

Prime Minister
Julia Gillard MP
Parliament House
Canberra 2600

Dear

I would like to draw your attention to the fact that a Sydney man was sent to jail recently for a censorship offence – the first such imprisonment for this moral crime since 1947.

The attached article from the Sydney Morning Herald documents this terrible injustice, brought about partly by your failure as a federal MP, to make censorship laws that are fair and just in a modern Australia.

The man, Darell Cohen, was treated like a paedophile in jail and suffered cruel assaults and abuse. His life has been damaged forever as a result of this incarceration. His crime was that he sold DVDs, from an adult age restricted shop, which had been classified by the Australian Classification Board as X18+ and were deemed suitable for Australian adults to purchase and view.

Every state in Australia allows the possession and purchase of classified X18+ material. In what must rate as the most illogical laws in Australia, the states criminalise the 'sale' of this material. The reason for this has nothing to do with public opinion that consistently shows an average of 72% support). It has to do with playing politics at election time. Before every state election, there is a 'crackdown on porn', which is intended to show conservatives in the community that governments care about their moral values. It's a shameful and savage way to deliver a message about morality. Why don't state governments call a Royal Commission into child sex abuse in the church and do something that will improve the moral and physical lives of people.

It is a farce that state laws that forbid the sale of innocuous non-violent erotic porn films, are used to send people to jail and bankrupt otherwise law-abiding citizens with fines of \$40,000 plus costs. Even more farcical is the fact that Australian adults can legally purchase and download X18+ films off the internet and no offence occurs.

The federal government is sitting on a series of recommendations from the Australian Law Reform Commission that, if enacted, would see this situation put right. And yet we will wait for over two years before the ponderous State and Commonwealth Attorney's General meetings will be in a position to do something about the situation.

We are not living in the 1950s anymore. Bringing state and commonwealth censorship laws into line means that the Attorney General of W.A. or NSW can no longer claim that his citizens have a different moral value to Australians living in the ACT or the NT. In a modern federation of states, it is inconceivable that morality could be so diverse as to see people sent to jail in some jurisdictions and not others, for the same business and entertainment choices.

I urge you to contact the Minister for Home Affairs and the Attorney General with a view to:

- 1) getting an immediate response to the ALRC recommendations
- 2) getting an immediate agreement from SCAG to bring in those recommendations that stop people from being sent to jail and fined for selling federally classified material.

I further urge all federal MPs to contact their own state A-G and ask for any and all evidence to support the use of such draconian penalties around these censorship issues.

Yours truly,

Fiona Patten: CEO