

justice system. In 2021, just under half (47%) of all prosecutions for female defendants were for summary motoring offences, and there are several offences where more women are prosecuted than men, including truancy and benefit fraud. As the Government recently highlighted women in contact with the criminal justice system are among the most vulnerable in society. There are also longstanding concerns about the disproportionate impact on women of other money-related matters such as non-payment of Council Tax and more broadly there remain concerns about the disproportionate impacts of financial hardship and debt on women.

TV Licence enforcement has been looked at before. In 2015 a review for the Government by David Perry KC found no evidence of any discriminatory practices on the part of the BBC but asked the BBC to look into the issue further.

Subsequently a BBC review and action plan was published in 2017. The review found evidence of direct discrimination and concluded that the factors contributing to this disparity were the result of a number of factors. The review focused on actions aimed at reducing the disparity.

Five years later we conducted this review to look again and see whether further action could be taken to reduce the disparity.³ This review has included detailed data analysis and research. We have engaged with a range of stakeholders who have expressed concerns about the current system and suggested ways we could change it.

The BBC appointed Baroness Lola Young of Hornsey as an independent adviser. The role of the adviser has been to provide an impartial and objective review and challenge of the process and to provide feedback on or development of insights and/or mitigations.

Baroness Young was involved at each stage of the review process including reviewing this report and supporting evidence. Baroness Young has provided her independent views which can be found after this summary. In her review she draws out that:

The review, and its rigorous analysis, has been a critical factor in enabling the BBC to identify key actions. Once implemented, the Action Plan has the potential to mitigate gender disparity significantly in terms of prosecutions, and to lead to fewer people overall being prosecuted. Such a result would be of benefit to the public.

This review does not paint a significantly different picture from the work that was done five years ago. Although in those five years the total number of prosecutions has fallen significantly and TVL has continued to improve its processes to support licence fee payers. For example, the Simple Payment Plan was launched in 2020⁴ and provides a more flexible scheme for people struggling financially.

This review has found that:

- x Ensure any further relevant information is taken into account for example when the ONS releases full census data on household composition (expected in 2023).
- x Maintain a close dialogue with groups representing women, debt/financial charities and other relevant stakeholders as this plan is implemented.

The BBC engaged Baroness Young of Hornsey in May 2022 to act as an independent adviser to the review. The role of the adviser was to provide an impartial and objective review and challenge of the process and to provide feedback on or development of insights and/or mitigations. The primary function of the role was to help the BBC ensure that the principles set out below were observed at all times throughout the conduct of the review.

- x That the Review investigates robustly the way that TV Licence fee evasion is identified, the circumstances in which and grounds on which the decision to prosecute is made, and the manner in which prosecutions are conducted.
- x That parties whose interests are affected by the issues raised or who may have information or insights to offer to the Review are identified, and where appropriate consulted.
- x That the Review pays due regard to the need to make adjustments to ensure that a diverse range of voices can be heard.
- x That all reasonable hypotheses relating to the causes of or remedies for the gender disparity are considered open and reasonable.

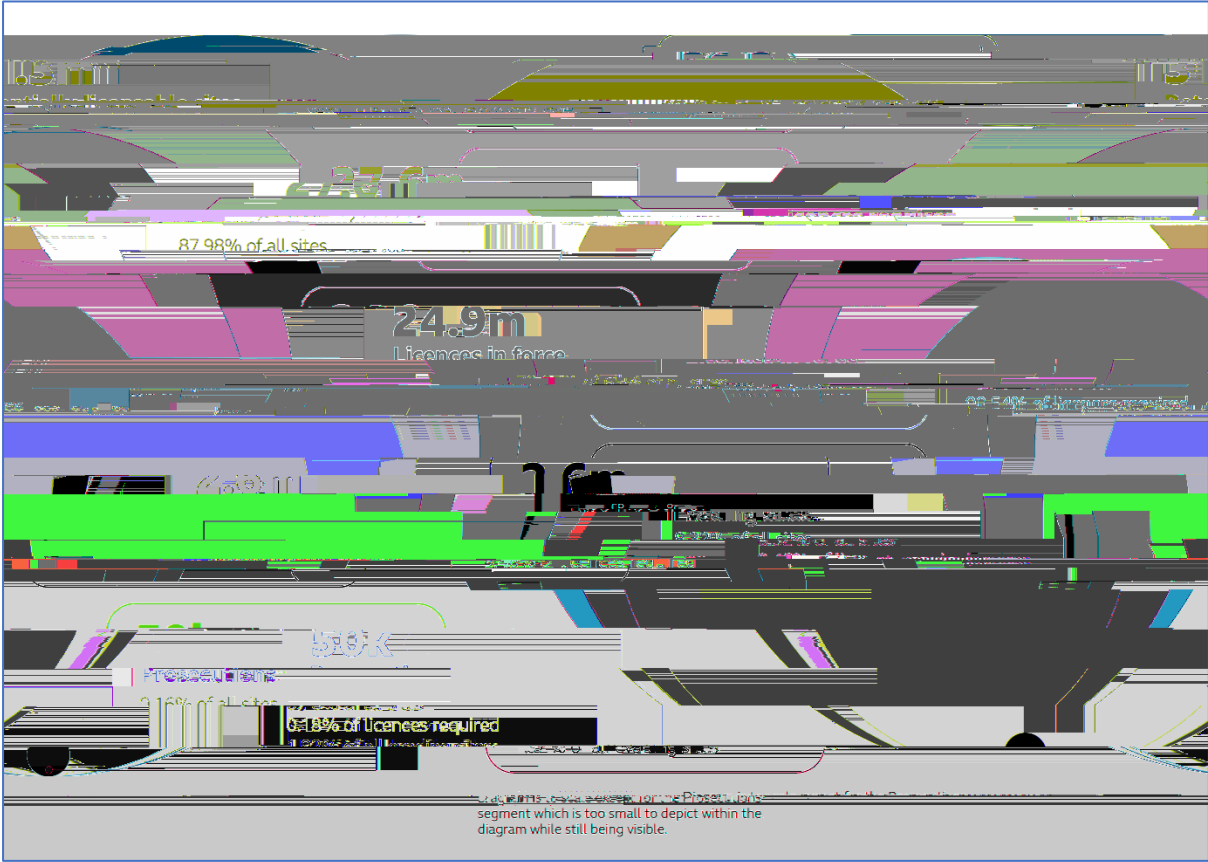
3. Scrutiny of the process of identifying licence fee evaders should also include other potential disparities among, for example, disabled people and racially minoritised communities.

4. Although decriminalisation of the television licence fee was not in my Terms of Reference, the issue was raised by some stakeholders. My view is that these potentially unequal outcomes should be considered in any future review.

This review has sought to understand why the majority of those prosecuted for
Licence evasion are women and consider what, if anything,

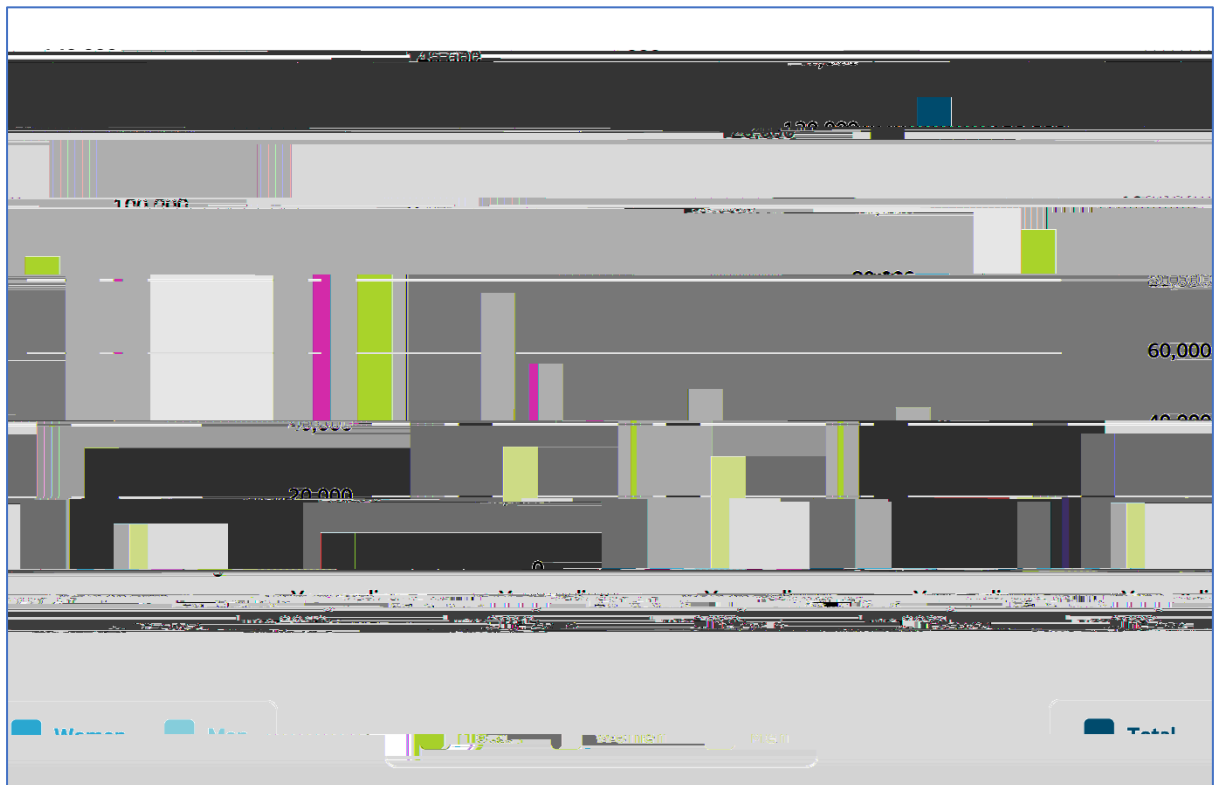
households¹² in the UK hold a licence and there were 24.9 million licences in force in 2021/22, raising around £3.8 billion revenue.

The licence fee is the means of funding the BBC with the single most support. In 2022 more of the public chose the licence fee as their preferred way to fund the BBC than chose either advertising or subscription¹³



Source: TV Licensing data estimates as of March 2022

There has been a significant fall in the number of people prosecuted for TV Licence evasion in recent years. As shown in Figure 3 in England and Wales there were 6% fewer prosecutions in 2022 than 2018 and 64% fewer prosecutions of women over the same period.²² The total number of women prosecuted has fallen from around 93,000 to around 33,000. Despite the overall fall in prosecutions, the disparity between the numbers of men and women prosecuted each year has remained and 74% of convictions in the past 5 years were of women.



Source: Ministry of Justice data

²² The year 2012 is the year ending June of that year.

Although there is a different system in Scotland (set out in Part 2), out-of-court disposals can be offered by the Procurator Fiscal in lieu of prosecution, the broad trends are similar.²³ As shown in Figure 4, between 2017/18 and 2020/21 total out of court disposals fell by 79% (overall and for women), with women making up 72% of total disposals across those 4 years

This review found strong evidence that the majority of factors contributing to the gender disparity were driven by circumstances

This review has found that societal factors remain highly relevant to the ongoing disparity, particularly:

- (1) Household composition.
- (2) Apparent behavioural differences between men and women
- (3) Financial hardship and other vulnerabilities.

While there is a roughly equal number of men and women within the UK population, there are significant differences in the composition of UK households

While most households have more than one adult, around 41% of households have a single adult (either one person living alone or a lone parent with dependent children). Of these there are more single person female households than single person male households, and far more single mother households than single father households. More specifically:

- x Around 62% of single adult households are female while less than 40% are male
- x Of the just under 3 million lone parent households in the UK, around 70% were lone mothers, with the remainder as lone fathers.

The licence fee is charged at a household rather than individual level. For the 41% of households that have a single adult, only that adult can be responsible for holding a Licence (if one is required). In around 2% of these households, that adult is a woman. This means there are significantly more households where the only person who can be responsible for holding a TV Licence is a woman than there are UK households where the only person who can be responsible is a man. If you assumed evasion was equally likely in all households then, all other things being equal, you might expect about 10% more women than men to be prosecuted. While, as we go on to explain, all other things are not equal, the fact is more likely that a single adult is a woman. This is an important starting point for understanding some of the disparity.

Putting household composition to one side, we have also gathered evidence that there are differences in behaviour between men and women that help to explain the disparity.

The first behavioural difference we explored is whether women are more likely to be present in a home than men. This is critical given that an in-person visit is the only way

²⁶ Some data on household composition and gender from the 2021 census was released by the ONS in March 2023

while Visiting Officers state that 85% of the times when a woman answered the door they spoke to that woman, only in 70% of cases when a man answered the door they spoke to that man.³²

As a result women are more likely to be interviewed by a Visiting Officer who will take a Record of Interview (ROI) which is an evidential requirement to prove that an offence has been committed.³³

- x Household deprivation is found disproportionately in some areas, especially in the North of England, the Wes

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Background

This part sets out the context for the review of unlicensed households. These are operated without reference to gender but do not operate in a vacuum; they exist within the societal context set out in Part 2. We go on to consider how this interaction may affect the gender disparity in Part 4.

In conducting this review we thought it was important to create a sample data set that would allow us to focus on the issues identified in the Action Plan.

TVL holds a database of UK addresses, both licensed and unlicensed. The database does not systematically capture gender information (male/female⁴⁷) and gender information is only available where there is or was a licence holder and we have used this to indicate gender. It is not a perfect sample. We have created it only to aid our understanding of the issue and it is not data TVL uses in its operations nor should it be taken as definitive.

Our sample was all addresses that were eligible for a visit between February and April 2019. The sample was around 977,000 cases, large enough to be representative. Gender was indicated by recorded title in just over 60% of addresses in this sample. This approach has some limitations in that it covers only:

In all cases, the decision to prosecute (including a decision to make a report to the Procurator Fiscal) is made by TVL. A prosecution is progressed by TVL only if there is sufficient admissible evidence to give a realistic prospect of conviction, and prosecution is in the public interest

As well as the VO asking in the interview whether there are any personal circumstances that ota

We have looked at why there is a disparity and what, if anything, TVL can do about it.

We highlighted in Part 2 that there are societal factors that contribute to the disparity. In themselves the

We have not found a simple and direct relationship between the disparity and the way in which TVL

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TVL is implementing a 10 point Action Plan and will continue to work with other organisations and stakeholders as needed to make further improvements. Most of the actions have been developed as a direct result of suggestions made to this review by organisations with experience dealing with women in financial hardship or with debt issues or women in the justice system.

The Action Plan focuses on doing more to

- x support people in financial hardship and debt and
- x help people stay licensed and avoid prosecution.

PICS	Post Interview Customer Support
ROI	Record of Interview
SPP	Simple Payment Plan
TVL	TV Licensing
VO	Visiting Officer

In autumn 2022 we met and interviewed a range of stakeholders to discuss the ~~following~~ themes that have informed our review:

- x Money advice and debt
- x

