

**The CAC Council**

- Ted Goodman - Chair
- Mary Hayward - Secretary & Treasurer
- Dr Nigel G. Meek - Editor
- Mark Taha
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**CHAIR'S REPORT**

Ted Goodman

In December 2014, under the Audiovisual Media Services Regulations of that year, video-on-demand services were forbidden to show material which had been, or was likely to be, refused a British Board of Film Classification (BBFC) R18 certificate.

Parliament was given no opportunity to debate the Regulations but some MPs protested, including Tom Watson and Nick Clegg. The latter publicly stated that Government had no right to interfere with private viewing.

The Regulations were enforced by the Authority for Television on Demand (ATVOD). CAC complained to ATVOD, which responded stating that it was merely creating a level playing field by imposing the same restrictions on British pay-to-view as BBFC did on videos and DVDs in this country.

A letter was, therefore, sent to BBFC requesting details of the restrictions it imposes. In reply, BBFC referred the Chair to its published Guidelines for R18, which are vague but do seek to prevent people watching on a screen sex acts which it is not unlawful for them to perform in real life. When pressed further, it closed the correspondence.

A letter of complaint was then sent to the Secretary of State for Culture (to whom BBFC is accountable). The reply was unhelpful. Meanwhile the Government has said that its proposed

British Bill of Rights will strengthen the qualified right to Freedom of Expression contained in the Human Rights Act.

On 1st January 2016 ATVOD's function was transferred to Office of Communications (OFCOM).

CAC also complained to the Advertising Standards Authority about its prohibition of an advertisement for Australian wine. Under the caption "Taste the Bush" a glass of red wine was shown in front of a (fully clothed) woman's groin. No reply has been received so far.

The Campaign responded to the Independent Commission on Freedom of Information (an enquiry into the workings of the Freedom of Information Act) saying that the Act should be amended to cover classes of organisation not included in the current Act, but which are covered by the equivalent Republic of Ireland statute.

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For some other items of news on the censorship front between February and December 2015 (roughly the period covered by this Newsletter) see pages 2-3.

## OPEN RIGHTS MEETING, 2nd NOVEMBER 2015

Adam Scarborough

It was a pleasure to attend this important event on behalf of CAC in early November. Although this isn't directly a censorship issue, it is indirectly related to censorship due to the UK government's habit of introducing bills without prior consultation, as with the Communications Data Bill (nicknamed the Snoopers' Charter) proposed by Home Secretary Theresa May.

Jim Killock, Executive Director at Open Rights, gave a good synopsis of what the Bill is and where it's at in development. It appears a lot of it stems from what security services learned from the Julian Assange and Edward Snowden fiascos.

(The Government's message on encryption has been confusing. They have publicly stated that they are not seeking to ban or limit encryption but they have also said that there needs to be a way that they can request that tech companies provide them with access to encrypted communications which would involve the weakening or removal of encryption. Many tech companies are concerned about this. Cyber activists from over 40 companies have called on governments around the world to protect encryption.)

Jim mentioned the Bill is in its early stages and he felt that neither Labour leader Jeremy Corbyn nor the

House of Lords would back it. However, he felt that it may ultimately be passed simply because of pressure from the security services on politicians and in order to avoid an uncomfortable working scenario between them.

Following the speech, Open Rights participants attended workshops to discuss ways the public could collectively counter the Bill. I suggested a strongly worded petition on Facebook which is now well underway. Social media is an enormously powerful tool as you can get subjects like this across to many people previously unaware of such government intrusion. It also becomes more relevant as you can directly link it to Internet service users autonomy and how new repressive legislation such as this will restrict freedoms and create paranoia.

Governments of all political persuasions have enormous resources to push campaigns such as this and it will always be hard to motivate people who do not feel immediately or directly affected to change things. That being said, I feel the Internet has been a big game changer when it comes to people's attitudes towards censorship. I am pushing the petition as much as I can but getting a mediocre reaction. Apathy is a difficult thing to overcome and many people only realise what they've lost when it's too late.

## CENSORSHIP IN 2015

Mary Hayward

The ban on people in prison being able to receive books directly from family and friends was lifted in July, ending a shameful episode in this country's penal history. Reading is a human right, not a privilege.

In August, US rapper Tyler, the Creator (now aged 24) was banned from entering Britain on account of lyrics he wrote when he was 18, which suggests that those responsible know nothing about rap or that they have forgotten being 18, or both. Provocation is part of the rap genre and teenagers wind people up.

Also in August a National Youth Theatre production exploring the motives of young people who try to join ISIS was cancelled ten days before the first performance. How the National Youth Theatre

thinks preventing youngsters exploring "extremism" through drama will stop them thinking about it they did not say.

Paddington, the film based on Michael Bond's children's books, received a PG classification rather than a U. This bewildered everyone who believes that the British Board of Film Classification never thinks about anything except sex, violence or "bad" language. What the censors were watching out for was what they call "imitable behaviour"; things which small children might just possibly try to copy but which would be dangerous if they did.

The BBFC passed the film of Fifty Shades of Grey uncut with an 18 certificate. Its French equivalent gave it a 12. Over here, the boy who dressed up as

Christian Grey for World Book Day – children go to school in fancy dress based on well-known books – got himself and his mum into trouble.

The Diary of a Teenage Girl got an 18, which meant that in theory teenagers had to be older than the title character in order to be able to see it.

The BBC achieved the remarkable feat of dramatising Lady Chatterley’s Lover without much sex and almost without four-letter words.

In May a plan by the Home Secretary to make media regulator Ofcom vet television programmes for “extremism” in advance was floated, then sank again – permanently, we hope, since pre-transmission political censorship has no place in a free country.

From June schools were expected to monitor their pupils for signs of “extremism” or even “terrorism”. Of course filtering software designed to pick up key

words does not and cannot distinguish between extremism and ordinary curiosity.

In September a 14-year-old Muslim schoolboy was taken out of class and questioned because he had used the word “eco-terrorist” during a class discussion on the environment.

Earlier in the year a proposal to force university and college staff by law to ban extremist speakers from their premises was fiercely opposed by academics, divided opinion in the coalition government and was withdrawn, only to be re-issued later in a diluted form.

When old-fashioned feminist Germaine Greer went to speak at Cardiff University people protesting against her outdated views on transgender women were not able to prevent her giving a lecture which happened to be about something else.

## CENSORSHIP AND BRITISH POLITICAL PARTISANSHIP

Dr Nigel Gervas Meek

"Censorship of films and magazines is necessary to uphold moral standards"					
Party support →	Conservative	Labour	Lib Dem	UKIP	Green
Agree	72%	60%	48%	71%	35%
Neither agree nor disagree	16%	24%	19%	16%	26%
Disagree	13%	17%	33%	13%	40%
Number	645	673	124	229	58
Source: <i>British Social Attitudes</i> , 2014					

The CAC is non-partisan. This means that we can observe in an objective manner relevant issues to do with party politics.

NatCen Social Research has released the datafile for the major *British Social Attitudes 32* survey, the fieldwork for which was conducted in August and October 2014. I've done a little playing around with the data and I've produced the table above. It measures attitudes towards the item "Censorship of films and magazines is necessary to uphold moral standards" against the political party respondents support or at least regard themselves as closer towards. The differences are marked and statistically significant. UKIP and Conservative supporters are the most pro-censorship in this case, followed by in order Labour, Lib Dem and Green supporters.

But a few comments are necessary. The British in general are not adverse to censorship of this sort and even amongst supporters of the Greens less than half actively oppose censorship. That said, it is possible to imagine that attitudes towards an item about censorship in a different context, such as not offending religious sensibilities, might receive a very different response. As I have said before, "hurt feelings" and "offence" to do with religion, race and sexuality are perhaps the new battlefronts regarding censorship and self-censorship.

These findings concern party supporters, not members let alone leaders. CAC must seek to embolden anti-censorship voices in *all* parties. And whatever the political complexion of the democratically-elected government may be, those are the people that CAC must engage with and try to persuade.

## **CAMPAIGN AGAINST CENSORSHIP**

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### **About the CAC**

The CAC is the successor to the Defence of Literature and the Arts Society that was founded in 1968 to assist writers, artists, and others threatened by censorship, and to campaign for reform of censorship laws.

In 1983 the DLAS was re-launched as the CAC with the object of promoting freedom of expression in all its forms and combating restrictions on that freedom and its exercise.

We believe that the repressive dangers of censorship for adults outweigh any possible benefits, and that what is acceptable for adults to read, see, or hear should be decided by personal judgement and taste, not by the law.

### **The Guiding Principles of the CAC are:**

1. The right to obtain and impart knowledge.
2. Freedom from censorship.
3. Freedom for creative artists to present their perceptions, interpretations, and ideas.
4. Support for victims of censorship without discrimination on the grounds of sex, sexual orientation, race, politics, or religion.

### **Further policies guiding the work of the CAC are:**

1. Vigilance in defence of the freedoms of information and expression requires continued monitoring of attacks on and restrictions of those freedoms, and of the effects of new technology on the control of information gathering, so that the public may be made aware of any dangers that may ensue.
2. Individual or group privacy should not be used as a weapon in defence of censorship or to restrict free access to information.
3. Reaction to any threat or restriction must be positive and expressed in simple, comprehensible terms.
4. The CAC is and should remain independent of all political parties.
5. Collaboration with individuals and organisations in Britain and elsewhere pursuing similar purposes should be pursued where appropriate.
6. The problem of access to material by children is different from that of access by adults. The principles listed above apply to adults.

### **Joining the CAC**

If you support our work and would like to join the CAC, then please write to us at the address at the top of this page. The minimum annual subscription is £10 or £5 for students, senior citizens or the unwaged.