



CC MASTER SET

10 DOWNING STREET

file Kb
cc MA
✓ P Shiple

From the Private Secretary

26 October 1983

The Prime Minister discussed the obscenity laws with the Home Secretary today, with particular reference to the Bill to control video recordings which is shortly to be introduced by Mr. Graham Bright. Mr. Michael Alison was also present.

On the question of obscenity legislation in general, the Prime Minister said that in her view the time was now right for a Government initiative. The Obscene Publication Acts had proved ineffective, particularly against the increasing tide of material depicting extreme and sadistic violence. She believed that legislation embodying a tougher approach would command a majority of the House of Commons. One such approach was control based upon a list of material, the depiction of which would be illegal. The Prime Minister recognised that this could not be entirely watertight but it would certainly be an improvement on the present situation. Moreover, she was prepared to accept the charge of censorship as the price of reducing the risk of the exposure of children to offensive material. The Home Secretary said that he recognised and shared the Prime Minister's concern, although he believed that there would be very considerable opposition to censorship. Moreover, the 'list' systems which were embodied in legislation in Sweden and the United States had not proved effective, partially because they were incomplete and partially because they were qualified by some other criterion such as 'offensiveness'. As a result, the purveyors of objectionable material were able to exploit much the same loopholes as had been apparent in existing legislation in this country.

The Prime Minister said that, despite the difficulties mentioned by the Home Secretary, she wished the whole question of obscenity legislation now to be reviewed, possibly by a small committee of inquiry, with a carefully selected membership. The Home Secretary commented that such a committee might well recommend against tougher legislation. The Williams Committee was an example. Moreover, the priority at present was to get Mr. Bright's Bill on to the statute book. The Prime

/Minister

CONFIDENTIAL

AB

Minister agreed that the Bill should go ahead. In the meanwhile, however, she would be grateful if the Home Secretary could consider how best progress should be made on the obscenity laws in the light of Parliamentary reaction to Mr. Bright's Bill. One possibility might be to sound judicial opinion on, for example, the practicability of the list approach.

On the question of Mr. Graham Bright's Bill on video recordings, the Prime Minister said that she was particularly worried about three aspects of the Bill: first, she did not consider that the fines for selling unlicensed video recordings were sufficiently high; second, she did not consider that the track record of the British Board of Film Censors inspired confidence as to its ability to operate tight control over video recordings; and third, she was disturbed that films classified Restricted (18) would be on sale to the public. Even if sales were confined to premises to which those under 18 did not have access, the fact that video recordings were shown and kept at home meant that children would inevitably be able to see them. The Prime Minister hoped, therefore, that Mr. Bright's Bill could be amended either before its introduction or during its passage.

On these points the Home Secretary said that he was not opposed in principle to increased fines and no doubt the House of Commons would have an opportunity to vote on such proposals during the passage of the Bill. On the role of the British Board of Film Censors, the Home Secretary said that he considered that the Board would operate tight control, especially since for the first time they would be operating under a statutory arrangement. He recognised and shared, nevertheless, the Prime Minister's concern about the availability of video recordings classified Restricted (18). The argument in favour of not prohibiting the distribution of such films was that otherwise they would be driven underground and there would be no control over them at all. The Prime Minister expressed scepticism about this argument although she recognised it was the view of Mr. Bright and of the police officers who had been consulted. The Home Secretary himself said that he would not oppose and might look with favour on a prohibition of the kind proposed by the Prime Minister but, given Mr. Bright's view, and that of the police, he did not think that the Bill should be changed before its introduction. An amendment to this effect would, however, no doubt be proposed during the passage of the Bill and would provide an opportunity for opinion in the House to be tested. The Prime Minister said that she hoped to see Mr. Bright at some stage on this issue. In the meantime, she hoped that attention would be drawn to the question of a prohibition of Restriction (18) video recordings during the Bill's Second Reading on 11 November and that the Home Secretary would give an indication of his views.

TIMOTHY FLESHER

Hugh Taylor, Esq.,
Home Office.