

# the Spanner Trust

KNOW THE LAW ♦ HELP CHANGE THE LAW

## CAMPAIGN TO CHANGE THE UK LAW ON SM

### What is the Spanner Trust?

The Spanner Trust is an organisation set up to effect a change in the UK law as it affects consensual sexual SM activity where injury takes place.

SM is currently illegal in the UK if it results in any injury which is more than “transient or trifling”.

### How is this being done?

We intend to apply to the High Court for a ruling that the present law on SM, as created by the Spanner case, is incompatible with the Human Rights Act.

We need to find suitable SM practitioners to make the claim in court. We would provide necessary legal and financial support including using the legal aid system if appropriate.

There is a good chance that the claimants would be able to remain anonymous and be able to give their evidence in written statements.

### How can you help?

- ✓ Would you be willing to be one of the claimants? You would need to be living in England or Wales and at risk of prosecution because your SM activity results in injuries which are more than “transient or trifling”. If you are interested in being a claimant email us at [info@spannertrust.org](mailto:info@spannertrust.org)
- ✓ Make a donation to the Spanner Trust to support those people who are able to be claimants. You can do this on our web site via PayPal.
- ✓ Become a helper and work with us raising funds and creating awareness of SM and its legal status.
- ✓ Copy this leaflet and pass it on to others. A PDF version can be found on our web site.



## What has the Spanner Trust done recently?

- ✓ Through a process of education, effected a change in the guidelines of the British Board of Film Classification such that the portrayal of consent is accepted as a criterion when deciding whether to allow adults to view films and videos depicting SM activity.
- ✓ Lobbied members of both Houses of Parliament in 2003 for inclusion of an amendment in the Sexual Offences Bill that would have reversed the original Spanner judgment. Corresponded with Government Ministers seeking to establish that “injuries” caused during SM activity did not cause harm. The Minister of State at the Home Office, Baroness Scotland, replied that whether or not SM activity caused harm “raised an interesting question”.
- ✓ Ongoing work with a senior Queen’s Counsel whose opinion is that the current law in England and Wales on consensual SM, as set out in the Spanner case, is incompatible with the UK Human Rights Act and can be challenged. Further, that it is possible to apply to the High Court for a ruling to that effect.
- ✓ Made a submission to Home Office Consultation on Possession of Extreme Pornographic Material which proposes three years imprisonment for possession of images of “sexual violence”. With the financial support of Backlash, obtained an opinion from a QC that the proposal would contravene the European Convention on Human Rights and passed this to the Home Office. Secured a meeting with the Home Office to discuss the matter with civil servants.
- ✓ Run educational workshops on BDSM and the law and given advice and legal referrals to individuals in difficulty with the law because of their SM activities.

For more information, background documents, a history of our activities and an opportunity to sign up to our email newsletter, become a volunteer or donate money visit our web site: <http://www.spannertrust.org> or email [info@spannertrust.org](mailto:info@spannertrust.org)

### THE SPANNER TRUST

#### Trustees

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John Lovatt (Legal officer), John Pental (Chair)

#### email & web post

[info@spannertrust.org](mailto:info@spannertrust.org) <http://www.spannertrust.org>  
the Spanner Trust, Norvin House, 45-55 Commercial Street,  
London E1 6BD UK