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Provide for the licensing of premises for the location of pornographic material; to create an offence of locating pornography on unlicensed premises; to extend the duties of Trading Standards Officers; and for connected purposes. A.D. 1990.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 1.—(1) It shall be an offence to display, sell or otherwise distribute any pornographic material from any premises unless the vendor or distributor has a licence to sell or distribute such material from those premises; or, as the proprietor of such premises, to permit such unlicensed display, sale or distribution. Offences.

10 (2) It shall be an offence to display, sell or otherwise distribute pornographic material to the general public from premises where any other goods or services whatsoever are sold; or, as the proprietor of such premises, to permit such display, sale or distribution.

15 (3) A licence to sell or otherwise distribute pornographic material shall be granted only by the appropriate local authority for the area where the premises are situated, and a licence shall be granted only where the premises from which material is sold or distributed are used solely for the sale or distribution of pornographic material.

2.—(1) Any person guilty of an offence under this Act shall be liable— Penalties.

20 (a) on summary conviction to a fine not exceeding level five on the Standard Scale or to imprisonment for a term not exceeding six months or both; or

(b) on conviction on indictment, to a fine or imprisonment or both; and the court may order that the premises used for sale or distribution of pornographic material may be closed.

25 [Bill 60]

Briefing on Bill of Location of Pornographic Materials

First introduced, 19th July 1989, then 23rd January 1990 - both times as Presentation Bill (ie bill is printed but no debating time).

Aim of Bill:

To remove pornographic materials, in print and video form, from general retail outlets, and limit sales to specially licensed premises (licensed by local authorities). Naturally, we hope that, by making pornographic material more difficult to obtain, it will become less acceptable, and so sales will fall. Although the Bill is aimed at retailers of pornography, therefore it will have an adverse effect on the publishers and distributors also.

Reasons behind the Bill:

The Bill is intended primarily to enable women to chose whether they wish to see pornography or not. At present, women making other purchases in newsagents, petrol stations, hypermarkets and department stores are confronted with pornography, whether they like it or not: it's there on the top shelf (usually - the top shelf positioning is by voluntary agreement only and so not always adhered to).

Relationship of pornography to society:

Pornography is not about sex; rather it is about power and possession: men can buy and consume images of women in vulnerable and degrading positions (captions to pornography photos are often in terms of eating: "tasty Tracey", "delicious Debbie"). It has been argued that pornography merely reflects society's distorted attitude to sex. We argue that it has a more active role, that it contributes towards the distortion. Although research is currently going on into the link between pornography and violence, we do not see it as necessary to wait for the results before proceeding with the Bill: pornography is in itself an unpleasant and demoralising experience for women.

Is this censorship?

We are censoring no-one. Publishers who wish to may still print and distribute pornography. We are limiting the other end of the process: sales outlets.

What about freedom?

Much attention has been paid to the freedom of publishers and workers in the pornography industry to do what they want.