collection of a tax or duty or imposition; and
- the exercise by a public authority of its functions.

Disclosing the number of visits carried out could disclose trends, the knowledge of which would prejudice our ability to prevent or detect crime in relation to evasion of the television licence payment.

Regarding the costs of visits to households where there is no television, the BBC pays a set amount to our contractors to carry out specified functions, which includes carrying out those visits. Thus the BBC does not hold this information. Matters relating to Capita’s internal costing are held by Capita and are not held on behalf of the BBC and therefore not covered by the Freedom of Information (FOI) Act (as per section 3(2) of the FOI Act).

There is a public interest in disclosure of this information, as it would demonstrate that:

1. People will not be unfairly prosecuted;
2. The TV Licensing system is being efficiently run (including that enforcement officers, who carry out visits, are used effectively); and



3. Value for money is being obtained for the licence fee payer.

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

1. Independent third parties (a magistrate or, in Scotland, a sheriff) also consider whether evidence presented by TV Licensing in support of prosecutions (and applications for search warrants) has been obtained fairly and lawfully. Thus the public interest in knowing that we are using our powers appropriately and proportionately is satisfied.
2. The BBC/TV Licensing does not prosecute except where it has sufficient evidence and it is in the public interest to do. This is a key principle of the Crown Prosecution Guidelines which TV Licensing publicly states that it adheres to and a magistrate would not convict if there was not sufficient evidence and public interest.
3. The BBC has reduced the cost of collection from 6.2% of the total licence fee collected in 1991/92, when it took over from the Home Office to 5% for the financial year 05/06. The evasion rate has been reduced from 12.7% in 1991/92 to 4.7% in 05/06. 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 using enforcement officers in an appropriate way.
4. TV Licensing Management Team is subject to National Audit Office Audits (which are published. See: http://www.nao.org.uk/publications/nao_reports/2001-02.htm) and also to annual independent internal BBC audits which covers statements from our contractors.

Furthermore, there is a strong public interest in ensuring the effective collection of the licence fee. Revealing this information will provide information that is likely to be of use to people who wish to avoid paying the television licence fee.

I am 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 in disclosing the information. 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.

2. & 3. *"The number of unlicensed students discovered" and "How much were they fined?"*

I estimate that to deal with your request to break down this figure by nation (in this case Scotland) or by constituency would take more than two and a half days. Under section 12 of the Act we are allowed to refuse to handle the request if it would exceed the appropriate limit. The appropriate limit has been set by the Regulations (SI 2004/3244) as being £450 (equivalent to two and a half days work, at an hourly rate of £25).

To determine the number of unlicensed students discovered would involve checking the address on paper prosecution records against the TV Licensing database to determine the address type. To determine the fines (we keep limited records of fines made in television licensing cases, however fines are a matter for the courts) we would have to link these figures in the same way.

4." Please also supply the number of reminder letters sent to students in university halls in London during this period."

Below are counts of the initial number of mailings sent to University Halls of Residence in Greater London over the last 5 years.

By 'initial', I am referring to the first unlicensed mailing TV Licensing sends each year in October. Where the occupant does not respond, follow-up mailings will be sent.

Oct 2002: 17,042
Oct 2003: 25,590
Oct 2004: 27,442
Oct 2005: 29,798
Oct 2006: 29,850

Appeal rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager. 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>

Yours sincerely,


PP. Kate Boyle
Policy Advisor

BBC TV Licensing Management Team