

ICSTIS Draft Code of Practice, Draft Live Services Code of Practice and Draft Guidelines
Consultation Document dated February 2001

The Campaign Against Censorship has the following comments:

Draft Code of Practice section 3.2 (page 15) and Live Services Draft Code section 3.2 (pages 53-54). Paragraph 3.2.1.a is superfluous. These subjects are adequately covered by 3.2.2. b – f. Further, the wording of 3.2.1.a is so wide that it would, if applied, proscribe description and discussion of such topics as serious diseases (animal and human), violations of human rights (eg. torture) and child abuse.

Paragraph 3.2.1.b. This paragraph should be deleted. There is no general agreement as to what is or is not 'foul language'. 'Hate speech' is covered by 3.2.2. d and f. Many people use live services to use and hear 'foul' language. As consenting adults they should be allowed this pleasure. Sexual entertainment services will by the nature of their content use terms which might be unacceptable in other contexts, therefore if this paragraph is retained at all the words "unless it is a sexual entertainment service (paragraph 4.7) or a sexual entertainment live service (paragraph 4.6)" should be added. People who wish to use and hear sexually explicit language have the human right of freedom of expression.

Paragraph 3.2.2.g should be deleted. Prostitution is lawful and there is therefore no justification for preventing prostitutes advertising on adult services.

Draft Code of Practice section 4.7 (pages 26-27) and Live Services Draft Code section 4.6 (page 61).

The Campaign welcomes the non-judgemental nature of the revised wording of paragraph 4.7.1.

With reference to paragraph 4.7.2. (4.6.2. of the Live Services Code) we should like to point out that the age of consent is 16, not 18.

Paragraph 4.7.3 (4.6.3 of the Live Services Code). The words " any generally available publication (other than 'top shelf' publications) or" should be deleted. There is no justification for prohibiting such promotions from appearing in certain tabloid newspapers. Their readers know what to expect, including promotions of the type to which these paragraphs relate.

Draft Code of Practice section 4.11 (pages 29-31) and Live Services Draft Code section 4.11 (pages 62-63).

We suggest that codes covering chat services and contact services are better kept separate, as they relate to different situations. and, in cases of minors using the services, carry different risks. More relaxed rules can apply when people are not arranging to meet in person.

Live Services Code of Practice section 2.8 (pages 50-52).

This section should be deleted. Monitoring of telephone calls should not take place unless there is reason to believe that the callers are breaking the law. They are particularly intrusive and inappropriate for live services offering advice (paragraph 4.3) and sexual entertainment live services (paragraph 4.6) which by their nature should be confidential. The human right of privacy applies.

Guideline No. 4 (page 91).

This guideline appears to be based on personal prejudice and subjective criteria and as such would be difficult and inequitable to apply. For example, we are told that no photographs may appear, does that really include head and shoulders portraits of advisors? We are told that references to the vagina are 'unnecessary', does the same apply to the penis and if not, why not? Who is going to decide, on what basis, how much detail is necessary when advice is given, bearing in mind that sexual problems often arise from ignorance? The second, third and seventh points should be deleted.

The Campaign wishes to register a protest because we were not notified of this consultation, which falls within our remit, despite previous correspondence with ICTIS. In addition the time limit of only one clear month was inadequate.

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