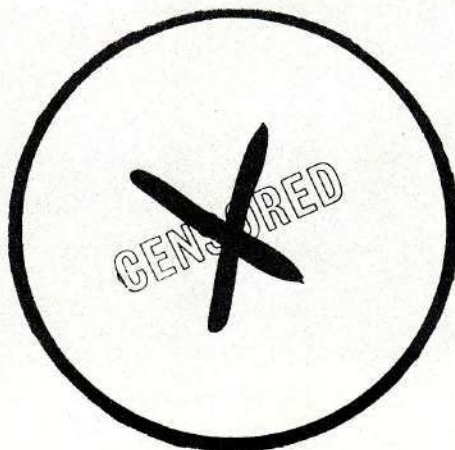


NATIONAL CAMPAIGN FOR THE REFORM
OF THE OBSCENE PUBLICATIONS ACTS

N C R O P A

EVIDENCE TO THE COMMITTEE ON OBSCENITY AND FILM CENSORSHIP

APRIL 1978



NATIONAL CAMPAIGN FOR THE REFORM OF

THE OBSCENE PUBLICATIONS ACTS

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REPORT TO THE HOME OFFICE

COMMITTEE OF INQUIRY

INTO OBSCENITY & FILM CENSORSHIP

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I INTRODUCTION

The NATIONAL CAMPAIGN FOR THE REFORM OF THE OBSCENE PUBLICATIONS ACTS was founded in 1976 by its present organiser, David Webb, who gathered together a number of like-minded people who shared both his opposition to censorship and also his concern that a totally unrepresentative minority of the general public was becoming increasingly successful in its efforts to force its beliefs and moral standards on others. This, we believe, is a totally alien concept of what we have come to expect of a supposedly free society and presents an unreasonable curtailment of individual liberty and the freedom of expression. (N.C.R.O.P.A. formerly stood for "National Campaign for the REPEAL of the Obscene Publications Acts" but this was changed to REFORM in order to give a more accurate reflection of our aims which have remained unchanged.)

A number of prominent people from all walks of life were approached and a Committee was formed. Many of those who felt unable to serve on the Committee for various reasons (mainly pressure of other work and interests) nevertheless expressed their strong support for our aims. They include members of both Houses of Parliament, former Government Ministers, prominent lawyers, ecclesiastics, authors, playwrights, publishers, doctors, psychologists, psycho-analysts, journalists, stage, film and television directors, actors and actresses, magistrates, local and county councillors, social workers, scientists, engineers, businessmen and so on - and they represent a cross-section of all party political persuasions.

N.C.R.O.P.A.'s aims have been simple and straightforward and have not changed from the outset. We believe that every adult should have the right to see, read and hear whatever he or she chooses for him or herself, in the absence of any reliable evidence that sexually explicit material (or what some would call "obscene" or "pornographic" material) of whatever kind, is harmful. We believe that this is also true of depicted violence as our report will indicate in other sections, particularly that submitted by Dr. Brian Richards. We support the retention of measures to "protect" children but, save for one or two minor changes, believe that there are already sufficient of these on the Statute Book at present not to warrant any strengthening or substantial change (e.g. The Children & Young Person's Harmful Publications Act 1955, the Sexual Offences Act 1956 and the Indecency with Children Act 1960). HOWEVER, the 1959 and 1964 Obscene Publications Acts should be repealed. We also believe that the Acts currently in force controlling the public display of material some people would deem to be offensive should be replaced by one new Act but that much more careful consideration will need to be given to the drafting of such an Act than was given to the Bill introduced by former Home Secretary, Robert Carr, in an earlier Conservative administration (1974).

A number of other Statutes would also need to be amended (e.g. the Cinematograph Acts of 1909 and 1952; the Post Office Act 1953; the Customs Consolidation Act 1876). Also the common law offence of Conspiracy to Corrupt Public Morals, conspicuously and regrettably retained when other Conspiracy offences were repealed in the last session of Parliament, must be abandoned. Finally we believe that the Unsolicited Goods and Services Act 1971 should be retained but that private prosecutions should not be permitted.

Certain members of the Committee have contributed their own sections to this report but its entire contents have been approved and endorsed unanimously.

II WHAT IS OBSCENITY?

The Oxford English Dictionary gives two meanings of the word "obscene". The first, described as now somewhat archaic, is:-

"Offensive to the senses or to taste or refinement; disgusting, repulsive, filthy, foul, abominable, loathsome."

It is the second, however, which pertains mostly to contemporaneous society:-

"Offensive to modesty or decency; expressing or suggesting unchaste or harmful ideas; impure, indecent, lewd."

The word has come to be associated almost invariably nowadays with sexual matters, although there is a much more recent trend still for obscenity to be associated with violence as well (the "obscenity" of war, for example, of napalm-bombed Vietnamese children and of the South African Sharpeville massacre).

That "obscenity" should have become so closely allied to sexual matters is almost certainly the result of the build-up of sexual repression occasioned by many years of conditioning by religious and social indoctrination of one kind or another which, however well-meant, has inculcated our society with some unnatural and unhealthy fixations about sex - that it is dirty and disgusting, wicked even, and that it is only to be tolerated at all because no-one has yet discovered a satisfactory substitute for the perpetuation of our species!

Given, however, that we live in such a society and that there are many who are unable to shake off their deeply ingrained sexual "hang-ups", is it possible to draw a line between what is "obscene" and what is not; and if it is, is it either desirable or proper to do so? We think not, for the simple reason that any such judgement is inevitably completely subjective. What is "obscene" to one person is nothing of the kind to another. Just as beauty is in the eye of the beholder, likewise obscenity. The individual adult must make up his own mind. He must make his own judgement. Society has no right to make it for him in such matters.

Notwithstanding, in the Obscene Publications Act of 1959 an unsuccessful attempt was made to define the indefinable. Section one states that, "For the purposes of this Act an article shall be deemed to be obscene if its effect or (where the article comprises two or more distinct items) the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it". The futility of this clause is that the words "deprave" and "corrupt" are capable of being almost as widely interpreted as "obscene". Again any such interpretation will be wholly subjective. Who can say for certain that an article would be liable to "deprave" or "corrupt"? Certainly it has never yet been proved and, according to Professor R. M. Jackson, one time Downing Professor of the Laws of England in the University of Cambridge, cannot be proved. He is quoted in the Arts Council of Great Britain's Report of the Working Party on the Workings of the Obscene Publications Act 1968 as saying:-

"The supposed depravity and corruption produced by obscene articles is a matter of conjecture. No hard evidence can be put forward, for nobody can demonstrate that anybody has ever been depraved or corrupted by a particular obscene article. A decision that an article would have such a tendency is based entirely upon opinion unsupported by verifiable facts."

The law deals only with facts - or is supposed to - and not with whims or fancies. Thus it is quite clear that the law is incapable of, and has no place in, deciding what any individual adult may see, read or hear.

Conclusion

Obscenity is indefinable, except in highly subjective terms. It means different things to different people and its incorporation in legal statutes should not therefore occur. Neither should other words be substituted which are also capable only of subjective interpretation (e.g. indecency, depravity, corruption, lewdness, etc.).

III FILM CENSORSHIP

Since films are now subject to the Obscene Publications Acts (under Section 53 of the Criminal Law Act 1977 which came into force on the 1st December 1977), much of what has already been said regarding obscenity and the Obscene Publications Acts in general will apply. We are firmly against film censorship of any description, for adults, but in favour of retaining a system of classification of films for purely advisory purposes (except where children are concerned - see Note A at the end of this section). We favour the setting-up of a National Films Classification Board. This should be Government funded but independent of Government interference (like the B.B.C. and the I.B.A.). It's recommendations for the classification of films would apply nationwide to all public cinemas and local authorities would no longer have any power of censorship. Bona fide cinema clubs should be allowed to operate as they now do but with complete immunity from prosecution regarding the content of films shown. They would, of course, have to comply with the usual safety regulations, e.g. fire regulations, etc., but these must not be used in any "phoney" way or used as a means of harassing club owners out of business.

The content and censorship of films is referred to frequently elsewhere in this report. It is important to stress here, however, that the adult public in nearly all other Western European countries, as well as most of the United States of America, is able to see virtually any film of its choice, either in public cinemas or cinema clubs, irrespective of its subject matter and free from the interference of the law. (See Sections submitted by E. A. C. Goodman and Eric Miller.) In this country adults are denied this freedom and subjected to the most severe form of "nannyism". No wonder that, in the eyes of so many foreigners from the free Western World, we are a 'laughing stock'.

Note A

Just as we do not oppose the retention of measures to "protect" children from "obscene" publications, we believe that certain categories of films should be withheld from exhibition to them. (However, we do ask at what age do children cease to be children? The present legal age of majority is eighteen years. Many think this is too high nowadays, including many N.C.R.O.P.A. supporters. This is something that could possibly be looked into on another occasion but, at least for the time being, we will content ourselves with leaving it as it is.) Consideration might also be given to the introduction of a new category of film, e.g. either "SE" for sexually explicit or "P" for pornographic. This is what has been done in France and Spain. The important thing is that films remain uncensored. One should be given a choice and those who do not wish to see such films have the choice of staying away.

Conclusion

N.C.R.O.P.A. deplores all film censorship, except for certain safeguards for children. The classification of films, with the possible introduction of new categories, should continue but only as a guideline to the cinema-goer. This should be carried out by a Government financed, but totally independent body, on the lines of the present British Board of Film Censors but its categorization would apply to the whole of the United Kingdom, free from local authority interference.

IV LEGAL ASPECTS

Prepared by E. A. C. Goodman, LL.B. (Sol.)

Pornography is derived from a Greek word meaning writings about prostitutes. Pornography is illegal in England and Wales although prostitution is not. Thus, in England and Wales, the ridiculous situation exists that prostitution itself is lawful but literature, plays or films about it are not.

The laws which make pornography illegal in England and Wales are:-

Statute Law

The Disorderly Houses Act 1751
Sec. 4 of the Vagrancy Act 1824
Sec. 2 of the Vagrancy Act 1838
Sec. 54 of the Metropolitan Police Act 1839
Sec. 28 of the Town Police Clauses Act 1847
Sec. 42 of the Customs Consolidation Act 1876
The Indecent Advertisement Act 1889
Sec. 320 of the Customs and Excise Act 1952

Sec. 11 of the Post Office Act 1953
The Sexual Offences Act 1956
The Obscene Publications Act 1959 as amended by the Criminal
Justice Act 1967 and by Sec. 53 of the Criminal Law Act 1977
The Indecency with Children Act 1960
The Obscene Publications Act 1964
Sec. 2(2) of the Theatres Act 1968

Common Law

Conspiracy to Corrupt Public Morals
Conspiracy to Outrage Public Decency
Indecent Exposure
Public Exhibition of Indecent Acts and Things
Keeping a Disorderly House
Obscene Libel
Conspiracy to Debauch an Individual
Conspiracy to Seduce a Young Girl

The Law Commission Report on Conspiracy and Criminal Law Reform 1976 (Law Com. No. 76) recommended the abolition of all the aforementioned common law offences and the repeal of the Disorderly Houses Act 1751. N.C.R.O.P.A. agrees with all the abolitions and repeals recommended by this Law Commission Report.

N.C.R.O.P.A. believes that all the aforementioned statutory provisions should also be repealed, except those relating to children, i.e. except the relevant sections of the Sexual Offences Act 1956 and the Indecency with Children Act 1960. These repeals were recommended by the Arts Council of Great Britain's Working Party on the Obscenity Laws 1968.

N.C.R.O.P.A. also believes that film censorship for adult-only films should be abolished. This was also recommended by the Arts Council Working Party. Therefore N.C.R.O.P.A. believes that the Home Office Model Licensing Conditions should be amended and that Local Authorities should no longer have the power to prevent films being shown to adults. Thus N.C.R.O.P.A. advocates the amendment of Sec. 2 of the Cinematograph Act 1909, and of Sec. 3 of the Cinematograph Act 1952.

The virulence of the aforementioned laws in preventing freedom of expression in England and Wales can be seen from the following statistics:-

In 1973 there were 250 convictions under the Obscene Publications Acts, many resulting in imprisonment. The UK is one of the only countries in Western Europe where people are sent to prison for pornography offences. David Waterfield, the proprietor of a cinema club in London N.1, was sentenced to 18 months imprisonment in 1976. At Ipswich Crown Court in 1977 John Darby was sentenced to 5 years imprisonment for importing publications which are lawful in their country of origin (in this case the Netherlands). Such imprisonment is contrary to the provisions relating to freedom of expression in the European Convention on Human Rights. The National Council for Civil Liberties, in its 1977 memorandum of evidence to the House of Lords Select Committee on a Bill of Rights, recommends the incorporation of the European Convention on Human Rights into the domestic law of the UK.

In the year July 1974 to June 1975, 94,000 articles were seized in Greater London alone under Sec. 3 of the Obscene Publications Act 1959 as amended by Sec. 25 of the Criminal Justice Act 1976. From January

to September 1977, 500,000 "softcore" British magazines were seized by the Metropolitan Police Force alone. All such seized material is destroyed unless the owners can "show cause why it should not be destroyed" to a magistrate, normally a paid full-time stipendiary magistrate who usually supports the police. (Examples of "sausage machine" convictions can be seen every day in Stipendiary Magistrates Courts, such as those at Bow Street and Wells Street in London W.1.) No jury trial of whether the material should be destroyed is possible. The material is "guilty" until proved "innocent". The owner can only save it if he proves a negative to the magistrate. Not surprisingly in the circumstances, few such attempts are made because they are expensive and their chances of success are almost non-existent. Therefore nearly all seized material is destroyed.

A situation of equal concern exists outside London. In Greater Manchester, for instance, between 1st January and 20th November 1977, there were 264 police raids on bookshops, stalls and warehouses resulting in the confiscation of 160,500 articles (books, magazines and films). As a direct result of these raids, thirteen bookshops in Greater Manchester have closed. Prosecutions were mounted by the Manchester police under Sections 2 and 3 of the 1959 Obscene Publications Act against many retailers and distributors, resulting in terms of imprisonment and/or heavy fines on those convicted. Among the places raided were kiosks run by the Greater Manchester Council, a W. H. Smith warehouse and a Tesco hypermarket. In the raids on bookshops, police officers forcibly ejected customers, looked doors, seized quantities of books and magazines, refused to provide receipts and also, in some cases, went on to search the homes of the bookshop staff. (These facts can be confirmed by two letters published in "The Times", the first from James Anderton, Chief Constable of the Greater Manchester Police on 7th December 1977 and the second from John Trevelyan, president of the Publications Control Board and former British film censor, on 15th December.)

In 1976 H.M. Customs and Excise Department destroyed 114,000 books and magazines, 4,000 films and 57,000 other articles, under Sec. 42 of the Customs Consolidation Act 1876 and Sec. 320 of the Customs and Excise Act 1952. The United Kingdom is one of the few countries in the Western World where the authorities indulge in "book burning".

The following are examples of books which can be imported into most countries of the Western World but not the United Kingdom: "Fornicon" by Ungerer. A book of drawings by a Swiss-American artist. Published in Switzerland and the USA. "Erotic Illustrations" by Grimley. A book of drawings published in the USA. These books were destroyed by H.M. Customs and Excise Department in 1975 and 1977 respectively on the grounds that they were "indecent" after appeals to the courts against destruction had failed. By virtue of Sec. 42 of the Customs Consolidation Act 1876 and Sec. 320 of the Customs and Excise Act 1952, it is illegal to import anything "indecent" into the UK. H.M. Customs and Excise Department have a duty to destroy all "indecent articles" which they intercept. The English courts have defined "indecent" as being anything which is unbecoming or immodest. Once H.M. Customs and Excise Department have informed someone that they intend to destroy an article belonging to him because they consider it to be "indecent", he can appeal to the courts but no jury is allowed. However, under the aforementioned statutory provisions his appeal can only succeed if he proves to the court that the article is not "indecent". In other words he is required to prove a negative. Not surprisingly in the circumstances, most such appeals fail. Even when such appeals succeed, costs are never awarded to the appellant.

The fear of confiscation by H.M. Customs and Excise Department and/or prosecution under the Obscene Publications Acts causes many British Publishers to practise self-censorship. For example, the books "The Joy of Sex" and "More Joy of Sex", both by Dr. Comfort, were published in Britain without the same illustrations contained in the American editions. The American editions were in the American best seller lists for many months in the early 1970's. Many other books have been similarly bowdlerised in Britain. For instance the book "The Pin-up, a Modest History" by M. Gabor 1972 was published in Britain omitting several of the illustrations in the American edition. Many other American books, such as "100 Years of Erotica", 1974, by P. Aratow, never appear in Britain because they cannot legally be imported or published in this country.

In spite of the efforts of H.M. Customs and Excise Department, it is estimated that over 4 tons of "hard-core" pornography is smuggled into Britain every week. This estimate was made in a newspaper article about the European pornography trade in the "Daily Telegraph" of the 30th August 1977. The reason for the success of this smuggling is that most West European countries have legalised pornography. This makes it impossible for H.M. Customs and Excise Department to know from whence consignments of pornography are coming.

In 1976, of 402 films passed for general exhibition in Britain by the British Board of Film Censors, 135 of these had been subjected to cuts. These occurred in the four exhibition categories as follows: 3 "U" certificate films cut: 17 "A" certificate films cut: 10 "AA" certificate films cut and 105 "X" certificate films cut. Fifteen other films were refused a certificate by the Board including such internationally acclaimed works as Pasolini's "Salo" and Oshima's "Empire of the Senses". These films are being shown in public cinemas in France and many other Western European countries. (Evidence submitted verbally by the Secretary, British Board of Film Censors.)

Britain has the strictest film censorship in the Western World. The following are just a few examples of many notable films seen in most Western countries but not in Britain:-

"Salo" or the "120 Days of Sodom", directed by Pier Paolo Pasolini. This Italian-French co-production was shown at the 1975 Paris Film Festival and the 1976 Locarno Film Festival to large and enthusiastic audiences. "Salo", Pasolini's last film, has since been seen in most Western countries but attempts to screen it in the UK have been frustrated, either for political or moral reasons - or both. The film transposes De Sade's novel "120 Days of Sodom" to Mussolini's short-lived Fascist republic of Salò in 1943. Film critic David Wilson has described "Salo" as "an ultimate, abstracted dirge for humanity in the last throes of degradation and despair..... an overwhelmingly pessimistic vision". It was classified as "non-pornographic in West Germany.

"Empire of the Senses", directed by Nagisa Oshima. Shown at the Cannes, Berlin, Locarno and New York Film Festivals in 1976, the film ran into trouble when attempts were made to screen it at the London Film Festival the same year. More recently it has been seen in Spain - as well as most other countries in the West - while in Britain we still wait. Film critic Derek Malcolm in The Guardian newspaper explained how "Empire of the Senses" "is not a sex film..... This is a remarkable work of the imagination, a pioneering film from a director with impeccable credentials. And he has made as pure a study of an obsessive physical relationship as

could be fashioned without denying the basic power and logic of sex itself. It will no doubt shock some, bore others..... The only thing one can say for certain is that it ought to be shown. Time will tell us exactly how to value it." It was also classified as non-pornographic in West Germany.

"The Story of O", directed by Just Jaeckin. Based on the classic novel of female masochism, this 1976 French release has high production values, a cast of repute including the well-known English film actor, Anthony Steel, is well-acted and well photographed. The director falls over backwards to treat the subject of masochism without overt sex - consequently the film has been seen widely inside and outside its native country - but the British Board of Film Censors, though impressed by its visual style, refused it a certificate on the grounds of subject content. Yet again it has been classified as non-pornographic in West Germany.

"Daddy", directed by Peter Whitehead. Made in France by an exiled British director and well reviewed, being seen in many European countries and in America. The subject matter - female sexual fantasies - proved too much for the British Board of Film Censors.

"Emmanuelle 2". French made sequel to the much acclaimed "Emmanuelle". This sequel was classified as not being pornographic by the French Courts and thus not subject to the special high rate of Value Added Tax levied on pornographic films in France. Nonetheless it was heavily cut by the British Board of Film Censors before it could be shown in the United Kingdom.

Following its release in 1969 the American 80 minute hard-core film "Deep Throat" became one of the top US box office grossers of all time, having been seen by over 20 million Americans. It was praised by many reputable critics for its healthy, humorous attitude to sex and has yet to be seen by the British audiences.

Since "Deep Throat", eight years ago, a whole new industry of hard-core film makers has grown up in America and on the Continent - notably France. Many of this new breed of films have high production values, are excellently acted and attempt to be as erotic as possible - in the same way that comedies try to be funny or thrillers try to keep one on the edge of the seat. These films include documentaries like "Exhibition" (cut by the Greater London Council in its London only release and completely banned in the rest of Britain), "Exhibition 11" and "Prostitution", all by Jean Francois Davy. Other examples are Danish film comedies such as "In the Sign of Leo" by Warner Hedman, prize winners such as Alberto Ferro's "Sensations" and Frederic Lansac's "La Femme La Plus" and in America the films of Gerry Damania such as "The Devil in Miss Jones" and the Mitchell Brothers "Autobiography of a Flea".

Explicit sex films can now be made in all other major Western film-producing countries. This has led to the present ridiculous state of affairs whereby few soft-core sex films are being made and consequently the hard-core films have to be savagely cut before being seen in the UK. Damania's "Story of Joanna" is an example of this, cut by 40 minutes to obtain a British release and the story line butchered in the process. Some films, such as Christian Gion's recently London shown "Garden of Torment", an explicit version of Octava Mirbeau's famous exercise in Gothic horror, have been completely re-made for the British market, as was the acclaimed Swedish film "Flossie" by Bert Torn. Thus there are special watered down versions of many films for the United Kingdom public.

In a reverse process it is a fact that British film makers have to insert hard-core sex sequences to win their film a showing in America or Western Europe - an example being David Sullivan's "Come Play With Me". Whilst many films of high artistic merit are not allowed a showing in Britain, films of the titillating variety are shown widely.

Cinema Clubs

The prosecuting authorities in England are making determined efforts to harass cinema clubs. The Director of Public Prosecutions is prosecuting employees of the Compton Cinema Club in London for showing the film "Salo" in the club, even though this film is being shown in public cinemas on the Continent. The prosecution is for the common law offence of "Keeping a Disorderly House", which the Law Commission in 1976 recommended should be abolished.

Many prosecutions for this offence have been and are continuing to be brought against cinema clubs in England. In 1977, Joseph Vok, the manager of a cinema club in Southampton was sentenced to 18 months imprisonment and ordered to pay £2,000 costs and his two assistants were each jailed for 6 months. The UK is the only country in Western Europe where cinema clubs are being harassed in this way. For instance even in the Republic of Ireland pornographic cinema clubs are tolerated by the authorities. There are at least four in Dublin and one in Cork. They are never prosecuted and they have licences to sell alcohol.

The United Kingdom is the only country in Western Europe where the authorities are making determined efforts to prevent people from reading the publications which they want to read and to prevent them seeing the films they want to see.

Tens of thousands of man-hours and millions of pounds of tax-payers' money are spent in trying to achieve this aim. The methods used to achieve it are police raids, imprisonment, book-burning, confiscations and censorship. Therefore the police are regarded as the enemy by those British people who believe in freedom of expression. The police are becoming hated because of the repressive laws they have to enforce. If these laws remain, the situation is bound to get worse. An increasing number of people in Britain are prepared actively to oppose the emergence of a "Police State", i.e. a state where it is the duty of the police to prevent freedom of expression. Appeals to the European Court of Human Rights are planned. The possibility of demonstrations and civil disobedience campaigns is likely, if freedom of expression is not achieved soon in Britain. Such freedom has been achieved in most of the rest of the Western World.

The legal systems of the world deal with pornography in a manner similar to that used to deal with prostitution and alcohol. Basically each jurisdiction uses one of two mutually exclusive systems, namely prohibition or control.

Prohibition is the system in the jurisdiction of England and Wales. It drives the trade in pornography underground. It leads to the same results as the prohibition of prostitution or alcohol, namely: corruption, profiteering, racketeering and arbitrary convictions.

The corruption is shown by the convictions and imprisonment in 1977 of former senior officers of the Metropolitan Police Obscene Publications Squad. The profiteering is shown by the fact that "under the counter" sales in England and Wales of hard-core Continental sex-magazines are at

prices well above those on the Continent where the sale of such magazines is lawful. The proceeds of such sales in England and Wales are the proceeds of crime and are therefore tax-free. On the Continent where pornography is lawful, tax is paid on the proceeds of the sale of pornography.

The racketeering is caused by the fact that ordinary booksellers in England and Wales will not handle pornography because it is illegal. Therefore the pornography trade in England and Wales is sometimes conducted by criminal elements who do not honour the laws of commerce. In countries where pornography has been legalised, its sale is a legitimate tax-paying business conducted in accordance with commercial law, rather like the sale of alcohol in countries where that is lawful (i.e. non-Islamic countries).

The arbitrariness of convictions is shown by the fact that many people are in British prisons for pornography offences but the trade in pornography still flourishes in Britain, because of the great demand. Therefore the people in prison are the "scapegoat" minority who are convicted because of the efforts of the authorities to achieve the impossible and suppress pornography in this country. Added to this is the caprice of English juries. John Lindsay, a film producer, was acquitted of charges under the Obscene Publications Acts by juries in 1974 and 1977, although by any standards the films in question were hard-core pornography. However, as already reported earlier in this report, in 1977 Joseph Kok was convicted by a jury and imprisoned for showing similar films. Some juries do not consider pornography to be obscene, others do. Also juries often refuse to convict when they consider a law to be unjust or an infringement of the freedom of the individual. Some juries take this view of the laws against pornography, others do not.

Most Western countries have legalised pornography and thus use the system of control instead of prohibition. The following are examples of this:-

Australia: pornography has been legalised in some of the Australian states, e.g. South Australia.

Austria: after the victory of the Social Democrat Party in the general election of 1971, pornography was legalised. Brothels are lawful, except in Vienna where the regional authority does not allow them.

Belgium: the possession and import of pornography for private use is lawful but its sale is not. Therefore Belgians wishing to purchase pornography obtain it from the Netherlands. Shop-window style brothels and sex-shows are tolerated in certain recognised "red-light" districts, the main one being in Brussels.

Columbia: pornography is tolerated. Large quantities of pornographic magazines are sold to visitors from neighbouring Venezuela.

Denmark: in 1966 the Danish Penal Code Council recommended that pornography be legalised. In 1967, at the instigation of the Conservative Government of Denmark, the Danish Penal Code was amended to legalise pornography. Since then, first live sex-shows and then brothels have been legalised.

France: pornography was legalised and film censorship abolished on the 1st August 1975. A special high rate of Value Added Tax on pornography was imposed on the 1st January 1976. Out of about 4,500 cinemas in

France, 129 are licensed to show pornographic films (to adults only). The advertising of pornography on hoardings is illegal. Only adults are allowed to enter shops selling pornography which must have notices outside stating this. "Love-theatres" staging live sex shows are lawful but brothels are not, although there is a movement to legalise them.

Greece: licensed brothels are lawful, but the sale of pornography and the showing of pornographic films in public cinemas is not.

Italy: pornographic magazines and books were legalised in 1974. They can be sold at news-stands as well as shops, but must have written on the cover: "Vietato ai Minori" (forbidden to minors) and cannot be sold to persons under the age of majority. For films shown in public cinemas, the regional authorities have the power of censorship, but some of them are very lax in exercising this power. Pornographic cinema clubs are lawful. Brothels are illegal but there is a movement to legalise them.

Lesotho: pornography is tolerated and this small country is the main supplier of pornography in Southern Africa.

Liberia: pornography is lawful and this West African country is the main producer of African pornographic films and magazines.

Netherlands: pornography, "sex-theatres" staging live sex shows, and shop-window style brothels are lawful but are confined to recognised "red-light" districts, the main one being in Amsterdam.

Nigeria: the production of African pornographic magazines has recently commenced there.

Norway: the possession and import of pornography for private use is lawful but its sale is not. Therefore, Norwegians wishing to purchase pornography obtain it from Sweden, often by mail order. The offence of selling pornography in Norway carries a fine not imprisonment.

Paraguay: pornography is tolerated in this small South American country and it is the main producer of South American pornographic films.

Portugal: pornography was legalised and all censorship including film censorship was abolished in 1974. Value Added Tax was imposed on pornography in 1977. Brothels are tolerated.

Republic of Ireland: pornographic cinema clubs and prostitution are tolerated. There is censorship of films shown in public cinemas. Certain publications are illegal but enforcement is often lax.

Spain: censorship of publications was abolished in 1975. All film censorship was abolished on 1st December 1977. Adults only pornographic films and magazines are lawful. Brothels are illegal but prostitution is tolerated.

Sweden: pornography is lawful for persons over the age of 15. So also are live sex shows performed in "Chat Noir" theatres. Brothels were legalised in 1971. Films shown in public cinemas are subject to censorship, but it is only exercised regarding violence in films. It is never exercised regarding pornography.

Thailand: pornography is tolerated and this South East Asian country is the main producer of Asian pornographic films and magazines. Brothels

are also tolerated and are often in the form of bath-houses and massage parlours.

Turkey: licensed shop-window style brothels are lawful but are confined to recognised "red-light" districts in each town known as the "General ev". At the entrance to each such district is a police post to prevent the entry of children, "respectable" women and cars. The sale of pornography in Turkey is illegal but large quantities of pornography are imported.

United States: there is no censorship of adults only films in public cinemas. In 1970 the Report of the Presidential Commission on Pornography recommended that pornography be legalised. In 1973 the Supreme Court ruled pornography was a local authority matter and not a federal or state matter. Since then, some local authorities, such as that of Los Angeles, have tried to suppress pornography shops, live sex show theatres, pornographic cinemas and massage parlours. Other local authorities, such as those of New York and San Diego, tolerate such establishments. Brothels are illegal in all states except Nevada, but are tolerated in some states such as New York State.

West Germany: pornography was legalised on the 1st January 1974, subject to certain exceptions. These exceptions are pornography involving children under 14, animals or gross violence. Pornographic films can only be shown publicly in adults-only nightclubs where alcohol is consumed and not in public cinemas. Under amended para. 184 Strafgesetzbuch (West German Penal Code) and Article 1 of the Constitution of the Federal Republic of Germany guaranteeing freedom of cultural expression. Live sex shows known as "Ganzer Akt" are lawful. So are brothels. Some regional authorities, such as that of Hamburg, confine all commercial sex to a recognised "red-light" district. (See article on "Justiz und Sexualitat" in "Der Spiegel" magazine Nr. 7 of 13th February 1978 published at 2000 Hamburg 11, Postfach 110420, West Germany.)

N.C.R.O.P.A. advises the Committee to take note of the details of the legal control of pornography in Denmark, France, the Netherlands and West Germany. These countries are partners of the UK in the European Community. The harmonization of the laws of member states is one of the declared aims of the European Community. Fairly up to date English translations of the criminal codes of most Western European countries can be obtained from English publishers of law books, such as Sweet and Maxwell Limited of 11 New Fetter Lane, London, EC4, and Butterworth and Company (Publishers) Limited of 99 Kingsway, London, WC2.

V MEDICAL ASPECTS

REPORT AND OBSERVATIONS ON THE VALUE OF PORNOGRAPHY

Prepared by Dr. Brian A. Richards, M.B., B.Ch.

In preparing evidence of this type allegedly obscene or pornographic material can be defended/supported under not less than seven different headings.

1. Medical

It is imperative to appreciate that the origins of adult sexuality (sexual preferences, etc.), all arise before the ability to read is acquired. They are: 1) Genetic (Originating from or via the parents. As with many characteristics familiar trends may miss one or more generations. Combined with the secrecy which normally surrounds sexual practices this often makes the genetic aspect of sexual predilections difficult to observe and record. They exist nevertheless). 2) Intrauterine (The "Hormone Bath" of the maternal circulation plays some part. In a way which is not yet thoroughly understood there are detectable differences in the influence upon progeny of the hormone bath from, for example, highly "masculine" as opposed to highly "feminine" mothers). 3) Environmental As far as we know at present the very early influences of sexuality are the strongest. The neo-natal period is highly significant as is early infancy, including such things as breast feeding, training, discipline, washing, etc. The ability to produce strongly sufficient variation diminishes swiftly. It is probable that little influence can be exerted after the age of three to four years and certainly not after the age of seven. (cf. the Catholic Church which feels that it is crucial to teach a child Catholicism under the age of seven and then the influence is present throughout life.)

From whatever source the adult sexuality derives it is one of the major producers of tension in the adolescent and adult human. It is imperative to appreciate that the thin and recent veneer of civilisation merely conceals but does not alter the fundamental significance of the sex drive. Civilisation however, imposes severe restrictions upon expression of the drive. Sexual tensions can only be dealt with in three ways. (viz. they can be acted out with a partner, suppressed, or alleviated by self relief.) The acting out of some sexual fantasies is very difficult for some people in that the fantasies make available partners difficult to find. The sparsity of partners is also relevant when considering some peoples unattractive features, ill health, deformed bodies, etc. Some sexual deviations are in fact illegal and there is thus no proper way of satisfying them. Nor may the person really want to act them out in reality. Suppression is clearly undesirable and can result in much personal aggression, personality disturbances at home and at work. The assistant value of pornography in self relief techniques is thus made clear. The releasing and diverting of repressed sexual energies by harmless methods removes them as aggression factors from society in general. Pornography, by jogging the memory, allows the fantasies to leave the subconscious and enter the conscious mind. By receiving conscious expression and being held in the mind for as long as necessary, they are then released in a natural and satisfying way.

In medicine pornography can be used in diagnosis, treatment and education.

A. Diagnostic

By observing the preferences of patients much can be learned of their sexual make-up. This can short cut tedious discussion about things which the patient to start with will find a source of embarrassment.

B. Therapeutic

It provides an excellent method of breaking down the social barriers surrounding sexual subjects and which impair the

early doctor/patient relationship. It helps in the establishment of a communication bridge.

- C. It is also of similar value in establishing a communication bridge between patient and persons with whom they are involved in sexual relationships.
- D. Pornographic material, particularly of a sado-masochistic nature is effective in fear removal. A substantial number of men in particular have from their early lives a deep fear of the female perhaps derived from matriarchal and other disciplinary figures in infancy. They may be unable to form a satisfactory relationship because of the effects of this fear. Pictures of women restricted and otherwise removed from positions of dominance to positions of inferiority are thus in no way harmful but assist reorientation. Similar results can also be found among women presenting rigidity or frigidity, but in fact suffering from an infantile male/fear syndrome.
- E. The use of pornographic pictures and written material is of value as fantasy material. It is beneficial for purposes of titillation, masturbatory interest and the alleviation of sexual pressures by personal and harmless means. A kind of "safety valve" material.
- F. Anxiety reduction material. The value of this is principally in assisting people to appreciate that they are not alone in their sexual leanings. Not infrequently one encounters cases where fear of and guilt in a person's sexual proclivities increase through a feeling that they are one of a small minority in the grip of a destructive sexual/mental disease.
- G. The material is, in fact, instructive to doctors themselves. It presents, not only information obtainable from few other sources, but represents an up to date reflection upon the changing social scene and fads of sexual preferences within the community.

It is essential at this point to deal with the material of Dr. John Court, an Australian psychologist who advocates the suppression of pornography. This man's work appears to have little to recommend it from a medical or scientific standpoint. Its principle value probably lies in its value as a warning to others of the possible dangers of the existence of bias in the minds of research workers. This is a well known pitfall in research workers in general. Dr. Court's work in particular appears to have started with a personal conviction and has then set out to amass supporting facts. Research is clearly only of value if the facts are collected first and conclusions are subsequently drawn from them. If Dr. Court were not a dedicated supporter of certain religious and moral views his work might be taken seriously. It is of note that other workers (who have lacked his declared initial convictions) have been totally unable to repeat his findings in their own research. This contradicts the scientific axiom that all true scientific results can be infinitely repeated.

Another danger that arises is that of evidence by association. It has been claimed by many that the reading of sexually explicit material

induces sexual offences. Some persons accused of sexual crimes have also claimed that it was the reading of sexual material that made them so behave. These must not be regarded as "admissions" but as "claims". They have been misunderstood by a large number of people. They are clearly an attempt to divest the culprit of blame; by blaming pornography for his or her corruption and so claiming reduced responsibility. There is no known evidence that any person is likely to act out things which he or she has read other than in fantasy. (The recent decision in the United States to disallow responsibility for murder on the grounds of having been corrupted by television violence was in my personal opinion parallel, and correct.) It must be appreciated that the crime of sexual assault is older than literature. Furthermore, many sexual offenders are in fact illiterate.

Useful evaluation can only come from the assessment of a large series of individual cases. The very capacity to do this is restricted to people (doctors, etc.) of many years of experience of sexual medicine. It is noteworthy that persons in this latter category virtually never oppose pornography. The Danish results in this respect are well known. No other country can offer such well documented evidence. All pornography has been lawful there since 1967 without harmful results. Further details can be supplied on request.

2. Learning

Pornographic material unquestionably informs (whether deliberately or otherwise is beside the point). It is known that sexual ignorance is a monumental cause of sexual problems. It may seem to many that because of the abundance of sexual material now available there can no longer be any sexual ignorance. This is an entirely fallacious standpoint. I am in a position to declare that sexual ignorance is at this stage and in this country a subject of great concern. Knowledge is minimal, experience limited and the concept that people are now sexually knowledgeable is totally wrong. I meet repeatedly (as a daily event) in my work, the disastrous results of total sexual ignorance. This is not confined to the lower classes but is present to an alarming degree throughout all echelons of society and education.

Pornography then, can broaden general knowledge of specific sexual techniques. This, in turn, encourages variation in relationships with a view to maintaining a greater state of contentment and enjoyment.

Available instruction books are expensive, for the most part dull and for the most part also very inadequate. It is worth pointing out that most family doctors are not suitable (and do not have the time available) to provide sexual information. A World Health Organization report in 1974 pointed out that in the field of sexual medicine General Practitioners are "personally embarrassed and professionally incompetent". I subscribe to this view.

3. Art/Aesthetic

It is hardly surprising that, as sex (according to Freud and others) is one of the two fundamental motivating forces in mankind, it should also have provided one of the strong stimuli to various forms of artistic interpretations and expression.

Dated back through history from the Cerne Abbas Giant, a flagrantly phallic hill carving, through the exquisite but sexual carvings in India

(for example the Black Pagoda) and the sexual art of Egyptian hieroglyphics, sex has been a constant source of erotic artistic stimulation. Large collections of erotic art exist even in Naples Museum, and the Vatican. In more modern times we have seen the artistic interpretations by Andre Masson, Franz Von Bayros, Hans Bellmer, Betty Dodson and others recently displayed in International exhibitions all over the world. In literature the works of Baudelaire, Robert Byrnes, Voltaire and Lord Byron are only a few of much which has been based on highly erotic/pornographic themes. For two relevant quotations see John Weightman's article in the 8th February 1976 issue of the "Observer". "Apollinaire writes with a certain gusto about these mechanical couplings, or quadruplings, variegated with beatings, killings and coprophilia. If it is hackwork it is hackwork done with a will....." and secondly, see Doctor Ivan Eloch in his treatise on sex life in England where he says "that his conclusion is that pornographic materials have a fourfold appeal" ... "to the psychologist and psycho-analyst; to the literary critic, historian, philologist and bibliographer; to the fields of medical science, pathology, law and jurisprudence; and to the entire world of art which has been for so long bereft of the greater erotic classics of English art and genius".

4. Enjoyment

It must not be overlooked that to a large number of people erotic and pornographic material is a great source of pleasure and enjoyment. There is no reliable evidence that it has any dangers. It is an inescapable fact that most normal people enjoy the reading of sexual fantasies, etc., much as they do about rape, violence, etc. It is difficult not to draw a parallel between such things as the sale of pornography and the sale of alcohol and cigarettes. These two latter are known to be dangerous but are on sale to anyone above the age of 18. This is seen as sufficient of a protection against them both and against the use of Betting Shops despite the weight of evidence which suggest that they should be much more severely restricted. There is no similar knowledge or indication for restriction in the case of obscene material. Even if there were, it would seem unnecessary to do anything more than to restrict the age to 18 and above on identifiable premises. Clearly this does not prevent the material falling into the hands of the young. I do not consider that such a contact would anyway injure the young people. Again, by comparison, the risk to them must be considerably less than the risk of such things as alcohol, cigarettes, shotguns, etc., falling into their hands.

5. Sociological

The safety valve effect of erotic material has been mentioned. There are indeed few grounds to believe that people should not be permitted to express their views even if they differ from the majority. In any case, forbidding the safety effect of expression may well induce or encourage less desirable ventilations. It is also questionable whether in a free society it is morally right to forbid even distasteful expression.

The absence of evidence suggesting that children later than infancy can be in any way affected by pornographic material must be rementioned. Their response tends to be disinterested or of mild amusement. They are not sufficiently mature to appreciate the sexual connotations. It is not known to disturb their own sexuality and there is no reason for adults to assume it does.

The upbringing and conviction of adults inclines them to hold an ingrained view that such things are bound to be bad for children. There is some evidence that violence (in the form of pictures and film scenes) although not disturbing may certainly distress children. Nevertheless, it is experienced very frequently. It is clearly a false dichotomy when the foul and illegal act of murder can be shown on television to children while the beautiful and legal act of love making is forbidden. Professor Gibbons of London University has shown that sex drive is related to violence and that inability to masturbate can lead to indecent assaults, wife beating, baby battering, etc. Sexual material provides a socially acceptable sexual outlet to this and thus lowers the probability of unacceptable behaviour. (It is worth noting here, too, that with the supposedly vast proliferation of "pornographic" material nowadays, the figures for sex offences for the last three years, available from the Home Office, show a continuing drop as follows:

1975 (compared with 1974 total)	down 4%
1976 (compared with 1975 total)	down 6%
1977 (compared with 1976 total)	down 4%

(Source: Mr. R. Scott, Home Office Official.) They certainly support our findings.)

Professor Mills of Cambridge University has reported that a striking difference between sex offenders and other offenders is that the latter report having more access to sex books during adolescence.

In all, I have felt very alarmed at recent attempts to suppress expert medical evidence in the defence of pornography. There is no other reliable source of information. The decision of the House of Lords would appear to be prejudiced and, even if this is too strong an expression, to be ill informed and inadequately thought out. Furthermore, it raises a problem in Court where experts are called to give evidence. They are obliged to take an oath stating that they will tell, amongst other things, "the whole truth". They are then forbidden to do so as they are not allowed to mention the truth about medical cases and experiences. This raises a serious moral issue between whether the Oath given before God is not in effect being over-ridden by the temporal powers of the administrators of law.

6. Philosophical

There is a popular but false belief that it is undignified to have held a hypothesis which has subsequently been falsified. Consequently, many people are loathe to accept the falsification of earlier held views. Not only may their lives be wasted in defending what is no longer defensible but more harm also may be done to the natural progress of human events.

All theories must be frequently and widely exposed to the possibility of refutation. There is much evidence that this is not the present state of affairs with regard to the earlier theories of morality, obscenity, etc. An excessive measure of emotional reaction rather than constructive thought is clouding the issues.

It must never be forgotten that some of the most horrific excesses have been perpetrated with sincere (if erroneous) moral convictions and by idealists whose intentions, at least as far as they could see, were wholly good. There is a great danger of a similar course of events in connection with obscenity laws.

Undoubtedly, sex has been one of the great propellent forces of mankind's progress. This has often had to take place in the face of great intolerance. Tolerance is perhaps one of the finest of human virtues but even tolerance must stop. The place at which it should stop is short of the tolerance of the enemies of tolerance. The enemies of tolerance in sexual matters at the present time are causing grave mischief and cannot be safely tolerated.

There is a persistent and conditioned confusion between sex and love. These two may frequently exist together and may form the basis of a wholesome relationship. There is, however, no fundamental reason why they should not exist separately. Indeed, medically one comes across a variety of cases in which the "love object" and the "sex object" are essentially separated. The measure of confusion arising leads to such ambiguity of thinking as "sex is ugly and vile, it should be saved for marriage", or at the other extreme "sex is wonderful and beautiful, it should be kept away from children". There is no need to comment on this illogical thinking progress. Finally it must be recognised that at any time there are greater laws operating than those of the State. These are the so called Natural Laws and it is a matter of human experience to observe that they have never been successfully coerced for any length of time without disastrous consequences. Sex is a natural process, existing independent of love in all animal species and even some plants. It is a physiological process; erection and vaginal secretions are visible in the new-born and prove the universality of these physiological processes even before there is any conscious realisation of what they are.

7. General

There is clear need for sanity in this kind of altercation. There is a need for balanced judgment rather than swift conditioned and emotive responses. Clearly this cannot be expected from the shrill minority now opposing obscenity reform. As Dr. Eric Trimmer (editor of The British Journal of Sexual Medicine) said in his letter to "The Times" (February 1976) "the hysterical tone..... has, rightly, caused some of your correspondents to be concerned about the subconscious motives of such outbursts".

Society, particularly some sections of it, and particularly during times of social unrest and economic disaster tends to need and seek (successfully) suitable scapegoats. There is no just reason why freedom from censorship or the availability of sexually explicit material should be made a scapegoat at this time.

Additional Notes by Dr. Christine Pickard, M.B., B.Ch.

When faced with the wealth of evidence demonstrating that pornography can act in the public good, those concerned (lawyers, etc.) frequently suggest that material of this kind should be available for those that need it, patients, for instance, who can be helped to a more fulfilled sexuality through exposure to sexually explicit material, by breaking down the barriers, etc. However, they claim that the material should only be available through doctors' clinics and surgeries and only allowed in closely controlled circumstances like "dangerous drugs". This suggestion is counter productive. Firstly, the medical environment is basically too clinical. It does not encourage the free flow of sexuality, which is connected with health and joy, not with sickness and disease, the normal medical associations. Therefore anything obtained

via a doctor has to get through a psychological barrier before it is effective, as the setting is something of a deterrent.

To achieve an atmosphere with some chance of success, the material would have to be taken home and could thereby be seen by other individuals. It could be passed around or even copied. In any case it is much better to take sex out of the medical arena wherever possible - so that this idea is not a good one. However, if censorship does continue or increase, doctors will be forced to supply sexually explicit material to those patients whose problems warrant it - for it can be highly effective treatment and there is nothing else known that can take its place. Again, this puts the medical profession into an awkward position and lays the patients open to the temptation of selling the material given them for gain - not very fair to patients who are undergoing considerable psychological stress. A nasty black market could develop as it has in the case of "dangerous drugs" where they are freely prescribeable by doctors.

Regarding the comments on Dr. John Court, a summary of his opinions is presented in a Journal of Criminology and Penology, May 1977. He spends about 8 pages explaining why the Danish statistics do not hold water, as they were not done carefully enough, despite the great efforts of the research workers to control for as many factors as possible. He then spends approximately one or two paragraphs on all the other countries. Such short shrift is given because the countries concerned do not have accurate statistics and they have not been broken down or examined in detail and cannot therefore be examined by Dr. Court. However, those countries where he likes what he sees, he upholds and defends their statistics as well and truly done despite the obvious paucity of data when compared with the Danish results. He cites Singapore particularly as proof of his contention that rape has gone up in countries which allow pornography and stayed level or gone down in the morally strict lands, Singapore being one of the latter. First of all, he does not realise that Singapore is a somewhat different culture and secondly I gained the distinct impression from his figures that the overall rate of sex crimes in that country is going up, not down. He omits to mention that. To me he seems muddled about countries like France, Austria and Italy.

Conclusion

As much constructive thinking and evidence demonstrates a variety of values for the existence of erotic material and as there is no evidence to be brought from the other side, then so long as public display and offence is prevented, there is no longer any legitimate reason why censorship on the grounds of obscenity should not now, in this country, be totally discontinued.

VI GENERAL ASPECTS

Prepared by Eric Miller

"If a case is to be made out against pornography, it will have to be made on the grounds other than demonstrated effects of a damaging, personal

or social nature, as no adequate proof has been provided that pornography is harmful to individuals nor to society. Empirical research designed to clarify the question has found no reliable evidence that exposure to explicit sexual materials plays a significant role in the causation of delinquent or criminal sexual behaviour among youths or adults".

This is a quotation from The United States Presidential Commission on Obscenity and Pornography (1970) whose findings those who wish for the retention - and strengthening - of the Obscene Publications and other allied Acts choose to ignore or attempt to disprove with their unfounded and biased statements.

An important factor, which should surely be taken into consideration, is that many European countries, after lengthy, in-depth investigations, have independently reached the same conclusion and permitted "hard-core" materials to be purchased and seen by consenting adults. To contend that such materials may result in persons being depraved or corrupted is therefore to accuse the Governments of, for example, Denmark, Sweden, West Germany, Holland and France of acting irresponsibly. N.C.R.O.P.A. agrees with the Arts Council which has stated "It is not for the State to prohibit private citizens from choosing what they may, or may not, enjoy - unless there were incontrovertible evidence that the result would be injurious to society. THERE IS NO SUCH EVIDENCE".

Our present repressive Acts of Parliament are supported by persons who can be divided into two categories: those whose belief derives from a raw emotional impulse; and the ones who serve the cause of censorship for eminently practical and selfish reasons. The first category, in the main, comprises of ageing people, usually with a religious, traditional upbringing who feel personally affected by sexual freedom as if it were a direct menace to themselves; and sexually inhibited persons who feel personally exposed when confronted with sex talk or nudity. The second category provides the leadership. That is to say it consists of some politicians who vociferate against pornography on their electoral platform, some statesmen who do likewise to enhance their own "high virtue" reputations and some churchmen.

Is it not an incomprehensible paradox that articles which have not been shown to be harmful (despite energetic efforts by certain factions, e.g. The Festival of Light) are confiscated, burned and banned, whereas articles which produce acknowledged and catastrophic harm on a widespread basis are not only legal but have millions of pounds spent on their manufacture and promotion to spread the harm even wider?

The act of murder is illegal - yet it is not illegal to show or depict this on film or photograph. The act of sexual intercourse between consenting adults is not illegal and yet in the United Kingdom it is illegal to depict this explicitly. Over the years there have been many debates about pornography and they continue unabated in the UK at the present time (prompted very much by the newspapers, desperate to boost their circulation figures). Is it small wonder that on the Continent "Sex" is known as the "English obsession"? The undeniable fact is that the "anti" faction will not, and cannot, be converted and the debate no doubt will continue ad infinitum.

Prior to the "Lady Chatterley" case it was the contention of the pro-censorship group (and assumed by law) that the printed word could have an adverse reaction upon public morals - but time has confirmed the fallacy of this opinion. For many years before this landmark publishers

and purveyors of pornography (mainly written in the Victorian era) were hounded and persecuted and the writings of Cleland, Frank Harris, Henry Miller, Radcliffe Hall, etc., were all banned from the UK market. During the late 1940's and early 1950's a single volume of "My Life and Loves" by Frank Harris was available at a cost of £3.00 plus (under the counter as the booksellers would have been prosecuted if apprehended by the police). Soon after the event of "Lady Chatterley" the four volumes were available to the public (even at W. H. Smith & Son) for 12/6d in paperback. Any further comment on the moral to be drawn from this would be superfluous.

Surely the example of pornography in print should be seriously considered with regard to "pornography" in pictures, as many years have passed since printed pornography became generally available to the public at large? One only has to read recent history to realise that the same arguments and contentions (the supposed adverse effects upon family life, etc.) are currently being used against sexually explicit photographs, magazines and films. If one goes back to the early 1920's and recalls the Marie Stopes libel action, it will be observed that the same words used then by the defending counsel were the ones now presently being used by the pro-Obscene Publications Acts factions (he referred to the corrupting influence these filthy pamphlets - on birth control - would have upon the general public). Listening to the latest arguments put forth against sexually explicit materials makes one wonder at the lack of progress made in the 50 years since the Marie Stopes case.

The Committee will, no doubt, have many reports submitted by various bodies, all of which will presumably be considered, but will a submission be made on behalf of the hundreds of thousands of British citizens who purchase magazines each month and whose pleasures have been so drastically curtailed recently by the activities of the police and the voluntary censorship by magazine publishers? We trust also that consideration will be given to the many thousands of adults who are members of cinema clubs - an area in which recently there has been extreme police activity. Are their wishes to be respected? Their total membership is considerable. A list of private cinema clubs has been compiled (see note B at the end of this section - available to the Committee of Inquiry only) which shows, from a total of 31 clubs (which is not the sum total of all UK clubs by any means), the combined membership is 231,000.

From my own observations in the London area, made over many years, the average member of a cinema club is aged over 30 (OAPs often have reduced prices), is of middle or upper class and a professional or businessman. Despite the fact that many hundreds of thousands of men would have seen explicit pornographic films over the past few years, no complaint has ever been reported of a member leaving a club and misbehaving or interfering with a female (had this occurred the newspapers would have been only too pleased to report it). Confirmation of this can be obtained from the police in the Islington area where "Archibald's Club" first commenced operating some six years ago (the original 'blue' cinema club). Police in other areas where the clubs operate would also confirm.

A survey carried out by myself in the Langley (Berkshire) area in January 1976 - after the film "Emmanuelle 11" had been banned from local cinemas (Maidenhead and Windsor) as a result of three letters of complaint from local residents (two of whom later agreed that they had not even seen the film!) - confirmed that of the 50 people approached (the majority of whom were unknown to me), 48 (96%) were against censorship for adults. All interviewed were middle aged and many expressed their

disapproval that others should dictate what they may, or may not, see in respect of sexually explicit films and materials and they resented, most strongly, that the moral standards of others should be imposed upon them by law. Their contentions were that, as responsible adults, they were capable of making up their own minds. (A small percentage did, however, express their doubts when it came to the question of violence in films and thought some action should be taken in this direction.) All agreed special attention should be given for the exclusion of minors.

It may, possibly, be contended that in comparison with the total population of the United Kingdom, 50 people represent an extremely small sample and could be construed as being non-representative. I contend, however, that this percentage of support against censorship for adults is representative and would be repeated throughout the country if individuals were picked at random and the percentage would be overwhelming if a referendum were carried out. N.C.R.O.P.A. is of the same opinion.

On 24th March 1976, the House of Lords held a debate on "Obscenity and the Law". There was such a wealth of refreshing common sense in the speeches made by the Viscount Norwich, Lord Stow Hill and Lord Houghton of Sowerby on that occasion, that N.C.R.O.P.A. could hardly do better than include the whole of what they said in this submission. Since it is recorded verbatim in Hansard (No. 51, Vol. 369), we sincerely commend it to the Committee.

Lord Norwich quoted Miss Marilyn Monroe who, 15 years earlier, had uttered the immortal words "Sex is here to stay". So too, he went on, were its "concomitants of which there are many, but I suppose the two principal ones are prostitution on the one hand and pornography on the other". He thought that we had been remarkably enlightened in regard to prostitution in this country in that we had never actually made it in itself an offence but had been content simply to accept that it exists but to keep it within decent and reasonable bounds. "I only hope that we shall be equally sensible in relation to pornography", he said, "because pornography is here, it cannot be done away with and we cannot legislate it away, however hard we try". He emphatically refused to believe that the public at large was "very easily outraged". Pornography was virtually impossible to define because "one man's pornography was another man's art. Yesterday's obscenity is tomorrow's 'A' level set book". A careful differentiation between crime on the one hand and sin on the other was essential, he thought. "I most earnestly believe that it is no function of the legislation of any Government to lay down the law about matters which should be private between a man and his conscience".

Lord Stow Hill was rightly very concerned about truly creative writers being stifled by censorship and gave a number of examples of some literary casualties from the past. He went on to say that he felt 100% certain that, if an offence was created which made the dissemination or possession of hard-porn an offence, it would make not the slightest difference and that hard-porn would simply go on sale under the counter instead of above it.

Lord Houghton wanted to know how many of those present were under 50 years of age and he chided them for their "drooling pessimism". In a long, uncompromising and unequivocal speech he expressed the dangers and idiocies of some of the frightening suggestions put forward in both Houses for future legislation. He personally found "the whole apparatus and aura of the law in these matters of morals and tastes most unacceptable and dangerous". He continued "The question is - should we impose

sanctions, including the criminal law on the behaviour of others for, as soon as we do that, there arise questions of individual freedom, of civil liberties as well as the infinite difficulties of interpretation. Our police force is grossly undermined - yet the existing laws represent more work for them and the Courts and the possibility of corruption (NOT of the public) will always exist whilst the law remains unchanged. In the case of pornography, the law seeks to protect man from himself and the issue is clear; how far should a free society use the sanctions of the law to interfere with the choice of the individual?

Let us emulate the example set by the majority of our European cousins and neighbours within the E.E.C. who have been civilized enough to permit the choice of sexual freedom to adult citizens and thus save the UK Government the embarrassment of being in breach of their obligations under international treaties regarding human rights.

VII ANSWERS TO OBJECTORS

Below follow N.C.R.O.P.A's answers to some of the most frequently voiced objections to our proposals from the pro-censorship lobby:-

1. Objections on Moral Grounds

Macaulay wrote in 1831 "We know of no spectacle so ridiculous as the British public in one of its periodical fits of morality". One hundred and forty seven years later, the only accurate change one should make to that statement as it applies today, would be the deletion of "periodical" and the substitution of "continual". If not to the British public as a whole, this certainly applies to a vociferous, albeit, minor part of it. This peculiar British disease is to be doubly deplored because so much of what is fulminated in the name of morality is so blatantly hypocritical. The hypocrites, of course, warrant no more consideration in a report such as this than to be treated with the contempt they deserve, but what of the sincere "moralists"?

Probably no one will deny that the opinions of a sincere person should command respect, no matter how perverse they may appear. However, such respect should be mutual and reciprocated by one's opponents. Sadly, it has to be said that usually it is not. The moralists see their standards as absolute, will allow no variation and seek to force these standards on us all. Whether they are a majority or minority is no matter. An individual's morals should be his own private concern provided there is no coercion of others. We make no apology for referring here to Victorian philosopher John Stuart Mill's oft-quoted essay "On Liberty". He wrote "... the principle requires liberty of tastes and pursuits; of framing the plan of our life to suit our own character; of doing as we like, subject to such consequences as may follow; without impediment from our fellow creatures, as long as what we do does not harm them, even though they should think our conduct foolish, perverse, or wrong". No one has yet proved that uncensored, sexually explicit material is harmful. Indeed many experts (and they are experts

in spite of some shameful attempts by our opponents to destroy their credibility) believe it to be of positive benefit to some people. Many others simply find it enjoyable, as they would a cigarette or a pint of beer, for example. Harmful or beneficial the law has no place in interfering in the choice of the individual's private pleasures. He, the individual, must be allowed to decide his own path to Heaven or Hell, or to neither if he does not accept such supernatural concepts. We believe that a society such as ours, which has been conditioned over a long period of evolution by the ill-informed, puritanical strictures of its forbears to believe that sex is immoral, something to feel guilty about, to be repressed at all costs, is a sick society. Years of illogical moral indoctrination, "brain-washing" if you like, have imbued our society with lunatic taboos rigidly perpetuated by savagely repressive laws evolved from the dangerously dogmatic ideas of those bigoted moralists from the past, and by the equally bigoted present day, self appointed "guardians of the nation's morals". Now is the time for their long overdue demise. It is nonsense that these moralists persist in attempting to correlate the availability of "pornography" with a marked fall in standards. This is certainly untrue of those countries, like Denmark and West Germany, who have lifted virtually all censorship restrictions. It is also surely significant that "pornography" is conspicuously absent in the world's most repressive and brutal regimes. We find objections on moral grounds quite unacceptable and totally reject them.

2. Objections on Religious Grounds

Over 90% of the population of England and Wales do not participate in any public religious activity. (See the published figures on church attendance in England in 1977 and the Archbishop of Canterbury's public statement thereon.) Of the persons that do participate, the majority are Christians. Christianity is based on the teachings of Jesus Christ contained in the Holy Bible.

Christ condemned the narrow-minded attitude of the Pharisees to sexual morality, (Matthew: Ch. 16 v.6, Ch. 21 vs. 23-46, Ch. 23; Mark: Ch. 8 v. 15; Luke: Ch. 5 vs. 21-26, Ch. 7 vs. 37-50, Ch. 11 vs. 37-44, Ch. 12 v. 1; John: Ch. 4 vs. 16-26). He accepted as a close follower Mary Magdalene, a fallen woman, (Matthew: Ch. 27 v. 56; Mark: Ch. 15 vs. 40-47; Luke: Ch. 8 v. 2; John: Ch. 19 v. 25, Ch. 20 vs. 1-18). He opposed the punishment of adulterers (John: Ch. 8 vs. 3-11). Pornography is not mentioned in the Bible and it is lawful in most Christian countries (e.g. Denmark, France, Italy, Netherlands, Portugal, Spain, Sweden, West Germany and most parts of the United States). Parts of the Bible are pornographic, e.g. Genesis Ch. 38 vs. 7-9 (on onanism) and Ezekiel Ch. 23 (whole) (on whoredom).

There are over one million Moslems in England and Wales, mostly of Pakistani and Bangladeshi origin. Their religion, Islam, is based on the teachings of the Prophet Mohammed contained in the Koran. The Islamic code of sexual morality is very different from the Christian one. Islam allows polygamy and concubinage but insists that the children of concubines be given the same rights of inheritance as the children of wives. Pornography is not mentioned in the Koran and it is allowed in some Islamic countries (e.g. Malaysia and Lebanon).

There are half a million ethnic Jews in England and Wales, not all of them practising the Jewish religion. This religion is based on the

teachings of Moses contained in the Torah, which does not mention pornography.

Even if religious adherents were in a majority, however, they would still have no right to seek to impose their beliefs and codes of conduct on others against their will. It is not only morally wrong but also contrary to Article 9 of the European Convention on Human Rights which states that:-

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in the community with others and in public or private, to manifest his religious belief in worship, teaching, practice and observance".

In the spring of 1969, just before the Danish Parliament passed a bill removing the last restrictions on the production and sale of pornographic matter, except to children under 16, a 36 year old Pastor in the Danish church in Copenhagen expressed her agreement with the legislation by saying that she was flatly against a ban on porn. "The only Christian reason to justify a continued ban would be that harmful effects could result", she said. "There is certainly no special Biblical or Christian viewpoint in favour of continuing it - that would be a bizarre idea. The job of the church is to proclaim the message, not to preach morals. Morals are only a set of practical traffic rules agreed upon by society for its own sake, and for no other reason".

The eminent Q.C. and playwright, John Mortimer summed it up superbly when he wrote (in the "TV Times"):-

"This much is obvious: what we have to learn is that our society is not one but a loose confederation of moralities. Just as England contains a dozen religious beliefs, and even more shades of political opinion, it must include a number of moral codes which live at peace with each other. An ex-colonel in Godalming, a commune in Kentish Town, a colony of experimenters in group sex in Edmonton, a closed convent, and a flat full of model girls are all entitled to set their own moral standards. What they are not entitled to do is impose these on their fellows".

Conclusion

Objections to so called "obscene" material on religious grounds are unacceptable, not so much because the vast majority of people are not religiously orientated (although this, of itself, must indeed be of great significance), but because no one is entitled to impose his own brand of religion on another. It is important to go on record that N.C.R.O.P.A. has many supporters who are practising members of one or other religious denominations. They may not personally necessarily like, or even approve of, "pornography", but they do accept the principles of freedom of thought and freedom of expression and are prepared to stand up and fight for them. In this they find absolutely no conflict with their individual faiths.

3. Objections on Behalf of Children

It has always been a favourite ploy of the pro-censorship lobby to use the "Save our Children" banner as the final bastion in their defence. In reality, however, we believe this is nothing more than a smoke-screen of half truths and fallacies. There is absolutely no firm evidence of (a) any mass corruption of our children, (b) of any mass exposure of children to "obscene" publications and (c) of any lasting harmful effects. In recent letters to "The Times" two eminently qualified people expressed this view. One, Professor Ivor H. Mills, Professor of Medicine at the Department of Investigative Medicine at the University of Cambridge (Addenbrooke's Hospital) pleaded for a more rational look at the facts (10th February 1978) and the other, Mr. A. P. McEldowney, a former Metropolitan Police Surgeon for over 25 years, entirely supported Professor Mills' views. He firmly believed that far more harm was done to a child who had experienced sexual exposure of one kind or another by the repeated questioning by parents, police and people like himself than was done by the exposure itself, which, if left alone, the child would have soon forgotten (22nd February 1978).

N.C.R.O.P.A. condemns the use of children in sexually explicit material but we believe that the recent hysteria over child pornography has been deliberately and mischievously engineered by certain factions in an attempt to incite otherwise tolerant and liberal minds to change sides in the great censorship debate. We see this as just another gimmick from the "dirty tricks department" designed to rabble-rouse and carefully timed to take place whilst your Committee is in session.

So much for child pornography - a "red herring" if ever there was one! What about a child's exposure to pornography, however? Here again the dangers have been grossly exaggerated. Most newsagents' shops display their sexually explicit material on the top shelves, out of reach of children and virtually all shops dealing in "hard-core" material do not allow entry to persons under 18. "Adults Only" signs are almost always prominently displayed. This could well be made a statutory requirement for such shops, as recommended in the Home Office Report of the Working Party on Vagrancy and Street Offences (1976 - Part 1, Sec. V, Para. 36) which was accepted by the Government in principle but which has yet to be implemented. True, there may be the odd occasion when the "under-age" person slips through but we feel this is an acceptable risk in the context of the much wider consideration of freedom for the population as a whole. In any case it is a principle which is deemed suitable protection regarding public houses but where in fact there is less control, since 14 year olds are legally allowed on licensed premises and, as everyone is aware, frequently break the drinking laws. Society seems fairly content to turn a "blind eye" to this, even though the exposure to alcohol is a known and proven danger - sometimes even fatal. As far as we know, no one has ever been killed by consuming pornography.

Conclusion

There is no conclusive evidence to support the claim that children are at risk by possible exposure to "obscene" publications. (See Ch. V, Sec. V, Para. 2.) Anyway, we believe that the protection mentioned earlier on in this report and the measures suggested in this section are adequate safeguards for children.

4. Objections to Public Display

Whilst accepting that there should be some protection for those who do not wish to be forcibly affronted by material they would deem offensive, we are extremely conscious of the dangers and difficulties of drafting workable legislation in this area which, at the same time, is neither too repressive nor too ridiculous. The late, unlamented Cinematograph and Indecent Displays Bill, published by the then Conservative administration in October 1973, clearly demonstrates this. A clumsier piece of legal drafting would be difficult to find. It was fraught with potential oppression and incongruities and, as John Trevelyan, former British film censor, said at the time, parts of it smacked of the beginnings of a police state. At a public meeting called to discuss the implications of the Bill, held at Hampstead Town Hall on 20th November 1973, Anthony Blond, the publisher, pointed out that ludicrous situations could arise as a result and demonstrated with an "obscene" display from his local greengrocer of two brussel sprouts and a carrot; Lord Norwich pointed out in the debate in the House of Lords on 20th March 1976 (already referred to in part VI), and in more serious vein, that such legislation might deprive us of "perfectly innocent pictures of the Rokeby Venus advertising the National Gallery". Many would also maintain that it was a good thing for people to be shocked sometimes.

However, N.C.R.O.P.A. does go along at least some of the way with the "Indecent Public Display" objectors, and accepts that, just as we claim our freedom to see, read and hear what we choose, so they must be allowed their freedom not to have material thrust upon them. Some form of legislation is, therefore, required which, broadly, would prohibit the public display of sexually or violently explicit material (some hard and fast guidelines would have to be drawn up) that is in open public places, shop windows and outside places of entertainment. The consent of the Director of Public Prosecutions would be necessary before any charge could be brought against an offender and there should be the right to trial by jury.

Conclusion

Although this is a difficult area in which to introduce satisfactory and acceptable legislation, N.C.R.O.P.A. believes it could be accomplished and, therefore, gives its cautious support to such a measure.

VIII CONCLUSIONS

Some years ago there was a great furore when it was decided not to include the traditional Elgar "Pomp and Circumstance March No. 1" - "Land of Hope and Glory" - in the annual last night of the "Proms" concert at the Royal Albert Hall. It was considered both unfashionably patriotic and jingoistic for today's audiences. In the end, however, the organisers were forced to yield to public clamour and restore the piece to its former place in the programme. Those immortal, if somewhat

hackneyed, words "Land of Hope and Glory, Mother of the Free", still, apparently, mean a great deal to the people of this country, many of whom have fought for such freedom alongside many others who have, alas, died in the process.

A precious thing is freedom, a factor constantly seized upon by politicians of all parties in their periodic quests for election to office. "The freedom of the individual is paramount" the cry goes out but, once elected, many sadly pay little or no further heed to their fine phrases. The National Campaign for the Reform of the Obscene Publications Acts also believes in the paramount importance of the freedom of the individual. It also believes, however, that we, the people of this country in 1978, are, to a large extent, being deprived of that freedom by outmoded, repressive, draconian censorship laws which remain on the Statute Book. This is an intolerable curtailment of individual liberty and the freedom of expression and must be reversed forthwith.

Most of us find censorship of any kind repugnant, to say the least. It can only be justified in exceptional circumstances, for example in the interests of national security or where there is indisputable evidence that positive harm will be caused if it is not imposed. With regard to so-called "Obscenity" and "Obscene" publications (or pornography, if you wish - call it what you will), NO SUCH EVIDENCE HAS EVER BEEN PRODUCED. No-one has ever proved that anyone has been harmed by exposure either to sexually or violently explicit material, either of a "normal" (whatever that means!) or deviant nature. The onus of proof must lie with the "prosecution" - that is with those who believe that this is not so. They must prove that this material is "guilty". It is not for others who think as we do, to prove that it is "innocent". We submit that in this respect they have failed miserably and the only verdict is an "acquittal".

The self-appointed guardians of the nation's morals, a highly vocal but, we maintain, minority faction, determined as they are to impose their beliefs on the rest of the public, have been patently unable to produce such proof. In their desperation they have, at times, "scraped the bottom of the barrel" for assistance. They have made scurrilously irresponsible attacks on the integrity of acknowledged expert witnesses. Any evidence they have been able to unearth has been either totally spurious (the "child pornography" red herring) or, as in the case of Dr. John Court (see page 14), exposed for its prejudice and inconclusiveness. On the other hand, positive evidence in support of our claim is vast.

The three major investigations already undertaken into this subject have all reached the same conclusions. They are the Danish Forensic Medicine Council's Report to the Danish Penal Code Council (1966), the Arts Council of Great Britain's Report on the Workings of the Obscene Publications Acts (1968) and the exhaustive, two year, two million dollar United States Presidential Commission on Obscenity and Pornography (1970), during the course of which a great deal of empirical research was carried out. They all reached the conclusion that pornography, of whatever kind, is harmless and that it should be freely available to consenting adults. THESE ARE FACTS - and not the FICTIONS of what barrister/journalist Gordon Scott, writing in the New Law Journal (Vol. 123 No. 5585 22nd February 1973), described as a "new and virulent puritanism". It is interesting to note that these "puritans", whilst claiming that "obscene" material corrupts others, never admit to having been corrupted themselves, despite their sometimes frequent and deliberate exposure to it. It is always the other person they arrogantly seek to "protect".

Sir Robert Mark, the former Commissioner of Police, in his Dimpleby Lecture transmitted on B.B.C. Television in November 1973, quite clearly was of the opinion that "obscene" publications were, or should be, fairly low down on the list of priorities for the police. He said that "The truth is that pornography is very difficult to control. The point at which it becomes unlawful is almost impossible to define, so that contested prosecutions are rather like a game of chance". He went on to say that some activities, even if most people think them undesirable or offensive, cannot, in practice, be stopped. "The most one can hope for is to regulate the way in which they are carried on. Gambling, brothel-keeping, unconventional sexual practices are all in this category. There is no certainty that very severe penalties would suppress them. The demand will always be there. A more likely effect is that they will be driven underground, raising the cost to the consumer and the profit to those willing to take the risks. The incentive to oppose or corrupt the police would be greatly increased. (This was subsequently dramatically borne out by the notorious police corruption trials of 1977.) Prohibition in the United States, which created a climate in which gangsters could thrive, is surely the classic example of a self-defeating attempt to eradicate the ineradicable. What is needed is to find the right balance, to achieve a degree of control acceptable to the public and, at the same time, enforceable in practice".

We believe that the proposals of the National Campaign for the Reform of the Obscene Publications Acts provide such a balance and we strongly urge the Committee to recommend Her Majesty's Government to introduce the necessary legislation without further delay.

IX RECOMMENDATIONS

1. The repeal of the Obscene Publications Acts of 1959 and 1964.
2. The introduction of a new Act to prohibit the sale or dissemination of "obscene" material to children (or possibly an extension or re-drafting of the Children and Young Person's Harmful Publications Act 1955).
3. The introduction of a new Act limiting the public display of "obscene" material.
4. The amending of certain clauses in a number of other Acts which would be a necessary part of abolishing the censorship laws, e.g. The Post Office Act 1953 (so that it would not be an offence to send an "indecent" article through the post - provided it had been solicited); the Customs Consolidation Act 1876 (so that the import and export of "indecent" articles would not be an offence) and the Cinematograph Acts of 1909 and 1952 (so that film censorship could not be imposed).
5. The repeal of the relevant Conspiracy laws.

6. The abolition of the relevant Common Law Offences (e.g. Keeping a disorderly house).
7. The abolition of private prosecutions under any of the remaining aforementioned Acts.

X EPILOGUE

Prepared by Clifford Hanley

Any legislation prohibiting "obscene" publication inevitably becomes discredited because there will never be a definition of "obscene" that satisfies everybody, even that satisfies the notional "reasonable man" in the law. What the proponents of such legislation are trying to do is to give the transitory social conventions of their own time and place a permanent and enforceable validity which is spurious.

Even among "reasonable men" the datum line of obscenity is constantly moving. There was a genuine storm over the old painting September Morn. A few generations later, even the most moralistic citizen sees it as a harmless and rather sentimental nude. The four-letter words, far from being intrinsically evil, were legitimate components of the Anglo-Saxon vocabulary which became declass  after the Norman Conquest, for socio-economic reasons rather than moral.

At any time, in fact, there are two loose groups in any society; one which favours open inquiry and probable social change, and another which fears any change as destructive. The battleground constantly moves because society is always changing. The opposing sides automatically regroup at the next ditch. The significant difference between them is that the former group does not want the power of law with which to coerce the latter group, whereas the latter group does want it; and indeed, under the Obscene Publications Acts, it does have that power. And as John Stuart Mill said, the generality of men, if given power for any reason, will tend to use it to its utmost. If you give a man the power to restrict free expression - political, religious or moral - he will exercise it. He will exercise it on the assumption that he knows best, that he is mentally and morally superior to other people, including me. I do not seek the power to restrict his expression. I will not tolerate his power to restrict mine.

APPENDIX

Biographical Notes of Committee Members

BERNARD BRICK

Bernard Brick is an accountant, 40 years of age and is Jewish. He is Vice-Chairman of the Newham North-West Conservative Association and a prospective local candidate for the May 1978 Council elections.

GERALD FOWLER, M.P.

Gerald T. Fowler, is the Labour Member of Parliament for the Wrekin constituency. He was elected representative from 1966 to 1970 and continuously since February 1974. He was born in 1935 and was married in 1968. Educated at Northampton Grammar School and Lincoln College Oxford, he went on to the University of Frankfurt-am-Main, Craven Fellowship, Oxford University from 1957 to 1959. Part-time lecturer Pembroke College Oxford 1958-59; Lecturer Hertford and Lincoln Colleges, Oxford 1959-65; Lecturer University of Lancaster 1965-66; Assistant Director The Polytechnic Huddersfield 1970-72; Professor of Educational Studies, Open University 1972-74; Professor Associate, Department of Government, Brunel University 1977 continuing; Visiting Professor, Department of Administration; Strathclyde University 1970-74; Oxford City Councillor 1960-64; Councillor, the Wrekin District Council 1973-76; Leader Wrekin District Council 1973-74; Joint Parliamentary Secretary Ministry of Technology 1967-69; Minister of State Department of Education & Science October 1969-June 1970, March-October 1974 and January-September 1976; Privy Council Office 1974-76; President Association for Teaching of Social Science 1976 continuing; Association for Recurrent Education 1976-77; Association for Liberal Education 1977 continuing; Chairman Youth Aid 1977 continuing. He has a home in Wellington, Shropshire and a flat in Westminster, London.

EDWARD GOODMAN

Edward A.C. Goodman, LL.B., Solicitor of the Supreme Court of Judicature, is a legal adviser to the N.C.R.O.P.A. He is active in politics and is a staunch believer in freedom of expression as the basis of democracy. He has travelled widely in Europe and is convinced that the United Kingdom should try and achieve the same freedom of expression which already prevails in other West European countries, especially in view of Britain's membership of the European Community.

CLIFFORD HANLEY

Clifford Hanley is a novelist, lecturer, script-writer and journalist. He has served on the Scottish Arts Council and is currently on the board of the Third Eye Art Centre in Glasgow. He is a former Scottish Chairman of the Writers' Guild of Great Britain and a past President of the Scottish Centre of International PEN.

PAMELA MANSON

Pamela Manson is an actress and comes from Leeds. She is the mother of four, two boys aged 25 and 21 and two girls aged 18 and 12. She was formerly married to Louis Manson, Chairman of Cope Allman International.

Some of her more recent TV appearances include "Barmitzvah Boy" (BBC), "The Fall and Rise of Reginald Perrin" (BBC), as Alma Bloom in "Backs to the Land" (Anglia) and as Vera in "The Good Life" (BBC). She also appears in the forthcoming film "The Class of Miss McMichael", with Glenda Jackson and Oliver Reed. On the stage she has played recently at the Almost Free Theatre in "A Penny for Bread" as well as seasons at the Chichester and Mermaid Theatres.

She actively conducts a letter writing campaign protesting at the banning of, for example, the Thames TV series "Sex in our Time", and she advocates sex education and the provision of contraceptives under medical supervision in schools. She is an activist in the Soviet Jewry Campaign (with particular reference to ballet dancers the Panovs and screenwriter Felix Kardel Kamar). She lives in Kensington and is a former Chairman of the Redcliffe Ward Chelsea Labour Party.

Apart from acting, she has also worked in personal management and as a publicity and public relations officer in the theatre, fashion and politics.

ERIC MILLER

Eric Miller is the Motor Manager of a City firm of insurance brokers and a former motor insurance underwriter. He served in the Army with H.M. Forces from 1939-1946 and he is an ex member of the Territorial Army (Long Service/Good Conduct Medal). He is married with two daughters.

THE VISCOUNT NORWICH

John Julius Norwich was born in 1929. He was educated at Upper Canada College, Toronto, at Eton, at the University of Strasbourg and, after a spell of National Service in the Navy, at New College Oxford, where he took a degree in French and Russian. In 1952 he joined the Foreign Service and remained in it for twelve years, serving at the Embassies in Belgrade and Beirut and with the British delegation to the Disarmament Conference at Geneva. In 1964 he resigned from the service in order to write.

He has published two books on the medieval Norman Kingdom in Sicily, THE NORMANS IN THE SOUTH (published in the U.S. as THE OTHER CONQUEST) and THE KINGDOM IN THE SUN, and two travel-cum-history books, MOUNT ATHOS (with Reresby Sitwell) and SAHARA. The first of his two volumes on the history of the Venetian Republic was published in October, 1977. In addition he has made several historical documentaries for B.B.C. television - on Norman Sicily, the Fall of Constantinople, The Conquest of Mexico, Napoleon's Hundred Days, the History of Persia, Maximilian of Mexico, Palladian architecture and a six-part series on the History of Turkey. He has recently finished a documentary history of the Knights of Malta.

Lord Norwich is Chairman of the VENICE IN PERIL fund, a Trustee of the Franco-British Council and the Civic Trust and a member of the Executive and the Properties Committees of the National Trust. He is also a member of the Liberal Party in the House of Lords.

He is married to a painter, has two children and lives in Little Venice, London.

DR. CHRISTINE PICKARD

Dr. Christine Pickard, Qualified M.B.Ch.B Liverpool University July 1962. House Surgeon, House Physician, Whiston General Hospital Prescot, Lancs.

Since that time has combined medicine and journalism which has given plenty of opportunity to see both sides of the patients' problems. Medical. Locums: at Whiston Hospital, Marie Curie Hospital London, GP locums in both urban and rural areas (still continuing at the rate of a little less than a month a year) as volunteer with the Mother Teresa Hospital, Calcutta, India and with the UNA hospital nr. Marnia Algeria. Worked with Emergency Call Service in London- nightwork. Joined the Evening Standard in 1965 as medical correspondent. "Gossip" columnist for Titbits five years; also medical column Sun and News of the World; also contributions to Guardian, Sunday Times, Financial Times TV and Radio including answering readers letters on the air. Also worked with Forum clinic, in psychosexual clinic at York Clinic Guy's Hospital and in conjunction with other specialists, in private work, with psychosexual patients. Several training sessions with Dr. Philip Cauthery of Institute of Sex Research Birmingham. Also spent training sessions with Copenhagen experts and American experts at Stoneybrook University, New York. Given lectures on sexual matters to students. Given evidence in sex cases, particularly those relating to erotica which necessitated a study into the area in much greater depth than formerly. Author of "The Safest Way" (on birth control). "The Outline to Slim", presently writing a book aimed at helping women to understand their problems in all areas of their lives. Previously News Editor of Medical News, Editor of Interface, presently Medical Editor of Pulse for G.P's.

DR. BRIAN RICHARDS

Dr. Brian Richards is a qualified Medical practitioner. Degrees, M.B., B.Ch., granted by the University of Wales 1954. Sometimes House Physician and House Surgeon in Central Wales Hospital Board. Five years military service (R.A.M.C.) in ranks of Lieutenant, Captain and Major. Second in Command No. 2 Field Ambulance M.E.L.F. (O.A.S.) on active service. Holder of Cyprus Medal. Family Medical Practitioner in Sandwich, Kent, for seventeen years. Recognised special interest in Sexual Medicine for twenty years. Member of consultative panel of British Journal of Sexual Medicine. Member of Medical Journalist' Association. Widely read and known journalist most on medical affairs. Books and numerous articles in Europe and U.S.A. Post Graduate Medical Lecturer in sexual medicine. Guest speaker at Royal Northern Hospital, Windsor Post Graduate Medical Organisation, St. Mary's School of Medicine, Paddington (London), etc. Appearances on radio and television mostly on medical topics. Recently offered Life Membership of New York Academy of Sciences. Age, 46. British subject. Married.

DAVID WEBB (Organiser)

David Webb was born in Luton, Bedfordshire in 1931. He was educated at Luton Grammar School and, after serving two years' national service as an instructor in the Royal Army Educational Corps, studied for an acting career for two years at the Royal Academy of Dramatic Art in London, graduating in 1954.

His first professional engagement was in repertory at the Theatre Royal York in 1954 and, after playing with a number of other repertory companies, he began appearing in television, which has provided his main field of work ever since. He now has more than 700 television appearances to his credit and has played a wide variety of parts for all the major TV companies (from familiar "soap operas" like "Coronation Street" and "Emergency Ward 10" to classic serials like "Resurrection" and "Hilda Lessways" and from popular series like "Dixon of Dock Green" and "The New Avengers" to serious drama like "The Cathedral" and "Waters of the Moon"; from comedy series like "Not On Your Nellie" and "The Liver Birds" to dramatized documentaries like "The Fight Against Slavery" and the "Steve Biko Special" for "This Week" (Thames); as well as acclaimed programmes like "The Gorge", "Six Days of Justice", "Rogue Male" and "The Ragged Trousered Philanthropists"). His most recent appearances have been in "Pennies From Heaven" (BBC TV) and "Rumpole of the Bailey" (Thames TV).

He has also appeared in a number of feature films including "The Battle of Britain", "Tunes of Glory", "Sunday, Bloody Sunday", "Diamonds for Breakfast" and "Villain", and has played in many stage productions including the musicals "Salad Days", "The Water Gipsies" and "Love From Judy". His last West End appearance was in John Schlesinger's musical production of "I and Albert".

As a secondary occupation he works in an editorial capacity for a small publishing company which specialises in para-medical and health education publications. He is the associate editor of the "Health Education Index".

He is also a former member of the Council of British Actors' Equity Association, lives in Chelsea and is a bachelor.

WILLIAM J. WRIGHT

William J. Wright, B.A., M.A.I.E., was educated at the Gresham's School, Holt, Norfolk, Norwich City College and King's College, London University, from which he graduated in 1970 with an honours degree in Modern History. At present engaged in public relations and house journalism for a major retail organization, he holds the Diploma of the British Association of Industrial Editors and is an associate member of the Institute of Public Relations.