



**EVIDENCE FOR THE CONSULTATION ON
DECRIMINALISING TV LICENCE EVASION**

Submission from the National Pensioners Convention

March 2020

FAO Decriminalisation of TV licence evasion consultation
Media Team
DCMS
4th Floor, 100 Parliament Street
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Dear DCMS Media Team

NPC EVIDENCE FOR THE CONSULTATION ON DECRIMINALISING TV LICENCE EVASION

Introduction

The National Pensioners' Convention (NPC) is Britain's biggest independent organisation of older people, representing around one thousand local, regional, and national pensioner groups with a total of 1.5 million members. We wish to submit views to the DCMS Media Team' for the consultation on the decriminalisation of TV licence evasion consultation,

The NPC is run by and for pensioners and campaigns for improvements to the income, health and welfare of both today's and tomorrow's pensioners and this response is based on the views and experiences of our members as expressed through discussion by our General Secretary, Campaign Officer and Information Officer.

Consultation

This consultation is concerned with whether to decriminalise TV licence evasion, and considering how this could happen. The Government's objectives and determining factors will include:

- **whether an alternative, non-criminal enforcement scheme is fairer and more proportionate.**

Research shows that the current enforcement scheme discriminates against women. The Perry report (2015) used figures from 2012, which showed that with 67% of all TV Licensing Records of Interview taken, are from women and 70% of all those prosecuted are also women, indicating that women are significantly and disproportionately at risk of investigation and prosecution than men ¹.

By 2017 this had further increased to nearly three quarters (72%) of people being prosecuted for TV licence evasion (137,913 in total) were women, with the crime accounting for 30% of all female prosecutions (compared to 4% of male prosecutions) – making it the most common offence for which women were prosecuted, according to government figures. Furthermore, a greater proportion of women (94%) than men (92%) were convicted ².

The recent statement by Tony Hall that pensioners aged 90 could potentially be imprisoned for non-payment of the TV licence fee/fine is shocking and he should unreservedly apologise.

Taking civil cases is time consuming and potentially stressful for the older, more vulnerable person – particularly those over 75.

The safeguarding element of the current scheme is of paramount importance to each individual, but in particular to those vulnerable people over 75.

○ **the cost and difficulty to implement any alternative scheme:**

The cost to the individual would perhaps stay the same. However, the cost to the BBC/TVLA would be much more than the current scheme. Current losses have the potential to increase year on year and the funding to support the scheme will take more resources out of the BBC's broadcasting budget.

Given current resources in the TVLA, extra funding would need to be given to recruit enforcement officers for a civil debt. Or, as is usual with the government, a private agency set up with taxpayers' money. The NPC would not be in favour of this system.

○ **the potential impact on licence fee payers, particularly the most vulnerable and those with protected characteristics:**

The most vulnerable in society are already affected by changes to the licence fee for over 75s. Those just above pension credit level have the potential not to be able to afford a licence and fall foul of the legislation. A further 50,000 older people will be pushed into poverty because they lose their free licence. The potential to be imprisoned becomes more real as the state seems to lack the will to understand that the poorest are not always those on pension credit and other benefits.

The suspect behaviour of a number of collection agencies (bailiffs) is not something the NPC would want our vulnerable people to be traumatised by. Cameras are OK, but there is something really nasty about a bailiff knocking on your door to potentially take away your TV or something else in your later years.

The flexibility shown by the courts in the current system will not, we fear, be a feature of a civil enforcement system.

○ **the overall impact on licence fee collection:**

Given the collection level currently, it is possible that a new system with its attendant costs and enforcement problems would take longer and perhaps not achieve the targets set. In the meantime, vulnerable people are led along a process that is flawed and stressful.

Considering these objectives and factors, together with the information set out in this consultation document and other information you believe appropriate, we invite respondents to answer the following questions:

1. Should TV licence evasion (the use or installation of a television receiver without a TV licence) no longer be a criminal offence? Why do you consider that TV licence evasion should no longer be a criminal offence?

Licence evasion should not be a criminal offence. The state must have parity of penalties for non-payment of fees. Utility companies have lists of their vulnerable customers against criteria, i.e. of pensionable age; range of disabilities; chronically sick; on low incomes and living in rural areas. These lists are used to ensure that vulnerable customers are a priority during power cuts and other energy related emergencies. Very few individuals go to prison for non-payment of energy bills. It is therefore the case that TV licence fee enforcement is archaic and discriminatory against a range of 'vulnerable people.'

2. If, alternatively, you consider that TV licence evasion should remain a criminal offence, why is this the case?

3. If you have a view, what alternative enforcement scheme models do you consider to be most appropriate? Why?

4. What steps could the Government take to mitigate any impacts that may result from decriminalisation of TV licence evasion?

5. Please provide any evidence you consider appropriate in answering these questions and any other information that you believe the Government should consider, especially where there is an impact on those with protected characteristics or the most vulnerable.

Conclusion

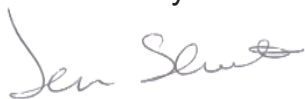
No matter how simple a repayment scheme is, the individual first has to have the money to pay into it. With 50,000 more older people falling into poverty as a result of the decision to withdraw the free over 75s TV licence, thousands more will not have the financial resources to pay.

The free TV licence for over 75s is a universal entitlement given by the government to supplement a pittance of a pension instead of doing the honourable thing and increasing base pension rates. The responsibility for universal entitlements (welfare) is the government, not the BBC.

Whatever the reasons the BBC agreed to take the deal, the government should be ashamed that it even thought to offload it in the first place. Abdication of their social responsibility to an unelected corporation is unforgivable.

We have attempted to give brief responses to some of the questions posed in the consultation and would be happy to provide further evidence.

Yours sincerely



Jan Shortt
General Secretary

References

1. Gender Disparity Report –TV licensing - 2017

<https://www.tvlicensing.co.uk/ss/Satellite?blobcol=urldata&blobheadname1=contenttype&blobheadvalue1=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1370006458780&ssbinary=true>

2. Statistics on Women and the Criminal Justice System – Ministry of Justice 2017

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759770/women-criminal-justice-system-2017..pdf

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