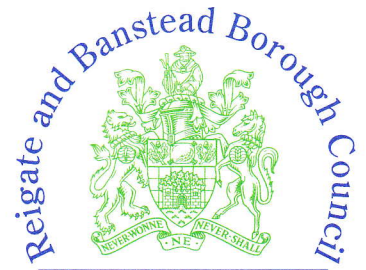


## Members' Room



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23 Budgen Drive  
Redhill Surrey RH1 2QB  
15th April 1999

To: Robin Duval, Director,  
Br Board of Film Classification  
3 Soho Square, London W1V 6HD

Dear Mr Duval,

RE: CENSORSHIP OF FILM "SEUL CONTRE NOUS"

Thank you for your letter of the 7th and enclosed Press Statement (which was not dated and should have been!). The letter reveals a fundamental error on the part of the BBFC.

The Statement says "the Board regrets any necessity to impose cuts." It then explains that the BBFC guidelines require that "images of sex must be brief and justified by context," that the images of sexual penetration in this film were "graphic and detailed" and that material of this kind is regularly the subject of prosecutions under the Obscene Publications Act.

This purported rationale is fundamentally flawed. No material is obscene in itself under English law. It depends on the circumstances of publication. Prolonged images of sexual penetration are not obscene if shown exclusively to consenting adults. (The lack of legal proceedings regarding the film "Ai No Corrida" illustrates this). There are some prosecutions under the Obscene Publications Act, but they result in acquittals (even for graphic and detailed images of adult copulation) in these circumstances, as was recently publicly stated by the Metropolitan Police. In any event there can be no proceedings regarding material classified by the BBFC without the consent of the Director of Public Prosecutions, who would not grant same.

The BBFC is thus wrong to require "graphic and detailed images of sexual penetration" to be cut from "18" films, let alone "18R" material, because no such necessity exists under English law. The guidelines must therefore be revised accordingly. Please let me know when this will be done.

Yours for freedom of expression (even for British adults)

Cliff E Goodman

