

BRITISH NATURISM SECOND CALL TO ACTION ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL

This bill is now passing through parliament. The thresholds in the bill have been set so low, in order to catch very low level antisocial behaviour, that the various measures could be used to ban almost anything. If the bill is not amended, any form of public nudity, even on designated naturist beaches, or in your back garden, could be prohibited by the local council. This bill is not just an (unintended?) assault on Naturism, but on civil liberties in general. If history shows us anything it is that if power can be abused then it will be. The outdoor areas of naturist clubs and other venues would be threatened; even complete closure is possible although it is difficult to foresee circumstances under which that would actually happen.

What do we want you to do?

1) If you have not already done so, write a letter to your M.P. expressing your opposition to aspects of this bill that will adversely affect Naturism and, as a law abiding citizen, ask in your own words for changes to protect Naturism. It is important that you refer to Naturism specifically. To find your MP email contact details go to WWW.Parliament.uk then click on MPs Lords offices Enter your full postcode in the box "find your MP" then click on find. The postal address for MPs is House of Commons, London, SW1A 0AA. Put your address on the letter or email to show you are a constituent. MPs will not usually act on behalf of non-constituents.

2) Amend your letter so that it is appropriate for sending to Peers. Please send to each of these friendly peers; Baroness Walmesley; Baroness Noakes, Lord Lucas, Baroness Mallalieu, Lord Northbourne, Lord Falconer of Thoroton, and as many others as you can manage from the list at www.parliament.uk/mps-lords-and-offices/lords/ The postal address is House of lords, London, SW1A OPW. Start your letter with e.g. Dear Lord Lucas,/Dear Lady Noakes. N.B. just the surname, not the full title, which only goes on the envelope. For Dukes, Earls, etc., the correct salutation can be found at <http://www.parliament.uk/get-involved/contact-a-lord/lord-address/> Most Peers have an individual email address which can be found by clicking on their name on the first link above. However, some have only a communal address, contactholmecember@parliament.uk Beware if using this, that if you use it more than 6 times in 24 hours all your emails will be deleted. Don't forget to take any references to your M.P. out of your letter. The 6 friendly Peers are probably our best hope of changing this bill, so please, if you don't do anything else, do contact them.

Parliamentarians appreciate individual letters; all your letters can be the same, but you need to make them a bit different to other peoples. You could do things like referring to the different parts of the bill in a different order to that in which they appear below, or even not mentioning one part if it seems to you less important. You could try to express how important Naturism is to you, and your family if they are naturists too. Do not make your letter unduly long. If you think this bill breaches the human rights act you could say so, but don't go into this in any detail unless you're an expert – a mistaken argument could do more harm than good.

It is not going to be easy to influence this bill, BN members please alert every other member you can to the content of this call to action and please sign up to the ezine, not everyone is on the internet, and those who are may not have seen this call to action. Please alert other naturists who are not BN members. **If you have the means, print out this information and pass it around anywhere naturists may be found,- clubs, beaches, etc. This bill potentially threatens the future of naturism; we need maximum effort to generate as many letters as possible, if we are to make the necessary impact.** Please send copies of letters sent and received to headoffice@bn.org.uk or post to BN, 30-32 Wycliffe Road, Northampton, NN1 5JF

Summary of Anti-social Behaviour Bill powers which could be applied to naturists:-

a) INJUNCTIONS TO PREVENT NUISANCE AND ANNOYANCE

These can be granted by a civil court on the application of police or local councils if **P.T.O.** the court believes that you have engaged, or threaten to engage, in “conduct capable of causing nuisance or annoyance to any person”. The standard of proof required is the balance of probabilities, not beyond reasonable doubt. The injunction could require you not to be naked anywhere or everywhere, including designated naturist beaches. If you disobey the injunction you could be sent to prison for up to five years.

b) CLOSURE NOTICES / CLOSURE ORDERS.

Closure notices can be issued by police or councils to close any premises, for up to 48 hours, if they are satisfied that “nuisance” has occurred or will occur there. Premises includes any land, whether enclosed or not, as well as buildings. Closure notices will then be followed up by an application to a court for a closure order, which can last for up to six months. The test in court is that there has been, or is likely to be, disorderly or offensive or criminal behaviour, or serious nuisance to the public. Since closure can apply to all persons, or all except those of a specified description, orders could be applied to exclude naturists only. If you disobey an order, you could be sent to prison for up to 51 weeks, or be fined, or both.

c) PUBLIC SPACE PROTECTION ORDERS.

These could be made by a council if it believes that “activities carried on within a public space have had or are likely to have a detrimental effect on the quality of life of people in the locality” and can apply in “any place to which the public, or any section of the public has access, on payment or otherwise, as of right or by virtue of any express or implied permission”. The council has to believe the activity is persistent or continuing, and unreasonable. Remember it is the council who have to believe this, not us! Such an order could prohibit nudity and could be applied not just to beaches and very large areas of countryside, but also to the outdoor areas of clubs and other naturist venues, and possibly even to your own garden. If you disobey an order you could be fined up to £1,000. These orders, and closure notices/orders, will also be enforceable by fixed penalty notices.

d) COMMUNITY PROTECTION NOTICES.

These can be issued by police, councils, or authorized council officers to “a person or body whose conduct is having a detrimental effect on the quality of life of those in the locality”, and the conduct is unreasonable and may require you to do or stop doing specified things, or to take reasonable steps to achieve specified results. A notice could require you to get dressed and remain dressed. If you disobey a notice you could be fined up to £2,500.

e) POLICE DISPERSAL POWERS.

A constable in uniform may direct a person in a public place to leave the locality if he suspects the presence or behaviour of the person has contributed or may contribute to members of the public being harassed, alarmed, or distressed, or the occurrence of crime or disorder, and the direction is necessary to prevent those things occurring. You can be prohibited from returning for up to 48 hours. There is no opportunity to contest his decision. If you disobey, you can be sent to prison for 6 months, or fined up to £500.

Please don't think that because a particular beach is “official” that the local council won't use this law to shut it down. There is often small but vocal local opposition to naturist beaches, and councils have reacted to it by trying to close them down with byelaws, but found the Home Office would not give them the power. Councils have then designated one beach as clothes optional, on the basis of trying to herd everyone on to it, as the best they could do at the time. The new orders will not need Home Office approval, and the local opposition is still there.

