



THE EQUALITY BILL:
Submission by British Naturism to
the Joint Committee on Human
Rights
June 2009

Introduction

1. British Naturism is the representative organisation for naturists in the UK.
2. About 1.5 million people in the United Kingdom describe themselves as being a naturist¹ and there are about ten times that number who practise naturism to at least some extent. When a naturist gets dressed the disguise is perfect and there is a reluctance to "come out" so few people realise how numerous we are.² There are surprisingly high level of acceptance³ by the public but there is a small minority⁴ who are deeply prejudiced against nudity.
3. For many people naturism is an important part of their faith and for many more it is a valuable part of their belief system and philosophy of life.
4. Provision for naturism in the UK is woefully inadequate. There are only a handful of clothes optional beaches, mainly along the south coast. There are no naturist beaches. Obtaining the use of local authority facilities such as swimming pools is often impossible. When we do manage to obtain a session the cost is often exorbitant.
5. The legality of nudity is characterised by vagueness and uncertainty. For example one police area commander was adamant that public place nudity is always illegal whilst another influential officer told us that it was lawful under circumstances that even we find surprising. Defending against fixed penalty notices or prosecution has been made extremely difficult, expensive and risky. Consequently the legality of naturism is largely determined by individual police officers and whether or not the naturist is prepared to risk their career. For health service workers, teachers or anyone else needing an enhanced CRB check naturism is effectively illegal in any public place apart from the dozen or so designated beaches. In many European countries nudity is a right⁵ but in the United Kingdom we enjoy no such protection.
6. Naturists encounter significant discrimination and prejudice. It does result in appreciable harm to individuals, groups and to society as a whole and it does cause unnecessary curtailment of individual freedom.
7. The currently available protection against discrimination is inadequate but we believe that comparatively minor changes to legislation and policy could remedy that deficit.
8. We have written to the Government Equalities Office in an attempt to open discussions but we were rebuffed.

General principles

9. Singling out particular forms of discrimination has the effect of making other types seem more acceptable. The protection against other unjustified discrimination must be strengthened to compensate.
10. The only justification for discrimination against any group or activity is to prevent

1NOP poll. 2001. "and would you describe yourself as being a naturist?"

2The Statistics Briefing Note provides further information.

3NOP poll. 2001. Sensible 40%, harmless 88%. No detectable difference for adults with children.

4NOP poll. 2001. Beach naturism: Call the police 1%, criminal 2%, disgusting 7%.

5It is not coincidence that all of those countries have much better outcomes for many body image and body knowledge related problems such as teenage pregnancy.

harm that clearly outweighs benefit. There are many myths about what is harmful or beneficial and mistakes can cause immense harm. Hence there must be an absolute requirement that decisions are based on evidence. Anything else is indistinguishable from prejudice and a popularly held prejudice is not any less a prejudice because it is popularly held. Much of the discrimination that we encounter is due to the common misconception that there is a popular prejudice against naturists.

11. We are not aware of any evidence that nudity can cause harm to anyone, of any age⁶ but we do know of research showing that naturism is beneficial. There is also very conclusive evidence that censorious attitudes towards the human body cause immense harm. Hence there is a synergistic relationship between naturism and healthy attitudes towards the body.⁷

Prejudice and discrimination

12. The principle causes of the discrimination that we encounter are:
 1. Prejudice of individuals and reluctance by others to prevent it.
 2. Misconceptions concerning public attitudes.
 3. Misconceptions concerning the law.
 4. Unintended consequences of legislation.
13. People working in sensitive professions such as teaching or the health service are increasingly reluctant to practice naturism for fear that it could harm or even destroy their career. We have cases demonstrating that their apprehension is not unfounded.
14. We have encountered serious difficulties with both councils and swimming pool management companies. It is near impossible to persuade them to run naturist swimming sessions⁸ and it can be a mammoth task to find a pool to hire. Even when one can be found they often seek to impose unacceptable, offensive or ridiculous conditions.⁹ The most common reason for a naturist swim closing is a change of pool management¹⁰ and the next is the hire charges demanded. Admission prices are often well above the going rate and double or even treble is not uncommon.
15. Statutory bodies should be required to treat minority groups according to the evidence but many are reluctant to do so. Accordingly we believe it essential that there is a duty to make reasonable provision for naturists and other minority groups. It is difficult to see how there could be any objection to a requirement to be reasonable.
16. Many people assume that naturists can not possible have any rights. It is important that naturists are recognised as a legitimate social group.

⁶The research on the effects of flashing cited in "Setting the Boundaries", was a seriously flawed unpublished student dissertation. It was quoted out of context and it is not relevant to naturism. We can provide further information on request.

⁷The differences between the most prudish western countries and the most liberal are enormous. Teenagers become sexually active younger, are more likely to be promiscuous and less likely to use a condom or contraception. The results are predictable. Over seventy times more likely to catch gonorrhoea and ten times more likely to become pregnant or to have an abortion.

⁸There is only one at present and it is the only naturist swimming session in the country that bans children and hence families.

⁹One council, about a week before a new hire was due to start, imposed a condition that resulted in only one person being eligible to attend! They relented but it illustrates the problem.

¹⁰Briefing note – Prejudice (Local Authority Pool).

17. License conditions often fail to distinguish between the sex industry and naturism. This has caused serious problems and we suspect that many naturist events are only able to go ahead because a blind eye is turned. Regrettably legislation intended to regulate the sex industry is being used to control how people dress.
18. We far too often encounter statements in official documents or on signs that are offensive. They are often particularly offensive to naturist families.
19. Much censorship is based on prejudice. There are thousands of bodies with a responsibility to censor. There are none with a responsibility to prevent harmful censorship..

Summary

1. The Bill will result in increased discrimination against many groups thereby denying them their human rights. It fails to address some important issues.
2. Naturists meet with significant discrimination due to prejudice against their lifestyle and beliefs. Recognition as a legitimate minority group is necessary.
3. People working in sensitive occupations increasingly do not feel free to be a naturist.
4. There should be a duty to make reasonable provision for minority groups such as naturists.
5. Discriminative decisions need to be based on evidence that can be evaluated and if necessary challenged. There is a lack of transparency and accountability.
6. The activities of censors should be regulated to ensure that censorship is necessary and based on evidence. Much censorship is based on prejudice which leads to unjustifiable discrimination and there is no reasonably accessible means of appeal. The right to free speech does not have adequate protection.

British Naturism

www.british-naturism.org.uk

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To discuss the detail of this submission or related issues please contact Malcolm Boura rl0@british-naturism.org.uk, 07734 964435.
For further information about British Naturism or naturism in general please contact the office headoffice@british-naturism.org.uk, 01604 620361.