



The Scottish  
Parliament

**Nicol Stephen MSP**

Cathy Jamieson MSP  
Minister For Justice  
St Andrews House  
Regent Road  
EDINBURGH EH1 3DG

CATHY JAMIESON  
13 JUL 2006  
MIN FOR JUSTICE

12 July, 2006

Dear Cathy

[REDACTED]

My constituent named above has contacted me about the joint Scottish Executive and Home Office consultation on possession of extreme pornography, which closed in December.

I enclose a copy of [REDACTED]'s email. I would be grateful for any information you have on how this matter is progressing – I am aware that the analysis of the responses has been published - plus of course any comments on what he has to say.

I look forward to your response so that I can reply to my constituent.

With my very best wishes.  
Yours sincerely

*NS* Nicol Stephen  
MSP for Aberdeen South constituency

C.U. received

13 JUL 2006

## Nicol Stephen

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**From:** [REDACTED]  
**Sent:** 04 July 2006 16:42  
**To:** Nicol Stephen  
**Subject:** RE: E-mail from Scottish Parliament's Internet site

Olwen,

Isn't it great, I use the webpage to email Nicol and then it gets cut off? I'll expand the email I intended to send as you have a better picture of my views

What I was trying to establish is if Nicol has had a chance to review the results of the consultation into "extreme" pornography? And whether not he has formed any view?

My personal opinion is that the basis of the consolation was flawed in that:

1 - it assumed that the images could be stopped. Other countries have proposed to censor the Internet feed that they receive, notably China. There are several and well documented methods of bypassing the filters. Given that these bypasses are designed to promote free speech and are "held" in the USA [subject to the USA's first Amendment] does the Scottish Executive want to introduce a measure that puts it on a footing with China's ban on free speech?

2 - The measure is retrospective, that is items that exist are to be made illegal, with no payment to compensate the owner. This leaves the owner with little choice but to contempt destroying them - have we sunk to Nazi book burning?

3 - the definition is vague. If a model demands £500 plus two heavies off camera whilst she poses in ropes - who is exploiting whom?

4 - Invasion of privacy - see the QC opinion reference to Human Rights Act in the Submission by SM Scotland

This seems like a "seen to be doing something" exercise, whereby a Politician wants to be seen to doing something rather than condemned for courageously pointing out that little can be done. [The actions of a few psychopaths should not be taken as actions of whole swathes of the population else Aberdeen would be seen as a racist English hating city, whereby if you don't sing "Flower of Scotland" at the top of our voice every time England loose a goal, you should be assaulted - extreme example perhaps but pointed & I feel apt never the less]

First they came for the Jews  
and I did not speak out  
because I was not a Jew.  
Then they came for the Communists  
and I did not speak out  
because I was not a Communist.  
Then they came for the trade unionists  
and I did not speak out  
because I was not a trade unionist.  
Then they came for me  
and there was no one left  
to speak out for me.

[REDACTED]

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