

*Proposal Speech Motion 27 NCCL AGM 19/4/80.*

At the time of last year's A.G.M. at Wolverhampton, the NCROPA had only been affiliated to the NCCL for a very short time and you may remember that a motion condemning certain practices of H.M. Customs including the compilation of secret lists of importers of so-called 'indecent' material, was overwhelmingly carried by the meeting. This was an emergency resolution because we were, of course, debarred from putting down a more widely framed motion on censorship in general under NCCL rules.

The expiry date for submitting resolutions for this year's AGM was 6 p.m., 30th November last year. We very much wanted to put down a motion about the long awaited findings of the Government Committee on Obscenity and Film Censorship but its report, the Williams Report, with which you will now be familiar, was only published on 29th November - one day before the last day for submitting resolutions. A certain amount of what the Williams Report contained had been leaked to the Press but, obviously, our Committee were not able to receive their copies, to then read and digest properly and consequently make a considered judgement of it (all 270 pages) in the space of less than 24 hours.

We decided, therefore, in order ~~that~~ not to miss the boat completely, to submit the motion you have before you, motion 27, which is couched in somewhat wide, vague terms. Since then we have, of course, had time to examine the Williams Report in great detail and, as some of you may have seen in the Press and heard on radio, this week we presented our considered response in the form of this document, to the Home Secretary, Willie Whitelaw.

In our appraisal we applaud the fact that a great deal of what we put forward in our evidence to the Committee, both written and oral, has been accepted and endorsed but that this certainly does not mean that we give their Report blanket approval. Our ~~major criticism~~ general criticism is that the measures proposed do not go far enough and that too many unnecessary legal restrictions would still remain even if all their recommendations were implemented. In contrast to the Williams Report, and to summarise very briefly, we believe that:-

All visual material (films as well as books & magazines) should be treated by the law in the same way.

- there should be no pre-censorship of films, only pre-classification

- that the Williams' legal definition of "what is offensive to reasonable people" is quite unworkable and unacceptable. This would merely replace

196-157

- 2 -

the old yardstick of the "deprave and corrupt" test with another equally, if not more so, ambiguous and fatuous. What does any one person mean by "offensive" and what, for Heaven's sake, is a "reasonable" person? Is it you or me, is it Fiona Richmond or Cardinal Hume, is it Germaine Greer or James Anderton, or is it Paul Raymond or Mary Whitehouse? for I'm quite sure that each and every one of those believes that he or she is a "reasonable" person.

- we believe that it is quite inconsistent for Williams to approve sexually explicit acts on film and in books but not in the flesh, so to speak and we therefore believe that live sex performances should be allowed.

- we believe that local authorities should have an obligation to grant licences to cinemas wishing to show "restricted" category films.

- we believe that private cinema clubs should be allowed to operate as now. The arguments they put forward against this are spurious to say the least.

- we believe that all offences relating to visual material should be prosecuted in the same way i.e. with the consent of the D.P.P. and there should always be a right to a jury trial.

- and finally we believe that the burden of proof in any prosecution must always rest with the prosecution just as it does with every other type of offence in this country.

After all that it may seem that the motion as it stands is inadequate - indeed it may be that ~~perhaps~~ the meeting may like to propose an amendment. However we have urged the Home Secretary to use the Williams Report as a basis for comprehensive reforms of censorship legislation as far as it goes, but only in conjunction with the recommendations NCROPA has suggested and which I've very briefly described.

It is an undeniable fact that there is now more censorship in this country than nearly all others in the so-called 'free' Western World. In a supposedly 'free' society, this situation cannot be allowed to continue. Each year millions of pounds worth of harmless material, books, magazines, films, is seized and destroyed by the authorities, massive fines are imposed and people are imprisoned for contravening laws which deny adults the right to see, read and hear whatever they choose for themselves. And please remember that all our proposals centre

round one tiny but enormously important phrase "consenting adults". There will be no more compulsion to participate than there was when homosexuality was made legal in this country.

It will be very valuable to NCROPA's cause and to the cause of civil liberty in general if this AGM votes its unanimous support for this motion and I strongly urge it to do so.