

~~CENSORED~~

NATIONAL CAMPAIGN FOR THE REFORM  
OF THE OBSCENE PUBLICATIONS ACTS

N C R O P A

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**FIGHTING SEXUAL CENSORSHIP**

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HONORARY DIRECTOR - David Webb, R.A.D.A. Dip., 15 Sloane Court West, Chelsea, London, SW3 4TD - Tel: 071-730 9537

NO/DAW/DP

22nd June 1992

His Honour Judge Francis Petres,  
Chairman,  
Police Complaints Authority,  
10 Great George Street,  
London,  
SW1P 3AE.

*Francis Judge Petres*

Complaints Against Sir Peter Imbert, the Chief  
Commissioner, and Superintendent Michael Hames,  
of the Metropolitan Police

I wish to make formal complaint about the conduct of the two  
above-named serving officers of the Metropolitan Police force.

I am aware that the usual procedure for making complaints against  
the police is via the appropriate Chief Constable of the force to  
which the police officers concerned belong, or, in the case of  
senior officers above the rank of Chief Superintendent, via the  
officer's local police authority, or, in the case of officers of  
the Metropolitan Police, via the Commissioner.

Since one of the two officers concerned in my complaint is himself  
the Metropolitan Police Commissioner, it would seem that my most  
appropriate course of action is to make the complaint to the Police  
Complaints Authority direct.

Both my complaints, against Sir Peter Imbert and Superintendent  
Michael Hames respectively, are centred around alleged infringe-  
ments of the Police Regulations 1979 as set down in Statutory In-  
strument 1979 No. 1470, and made by the Secretary of State for the  
Home Department in the exercise of powers conferred on him by the  
Police Act 1964 and the Police Act 1969.

In Part II, Regulation 11 of the Police Regulations 1979 (which  
came into operation on 1st January 1980) restrictions on the pri-  
vate lives of members of a police force are set down as follows:-

"11. The restrictions on private life contained in  
Schedule 2 shall apply to all members of a police force;  
and no restrictions other than those designed to secure  
the proper exercise of the functions of a constable shall

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be imposed by the police authority or the chief officer of police on the private life of members of a police force except such as may temporarily be necessary or such as may be approved by the Secretary of State after consultation with the Police Advisory Board for England and Wales, and any such restriction temporarily imposed shall be reported forthwith to the Secretary of State."

Schedule 2, referred to in that Regulation 11, gives details of the restrictions imposed on police officers' private lives, including the following restriction:-

"1. A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member of a police force shall not take any active part in politics."

Sir Peter Imbert, the Commissioner, and Superintendent Michael Hames have, in my view, both infringed this regulation by virtue of actions and activities in which they have been involved, the details of which are as follows.

Superintendent Michael Hames

Superintendent Michael Hames is the Head of the Obscene Publications Department (TO13) of the Metropolitan Police at New Scotland Yard. He was appointed to that post in March 1990 to replace Superintendent Leslie Bennett who was, according to the "Sunday Mirror", transferred to divisional work at Chelsea after that newspaper had revealed personal details of Superintendent Bennett's private life, in its issue of 18th February 1990, (see Exhibit A, enclosed herewith), many of which had been supplied by his ex-wife. (On 10th October 1991 Superintendent Bennett was convicted at Bow Street Magistrates' Court, London of an offence under the Computer Misuse Act 1990 for improper use of the Police National Computer and was fined £150.00 with £250.00 costs.)

Since taking up his post, Superintendent Hames has clearly intended to pursue and project a high public profile as Head of Scotland Yard's Obscene Publications Department and has freely given many interviews to the news media, has appeared in innumerable television programmes and has written prominent articles for national newspapers.

He has made no secret of his fervent support for the pro-censorship, staunchly anti-pornography National Viewers' and Listeners' Association (NVALA) run by the controversial Mrs. Mary Whitehouse, and it is his activities with that organisation that give rise to my greatest concern and around which the main thrust of my complaint is centred.

On 10th October 1990 Superintendent Hames was a guest speaker at a public 'fringe' meeting of the Conservative Party Conference in

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Bournemouth organised by Mrs. Whitehouse's National Viewers' and Listeners' Association (NVALA). By merely attending such a political meeting he was actively showing partisan support for the extreme and contentious aims and aspirations of the NVALA. Amongst the NVALA's committed aims is the outlawing of "pornography" in this country. Indeed, a concerted campaign within the NVALA organisation - the 'Campaign to Outlaw Pornography' with its allied petition to the Prime Minister for such Government legislation - is currently being promoted.

Superintendent Hames said at that Bournemouth political party 'fringe' meeting that the confused obscenity law was making the police's task in wiping out pornography very difficult. It is not, and never has been, the police's task in this country to wipe out "pornography". "Pornography" per se is not illegal in this country and nowhere does British Statute Law state that it is so. Indeed, the concept of "pornography" simply does not exist in the law. (Admittedly the word "pornography" does appear in the pre-amble to the Obscene Publications Act 1959, but not in the Act proper, nor in any other Act). (See Exhibit B)

From Superintendent Hames' speech, it is clear that, like the members of the NVALA, he would like to see "pornography" eradicated in this country. It also shows that he is already quite wrongly intent on imposing a level of state censorship which he seeks to set and of which he personally approves, but which the law neither requires nor allows. However, as a serving police officer entrusted with the task of operating within our country's laws as they are presently constituted by elected Parliaments and implementing those laws as they are and not as he may wish them to be, he should not be making such public statements and politically pronouncing on their intent or efficacy.

On 10th October 1991, exactly one year after the 1990 Conservative Party Conference in Bournemouth, Superintendent Hames participated in another NVALA 'fringe' meeting of the Conservative Party Conference, this time at Blackpool (at the Assembly Room of St. John's Church, Cedar Square). I was personally present at this meeting. In his speech there, Superintendent Hames again openly canvassed for more police powers, more legislation - i.e. more censorship - and heavier penalties. He was not speaking in an explanatory, informative, impartial law-enforcer capacity, but expressing emotive, contentious opinions of a highly political, biased, partisan nature, quite outside the remit of <sup>his</sup> position and professional duties. Indeed, the printed NVALA material advertising the 'fringe' meeting carried the words:- (see Exhibit C)

URGENT! CHILDREN and the FAMILY increasingly AT RISK from violence/pornography/obscenity NEW LAW NEEDED NOW!  
Come and hear MARY WHITEHOUSE C.B.E. SUPERINTENDENT MICHAEL HAMES (New Scotland Yard O.P.D.) - And see the evidence!

When I confronted Superintendent Hames, after he had addressed that meeting in Blackpool, with the challenge that he was breaking Police Regulations by publicly taking part in such a political meeting, and had read out Section 1 of Schedule 2 of the Police Regulations, he

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denied that he was so doing and went on to say that he had the approval and permission of the Metropolitan Police Commissioner (Sir Peter Imbert) to participate. Superintendent Hames had also referred in his speech to his visit to the NVALA Conservative Party 'fringe' meeting as "This annual fixture".

There is another serious area of concern about which complaint is levelled against Superintendent Hames. This involves his frequent totally inappropriate and improper public comments, views and pronouncements on the Obscene Publications Acts, 'obscurity' law in general and particular cases connected thereto, especially those which have resulted in acquittals. For example, in an expansive double-page feature in the "Daily Mail" on 27th June 1991 (See Exhibit D) Superintendent Hames makes highly improper and non-impartial comments about juries who acquit many of those whom he has charged with offences under the Obscene Publications Act 1959, because those juries have not (contrary to his own highly subjective judgement) considered the material in question obscene at all. It is quite outrageous that a serving police officer should so arrogantly dismiss the findings of a Court of Law and effectively assert that his own personal findings are superior. In no way can such pronouncements be regarded as an activity which is not likely "to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere", as Regulation 11 demands.

In that same "Daily Mail" article, Superintendent Hames fulminates about one particular 'gay' publication called "Black Masters, White Slaves". He expresses outrage that this magazine (of which he clearly has a particular personal loathing) has, in two entirely separate Crown Court trials, been found 'not guilty' by two entirely different juries - and he then has the effrontery to state that this is fine by him if that is what the public wants (clearly it is!) but that he knows that it isn't!

He then goes on to make totally unsubstantiated, biased and emotive claims that "people don't really comprehend the true nature of 'pornography'". "It is", he writes, "addictive, like a drug. And the addict needs ever stronger drugs to satisfy himself." Notwithstanding that there is absolutely no really reliable or credible evidence (nor has there ever been) for Superintendent Hames to make such inflammatory, absurd sweeping claims, he has no right whatsoever to do so in his public professional capacity as a serving police officer. Such conduct is most certainly contrary to Regulation 11 and Schedule 2 of the 1979 Police Regulations.

Furthermore, Superintendent Hames re-iterated this absurd and unsubstantiated notion in two almost full-page press articles he wrote for two large-circulation national newspapers, just prior to the publication of the Home Office Research Unit's survey "Pornography: impacts and influences" on 20th December 1990. This official Government-commissioned report by two very distinguished university, academic psychologists, Dr. Guy Cumberbatch and Dr. Dennis Howitt, concluded that there was no link between the availability of 'pornography' and sexual violence. Their findings clearly, but not surprisingly, conflicted with the personal and precious views of Superintendent Hames and infuriated him. Quite unequivocally he said

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so, first in an article he wrote (in his capacity as "Head of Scotland Yard's Obscene Publications Squad", please note) for the "Daily Mail" on 15th December 1990 entitled "Why I know this tide of porn is so dangerous" (see Exhibit E), and secondly in an almost identical article in "The Sun" on 17th December 1990 entitled "Why We Must Halt This Sick Flood of Porn" (see Exhibit F).

Both these articles are heavily propagandist in content, are written in zealous, neo-hysterical, emotive language and expound the personal, highly subjective and far-from-impartial views of Superintendent Hames about the laws on so-called 'obscenity' and censorship in the U.K. Such views are, of course, political and politics is something in which he is forbidden to take any active part under Police Regulations. (His use of such highly inflammatory and bigoted language as "I am the man you pay to try to keep the lid on the tide of porn that threatens to poison this country" hardly indicates an independent and impartial approach to his work).

In writing such press articles for wide public dissemination, Superintendent Hames has clearly breached Police Regulations, but it was surely doubly improper for him flagrantly to 'rubbish' (or attempt to 'rubbish') an official Home Office publication. The Home Office, under the control of the Home Secretary, is the only authority to which the Metropolitan Police is accountable. Such treacherous and disloyal conduct would never be tolerated in any other area of employment. No other employee would be permitted to so besmirch his employer's integrity and credibility by what is, in effect, public contradiction and denouncement.

In an article in "The Times" on 3rd August 1990, entitled somewhat ironically in my view "Policing sex with sensitivity", \*Superintendent Hames reportedly expresses his concern about the "hype" surrounding public exposure of alleged child sexual abuse. This is rich, indeed, coming from someone who has himself contributed so much to help create this "hype". The dishonest 'Save Our Children', 'Deluge of Child Pornography' scare tactic has been a well-tried, much-used and highly effective propagandist ploy of the Mary Whitehouse/NVALA/'Puritan Brigade' lobby for many years and it should, rightly, be publicly discredited. However it ill-behoves someone in Superintendent Hames position as a senior police officer to jump on the contentious NVALA bandwagon and so publicly mis-use his responsible and privileged position as a law enforcement agent to campaign for such a highly controversial, deeply partisan political cause.

Neither can it be claimed that Superintendent Hames is non-partisan in accepting and fulfilling public engagements, when he has clearly demonstrated a definite propensity only for those which are, or are likely to be, sympathetic to his own personal views. In September 1991 "The Pink Paper" (21/9/91) reported that Superintendent Hames failed to keep a planned visit to a meeting of the London Lesbian and Gay Policing Initiative which he had agreed to address (see Exhibit H). On 25th April this year ("Capital Gay" 1/5/92 - see Exhibit I) Superintendent Hames failed to turn up to address a conference on sexuality and censorship at the Institute of Contemp-

\* (see Exhibit G)

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orary Arts in London. He also refused to take part in a filmed television programme in the Channel 4 TV "Out" series, entitled "Blue Boys" which examines the Obscene Publications Department and which is to be transmitted on Wednesday 24th June 1992. The only TV and radio programmes with which Superintendent Hames is apparently prepared to co-operate are those which are almost wholly non-critical of the Obscene Publications Department, those which express, either directly or indirectly, virtual unequivocal support for his work and his own well-known personal views on sexual material and state censorship, and those in which he is allowed free-rein to disseminate his own highly controversial propaganda without interference or serious valid challenge.

Far from "policing sex with sensitivity", as "The Times" article (3/8/90) claimed, Superintendent Hames has done quite the reverse. The undisguised, highly publicised, loudly trumpeted disclosures in public arenas and in the media, of his own personal, partisan and deeply subjective views are, in my view, in direct conflict with the restraints imposed on him, as a serving police officer, by Regulation 11 of the Police Regulations 1979. As I have explained, he has certainly indulged in activity which cannot do anything but interfere with the impartial discharge of his duties as Head of the Scotland Yard Obscene Publications Department, and which is without question likely to give rise to the impression amongst members of the public that it may so interfere. Moreover, as I have shown, some of his activities have been connected with political matters and even party-political enterprises. Superintendent Hames has therefore blatantly infringed Police Regulations and this is my complaint against him.

Sir Peter Imbert, Chief Commissioner

On my return to London, after attending the National Viewers' and Listeners' Association 'fringe' meeting of the Conservative Party Conference in Blackpool on 10th October 1991, I subsequently wrote to Sir Peter Imbert, the Chief Commissioner of the Metropolitan Police, on 21st October 1991 (see Exhibit J), and asked him if it was correct that he had given Superintendent Hames, the Head of his Obscene Publications Department (TO13) at New Scotland Yard, permission to address that Blackpool NVALA meeting, as Superintendent Hames had claimed. Commander David Stevens replied on Sir Peter's behalf on 13th November 1991 (see Exhibit K) stating that "Superintendent Michael Hames attended and addressed the meeting to which you (I) refer with the full knowledge and support of the Metropolitan Police Service." As Sir Peter is Head of that service, that effectively means that he had given his permission.

That Sir Peter had done so is, in any case, further corroborated by a report of the NVALA Blackpool meeting and Superintendent Hames' address to it, in the Autumn 1991 edition of "The Viewer and Listener", the official newsletter of the NVALA (see Exhibit L). That report confirms that Superintendent Hames had told the meeting that Mrs. Whitehouse had written to Sir Peter beforehand "requesting permission for him (Supt. Hames) to speak at the meeting" and that

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"in his reply the Commissioner had expressed his pleasure at the 'important opportunity' being given to one of his staff."

That Sir Peter Imbert gave his permission for and approval of Superintendent Hames' participation in and address to the NVALA's Blackpool Conservative Party 'fringe' meeting on 10th October 1991 is thus clearly established. By this action Sir Peter is guilty of aiding and abetting the breaking of Regulation 11 of the Police Regulations 1979, i.e. restrictions on the private life of members of police forces.

On 21st December 1990 Mr. Ted Goodman, a solicitor, borough councillor and member of the executive committee of the National Campaign for the Reform of the Obscene Publications Acts (NCROPA) (incidentally, an organisation I founded in 1976 and have been running entirely voluntarily, in the capacity as Honorary Director, ever since) wrote to the Home Secretary asking why he authorised Superintendent Hames to write the two newspaper articles to which I have referred earlier in this letter (viz. the "Daily Mail" 15th Dec. 1990 and "The Sun" 17th Dec. 1990 - see Exhibits E & F), and before the official publication of the Home Office Report (on 20th Dec. 1990) which prompted these articles and which Superintendent Hames had so 'rubbished' (see Exhibit M).

The Home Office replied to Mr. Goodman's letter on 14th January 1991 stating that "the Home Secretary plays no part in authorising Police Officers to write articles for newspapers" and suggesting that Mr. Goodman wrote to the Metropolitan Police Commissioner. This he did on 16th January 1991 (see Exhibit N).

On 1st March 1991 Commander Sally Hubbard replied to Mr. Goodman's letter of 16th January, on behalf of the Commissioner (Sir Peter Imbert) (see Exhibit O). She told Mr. Goodman that the interviews which resulted in the newspaper articles to which he referred "were arranged and supervised by our (their) own Department of Public Affairs."

Commander Hubbard was, of course, wrong in referring to "interviews which resulted in the newspaper articles", because, as the articles themselves both clearly indicate, they are 'by-line' articles, written in the first person and openly credited as being the creative work of Superintendent Hames himself. Nevertheless, her letter, written on behalf of the Commissioner, remember, clearly indicates that Sir Peter was also fully aware of Superintendent Hames' 'journalistic' enterprises, which form part of my complaint against him, and which, of course, also clearly contravene the provisions of Police Regulations in the way I have explained.

Sir Peter, as Chief Commissioner, is as subject to Police Regulations as Superintendent Hames or any other serving police officer. He has no power, even in his capacity as Head of the Metropolitan Police, to suspend the implementation of those Regulations for any of his officers, or indeed, for himself, and he has, thus, himself breached them.

A further instance of breach of those Police Regulations on the part

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of Sir Peter Imbert was his sending a congratulatory letter to the National Viewers' and Listeners' Association (NVALA) in 1989 on the occasion of the 25th anniversary of its founding, and in which he wished the NVALA "Every success" and expressed the hope that its half-century would find it "'not out' and still going strong". (see Exhibit P - the Summer 1989 edition of "The Viewer and Listener").

That any such letter of congratulation to such a partisan, controversial, contentious, political organisation as the National Viewers' and Listeners' Association should be sent by police officer writing as a serving police officer, is improper enough, but that a police officer of Sir Peter's eminence, viz. the Chief Commissioner of the largest police force in the country, should do so is doubly reprehensible. The impropriety is further compounded by the fact that the content of the letter leaves no doubt whatsoever that Sir Peter is in full sympathy with the aims and activities of the NVALA and wholeheartedly supports it. The public expression of such sentiments, and in his official capacity at that, demonstrates a complete lack of impartiality with regard to matters of so-called 'obscenity', public - and private! - morality, and the level of State interference in such highly sensitive issues, and where the operation and implementation of many laws concerned with them is already so fraught with controversy, ambiguity and the inevitable contradictions and conflicts of necessarily subjective interpretation.

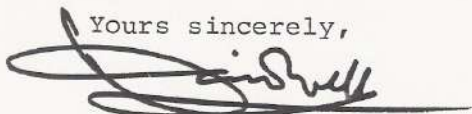
Sir Peter has shown that he has not abstained from "activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public (viz. myself) that it may so interfere." Furthermore, by publicly endorsing an organisation like the NVALA, he has been seen to be taking "an active part in politics". In both these respects, by his conduct he has, in my view, infringed Regulation 11 of the Police Regulations 1979 and this is my complaint against him.

Chief Commissioner Sir Peter Imbert's "Statement of Our Common Purpose and Values", issued to all members of his Force in 1991, stated that:-

"The purpose of the Metropolitan Police Service is to uphold the law fairly and firmly ..... and to be seen to do all this with integrity, common-sense and sound judgement."

Part of the law is those Regulations which apply to serving police officers, including himself and the Head of his Obscene Publications Department. That law also needs to be upheld - and "with integrity, common-sense and sound judgement." Both Sir Peter Imbert and Superintendent Michael Hames have, I believe, neglected to do so and it is of this I complain.

Yours sincerely,



David Webb,  
Honorary Director,  
National Campaign for the Reform of the Obscene Publications Acts

Exhibits A to P enclosed herewith