

CAMPAIGN

CENSORSHIP

AGAINST

(THE DEFENCE OF LITERATURE AND THE ARTS SOCIETY)

PLEASE REPLY TO:-

23 Budgen Drive
Redhill Surrey
RH1 2QB
1st November 1996

To: John Williams
Health & Efficiency
Peenhill Ltd
1st Floor
64 Great Eastern Street
London EC2A 3QR

Dear Sir,

ARTICLE IN VOL 97 NO 11: "CAUGHT OUT BY CANDID CAMERA"

Further to this excellent piece, I believe that naturist photographers should be warned of the difference between the English legal concepts of "Indecency" and "Obscenity." Regarding photos or other depictions of adults, obscenity is the test of illegality. This is defined as likely to deprave and corrupt those likely, in the circumstances, to come into contact with the material. Only possession for gain is illegal.

Indecency, however, is a much wider concept. It has been defined by the Courts as anything which is "immodest or unbecoming." It thus includes obscene material and much more besides. It is illegal to possess indecent photographic representations of children under 16. In that context the test of obscenity is irrelevant, as is also the question of whether possession is for gain. Naturist photos of children can be found by a Court to be indecent, because the Protection of Children Act 1978 (as amended) contains no exemption for naturist material. Enclosed is some documentation on this.

Other European countries only prohibit commercial dealing in sexually explicit photos, films and video recordings of children. Britain, however, criminalises all possession of immodest photographic representations of a child under 16. Be warned!

Yours faithfully,

E Goodman
Chair of CAC.