

CAMPAIGN

AGAINST

CENSORSHIP

PLEASE REPLY TO:-

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14th November 2007

**Criminal Justice & Immigration
Bill Committee
House of Commons
London SW1A 0AA**

Dear Member

SECTION 64: POSSESSION OF EXTREME PORNOGRAPHIC IMAGES

GENERAL: The mischief at which Part 6 is aimed is incitement to crime through viewing "extreme pornography". That could easily be dealt with by a clause stating that viewing such material cannot be used as a defence or mitigation by someone accused of any crime. Instead, Part 6 criminalises mere possession of a wide range of visual material, thereby grossly violating freedom of expression in a way unknown in any other Western country..

64 (3) Obscene Publications are already criminalised by existing statute. This Section, however, conflicts with that law by introducing a new, differently defined, publication called "pornography." This would cause confusion and conflict of laws.

64 (6) To criminalise images which merely "appear" to threaten would outlaw a wide range of fiction.

- 65 The need for "excluded" images highlights the draconian nature of Part 6. To avoid conflict of laws, all classified recordings must be excluded.
- 66 To make this Section compatible with the existing Obscene Publications Acts, a defence of public good is necessary.
- 67 This is a victimless crime in that viewing such material causes no injury to anyone. Imprisonment is therefore wholly inappropriate, especially having regard to the fact that this country already has by far the biggest prison population in the European Union.

Yours for freedom of expression,

E Goodman, Chair of CAC

Goodman