



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

14 October 1983

Handwritten initials and signature in red ink.

Dear David,

Tim Flesher wrote to me on 13 September about the Prime Minister's meeting with Mrs Mary Whitehouse on 18 October to discuss "video nasties" and the proposals of the National Viewers' and Listeners' Association for their control. I attach briefing material, which has been approved by the Home Secretary (Annex A). This covers Mrs Whitehouse's views on the need for reform of the obscenity legislation and on Mr Graham Bright's Bill to control video recordings and on broadcasting and cable television.

Mrs Whitehouse has, of course, campaigned over many years for a complete overhaul of obscenity legislation. As you may recall, she raised this matter by telephone with the Prime Minister's office earlier in the year and I attach a copy of the reply the Prime Minister sent on 23 February (Annex B).

More recently she met the Home Secretary and Mr Mellor on 25 July to discuss Mr Bright's Bill. I attach copies of subsequent exchanges of correspondence between the Home Secretary and Mrs Whitehouse on this Bill and on the wide question of obscenity reform (Annex C). At Annex D is a recent paper by the National Viewers' and Listeners' Association on "video nasties".

Yours ever,

H H Taylor

H H TAYLOR

David Barclay, Esq



10 DOWNING STREET

THE PRIME MINISTER

23 February 1983

Dear Mr. Whitehouse

You telephoned my office on 4 February urging fresh action on obscenity legislation.

I fully understand, and indeed share, your deep concern about the decline in moral standards in this country. Like you, I deplore those who seek to make profit out of exploiting the weaknesses of others and in so doing undermine our traditional standards of decency and respect for family life.

Nevertheless I think it only fair to say that we have, during our period in office, made some progress towards controlling and restricting the trade in pornography. As you know, we introduced provisions in the Local Government (Miscellaneous Provisions) Act 1982 which allow local authorities to control the activities of sex establishments in their area and we have also lent support to Private Members' measures dealing with indecent displays (the Indecent Displays (Control) Act 1981) and bogus cinema clubs (the Cinematograph (Amendment) Act 1982). I believe that these measures will have a significant effect in restricting the sale and exhibition of pornographic material.

There is also, I know, considerable concern about the sale and availability of objectionable video cassettes. As the Home Secretary explained to you in his letter of 7 February we are at present awaiting the report of the British Board of Film Censors/ British Videogram Association working party who have been looking at th

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whole question of controls over the sale and rental of video cassettes. I share the Home Secretary's view that it would be sensible initially to see whether an effective voluntary system of control can be established, but I can assure you that if no such system emerges we have not ruled out the possibility of legislative controls.

I appreciate, of course, that you would prefer to see comprehensive new legislation covering the whole area. As you well know, however, this is a particularly complex and controversial subject and I am sure that we have in the past been right to concentrate our efforts in areas where we can be reasonably certain of securing sufficient parliamentary support. Nevertheless, as I believe the Home Secretary has already told you, despite the difficulty of securing widely acceptable and effective legislation we do not rule out the possibility of more wide-ranging reform at some stage in the future. I hope therefore that you will continue to press your case, because such reforms could not succeed without public and Parliamentary support. I am sure that you will do so.

Yours sincerely

Raymond Whelan

Mrs. Mary Whitehouse, C.B.E.



QUEEN ANNE'S GATE LONDON SW1H 9AT

10 October 1983

Dear Mrs Whitehouse,

Thank you for your further letter of 5 September about the legislation on obscenity and Mr Graham Bright's Bill on Video Recordings.

I fully understand your very deep concern about the availability of pornographic material in our society. What is, I think, at issue is the practicability of further comprehensive legislation in this field, given the wide differences of opinion that exist on the direction such legislation should take.

As I made clear in my earlier letter, I certainly accept that there are inadequacies in the Obscene Publications Acts. However I do consider it would be an exaggeration to describe them as ineffective; convictions continue to be secured under section 2 and forfeitures ordered under section 3 and, perhaps more importantly, the threat of prosecution continues to hang over those who deal in pornographic material - which includes violence. Furthermore, these Acts do not stand on their own; they are buttressed by a good deal of legislation dealing with particular areas of concern.

We must not underestimate the very real difficulties in the way of securing even broad agreement about the way in which these Acts should be reformed. It is my firm view that there would be widely diverging and strongly held views within Parliament over this. I must emphasise, moreover, that I would fully expect these views to diverge even within political parties. It is the usual practice on matters so closely affecting issues of individual conscience to seek to allow Members to vote as they wish. Given that I do not perceive a basis of general support within Parliament for a specific approach to this problem, I do not think that, at present, a general reform of the Obscene Publications Act is practicable.

It is entirely consistent with our manifesto commitment that, in this situation, we should concentrate on those areas which give rise to particular difficulties and concern and which can be tackled without attracting the sort of problems to which I refer above. As you know, we have been very active on this front over the last few years and Mr Bright's present proposals are an excellent example of this approach. It deals with a specific problem of great concern to many people and it has, I believe, a good prospect of receiving Parliamentary approval.

On the detail of the proposed Bill, you suggest that the body to be designated to carry out classification should be issued with guidelines on the type of material to be excluded from classification. I have given further thought to this since our meeting and I am afraid my view still remains that I do not think it would be possible to devise a list which was sufficiently precise and comprehensive and

/which avoided

Mrs M Whitehouse, CBE

which avoided the need for subjective interpretations. Not only would such an approach risk attracting the problems associated with the Obscene Publications Acts, there is a very clear risk that the inclusion in the Bill of such a formula would provoke so much disagreement and argument as to prejudice the prospects of its enactment. It is, of course, intended that the Secretary of State should have power to remove the designation from the classification body if that body failed to discharge its responsibilities properly and, in my view, this will provide the necessary element of public accountability.

Finally, I am grateful to you for letting me see a copy of the letter sent to you recently by Mr Hinson McAuliffe which I have read with interest. I do, of course, fully share your concern that cable television should be properly controlled. It is for this reason that we have made clear in our White Paper that all cable channels will be subject to the same good taste and decency rules as the existing broadcasting authorities and the same obligations to have regard to the programmes shown when large numbers of children and young people are likely to be watching. In addition, cable channels will be subject to the Obscene Publications Acts. This is an important extra safeguard.

**NATIONAL
VIEWERS'
AND
LISTENERS'
ASSOCIATION**

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The Rt. Hon. Leon Brittan, MP
The Home Secretary,
The Home Office,
Queen Annes Gate,
LONDON
SW1H 9AT.

5th September, 1983

*Mr Itard - for advice put
c Mr Sutton
Mr Gribbin
Mr Rankin WO
Mr Bohan inc
Mr Itard*

Dear Mr. Brittan,

Thank you very much for your letter of 30th August and I am very glad that you found our meeting helpful. We were certainly very grateful for the time and courtesy you gave to us.

However, your letter does raise certain issues upon which I would like to comment and if possible obtain clarification.

First, you say that you "acknowledge that there are deficiencies in the Obscene Publications Acts although this is not to suggest that they are ineffective." With respect, we would suggest that if laws are "deficient" then inevitably they are "ineffective" and this is certainly true in this case and I understand that the police, quite apart from any other body, have made their views on the ineffectiveness of the said laws very clear to the Home Office over a long period of time and indeed, very recently.

Secondly, one wonders on what grounds you base your conviction "that there would be wide differences of view both within and without Parliament and outside about the framing of new legislation". Again with respect we would point out that the whole political stance of the Conservative Party under the Prime Minister's leadership is, for instance, to fight for economic policies which it believes to be right and get them established however great the opposition within and without Parliament. Why, one may ask, should there be any difference in the battle for moral issues, not least when your Election Manifesto stated clearly that, if returned to power, your party would "introduce specific legislation to deal with the most serious of these problems, such as the dangerous spread of violent and obscene video cassettes"? As far as the public in general is concerned - and our constant, even unique contact with every section of the community from women's organisations to the universities - enables us to state this with conviction - we are in no doubt about the extent of the anxiety surrounding the failure of the Obscene Laws as they stand.

cont. . .

The link between both visual and printed violent and sexual pornography and sex crime is now too well established to be ignored and the seemingly endless tragedies of child victims of molestation of one kind and another is creating a climate which demands effective action now and the Government will be wise to respond to it.

Which brings me to your statement that you do not "exclude the possibility of wider ranging reform if there seems likely to be sufficient consensus to allow the passage of the necessary legislation." Would you please be good enough to clarify for us the time scale envisaged here? Are you saying that there is a possibility of widening Mr. Bright's Bill in such a way that it would have the effect of tightening up the Obscene Publications Acts, or are you saying that such legislation would be considered at a later date if Mr. Bright's Bill is found to be inadequate? If the latter, we could be talking about years and the number of people, not least children, who would provide the evidence you would need to persuade you to act, would, surely be that number too many.

I remember well Mr. David Mellor's remark that you were waiting daily for attacks - presumably from the 'liberal' lobby - upon your plans to control video nasties and his reference to "considerable surprise" that it had not arrived. Perhaps by now it has. If not, the reason could well be that even many libertarians feel that matters have now gone too far. In any case, as I said earlier, it is surely for responsible Government to fight for what is right not for what is expedient.

To be honest we believe, as I hope we made clear to you when we met, that the time, and indeed the only time, for the Government to act effectively is now. I enclose a copy of a letter we have recently received from Mr. Hinson McAuliffe who, when Solicitor General of Fulton County U.S.A. met Lord Whitelaw and addressed both Houses when he came to Britain at our invitation in 1982 to talk about his very effective legislation to deal with sex shops in the States. We had written to him to ask what effect Cable TV had had upon the situation. You do not need me to tell you that Britain is about to launch into Cable, with its dependence on pre-recorded video, or that broadcasting, as is made clear in the attached letter from the Attorney General, is specifically excluded from the Obscene Publications Acts. Mr. McAuliffe's reference to "putting the cart before the horse" exactly reflects our own stated anxieties about the situation here unless effective obscenity law is established before cable is launched.

We know that the D.P.P. is refusing to take action in case after case involving 'video nasties' because of his belief that the present Obscenity Laws are incapable of securing prosecutions under Section 2 of the 1959 Act and, indeed, we shall be showing at "fringe" meetings at the Conservative Party Conference in October samples of precisely this type of material.

We come back to the question of classification as proposed by Mr. Bright's Bill. You are, I know, fully aware of our concern lest that task be given, as suggested, to the British Board of Film Censors but whoever is responsible for that absolutely key role should, in our view, be given specific guide lines as to what type of material should be excluded from classification and declared illegal.

cont. . . .

One hopes, with a sense of great urgency, that such guide lines can be established within the terms of Mr. Bright's Bill. If not one can only say, with total conviction, that the Government should introduce the necessary amendment to the Obscene Publications Acts, replacing the present test for obscenity "a tendency to deprave and corrupt" with specific definitions, the terms of which I do not believe would be widely disputed. If it fails to do so, not least because of the implied legalisation of even more extreme material within the 18R category, then the Government will inevitably be accused of misleading the country, with the most dire political consequences.

*With best wishes,
Yours sincerely,
Mary Whitehouse*

Mary Whitehouse
President.

- Enc. - Copy of letter from D.P.P.
- Copy of address given by Mr. Les Brown which has much that is very relevant to the British situation.
- Extract from 'The Times' editorial (30.1.76)
- Copy of letter from Mr. Hinson McAuliffe



cc M. Sisson
 M. Cuffney
 A. Faulkner
 M. Bohan
 M. Harris
 M. Head

Mr Mundy

(11)

or

QUEEN ANNE'S GATE LONDON SW1H 9AT

30 August 1983

2 Mrs Whitehouse,

Thank you for your letter of 28 July in which you ask whether the Government intends to reform the Obscene Publications Acts.

May I first say how glad David Mellor and I were to meet you and your colleagues last month to discuss Graham Bright's Bill to control the distribution of objectionable video recordings. It was most helpful to have your views on this matter and we are giving very careful consideration to the points you raised.

I acknowledge that there are deficiencies in the Obscene Publications Acts, although this is not to suggest that they are ineffective. But I have no doubt that there would be wide differences of view both within Parliament and outside about the framing of any comprehensive new legislation. That is not to say that I exclude the possibility of wider ranging reform if there seemed likely to be sufficient consensus to allow the passage of the necessary legislation; and I can assure you that this is an area I shall be keeping under close review.

For the present, however, I believe it is best to concentrate our efforts on dealing with matters of particular concern. As you are aware, in recent years we have introduced powers in the Local Government (Miscellaneous Provisions) Act 1982 to deal with sex establishments and we have lent support to Private Members' measures on indecent displays and on bogus cinema clubs. We are now, of course, directing our efforts in this area towards giving full support and encouragement to Graham Bright's Bill on objectionable video recordings which, as you know from our meeting, is a problem which greatly concerns me. I am confident that this Bill will considerably strengthen the legislation in this area.

with best wishes

~ Rickey

Leon Birt

Mrs Mary Whitehouse, CBE.

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RECEIVED
29 JUL 1983
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The Rt. Hon. Leon Brittan, MP
The Home Secretary
The Home Office
Queen Annes Gate
LONDON
SW1H 9AT.

28th July, 1983

Dear Home Secretary,

I would like to thank you very much for the courtesy you showed us and the generous time you gave when we came to see you last Monday.

We have thought much about our conversation and feel that the key question is whether or not the Government intends to amend the Obscene Publications Act (1959/64) in order to make it into an effective piece of legislation. And if so, what is the time scale envisaged.

We would be most grateful if you could give us this information at your earliest convenience.

Yours sincerely,

Mary Whitehouse

Mary Whitehouse
President.

*Mr Munday
The Editor - The Observer*

*c Mr Mellor
Mr Entwistle
Mr Faulkner
Mr Mowbray
Mr Harris*

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THE RT. REV. M. A. P. WOOD, D.S.C., M.A., R.N.R., Bishop of Norwich

APPENDIX

Extracts from letters from teachers

"I (and my colleagues) are becoming increasingly alarmed at the way young children are given access to 'X' rated video films. We have noticed that children who watch such films become very nervous, excessively bite fingernails, and become withdrawn. One infant child who is exposed to pornographic material has become very disruptive and violent."

1.4.83

"I have a class of seven and eight year olds and have become increasingly worried about the films they tell me they watch. Several children were discussing how frightened they had become by watching "The American Werewolf in London" at another child's birthday party. On another occasion a girl told me that she had screamed so much whilst watching "Friday 13th" that she had to be slapped."

12.6.83

"Recently I was deeply disturbed to discover that a group of 9 year old boys in my class were frequently allowed to watch videos hired by their parents. Most of these were normally classified as "horror films" (Halloween II, The Exorcist, etc). However, at least three had seen "The Texas Chainsaw Massacre" and one boy's father had hired the banned "Driller Killer", about which horrific scenes were recounted in detail by the boy in question".

28.6.83

"In our primary school it is the poorer families who seem to have videos, often with several children, extra busy mums, etc. These children often talk about seeing horror

type films. As a parent, I have two unfortunate incidents where my nine year old son has visited friend's house and has been shown video horror films, completely unsuitable for children (Omen 2 and American Werewolf in London). My son was terrified on both occasions, after only a few minutes watching, and there were problems for several nights at bedtime, and afterwards for some time (he is an ordinary tough boy who loves Science Fiction etc. at his level)."

9.6.83

"Several of my colleagues and I have found even primary aged children rent 'X' type films to show on videos when their parents are out. In certain families the children watch these films with their parents. In one particular case they have "porn on Fridays" because the father would rather his 12 year old son watched such films with his parents, than secretly with friends. Many children (again including the under 11's) have bedroom TV sets and watch video "horrors" etc on their own there."

14.4.83

"During the last academic year I taught ten and eleven year olds and I was appalled by what they were allowed to see. This year I'm teaching seven and eight year olds and as you can imagine, the problem is even more worrying. My main concern is not the children who view unsuitable material in secret, although this obviously happens. What is particularly worrying is the fact that parents allow, condone and encourage their children to view with them. The films are usually cinema certificated but are very often 'X' certificate containing scenes of mindless violence, explicit sex and foul language. In my experience, the weekly or weekend film is chosen by the parents principally for them but they would never think to exclude the rest of the family or send the children to bed, especially as they often view at any time during the day. I have spoken to a

number of parents about their attitude purely on a conversational level. The majority seem to take no notice of the cinema rating. One or two have said that they do not worry about explicit sexual content as their children 'know all about that'! (10 and 11 year olds). Horror films are popular and children are allowed to view unattended, presumably because the adults concerned think that the children will be able to view on a superficial level which they cannot. One mother was slightly concerned to find out that 'An American Werewolf in London', bought as a horror film, had its final scenes in a Picadilly Circus 'Porn' Cinema, with the film as the background scene but she soon dismissed it because he knew all about the facts of life!