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Is pornography therapeutic?

Having been in court (as a journalist rather than a lawyer) throughout the hearing of evidence in the *Libertine* trial, I write to defend Judge Sime against Mrs Whitehouse's attack (Letters, 17 March 1977). The learned Judge ruled impeccably, if I may say so with respect, on what evidence was admissible in the light of the House of Lords ruling to which Mrs Whitehouse refers. Mr John Mortimer, for the defence, was equally punctilious in accepting the limitations placed upon him by that ruling. He admitted that it could no longer be argued that pornography was therapeutic, 'like taking a pill'. The learned Judge, observing that this was 'nicely put', went on to rule that the 'defence of learning' head of the public good defence allowed people to be shown 'that there are certain vices', but not 'from the operative point of view'. He warned that there must be no question of 'teaching a new dog new tricks'.

What Mrs Whitehouse thinks is the 'true public good' is not necessarily what people in general, as represented by juries, think it is. The *Libertine* jury acquitted on all counts. They did this unanimously, after a retirement of only fifteen minutes. Would the members of the jury have acted thus if any of them had really thought *Libertine* reprehensible? At the end of her letter Mrs Whitehouse misquotes a remark made at the trial by Mr Mortimer. I know what he really said because I wrote it down. He told the jury, quite rightly, that although the prosecutor had alleged that *Libertine* was 'filth', and had used other similar epithets, that had nothing to do with the case for the simple reason that the only words that mattered were the words in the statutory definition of obscenity, namely 'deprave and corrupt'.¹

¹ *The Times*, 21 March 1977. For the results of my journalism see 'The Libertine Trial', *New Statesman*, 18 February 1977 (1977(03)).