



House of Commons

NOTICES OF AMENDMENTS

given on

Thursday 3 October 2013

*For other Amendment(s) see the following page(s) of Supplement to Votes:
585, 587, 589-90, 709-14 and 729-730*

CONSIDERATION OF BILL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL, AS AMENDED

Possession of prohibited written material about children

Sir Paul Beresford
Paul Goggins

NC7

To move the following Clause:—

- (1) Section 62 of the Coroners and Justice Act 2009 (offence of possession of prohibited images of children) is amended as follows.
- (2) In subsection (1), after “prohibited image of a child” insert “or prohibited written material about a child”.
- (3) After subsection (2) insert—
 - “(2A) Prohibited written material about a child is written material which—
 - (a) is pornographic,
 - (b) falls within subsection (6), and
 - (c) is grossly offensive, disgusting or otherwise of an obscene character.”
- (4) In subsection (3), after “image” insert “or written material”.
- (5) After subsection (5) insert—
 - “(5A) Where (as found in the person’s possession) written material forms part of a series of written material, the question whether the written material is of such a nature as is mentioned in subsection (2A) is to be determined by reference to—
 - (a) the written material itself, and
 - (b) (if the series of written material is such as to be capable of providing a context for the written material) the context in which it occurs in the series of written material.
 - (5B) So, for example, where—

Anti-social Behaviour, Crime and Policing Bill, *continued*

- (a) written material forms an integral part of a narrative constituted by a series of written material, and
 - (b) having regard to those written materials as a whole, they are not of such a nature that they must reasonably be assumed to have been produced solely or principally for the purpose of sexual arousal,
the written material may, by virtue of being part of that narrative, be found not to be pornographic, even though it might have been found to be pornographic if taken by itself.”
- (6) In subsection (6), insert “or written material” after the word “image” each time it appears.’.
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