

THE DEFENCE OF LITERATURE AND THE ARTS SOCIETY

Film Censorship

IF you were told that every book had to be vetted by censors before it was published; that local councillors could decide to prohibit the selling of certain books in their area; that the contents of books which did reach the booksellers and libraries were frequently cut and portions removed or altered to make the books acceptable to the censors; you would wonder whether you

were living in Britain or in some fascist or totalitarian country. Yet all these repressive measures at present apply to films before they can be shown in a public cinema in Britain.

The battle against the prior censorship or licensing of the printed word was won as far back as 1695. The theatre remained under the censorship of a court official, the Lord Chamberlain, up to 1968. He had the right to ban or demand cuts in offending plays as a condition of licensing.

Now plays as well as books and newspapers may be produced freely and are subject only to law. In addition to the law relating to libel and race relations the basic legal provision relating to 'obscenity' provides for a trial by jury on a charge that the material concerned will 'deprave and corrupt'.

Contrast this position with film censorship. The censors operate in secret and never have to justify their cuts and prohibitions. The primary concern of the British Board of Film Censors is to protect the film trade from criticism, so it responds readily to the pressure brought by the vociferous puritan lobby. Most local councillor censors have not been to the cinema for years and act negatively on the prompting of sensational press reports.

The Defence of Literature and the Arts Society believes that films are subject to unjust discrimination and should be placed on the same legal basis as books and plays as far as control of content is concerned. The Society supports the recommendations of the Law Commission's report on the laws relating to public morals and decency and wishes to see the following reforms :

1. The extension of the Theatres Act to films shown at cinemas or clubs, with a full defence of the 'public good' allowed when there are prosecutions.
2. The abolition of local authority licencing powers controlling the content of films shown to adults.
3. The end of the application of common law offences on indecency and other archaic statutes to film shows.
4. The modification of the Customs Consolidation Act which allows imported films thought to be indecent by Customs Officers to be seized by them.

The Society would like to see the classification of films which may be shown to children to remain, but thinks that expert advice should be provided when classification is carried out. The power to enforce such classification should remain with local authorities, as should the control of lurid advertising outside cinemas.

The effect of these reforms would be to leave the British Board of Film Censors as a voluntary advisory body whose decisions were not enforced by local authority licencing powers. Cinemas and clubs would be free to show to adults any film they wished, subject only to the possibility of prosecution under the same provisions that apply to theatres. Adult cinemagoers would be free to see or to avoid any film shown. Film makers would be under no obligation to submit their work to a censor and would be ruled by their own sense of responsibility.

In a twentieth century democracy, the continuing attempt to supervise and control the content of art and adult entertainment by such an archaic, irresponsible and secretive process as prior censorship is unacceptable. The obsession of the Mrs Grundy lobby against sexual frankness is the driving force behind this oppressive system. The D.L.A.S. believes that prior censorship of films, except on a voluntary basis, should be brought to an end and that the legal framework in relation to obscenity should be the same for all the media and should seek to control only that material which can be shown to have harmful effects on people.

In 1784 Lord Mansfield summarised the liberty to publish in these terms: 'To be free is to live under a government by law. The liberty of the press consists in printing without any previous licence subject to the consequence of law'. It is time the same principle is applied equally to moving pictures as to the printed word.

It is vital that those who wish to see the proposed reforms carried out should make themselves known to our legislators. If you support the campaign, please write to your Member of Parliament and the Secretary of State for Home Affairs, Home Office, Whitehall, S.W.1. urging that the law should be reformed.

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on the Law Relating to Film Censorship**

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