

# Parliament

## A British Naturism Briefing Paper - Malcolm Boura - March 2007

The wishes of Parliament have been made very clear in recent years. Indeed the Sexual Offences Act 2003 was twice amended to ensure that it could not be applied to naturists. The history of misuse of other statutes to harass naturists was one reason that the Exposure Clause was amended so heavily.

The Lords and MPs did not intend that naturism should be acceptable everywhere but they made it abundantly clear that it should be possible to practice naturism at a reasonably large number of public places and not just at the designated clothes optional beaches.

The following quotes are from the House of Lords, the House of Commons and the Home Affairs Committee during the passage of the Sexual Offences Act, 2003<sup>1</sup>.

**Hilary Benn, MP, Parliamentary Under-Secretary, Home Office:** "... it is not in any way intending to criminalise naturists ..."

**Baroness Noakes:** "I welcome the Government's Amendments ... Naturists are a minority who intend no harm to others and simply want to be allowed to practise their way of life in a law-abiding way. ... I am pleased that the Government have removed the element of recklessness from the offence, but I have a residual concern ..."

**Baroness Mallalieu:** "I support my noble and learned friend's Amendments ... I must say that the naturists have conducted a superb campaign. They have made their points forcefully with superb individual letters ... What is unfortunate is that they felt it necessary to do so in the first place."

**Lord Falconer of Thoroton: The Minister of State, Home Office** "... We are simply saying that being a naturist is not of itself a criminal offence."

**Mr. Cameron:** "... The point is that we should not criminalise that sort of behaviour ..."

**Baroness Walmsley:** "My concern in this part of the Bill has always been to protect naturists going about their perfectly harmless business and to prevent their falling foul of over-zealous police officers and magistrates<sup>2</sup>."

**Mr Rook:** "... but with the safeguards I have spoken about earlier so that the wrong people [naturists] are not targeted. "

**Mrs. Brooke:** [Studland is in her constituency] "still enormous concerns about the Bill ... at least 5 million naturists in this country ... We are addressing the concerns of a great number of people. I have walked the beach for many years with my children and we enjoy doing so. ... we must take on board the fear that the Bill will be used to suppress naturism. It will encourage landowners and local authorities to refuse to make facilities available. ... However, it [Home Affairs Committee] certainly wanted to protect naturism and felt that it was undesirable to criminalise it."

**Stephen Hesford:** "... Is there any evidence from naturists that, under existing law—we have heard what existing law can contain and be aimed at—they have been suppressed and harassed, and that the Bill would reinforce that? Or is

*it suggested that there has been no harassment or suppression in the past, but that it might start now because of the Bill?"*

**Home Affairs Committee Report:** "In our view, it is neither appropriate nor desirable to criminalise legitimate activities, such as naturism. We therefore welcome the removal of the 'recklessness' element from the offence of exposure "

In the entire passage of the Bill, and well over two hours<sup>3</sup> were spent on the Exposure Clause, there was only one speaker who spoke against naturism.

**Baroness Blatch:** "Not for the first time, I fear, I find myself speaking alone on the Bill. The Government's new proposals for this offence are a retrograde step."

**Lord Northbourne:** "I rise to say, with regret, how much I disagree with my friend the noble Baroness, Lady Blatch."

Baroness Blatch had spoken at great length but most of what she said was just plain wrong.

During the passage of another Bill, **Christopher Chope** said<sup>4</sup>: "Up to now, if a naturist sat in his garden ... that has not been a criminal offence." Nobody dissented.

1 Hansard 2003: Lord 19 May col 556 to 573. Commons 15 Jul col 235, Home Affairs Committee 8, 29 Apr + others.

2 Notably Fraisthorpe and Ainsdale.

3 In minutes approximately: Lords 2nd Reading 2, Lords Committee 50, Home Affairs Committee (twice) 15+30, Commons 2nd Reading 10, Commons Committee 15, Commons Report 10.

4 Hansard, 28 March 2003.