|  |  |
| --- | --- |
| Ministry of Justice | February 2017 |

**Freedom of Information Act (FOIA) Request – 109818**

You asked for the following information from the Ministry of Justice (MoJ):

***We keep MOJ figures for the number of men and women jailed for TV Licensing offences. A few years ago your team helpfully sent through MOJ data, which showed the male/female breakdown, and this correlated with the FOIs we had seen up until that date. This data seemed to be accurate, and matched FOI responses issued by the MOJ for the period 2005 to 2013.***

***However, we have some discrepancies with 2014 and 2015 data, which I’m hoping you can help explain, please. It may be to do with changes to terminology at your end?***

***I’ve outlined this in a table below, but, for example:***

***• Information we have showed 20 women jailed in 2014, and 11 women jailed in 2015. As far as we’re aware, this data refers to “fine defaulter receptions” – however information given to X in a FOI response shows 11 women in 2014 (fine defaulter receptions) and 20 women in 2015 (sentenced admissions)***

***o Firstly, our 2014 figures don’t match those given in a FOI***

***o Secondly, when a journalist from the Daily Mail compared the 2014 with the 2015 figure, we challenged it, as they were recorded differently. She said she checked with the MOJ press team, and they told her the two terms were comparable.***

***• To further compound our confusion (!) a PQ cited the number of women jailed as 24, for the first 9 months of 2014. Yet our end-year figures show either 11 or 20.***

***Can you please confirm:***

***1 The correct figures for the number of women and men jailed for TV Licensing offences in England and Wales in 2014 and 2015. Are the figures provided to X correct?***

***2 Is there a difference between “sentenced admissions” and “fine defaulter receptions”? If so, can you please provide us with some background, or if not, can you please let me know when the terminology changed, and confirm the two are interchangeable?***

***Thanks for any help you can provide – as you can appreciate, there are large variations in the numbers below, which can shape a media story significantly.***

***Table below:***

|  |  |  |  |
| --- | --- | --- | --- |
|  | ***Information previously given to TVL by MOJ*** | ***Info given from MOJ to X in FOI responses*** | ***Info given from MOJ to X PQ response (06 February 2015 Ministry of Justice Television: Licensing Lords HL4745)*** |
| ***2015*** | ***5 men***  ***11 women***  ***“fine defaulter receptions”***  ***The MOJ told us they moved to a new data source in 2015 which gave them much more control over the data. This means that figures prior to 2015 are not directly comparable.*** | ***18 men***  ***20 women***  ***“Sentenced admissions”*** | ***N/A*** |
| ***2014*** | ***18 men***  ***20 women***  ***“fine defaulter receptions”*** | ***28 men***  ***11 women***  ***“fine defaulter receptions”*** | ***10 men (Jan to Sep)***  ***24 women (Jan to Sep)*** |

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Please find the requested data as below.

1. Women and men jailed for TV Licensing offences in England and Wales in 2014 and 2015 can be viewed in attached table.
2. For the difference between ‘fine defaulter receptions’ and ‘sentenced admissions please see the below text:

**Fine defaulter admissions (previously called fine defaulter receptions)**

The only mechanism by which you can go to prison for ‘using a TV without a licence’ is by defaulting on the imposed fine. In these cases the offender should be recorded as a ‘fine defaulter admission’.

**Sentenced admissions (previously called sentenced receptions)**

The term ‘sentenced admissions’ includes the above ‘fine defaulter admissions’, but also includes offenders who are admitted to custody with court-imposed ‘determinate’ and ‘indeterminate’ sentences. Therefore ‘fine defaulter admissions’ are a subset of sentenced admissions.

Offenders who have been sent to prison for defaulting on a fine (such as in the case of a TV licence offence) will be recorded as ‘sentenced admission’, but should also be recorded as ‘fine defaulter admission’. The difference between the two sets of figures is likely due to issues in data recording and processing. We will be exploring the effect of our transition to a new data source in 2015 on the classification of these offenders

In answer to your question on whether the correct figures for the number of women and men jailed for TV Licensing offences in England and Wales in 2014 and 2015 were provided to X. I regret to inform you that due to administrative error the incorrect figures for calendar year 2015 were provided in FOI 99370, please accept our apologies for this error. However, the figures that we provided to X for calendar year 2015 in FOI 109140 are correct.