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Lord Steve Bassam of Brighton
Parliamentary Under Secretary of State

Mr David Webb
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10 AUG 2000

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Dear David

Thank you for your letters of 27th July to the Home Secretary and I in which you express concern about the Government's response to the outcome of the Judicial Review, announced on 16 May in the High Court, which found against the British Board of Film Classification (BBFC) in relation to the Board's decision to refuse to classify several sexually explicit videos in the restricted (R18) category.

As you may recall, the court dismissed the application for Judicial Review and ruled that the original appeal by the video distributors should be upheld, because, having taken into account all the evidence put before them, the Video Appeals Committee had acted reasonably in deciding that "the risk of the videos in question being viewed by and causing harm to children or young persons is, on present evidence, insignificant". It is quite clear, however, that children should be protected from exposure to this material. The Home Secretary and I believe the situation is not satisfactory and have announced that we will be considering carefully whether there are any additional steps that can be taken to protect children from possible exposure to the sexually explicit material contained in videos given an 'R18' classification.

There is clearly a delicate balance to be struck between freedom of expression and public protection. We believe we have the balance about right but in view of the court's decision to allow more sexually explicit material to be classified, we need to

consider whether the current controls on the sale of these videos is sufficient to protect the young and vulnerable from exposure to material which may be harmful to them. We are currently consulting on the options that have emerged from our consideration and a copy of the consultation paper is enclosed. You express particular concern that the Video Appeals Committee is to be abolished. As you will see from the consultation paper the proposals actually include options to modernise and strengthen the recruitment procedures for the Video Appeals Committee, to bring them into line with other similar bodies. Any representations you wish to make on this option and other matters covered by the consultation should be forwarded to the address contained in the paper.

Yours

LORD BASSAM OF BRIGHTON