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DRAFT WRIT ENDORSED WITH STATEMENT OF CLAIM

QUEEN'S BENCH DIVISION

David Alec Webb

Plaintiff

v

National Council for Civil Liberties (NCCL)

Defendant

STATEMENT OF CLAIM

1. The Plaintiff is a member of the Defendant, an Unincorporated Association (as well as the Honorary Director of the National Campaign for the Reform of the Obscene Publications Acts (NCROPA), another Unincorporated Association and an affiliated member of the Defendant).
2. The objects Clause of the Defendant's constitution (Clause 2) states, inter alia, that the aim of the Defendant "shall be to assist in the maintenance of civil liberties, including freedom of speech, propaganda and assembly and to promote NCCL's Charter of Civil Liberties", Article 7 of which pledges "to ensure and safeguard" the essential right "to freedom of speech and publication".
3. At the Annual General Meeting of the Defendant, held on the 23rd April 1989, the following resolution was passed:

"This AGM, whilst appreciating the methodological difficulties in producing scientific evidence and therefore the ability to say the exact nature and extent of a causal link between certain kinds of pornography and harm to women, considers that there is sufficient evidence to say that it is highly likely that such a link exists

both in terms of the aggregate increase of sexual violence against women, some individual sexual attacks against women and subordinate, unequal status of women.

This AGM therefore supports lawful campaigns against certain kinds of pornography as defined below, on the grounds of sex discrimination as a civil liberties issue for women, where such campaigns are aimed at changing public attitudes towards such material.

Conference notes that, in any definition of pornography, there must be three main ingredients:

1. It must be sexually explicit;
2. It must depict women as enjoying or deserving some form of physical abuse; and
3. It must objectify women, that is, define women in terms of their relationship to men's lust and desire.

This AGM recognises that, because pornography represents deep-seated sexism, and because of the nature of the power of the pornography industry itself, the campaign against pornography is unlikely to be successful through public debate alone. It therefore resolves that NCCL should consider the kinds of specific legislation (both civil and criminal) which could be enacted to curb the production and distribution of pornographic material; material which should be narrowly defined as that which sexualises violence and the subordination of women."

4. In the premises the said resolution is contrary to the objects of the Defendant as set out in its constitution.

AND THE PLAINTIFF CLAIMS:-

- i) A declaration that the aforementioned resolution was ultra vires the Defendant's constitution and of no effect.

- ii) An Injunction restraining the Defendant from implementing the said resolution.

N.J. LEY