

NATIONAL CAMPAIGN FOR THE REFORM OF THE OBSCENE PUBLICATIONS ACTS

MEMBERS' GENERAL MEETING

CONWAY HALL, LONDON

WEDNESDAY, 17TH FEBRUARY, 1993

HONORARY DIRECTOR'S REPORT

It was, we all know, a very bad year for the Queen, but where 'annus horribilises' are concerned, I diin't do too badly, either! 1992 was a pretty awful one for me, too, dominated by my mother's death at the end of June, as well as a whole series of other family dramas and deaths, and friends' illnesses. Overriding such sad events has been the appalling recession the country is going through, with all the attendant difficulties that that brings, and my own health problems, which, although I am still managing to function fairly well, are still a concern which I ignore at my peril. So, yet again, I fear, I must begin with apologies. That somewhat depressing background to the past year I've just given will, I hope, help to explain how, yet again, this meeting is so much delayed and also why the lines of communication between the NCROPA Executive and the NCROPA supporter have been so restricted. I also apologise for the very short notice members have been given for this meeting.

In spite of all the problems, I have, I think, managed to keep the momentum going for the NCROPA cause and have tried not to neglect the central issues that have arisen since we last met, even if I have had to neglect the members personally. I shall be mentioning the main ones in a moment or two.

Our membership continues to remain fairly steady with just over 700 names on our books (some of which represent corporate groups and clubs, etc., of course) although the number we regard as being on what I like to call our 'active' list is probably nearer 500. We recruit a steady trickle of neu members every year, but they only replace, as it were, those who disappear, usually by going away and not telling us or departing prmanently for that great whiter-than-white 'porn-shop' in the sky! We are most grateful to stalwart Committee Member Eric Miller for all his work as our Membership Secretary, but both he and I would both dearly love to see many more new recruits. So anything members can do to boost our membership will be greatly appreciated. I must emphasise that we would have much more 'media clout' if we

were greater in number. Whether honestly or dishonestly I don't know, but organisations like the National Viewers and Listeners Association - the Whitehouse lot! - boldly claim their membership in thousands, tens of thousands sometimes! Whilst we know such claims are almost certainly fraudulent, it would make our parliamentary legislators really sit up and take more notice if they knew that we had such huge support. We know, of course, that we do have such huge numbers of supporters throughout the U.K., but what we need to do is to turn them into members, if not for any other reason, in order to swell our funds and enable us to aggressively promote ourselves and our cause much more widely and effectively - an expensive business.

As you will appreciate, this meeting is really the delayed 1992 Members' General Meeting. We plan to hold this year's M.G.M. in November and from thenceforth, as long as the NCROPA is still needed and in existence, annually at that time of year.

There have been a number of salient events during the time since we last met, many of them reported in "NCROPA in Action" (up until May last year, that is).

Obviously the most important was the General Election on 9th April (and/ⁱⁿwhich, incidentally, we were very pleased to have our own Ted Goodman as a Labour candidate for the Tunbridge Wells constituency, standing against former Attorney-General Sir Patrick Mayhew). The NCROPA is not, of course, a party-political organisation and attracts support from many differing political persuasions. However, with the ~~the~~ appalling record re 'freedom-of-expression'/state censorship matters of successive Conservative Governments throughout the previous 13 years, many of us were thinking and hoping that perhaps the change to a Government of a different colour might (from the NCROPA's point of view) bring about a move in our direction, especially with a potential Prime Minister, viz Neil Kinnock, who we knew supported our aims. We particularly hoped this would come about after the publication of that appalling boast in the Conservative Party Manifesto that "We have the toughest anti-pornography laws in Western Europe, and we will keep them that way."

It was not to be, however, and so now, ten months after John Major was returned to power, we continue to hear the ever-increasing outcries for still more and ever stronger anti-porn legislation and the oh-so-familiar authoritarian, sanctimonious, state-nannyist endorsements of a Thatcher-style "Victorian Values" Government.

However, since that new Government was installed, as is becoming very evident, the comparatively new factor of 'Europeanism' is beginning to assert itself. It is still too early to be able to tell just what impact the full implementation of the Single European Act (on 1st January this year) will have on our concerns - issues concerning the NCROPA, that is - and after all European Community frontier controls are obliged to be scrapped.

The European Connection is certainly making itself felt already in one area, though. I refer of course to the red-hot 'Red-Hot Dutch' issue (or Red Hot Television, as I believe it is now called) and the row over EC trans-frontier broadcasts by satellite. Members might like to know that I have been involved in a great deal of ongoing correspondence about this matter and I have also met (briefly) Mark Garner, in charge of the Channel's UK marketing, and also Gorm Oldorf, the Channel's Director in Denmark, when he and I both appeared on a 'Kilroy' programme - with the super Isabel Koprowski, also - on 1st February. I travelled back to London with Gorm and am keeping in close touch with him in Denmark about any developments.

The present situation is this. I wrote to Peter Brooke, Secretary of State for National Heritage on 25th January. The reply I received on 8th February goes no further than explain the legislation to which such programmes as 'Red Hot Dutch' are subject (which I already knew, thank-you very much!) and to say that in response to reports on the channel issued to them by both the ITC and the BSC, they "are currently considering how to respond in the light of our international responsibilities." It is these "international responsibilities" which are their problem, of course, if they wish to attempt to stop Red Hot Dutch being transmitted here in the UK - as we know they (the British Government) do.

First of all the UK is party to a Council of Europe Agreement made in Stockholm in November 1988 (by Timothy Renton MP, at that time a Home Office Minister) wherein the 22 Council Members are bound, under Article 7, to ensure that "all items of programme services ... in ... particular shall not ... (a) be indecent and in particular contain pornography; (b) give undue prominence to violence or be likely to incite racial hatred."

This is simply an agreement but it is not legally binding on Member States, although there is a rather vague and, I would think, quite in-

effective conciliation procedure for the settlement of disputes arising therefrom.

Secondly, and much more importantly, broadcasting throughout the European Community is governed by the EC Council Directive of 3rd October 1989, which came into force on 3rd October 1991. Included in this Directive, which is legally binding on all Member EC States, is a Chapter - Chapter V - headed 'Protection of Minors' under which is set down Article 22, which reads as follows:-

(READ FROM DIRECTIVE)

Article 2 of the Directive lays down provisions requiring Member States to ensure freedom of reception and not to restrict retransmission on their territory of television broadcasts from other Member States. They may only do so if certain conditions are fulfilled, the most relevant being as follows:-

(READ FROM DIRECTIVE) (a) & (b) etc.

Section 177 of the UK Broadcasting Act 1990 empowers the Secretary of State (formerly the Home Secretary now the Secretary Of State for National Heritage) to make an order proscribing a foreign satellite service if the ITC or the Radio Authority consider that any such service is "unacceptable" and notify the S.of S. of their reasons why such an order should be made i.e. they are satisfied that there is repeatedly contained in programmes included in the service "matter which offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling." The S. of S. has to be satisfied that the making of such an order is (a) in the public interest and (b) is compatible with any international obligations of the United Kingdom.

Gorm Oldorf of Red Hot Dutch told me that the British Government have already made representations to the Danish Government trying to get them to stop the transmission of the programme. The Danish Government quite properly refused and in effect told them to 'get stuffed'. They told the British Government that they simply could not nor were prepared to change a 25 year old Danish law to accommodate British prudery.

What the outcome of all this will be remains to be seen It seems that Peter Brooke is planning to proscribe the Channel although, as I see it , he couldn't do that until July by which time RHD would have been

operating for twelve months. After that, if he did so, the UK could be taken to the European Court for breaching the EC Council Directive, or possibly the Danish Government could be taken before the Court. If no action was initiated by the Commission, it would be open to Continental Television the presenters of Red Hot Dutch, to take action against the UK in the European Court. How the European Court would rule in such a case is, as they say, anyone's guess. Already so many differing interpretations have been placed on Article 22, that I will refrain here from adding my own. Watch this space!

But it is all helping to establish one thing which is that, come what may, our European Continental Partners are not going to kow-tow to the wishes of the arrogant, bigoted, prudish Brits - and from our point of view that can only be good news!

To encourage them in their resolve and hopefully to help bring our own UK masters into proper European line, for a change, I have written to all 17 European Community Commissioners alerting them to what the UK is up to and urging them to permit no special exemptions or dispensations from EC agreements, directives, laws, treaties, whatever, for the United Kingdom, but instead seeking their backing for the NCROPA's 'freedom of expression' cause in accordance with the requirements of Article 10 of the European Convention on Human Rights. I have also written letters on similar lines to ten Heads of Government of the EC countries which do not censor their citizens in the wholly intolerable and viciously repressive way our Government censors us. These included President Mitterand of France, Chancellor Kohl of Germany and Prime Minister Ruud Lubbers of Holland. (Members may feel that they would like to discuss more about this issue later on in the meeting)

And speaking of the European Convention on Human Rights, on 23rd April last year, in a ruling on a case involving a Spanish Senator (MP) and the Spanish Government, the European Court of Human Rights in Strasbourg said (and I quote) "... freedom of expression constituted one of the essential foundations of a democratic society and one of the basic conditions for its progress, and applied also to information and ideas which offended, shocked or disturbed.", and the Court found in the Senator's favour. This ruling is extremely encouraging for me, personally, because, as you know, I am awaiting the date for a hearing of my High Court judicial review challenge to the Uxbridge Magistrates upholding of the seizure by Customs & Excise of six sexually-explicit videos which I had imported from Holland in November 1990. I do not wish here and now to discuss in too much detail the case I shall be

presenting to the High Court, but central to it will be the denial of my right to 'freedom of expression' "regardless of frontiers" as enshrined in Article 10 of the Convention. It would be nice to have a strong contingent of NCROPA supporters at the High Court for that hearing. So if any of you are free on that date, please do try to turn up. I try to notify members as soon as I know it.

Details of NCROPA activities from June 1992 onwards will, of course, be listed in the next edition of NCROPA in Action, which I plan to have ready for this year's AGM in November. In spite of all the mounting personal problems I had during the year, I still managed to keep much of the campaigning going, although some issues were regrettably neglected.

One item of importance was that we had our first Political Party Conference 'Fringe' Meeting. It was held for the Conservative Party Conference at the Bedford Hotel Brighton on 8th October last year. It was largely publicised by leafleting delegates outside the Conference and Conference Meetings and I am grateful to Adrian Parsons for travelling from Portsmouth to help with this. I also circularised all our members in the South-East Area about this meeting. It was very well attended and highly successful on the theme "Freedom of Expression and State Sexual Censorship". As a guest speaker I invited Sean Gabb, Secretary of C.A.S.C. who, I'm delighted to say, has since accepted an invitation to serve as a member of the NCROPA Committee. I am also delighted to say that he has just got married to a Slovakian lady in Bratislava. The meeting was, inevitably, expensive to hold, but well worth it, if only for the PR and publicity value amongst the politicians, those we need to persuade, cajole, bribe, anything, into prioritising our cause. We are greatly indebted to Quietlynn for printing free-of-charge all the promotional leaflets for this meeting. (Mention Antonia da Sancha if time) And whilst I am thanking people, I must thank especially David Sullivan and his associated companies for all their continued valuable help and solid practical support, including the supply of stationery and office sundries. David Sullivan has also very kindly given us a Rank-Xerox photo-copier. Unfortunately it was really too big and heavy for my tiny flat, which is already choc-a-bloc with NCROPA paraphernalia and, until we have our own office premises where it can be suitably ~~XXXXXX~~ housed, Quietlynn have kindly agreed to store it for us at their premises.

And this leads me on to something I must, as a matter of urgency, bring to your attention. The NCROPA is in dire need of an office. I simply

cannot continue to house all the NCROPA material and 'apparatus' in my tiny and it really is tiny - Chelsea flat which is on the 4th floor where there is no lift and with 85 steps up to it. At present I've even got boxes and files stored on the stairs outside the flat door! My flat is simply not a home any more. It has been almost completely taken over by NCROPA. When I started the NCROPA in 1976 I vowed I would not use my own premises or my own phone for its base. 17 years on and I'm still doing exactly that. If there is anyone who has any ideas or suggestions or can help with this please, please let me know. It does not need to be a large office, but it ought to be somewhere fairly central and easily accessible by public transport - so that some of our volunteers can, as and when necessary, come along (a) to man the office and (b) to help in the less glamorous office chores e.g. addressing envelopes, sticking on postage stamps etc. My flat really is not suitable for this and neither do I really want it to go on being in a constant state of disruption.

May I also say that I shall be discussing with the Committee practical ways of relieving me of some of the day-to-day NCROPA work. My correspondence is, as you may guess, vast, but at the time it is just not physically possible for me to cope with it all. The real answer, I think, is for a separate NCROPA office. Anyway have a think about this and let us know what you think. - or better still, what you can do. Moreover, Cassells, the publishers, are commissioning me to write a book about the NCROPA for their sexual politics list. It is never going to be possible for me to complete this unless I am relieved from some of the campaign work. Such a book would, I believe, help our cause greatly and I very much want to do it. Please understand that I am not complaining or losing any of my passionate commitment to the campaign. This remains as strong and as unshakeable as ever, as I hope does yours. I do feel, though, that I am spending too much of my time looking after matters of general administration when I really ought to be getting stuck into the nitty-gritty of what the campaign is all about, that is lobbying hard and confronting our opponents.

Finally I must pay a special word of thanks to all our committed Committee members, all of whom are actively concerned, in one way or another, in championing and trumpeting our cause. My thanks to them all and yet again, especially to Ted Goodman with whom hardly a day passes without communication or discussion of some kind takes place re the NCROPA and who never fails to exude encouragement and optimism even when I sometimes feel at a very low ebb.. So a big thank you to you, Ted.

Finally, you, our members, certainly deserve thanks for your loyal support of a campaign which, in most other countries, as we've seen, would have been won years ago and which, if there was any justice, would long since have been won here too. That it hasn't is nothing to do with ~~the~~ lack of resolve on our part, nor any reflection on the logical merits of our case. On this issue and in this country, we are, however, confronting logical minds but raw prejudice, bigotry, hypocrisy and blazing intolerance. All we can do is to wear down the entrenched opposition by/^{our}unflagging tenacity, stamina and persistence. I feel confident that I and the Committee can rely on you to do just that and continue to do so until we achieve our goal- and the true implementation of Article 10.