



NATIONAL CAMPAIGN FOR THE REFORM
OF THE OBSCENE PUBLICATIONS ACTS

NCROPA

FIGHTING SEXUAL CENSORSHIP

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

NEWS MEDIA RELEASE

THE NCROPA LAMBASTES GOVERNMENT'S REPRESSIVE "OBSCENITY" PRO-
POSALS IN CRIMINAL JUSTICE BILL AND ALTON'S ABSURD AMENDMENT

DAVID WEBB, the Honorary Director of the NATIONAL CAMPAIGN FOR THE REFORM OF THE OBSCENE PUBLICATIONS ACTS (NCROPA), has written individually to every MP urging him or her to reject the Government's proposals on "Obscenity and Pornography and Videos" as incorporated in Part VII of the Criminal Justice and Public Order Bill, currently undergoing its Report Stage in the House of Commons.

In a two-page letter (copy enclosed herewith) summarising the NCROPA's objections to the proposals, David Webb deplores yet more nanny-state censorship laws when virtually all other nations of the 'free World' have now completely dispensed with theirs.

He also urges MPs to reject an alarming amendment tabled by David Alton MP that any video not suitable for children should be banned outright from home viewing - even for adults! The NCROPA's Director deplores this outrageous notion, that everything produced and available to the consumer should be reduced to that which is only "appropriate" for Children, as the "philosophy of a madman".

The NCROPA, which has been campaigning for the liberalisation of the UK's sexual censorship laws for the past 18 years, is outraged that our already draconian restrictions on 'freedom of expression should be sought to be even further extended.

ENDS

FOR FURTHER INFORMATION CONTACT DAVID WEBB ON 071-730 9537

Issued at 1400 hrs. on Monday, 28th March 1994 - FOR IMMEDIATE RELEASE



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NO/DAW/DP

25th March 1994

Criminal Justice & Public Order Bill - Report Stage & Third Reading

Since its unveiling in December last year, the Criminal Justice and Public Order Bill has provoked much adverse criticism from opposing MPs and in the media mainly for what it does not include (e.g. a proper statutory framework for crime prevention and the establishing of an independent review authority for miscarriages of justice) and its controversial provisions regarding the right to silence without inferences being drawn. Hardly a word has been seen or heard, however, about the awful Part VII of the Bill ("Obscenity and Pornography and Videos") and its alarming implications for freedom of expression and freedom of sexual expression in particular.

The National Campaign for the Reform of the Obscene Publications Acts (NCROPA) has made the strongest representations to Home Office Ministers, their Opposition counterparts and all MPs who considered the Bill in Committee, urging major changes to most of the proposals in clauses 64 to 68 because of the excessively harsh restrictions and penalties they add to the UK's already hideously draconian State sexual censorship laws, now incontrovertibly the most repressive in all of the so-called 'free World', certainly throughout the entire European Union (except for Ireland, a tiny country of 3½ million people representing a mere 1% of the EU's population), even many former Communist Eastern-Bloc countries and, of course, the USA. The NCROPA's pleas have been totally ignored.

The NCROPA deplores:-

- (1) The Government's neo-hysterical pre-occupation with its own invented 'problem' of 'computer pornography', when no such 'problem' exists and there is no real evidence to suppose that there will be any such 'problem' in the future;
- (2) the introduction of the new legal-nightmare concept of a "pseudo-photograph", just as it deplored the criminalisation (in 1988) of mere possession of "indecent" photographs of children under 16 without any clear legal definition of the term "indecent";
- (3) the new additional penalty of three months imprisonment (unbelievably increased in Standing Committee to six months!) for mere possession of an "indecent" photograph - or "pseudo-photograph"! - of a child under 16, which is an ill-informed, knee-jerk reaction to a problem for which the punishment of imprisonment is cruel, inappropriate and ineffective;

...../continued

COMMITTEE - Alexander Barrie, A.A.Dipl. M.A.I.E.; Professor Gerald Fowler, M.A. (Hons.), F.A.B.E.; Ted Goodman, LL.B. (Sol.); Clifford Hanley; David Kennington, M.A. (Hons.), Litt.D., B.A. (Psy.); Sean Gabb; Eric E. Miller; Tuppy Owens, B.Sc., Dip.H.S.; Dr. Christine Pickard, M.B., Ch.B.

- (4) the extension of the Police and Criminal ^{Evidence} Act 1984 which will make an alleged infringement of Section 2 of the Obscene Publications Act 1959 (i.e. anyone who "whether for gain or not publishes an obscene article" - publishing includes simply 'showing'), or Section 1 of the Protection of Children Act 1978 (as amended) (i.e. anyone who takes any allegedly "indecent" photograph of a child under 16 or who publishes, distributes or shows such a photograph) an arrestable offence without a warrant. At present, however intolerable the present Acts may be, the determination of whether or not an article is "indecent" or "obscene" is at least left for the Courts to decide. The Bill's proposals will mean that this judgment will be made instantaneously, on-the-spot, by any police officer, armed, as he will be, with this massive power of immediate arrest, and, of course, all the attendant subsequent powers of search and seizure, private homes included. So gestapo-like, hugely oppressive a power in the hands of the police is horrifying to contemplate;
- (5) the extended powers of enforcement for local weights and measures authorities of the iniquitous Video Recordings Act 1984, when most other countries do not have any prohibitive censorship of videos for adults at all;
- (6) the unprecedented extension of the areas of jurisdiction (re videos) of local magistrates' courts;
- (7) the introduction of the totally inappropriate additional penalty of imprisonment for the sending of a "grossly offensive, indecent or obscene or menacing" telephone call, irrespective of whether or not the call is solicited or accepted freely and without disapproval.

As if these Part VII measures were not alarming enough, David Alton MP et al have tabled an amendment (17th March) which would prohibit "for private use" any video recording which "presents an inappropriate model for children, or because it is likely to cause psychological harm to a child". This is an absurd, outrageously repressive measure conceived in hysteria and certainly in breach of the UK's commitments to freedom of expression in the European Convention on Human Rights. It would mean, in effect, that films like "Schindler's List" or "Robin Hood, Prince of Thieves" would be banned outright from home viewing. In an already grotesquely over-censored society, this is State censorship run riot.

When virtually all other nations of the 'free' World have dispensed with the kind of State-nannyist censorship laws to which we are still scandalously subject, the UK should be jettisoning its puritanical, antediluvian restrictions on free expression, not adding still more by enacting the appalling Part VII and David Alton's measures into law. If you believe that everything produced and available in this country should be reduced to that which is only "appropriate" for children, such measures are for you. If, however, you believe that such a principle is the philosophy of a madman, and a blatant infringement of our basic human rights, and if you believe freedom of expression is paramount, please VOTE AGAINST PART VII OF THE BILL AND THE ALTON AMENDMENT.

Yours sincerely,

David Webb,
Honorary Director, NCROPA.