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Knox JTW (Jean)

From: Richard.Tullett@scottish.parliament.uk on behalf of Jack.McConnell.msp@scottish.parliament.uk
Sent: 17 November 2005 14:06
To: First Minister
Subject: FW: Consultation on Possession of Extreme Pornographic Material

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-----Original Message-----

From: [REDACTED]
Sent: Thursday, November 17, 2005 3:56 AM
To: McConnell J (Jack), MSP
Subject: Consultation on Possession of Extreme Pornographic Material

Dear Mr McConnell

I am writing to express my concerns about the current consultation on extreme pornography, kicked off by the Home Office in August 2005.

A month or so back there was a lot of publicity about how the government was going to clamp down on 'extreme pornographic images' on the internet. What they seem to be saying is that there are some images on the internet that they can't police (because they are outside their boundaries). They would not be publishable in this country, because they would be considered obscene (under the Obscene Publications Act). And they are alternately so 'abhorrent' that all right-thinking people would like them banned or so 'aberrant' that presumably the people who look at them ought to be banned!

So the government plans to to make it a criminal offence to POSSESS such images in future. Not just from the net, - but also in book or other form. If you possess any of the images that the government doesn't like, you could end up in prison for three years and/or on the Sex Offenders' Register.

Now I am sure that every one of us can think of images that they would find horrid to view and that maybe we would rather did not exist. But there are a number of problems with this proposal.

First, the government admits there is no evidence of harm at all from people watching these images - if anything, the evidence is the other way, with Japanese and many other studies suggesting that people who look at a lot of porn often use it as a means to reduce their desires to DO things. Indeed, further research suggests that it is authoritarian, controlling and self-repressive people - the type that likes to ban things, in fact! - who tend to commit abuse. .

Second, it is about sex. The government is not proposing to ban ALL nasty images or nasty news images or whatever. Only images 'in a sexual context'. If they

REALLY thought that images led people to commit crimes, they would want them ALL banned anyway. But they are saying there will be exemptions for images taken from films already passed by the censor and for artistic works - and that it won't be a crime if you download stuff 'accidentally'.

This really sounds like spin, as it is apparent already in the consultation document. For example, the longest section heading and a whole section of the proposals are apparently about child abuse and child pornography. Yet the proposal is not about either of these things. They are simply used to add an emotive note to the documentation and dare anyone to oppose it on pain of being thought to approve child pornography.

It also sounds as if anything commercial is OK but amateur is unacceptable, so the sexual information on the net will be controlled by big business and organised crime rather than real people in real relationships. This is an important point: over the last few years, support communities have grown up on the net that educate and inform with regard to extreme practises. The overall effect of this is to moderate behaviour, by providing support for safe and sensible practise. But this consultation paper strikes at the heart of that, criminalising ordinary people, disrupting networks – and leaving individuals on their own to believe whatever fantasy business chooses to peddle to them.

Furthermore, the life-work of psychologists and therapists will be disregarded in favour of some vague theory of "common-sense" pulled together from the bigotted, prejudiced or knee-jerk soundbites generated by interested parties such as IT filtering software marketers or media manipulators who have no real knowledge of the matters on which they are pronouncing.

And once this proposal is law, I can't see the police being impressed by someone saying: this image of a rape taken from a 18 film was only for personal interest or was downloaded accidentally or just didn't turn me on. Once this law is law, they are going to go after any images that anyone possesses that the local police chief doesn't like.

More frightening, they would go for the person, not the material. Several hundred people may have the image, but the victim will be the one the police want to harrass.

I like to think we are all capable of making informed judgements for ourselves and do not need threats from unaccountable controllers like the Internet Watchdog Foundation.

Most of us have these images on our computers from pop-ups and spam whether we realise it or not and we can be criminalized for possessing them. We can have our pc's, books, papers, photos, files and discs confiscated indefinitely. I once asked a police inspector what should I do if I came across a child porn site by accident and where should I report it. I was told basically to stay quiet if this ever happened and to destroy my hard drive to make sure I had destroyed all evidence that I had ever seen anything! As a parent I found this attitude utterly disgraceful!

Anyway, all this worries me. There is a group set up to fight the proposal in alliance with various other civil liberty groups.- details are at <http://www.unfettered.co.uk/backlash/index.html> . Perhaps you might not immediately recognise such people as an ideal group to defend the rights of others. They can so easily be marginalised as an alliance of perverts and fellow travellers.

But when you think that these "perverts" are actually a balanced group of intelligent, caring, creative people who simply have a less widely accepted (if growing) sexual orientation and their fellow travellers are humanist libertarians, artists, writers, lawyers

psychologists and other very respectable spokespeople, appalled by what they, and I, see as creeping destruction of the rights and dignity of the individual in favour of homogenisation and heavy-handed control by a Big Brother state, you may think that there is real concern amongst a growing section of the voting populace who see 1984 coming a little late.

What really concerns me most of all is that there is apparently a linked drive to censor freedom of speech and information, even freedom of thought. We see consultation papers on control of terrorism, and religious and racial hatred, all proposing greater control of what we can say, see and think, all of which seem aimed at gagging the individual, taking away his rights to criticise any political, religious or commercial organisation and destroying the Internet as a medium for the international exchange of ideas. It was intended as a tool for globalisation, to create a cosmopolitan society, but is being handed over to those who want to keep us all apart and xenophobic in order to preserve their own bases of power.

Great Britain was once renowned for its defence of the individual and for freedom. We were appalled when we saw similar controls instigated in Nazi Germany and in China and Cambodia, but as lap-dogs in thrall to the USA we are now throwing away our political integrity.

You are known as a person of honour. We look to you to uphold our freedoms.

Yours sincerely

[Redacted signature]

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