

# backlash



## Welcome to the first backlash newsletter

**backlash** was created in 2005 by the Libertarian Alliance, the Spanner Trust, the Sexual Freedom Coalition, Feminists against Censorship, Ofwatch, Unfettered and many individuals from a wide range of backgrounds.

**backlash** was established to collate evidence for an informed debate on censorship and to fight plans to criminalise ownership of material the Home Office finds abhorrent. It is committed to raising awareness about why the plans are wrong, won't work and about the inevitable unintended consequences if government plans go ahead. It has been lobbying MPs, the media and opinion formers to stop this ill-considered law. going ahead.

Many people ask whether the member groups of backlash and individual volunteers can really make a difference?

The answer is a resounding yes.

So far we -- by which I mean all who have contributed --- have already raised concerns about the proposal.

These arguments have been featured in the government summary of the objections to the planned Bill and have won supporting press coverage.

backlash has provided the legal advice of a leading QC on side.

He argues that the proposed law would contravene the European Convention on Human Rights.

A year on from the beginning of the campaign, the media view of these proposals has developed and become more balanced.

When the proposals were announced on Aug 30 2006, most of the papers including the Daily Mail wrote pieces outlining some of the risks to peoples' freedom if these laws come to pass. On the same day the BBC said on record that audience opposition to a new law was so strong they had to change the way they reported the news.

The Home Office has corrected its wording on its site about its plans under pressure from campaigners.

We have also had representatives of the campaign on many important news programmes. The BBC and SKY News have reported our views, as have broadcasters in Ireland and Japan.

We have a long way to go but we have made progress.

### Lobby groups

We are in discussion with the major lobby groups who share our interests and agree that the proposed legislation would be a step back for society not a step forward. Index on Censorship are already very supportive of backlash. and have published two articles to raise awareness about our campaign.

### Internet Organisations

Influential political weblog Guido Fawkes has just hosted a concise and successful advertising campaign, and many, many other sites carry banners linking to the backlash website.

### MPs

We have a list of MP's who have been contacted by constituents, and the responses. We have also had meetings with a number of MPs.

We distributed 1345 briefing packs in Parliament on the day the new Criminal Justice Bill was discussed. But many MPs and Lords still have no idea about the proposals or the threat to freedom that they present. More need to be approached.

### The Film community

We already have some support among film critics and film academics. We have also contacted distribution and production companies about the possible implications for them.

### The Freedom, Libertarian lobby

The Libertarian Alliance and its associated organisations have been on board from day one. But it is also essential that all current freedom campaigns should be supporting backlash e.g. no2id cards, religious hatred bill opponents and other organisations. We need to organise approaching them and getting them on board.

### Scotland

A supporter has asked us if backlash would fight these laws if they were applied only in Scotland. We said yes, and highlighted the fact that there has already been some campaigning in Scotland. We have suggested that a Scottish subgroup could be useful in order to tackle any differences between English and Scottish legislation.

### Academics and experts

Professor Julian Petley is an active supporter. He has written articles for Index on Censorship and has approached both the New Statesman and the Spectator. We have offered to have a presence in January at a Liberty sponsored conference on the Human Rights Act and lobbying, which was accepted. This needs a follow up.

### The porn community

We have contacted the trade association for the adult industry and sent releases to erotic traders magazine.

After repeated attempts to contact the international union of sex workers backlash were contacted by their new CEO at the Feminist feedback conference.

We have been careful to try and avoid or minimise inappropriate attention to this campaign. We truly believe this legislation would have negative effects on basic freedoms rather than being focused solely on pornography or crime prevention. We feel that the full implications on the freedoms of the general public would be broadranging and unacceptable.

### The art world

We have been in touch with a number of galleries and artworld publications and are looking at ways to involve education establishments about how the proposed legislation could affect their students in the future.

### Spreading awareness

A viral advertisement about the proposals is currently in the editing stage. We would like to create a few others. A humorous advertisement could appeal to a broader audience and raise further awareness as well as highlighting the stupidity of the Governments proposals.

Both adverts would rely on peer to peer sharing and other forms of free download platforms to spread the message. Probably the same distribution methods that could get people in trouble if the laws are changed.

If you can help with any of these aspects of the campaign, please contact [info@backlash-uk.org.uk](mailto:info@backlash-uk.org.uk).

# Visit [www.backlash-uk.org.uk](http://www.backlash-uk.org.uk) to learn more about the proposals and what we are doing to oppose them.

On 15 November the Queen's speech included a bill on criminal justice which will amalgamate previously trailed policies under one act, including a new (but previously announced) offence of possessing "violent and extreme pornography".

This legislation is intended to make it an offence to possess pornographic images depicting scenes of extreme sexual violence and other obscene material. The suggested penalty is up to three years in prison and inclusion on the Sex-Offenders Register.

backlash argues the plans are too far-reaching, unnecessary and will do nothing to protect victims of crime. This bill focuses on pornography featuring consenting adults. backlash condemns acts of violence and abuse, including sexual assaults and rape. backlash agrees that real life rape and murder, or activities in which participants are coerced is abhorrent. These acts are already rightly illegal and the proposed laws would do nothing more to prevent them.

In its own consultation documents the government acknowledged there is no proof that this kind of material encourages violent behaviour. There is in fact evidence in the form of government sponsored research and studies from other countries, that show an inverse relationship between the availability of violent pornography and the frequency of sex crimes.

The vast majority of the material that will be covered by this new legislation does not involve any abuse of participants, but features consenting adults. Some images may only appear to show acts of violence. Some material is created using actors. Other material may be a record of consensual activities between private citizens. It is widely acknowledged that no genuine example of a snuff film exists.

The proposed legislation is unclear. It is not clear what is meant by serious violence. Nor is it easy to define what is meant by realistic. Even the definition of pornography is open to interpretation. The Government has said it will be happy to have these definitions tested in court - hardly fair on the individuals concerned.

This legislation is not merely an updating of the Obscene Publications Act. This criminalises possession - and in fact viewing - of an image, which is far more intrusive.

Large numbers of law-abiding people who pose no threat to society will be criminalised, including those with interests in BDSM - an estimated 4 million people.

Placing harmless people on the Sex Offenders Register would not only have a devastating effect on their lives. It would also dilute the importance of the register which was created to track dangerous sex offenders.

The opposition to the proposals has been discussed widely in the media. Articles in Newspapers include; The Times, The Daily Mail, The Guardian, The Observer, The Financial Times and a Press Association publication.

Spokespeople for our member groups have been interviewed by a number of media and news agencies such as Radio One, Radio Five, BBC News Online and SKY News.

**Rabinder Singh QC -- a recognized expert on the European Convention on Human Rights -- says the government's proposals would not solve the problems it is meant to address and would leave people unable to tell whether they have broken the law.**

**He also said the proposals appear incompatible with Articles 8 and 10 of the Convention, as enshrined in UK law.**

**"It is likely that an individual will find it difficult to assess under the legislation whether he/she is committing a criminal act by viewing particular material."**



This government needs to realise that knee-jerk laws don't stop crimes. The Dangerous Dogs Act didn't stop dogs biting people and a Dangerous Pictures Act won't protect society.

All this will do is add further burden to an over-worked police force. It will spread fearful uncertainty and set a dangerous precedent whereby innocent people can be arrested for looking at things the government thinks are "abhorrent".

We would like to thank our organisers, contributors, volunteers and supporters.

Thanks to the artists who have contributed their collective talents, time and hard work including; photography, illustration and design for flyers and posters. Also digital media such as web banners, icons and video.