

# **Response to Department of Digital, Culture, Media and Sport consultation on decriminalising TV licence evasion**

## **Should TV licence evasion (the use or installation of a television receiver without a TV licence) no longer be a criminal offence?**

It should remain a criminal offence.

## **If you consider that TV licence evasion should remain a criminal offence, why is this the case?**

The BBC is the UK's only public service broadcaster, and it is central to the lives of the vast majority of UK citizens. 91 per cent of the adult population use the BBC every week, and 26 million households hold TV Licences. It also enjoys high levels of trust: according to a December 2019 poll by Savanta ComRes, 69 per cent of people consider the BBC a trusted news source. The TV Licence Fee is currently the BBC's main source of income, accounting for £3.69 billion in the last financial year or approximately 75 per cent of the broadcaster's revenues. The BBC has stated that decriminalising payment would cost it an estimated £200 million a year in increased levels of evasion. Unlike other utilities and even other broadcasters such as Sky, who can disconnect non-payers, the BBC cannot "turn off" access to non-payers to disincentivise evasion.

Even if levels of evasion remained the same, there would be significant negative consequences of moving to a civil system. Fines would likely be imposed more frequently, as a result of the lower evidential burden required by civil courts. Evaders would be hit with more severe long-term consequences, as civil fines affect the credit ratings of offenders. There would also be a cost to the taxpayer, which is estimated at around £25 million in lost revenue in addition to the unknown – but likely substantial – set up costs of establishing new court systems and processes.

Finally, at this time – with unprecedented measures required to mitigate the impact of the COVID-19 pandemic, and a significant backlog of Brexit and non-Brexit related legislation set to be considered by Parliament – making changes to the TV Licence Fee should not be a priority for Government. This proposal was not in the Conservative Party manifesto at the recent General Election, only five people were imprisoned for Licence Fee non-payment last year, and there has been no suggestion that criminalisation of non-payment places an undue burden on the courts or prison system. As recently as 2015 a government-commissioned review carried out by David Perry QC concluded that the current system is the fairest and most effective way of funding the BBC, while the Corporation itself claims that the licence fee is the funding option that enjoys the highest level of public support.