**Response template for public consultation on Obscene Publications Legal Guidance**

Name:

Organisation (if applicable):

Address:

Telephone:

E-mail:

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| 1: Do consultees agree or disagree with the guidance that the showing or realistic depiction of sexual activity / pornography which constitutes acts or conduct contrary to the criminal law is (subject to the statutory defences) likely to be obscene? |
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| 2: Do consultees agree or disagree with the guidance that prosecutors must exercise real caution when dealing with the moral nature of acts not criminalized by law, and that the showing or realistic depiction of sexual activity / pornography which does not constitute acts or conduct contrary to the criminal law is unlikely to be obscene? |
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| 3: Do consultees agree or disagree with the guidance that prosecutors, when assessing obscenity, should consider:  a. Whether the activity is consensual;  b. Whether or not serious harm is caused;  c. Whether or not it is inextricably linked with other criminality; and  d. Whether the likely audience is not under 18 or otherwise vulnerable. |
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| 4: Do consultees agree or disagree with the guidance that the showing or realistic depiction of other acts or conduct which are contrary to the criminal law is also capable of being obscene? |
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| 5: Do consultees have any further suggestions for guidance to prosecutors in assessing “obscenity” when considering allegations falling under the Obscene Publications Act 1959? |
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How did you hear about this consultation (delete as applicable)?

* National press
* Television or Radio
* Specialist press (e.g. Law Society Gazette)
* CPS Website
* Other website
* CPS Twitter feed
* Other Twitter feed (or social networking site)
* Other (please specify)