

From: THE PRIVATE SECRETARY



HOME OFFICE
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Our Ref: OB/91 1/22/5

4 MAR 1991

Dear Mr Webb

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Thank you for your letter of 15 February to the Home Secretary about your previous correspondence about the laws on obscenity and the Government's attitude to censorship. I have been asked to reply and I am sorry that as a result of an oversight you did not receive an earlier reply to your letter of 5 December; we do not appear to have any record of subsequent correspondence from you.

The principle which governs the Government's attitude towards censorship, and that adopted by previous Governments, is the need to strike the correct balance between the right of the individual to freedom of expression and the need to protect people, particularly the more vulnerable members of society, from harm. The Government has no powers to ban or censor individual publications, videos, plays or films and does not seek such powers, but the criminal law does have a role to play. As you know, the principal control is the Obscene Publications Act 1959 under which it is a criminal offence to publish an article whose effect, taken as a whole, is such as to tend to deprave and corrupt those likely to read, see or hear it. It is, of course, for the courts to decide if any case brought before them whether an offence under the Act has been committed. These provisions have been criticised on a number of occasions and unsuccessful attempts have been made by Private Members to introduce amending legislation. There remains, however, a lack of consensus on the need for change, much less its form, but the Government is prepared to support any proposals which may be brought forward which are workable, will improve the clarity of the law, deal adequately with objectionable material and appear likely to command wide support.

You refer in your letter to the variation in attitudes between countries towards pornography. While there are differences in what is acceptable under the laws of different member states of the European Community this is inevitable given our differing social traditions. However, there is an increasingly common recognition within Europe of the dangers of the worst kind of pornographic material. For instance, the

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Council of Europe has considered the problem of the distribution of video works having a violent, brutal or pornographic content and has issued advice to its member countries. The Council is also looking at standards in broadcasting across European frontiers.

There is considerable concern about the effects of pornographic material, particularly the possibility of a link with violence or sexual aggression and the effects on attitudes to women. In response to this we commissioned a review of available research on this issue in order to help focus more sharply on public and Parliamentary debate. The review considered available research evidence in this country, the United States of America and in other European countries and concluded that the available evidence, while suggesting that the use of pornography and the commission of sexual violent offences are often closely associated in the individuals concerned, does not clearly demonstrate any causal relationship between pornography and sexual or other violent crime. However, it does not support the theory sometimes put forward that the use of pornography can reduce sexual violence. The report also concludes that there is some qualified research evidence that pornography has an insidious and harmful effect on attitudes to women and family relationships. The report is a contribution to the continuing debate as to whether some further change in the law might be appropriate and the possible form it should take.

The Government fully shares your views about the importance of freedom of expression; however, this cannot be an unfettered right and there will always be the need to protect the more vulnerable members of society from harmful influences. The Home Secretary has considered your request that he meet a deputation from NCROPA but given the many demands on his time I am afraid that it will not be possible for him to meet you personally. However, if you think it useful we would be prepared to arrange a meeting between your organisation and officials at a mutually convenient date.

yours sincerely



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