

HOUSE OF LORDS,  
SW1A 0PW

Our Ref: DL167/196/01

7 September 1989

Dear Catherine,

BBC LICENCE FEE EVASION

In the Lord Chancellor's absence I am responding to the Home Secretary's minute of 1 September to the Prime Minister concerning proposals to decriminalise BBC licence fee evasion.

In correspondence between our two Departments last year we made it clear that we would have no objections of principle to changes which would enable non-payment of the licence fee to be pursued in the county courts as a civil debt. One of the Lord Chancellor's principal concerns, as always, is the impact on the workload and resources of the courts of such proposals. As Greenberg said in his letter of 20 September 1988 to Grant, there would be substantial implications for the county courts if the decriminalisation proposal were to be pursued and we would need to quantify the costs. On the other hand, the impact on the Crown Court of continuing to deal with evasion as a criminal offence, if that course were favoured, would remain negligible as these cases are triable only summarily by the magistrates and there are very few appeals to the higher court.

If it is decided that the status quo is to be maintained we would have no objections of principle to any proposal to amend S.1(1) of the Wireless Telegraphy Act 1949 to create an offence of maintaining a television receiver without a licence.

I am copying this to the Private Secretaries to the Members of MISC 128, Dominic Morris and Trevor Woolley.

PAUL STOCKTON

Private Secretary to the Lord Chancellor

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BROADCASTING Policy Pt 9.

