

CLEANING UP THE DIRTY SQUAD: USING THE OBSCENE PUBLICATIONS ACT AS A WEAPON OF SOCIAL CONTROL

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Abstract: Formed as a result of the introduction of the *Obscene Publications Act 1959*, the Obscene Publications Squad – known colloquially as the “Dirty Squad” – controlled a web of corruption and managed the proliferation of pornography in the Central London district of Soho. Although its reputation for corruption was the primary reason for the vice unit’s notoriety, their role in applying social control also had a profound impact on London society during the 1960s and 1970s. During this period, the Dirty Squad mounted a campaign against the underground press and their influence on the counterculture. It is suggested that these investigations were designed to provide a cover for the vice squad’s inaction against pornographers; by focusing attention on more radical elements of the city’s counterculture, the Dirty Squad gave the impression that they were taking action whilst simultaneously allowing their corrupt partners in the vice industry to continue in their business unabated.

Keywords: crime; corruption; police; Obscene Publications Act; social control

Introduction

The 1960s and 1970s were a highly transitional period in British society, with significant social change driven largely by the widely popular subversive movement. The rise of alternative culture did not develop unopposed, however, due to the conservative establishment seeking to apply social control to groups, individuals and publications that were found to be radical or otherwise depraved. Central to these efforts to manage the spread of alternative culture was the Metropolitan Police, tasked with enforcing legislation designed to curb deviant behaviour; this responsibility was given primarily to the C Division Clubs and Vice Unit, based out of the West End police station in the heart of the notorious red-light district, Soho. The Clubs and Vice Unit were apportioned a range of policing areas to investigate including prostitution, gaming and the influence of organized crime in London’s club scene. The introduction of the Obscene Publications Act 1964 added yet another area of enforcement to the division and led to the foundation of a dedicated Obscene Publications Squad. Colloquially known as the “Dirty Squad”, this team

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of officers were responsible for policing material they believed was at risk of corrupting the general public; although the intent of the legislation was primarily to address the proliferation of pornography, the language of the act effectively gave police the power to subjectively determine which material was considered corruptive. This included sexually explicit images and texts, as well as more conventional artwork and left-wing publications.

Giving broad enforcement powers to a vice unit like the Obscene Publications Squad inevitably had ramifications in the form of corruption and abuse of power. By not explicitly dictating which materials were prohibited under the act, police were left vulnerable to corruptive influences themselves, in this case the illicit payments of Soho pornographers in return for preferential treatment. The protection of these individuals was justified within the unit as a form of containment, wherein the sex trade was allowed to continue within a restricted area under the management of providers directly answerable to police. In lieu of arresting the Soho traders the act was designed to combat, the Dirty Squad applied the legislation to a range of artists and publications they deemed to have either subversive content or radical leanings. The most notorious of these prosecutions, the *Oz Schoolkids* case, constitutes one of the most direct cases of the Dirty Squad using the provisions of the Obscene Publications Act to direct attention away from its corrupt network and would ultimately prove to be the downfall of the unit; triggering an inquiry into the Obscene Publications Squad that revealed the protection racket in existence in Soho and implicated several senior police officers in corruption. These revelations would form the basis for sweeping reforms to the policing profession in the United Kingdom, particularly addressing the powers given to plain-clothes Criminal Investigation Department (CID) officers in making subjective judgements about the application of the law.

Understanding the impact of the Dirty Squad's corrupt actions during the mid-twentieth century is an essential element of evaluating the relationship between the British public and its police force during the era. It also provides a tangible example of the impact that broad legislative authority can have on socio-political movements when said authority is vested in police officers with a diverse range of motivations. Although the set of circumstances surrounding the downfall of the Dirty Squad has been well covered in the literature, the mechanics of their corruption and the ways in which it targeted the counterculture in place of vice suppliers has been less documented. One of the key benefits of studying the period that the Dirty Squad operated in is that it is relatively recent history; as a result, contemporary source material such as newspaper articles and transcripts of speeches are more readily available. Unlike with media reports from earlier historical periods, many of the key articles outlining the events under investigation have either been transcribed into digital form or scanned into searchable databases. The fact that

these events occurred in the United Kingdom, a country with a well-developed judicial system, is also useful in the sense that court proceedings are thoroughly documented in a way which provides greater insight into the precise actions of the Dirty Squad. By using this source material in an effort to address the gaps in the literature around the powers afforded to the Dirty Squad under the Obscene Publications Act, it is possible to better understand why officers were so readily able to engage in wide-ranging corruption; in doing so, it is possible to recognize patterns of behaviour that could be further applied to police officers in similar practices of misconduct in the contemporary context.

Background

Soho: A History of Vice

The district of Soho is made up of around one square mile of land in the Central London area. Bordered by prominent landmarks such as Oxford Street, Regent Street, Charing Cross Road and Leicester Square, the origins of Soho as a locality can be traced back to the seventeenth century. Unlike its neighbouring districts in Central London, Soho never developed into a particularly gentrified area; from the late 1600s, it became a haven for immigrants, and by the mid-nineteenth century, the area was known primarily for its music halls, theatres and prostitution industry (Henderson 2014). Given this reputation, it was somewhat inevitable that Soho would attract a significant bohemian community of writers, poets and artists. By the early 1950s, the area had established itself as a bastion of the post-war counterculture where political debate took place freely in the bars and coffee houses frequented by those widely considered as subversives (Gilbert 2006). Many of these venues formed an intersection with the ever-growing vice industry that had developed in Soho – Sunday afternoon clubs such as the Goings On were held in establishments that for most of the week served as illegal gambling dens (Miles 2011). As economic conditions improved in the post-World War II era, the promises of entertainment provided in Soho became more accessible. Aside from the conventional bars and pubs, increases in disposable income gave rise to the development of “clip joints” wherein patrons would be served low-quality goods at a premium price in what could be described as an early variation of the “tourist trap” (Lutwyche and White 2009). These clip joints often attracted a clientele through the promise of sexual services that were usually not fulfilled, playing on the area’s reputation as the hub of London’s sex industry.

The history of the sex industry in Soho can be definitively traced to the late eighteenth century, when a brothel in Soho Square known as the White House operated as a “notorious place of ill-fame” (Mayhew 1861: 233). Although brothels had been outlawed in the Disorderly Houses Act 1751, the street-based sex

trade was not legislated against until it was banned under the Street Offences Act 1959. This legislation gave officers considerable powers in dealing with street prostitution, going so far as to allow police under s. 1(1) to “arrest without warrant anyone he finds in a street or public place and suspects, with reasonable cause, to be committing an offence”. As a result of the ban on both brothels and street-walking, many clubs and venues in Soho began hosting prostitutes in contravention of the law; as such, operators found it necessary to make deals with Clubs and Vice Unit officers responsible for enforcing the sex trade in the area. Soho also became known during the mid-twentieth century as the birthplace of pornography in London. The capital’s first cinema dedicated to sexually explicit films opened at 56 Old Compton Street in 1960, whilst many of the sex shops in the area provided “backrooms” which sold hardcore material that was banned under the Obscene Publications Act 1964 (Hay and Hoddinott 1974). Entrepreneurial publisher Harrison Marks based his soft-core pornography business in Soho, beginning with magazines such as *Kamera* in 1957 before venturing into the production of 8mm films described as “glamour home movies” (Sheridan 2011). One such production, *The Window Dresser*, was the subject of an obscenity charge under the newly strengthened Obscene Publications Act in 1964; despite an underage viewer admitting to having felt corrupted after viewing the film, the judge presiding over the case dismissed charges against Marks and his associates (McGillivray 1992). This effectively highlights the subjectivity of the obscenity legislation introduced in 1964, which allowed the Dirty Squad to utilize the act as a weapon in their campaign for social control.

Police Corruption, Counterculture and Social Control

Despite the fact that there is relatively little scholarly material dedicated to an analysis of the corrupt system established under the Dirty Squad, a more general sense of police corruption can be obtained through a wide breadth of existing literature. In the final report of the Royal Commission into the New South Wales Police Services that was released in 1997, Commissioner James Wood differentiated between two distinct forms of police corruption; whilst acknowledging that misconduct for financial gain was a major issue, he described *process corruption* such as perjury, excessive force and unlawful detainment as “the most obvious, pervasive and challenging” issue facing policing organizations (Wood 1997: 28). The distinction between official corruption and misconduct was also outlined by Punch (2000), who specifically identified illicit payment for special treatment as a predicate of corruption; Newburn supported Punch’s distinction based on this financial factor, going further by identifying the plain-clothed officers of the detective branch as being most vulnerable to corruptive influences given their lack of uniform and low visibility. Newburn and Webb (1999) claimed that allegations

of corruption were mostly levied against “parts of the police service that are most secretive – or least transparent” (18). This secrecy is further manifested in the “code of silence” that is typically present within the law enforcement community and that Lauchs et al. (2012) described as integral in “bind(ing) individuals to a collective unit”; this bonding process is attributed to a toxic culture within the organization that is built upon “peer pressure, social approval and sanction (stigma)” (196). An understanding of the circumstances that breed police corruption is essential to undertake a thorough evaluation of the behaviour of the Dirty Squad and place their corrupt behaviour within a broader professional context.

Just as it is important to understand the culture of policing organizations to analyse the actions of the Dirty Squad, it is equally important to provide a context to the countercultural movement that became their primary target. In their exploration of the era, Nelson acknowledged the significant role played by the underground press in the foundation of British counterculture between 1966 and 1973; in doing so, they made note of one of the key contradictions of the movement in that the underground press became “in effect the only viable institution created by the essentially anti-institutional counter-culture” (Nelson 1989: x). Brennan specifically referenced the role of publications such as *Oz* in fostering the idea of community within the counterculture throughout the 1960s and 1970s. She noted that, upon expanding from its Australian origins to join the London underground press, *Oz* “offered a fresh, fun and exciting vision of a possible world of nascent liberal values in which to counter the existing conservative society” (Brennan 2013: 599). The impact of the underground press within the counterculture is universally accepted within the literature, with very little existing analysis of the movement failing to reference the importance of publications such as *Oz* or *International Times*. Indeed, Nigel Fountain’s definitive 1988 examination of the period *Underground: The London Alternative Press 1966–74* paid considerable attention to these publications and their role in simultaneously inspiring dissent and reflecting the values of the subculture. By targeting publications such as *Oz* and *International Times*, it is clear that the Dirty Squad attempted to quash the influence of the underground press and effectively took on a role as arbiters of moral value within British society.

Given their responsibility for policing published material that could be determined to have a corruptive influence, the use of the Obscene Publications Act 1964 as a weapon is an essential aspect in understanding the behaviour of the Dirty Squad. Caldero and Crank (2010) claim that there is a genuine and well-founded fear around giving police expanded powers of enforcement in any context. Referring specifically to the policing of countercultural movements, they argue that many citizens have concerns that police “will use their expanded authority to suppress legitimate political dissent . . . and harass political dissidents rather than actual

terrorists” (4). Paul O’Higgins’ book *Censorship in Britain* – written at the peak of the Dirty Squad’s operations in 1972 – clearly noted that there was a “lack of real evidence that books can do social damage” and, as such, proponents of censorship were forced to make vague assertions about material that could do “damage to the nation’s moral fibre” (67). In his article in a 1965 edition of the *Modern Law Review*, J. E. Hall Williams outlined the context leading to the institution of the Obscene Publications Act 1964 as an addendum to the existing legislation enacted in 1959; Williams (1965) noted that after the repeal of import legislation in 1961, customs authorities had confiscated over a million publications entering the country that were banned under the “deficient” Obscene Publications Act 1959.

In its management of both the vice industry and the counterculture, the Obscene Publications Squad exercised a form of social control that was explicitly designed to impose a specific moral standard. The idea of social control, and particularly the criminological theory associated with it, is based on the belief that the collective will inevitably creates pressure towards conformity and the establishment of shared values within a community. Janowitz (1975) noted that the concept of social control originally referred to the understanding that societies were capable of regulating themselves by adhering to a self-determined code of conduct. This definition has shifted somewhat in ensuing years to account for the presence of external factors in maintaining social order; frequently, and most relevant to a discussion of the Dirty Squad, police and other forms of law enforcement are seen as the key drivers in protecting a level of conformity within society. Social control can typically be broken down into the broad categories of informal and formal measures. Informal social control is more so related to the original definition of the term, wherein the customs and norms of a culture are ingrained within an individual that modifies their behaviour accordingly (Vélez 2014). Informal control measures usually take the form of social sanctions such as group exclusion or shame, in contrast with the well-defined punitive measures of formalized control. Formal social control is usually applied through rule of law, in which societal norms are codified by legislators and enforced by agents of the state such as the police and the judiciary (Sampson 1986). Under social control theory, direct methods of enforcement were deemed necessary in situations where personal and social controls failed; Reckless (1961) referred to this as “outer containment” which was reliant on the strong social relationship between potential offenders and authority figures.

Counterculture and the London Underground Movement

Left-wing counterculture achieved a zenith in the 1960s, arising as a worldwide social activist movement focused on issues such as opposing the Vietnam War and nuclear weapons testing or championing the civil rights of minorities. The counterculture movement in London was largely driven by the beatnik poets of the

1950s, many of whom had adopted Soho as a bohemian base within the city. In the United Kingdom, the evolution of the “New Left” signalled a shift away from labour activism towards a more intellectually based ideology (Lin 1993). The protest movement in London was particularly strong even before the 1960s: between 60,000 and 100,000 protesters from both student groups and pacifist organizations joined together in Trafalgar Square in 1958, leading to the formation of the popular anti-nuclear movement Ban the Bomb (Burkett 2010). Inherently anti-authoritarian by nature, the London underground movement maintained a highly antagonistic relationship with law enforcement. An anti-war protest in Grosvenor Square on 17 March 1968 resulted in 86 demonstrators injured and 200 arrested after clashes with police (Thomas 2002). Counterculture journalist and musician Mick Farren, referencing feminist author Germaine Greer, noted that the movement was “not just some scruffy club you can join, you’re in or you’re out . . . it’s like being a criminal” (Neville 1969: 4). This self-image of the counterculture as an intrinsically deviant and radical movement was constructed in direct opposition to the establishment, including traditionally left-wing organizations such as the mainstream Labour Party; alternative magazine *International Times* encouraged readers to “be a provo, don’t join anything”, and the Labour Party came under criticism for ignoring their purportedly socialist ideology (Nelson 1989: 70).

Given the push to intellectualize the left-wing radical movement in the United Kingdom, subversive publications played a significant role in cultivating countercultural identity. Farren highlighted the connection between police harassment of the underground press and the reputation they enjoyed as an integral aspect of the movement; he noted that police harassment “focused attention, stiffened resolve, and tended to confirm that what we were doing was considered dangerous to the establishment” (Neville 1969: 4). As a result of the successes of the underground press, the police campaign against the anti-establishment movement was largely focused on censoring their work and disrupting their output. Preeminent title *International Times*, launched in 1966, became the subject of several raids through the decade; after one of the earlier police raids in March 1967, the newspaper published a defence of their philosophy noting that “no matter how many raids and arrests the police make, on whatever pretence – there can be no final bust because the revolution has taken place within the minds of the young” (Doggett 2007: 100).

Sutherland (1983) asserts that the Dirty Squad’s raids on *International Times* was more than solely an attempt by the Metropolitan Police to harass prominent members of the counterculture; he argues instead that “the IT proceedings may be conceived at least partly as a dummy run, to see how the ‘conspiracy to corrupt public morals’ charge would work, if used against an ‘underground’ publication” (104). Indeed, the continued attempts of police to shut down *International Times* resulted in considerable backlash from within the underground press. After another

police raid on *International Times*, alternative publication *Black Dwarf* published a detailed guide to the Metropolitan Police headquarters including floor plans and the design of locks in secured areas; this information, likely leaked by a sympathetic Scotland Yard employee, caused the police to reissue all security passes in a major strike against the establishment (Neville 1970).

The Rise and Fall of the Dirty Squad

Although nominally responsible for policing obscenity throughout Greater London, the Metropolitan Police's Obscene Publications Squad largely focused their attention on Soho as the hub of the city's pornography and sex trade. A relatively small squad made up of between 14 and 18 officers, the so-called Dirty Squad took it upon itself to establish a sense of order amongst the district's illicit operators; under a system managed by head of the Dirty Squad DCS Bill Moody and his superior officer Commander Wally Virgo, prominent identities became involved in a web of inter-ownership of clubs and businesses that resulted in an attack on one business affecting the entire network (Morton 2012). By agreeing to operate under these conditions, vice businesses were not automatically given the right to open for business in Soho. Dirty Squad received regular payments for protection, which typically included tip-offs regarding impending raids or ignoring the businesses' illicit dealings altogether; these bribes ranged considerably in value, from a tokenistic £50 (£785 in 2016) per month up to and in excess of £2,000 (£31,400 in 2016) each month for senior officers involved in the racket ("Former Yard Men Convicted" 1977). Police also made themselves available to porn peddlers in the event of an emergency, at an additional cost. In one incident that took place in 1969, pornographer John Mason was alleged to have paid Moody £14,000 (£219,800 in 2016) to drop a charge against his associate George Vinn (Brewer 1977). Mason later admitted to directly profiting from his association with the Dirty Squad, alleging that Moody occasionally supplied him with an official CID and took him to the repository of confiscated pornography at Holborn police station and allowed him to select any material he may wish to resell through his own business (Reiner 2010).

The web of graft established by the Dirty Squad was not initially disrupted by honest police officers or the criminals that they were standing over for protection money. Instead, it was their campaign against the left-wing underground press that brought the corrupt activities of the unit to widespread public attention. First published in Australia in 1963, the British version of *Oz* magazine initially appeared in 1967 and became a key target for the Obscene Publications Squad due to its satirical content and association with countercultural values (Neville 1970). Police raids ultimately paid dividends in 1970, after *Oz* published an edition written and compiled entirely by young people known as the *Oz* Schoolkids issue; the direct link between the magazine's subversive content and children led to charges under

the Obscene Publications Act 1964 and the arrest of editors Jim Anderson, Richard Neville and Felix Dennis (Forde 2011). The editors – known collectively as “the *Oz* three” – were found guilty of obscenity charges, sentenced by Judge Michael Argyle to over a year in prison and had their long hair shaved in a symbolic repudiation of their counterculture identity (Phillips 2010). These sentences were overturned on appeal after chief justice Lord Widgery found that Argyle had made a “fat mess” of the original trial (Green 1999: 374–375); the considerable publicity attracted by the *Oz* Schoolkids trial led Home Secretary Reginald Maudling to launch an inquiry into the operations of the Obscene Publications Squad that would contribute to the vice unit losing control of the sex industry in Soho.

In questioning DCI George Fenwick of the Obscene Publications Squad in the aftermath of the *Oz* Schoolkids appeal, Maudling inquired as to the unit’s preoccupation with pursuing charges against the underground press. Fenwick noted the publications association with “alternative society” and that “a number of them contain articles which can be described as indecent”; upon being asked why these publications were targeted whilst hardcore material remained easily accessible in Soho, Fenwick reportedly argued that pornography had “existed for centuries and it is unlikely that it can ever be stamped out” (Travis 1999). A series of developments in the year after the *Oz* Schoolkids trial had a direct impact on the decline of the Dirty Squad. As a result of Maudling’s inquiry into corruption in the vice squad, notable anti-corruption advocate Robert Mark was appointed Metropolitan Police Commissioner in 1972 with a mandate to address misconduct, particularly within the detectives’ branch (Punch 2009). In the same year, the Metropolitan Police faced its most high-profile allegations of corruption after several Sunday tabloid newspapers published images of Flying Squad Commander Kenneth Drury on holiday in Cyprus with Soho porn baron James Humphreys; Drury alleged that Humphreys was an informant and that the duo had been in Cyprus searching for fugitive train robber Ronnie Biggs (McLagan 2012). Wishing to avoid the reputation afforded to informants in the criminal community, Humphreys denied Drury’s claims and provided anti-corruption officers with a ledger noting illicit payments to Drury, Virgo, Moody and several other officers associated with the Dirty Squad (“A Favour Is Returned as Porn King Goes Free” 1977). As a result of the subsequent investigation into the vice squad senior officers including Drury, Virgo and Moody were sentenced to custodial sentences of up to twelve years in what would prove to be the most senior corruption convictions ever in Metropolitan Police history.

Literature Review

Whilst the actions of the Dirty Squad have rarely come under close academic scrutiny, there are prime examples in which the corruption of the Metropolitan Police

has been discussed at length. Perhaps the most significant of these texts is Cox et al.'s (1977) *The Fall of Scotland Yard*; this book covers the issues facing the Metropolitan Police in great detail, albeit written in the mid of the administrative and judicial action against corruption in the late 1970s. Cox et al. (1977) note the almost symbiotic relationship between police and vice providers at the time their book was written, asserting that "the intimate bonds so often built up between London's plain-clothes men and the underworld had been shown to be so dovetailed with mutual obligations that it had become almost impossible for all but the most resilient of detectives to avoid being compromised" (15). The high-profile nature of the *Oz* Schoolkids obscenity trial resulted in a range of literature focused on analysing the application of the Obscene Publications Act 1964 in this particular case study. Palmer provided comprehensive coverage of the *Oz* trial in his 1971 book *The Trials of Oz* with the full support of the magazine's editorial team; in this publication, he noted that the actions of the Obscene Publications Squad "raise a serious civil liberty issue" as it had been given the power to determine "what is obscene and what isn't, what is good and what is bad for us" (229). Donnelly (2014) suggested in *Sixties Britain: Culture, Society and Politics* that the Obscene Publications Act 1964 was used by the state in cases like that against *Oz* to show that it "reserved the right to issue reminders that some boundaries remained" (118).

As a very high-profile case of police corruption, the fall of the Dirty Squad has attracted a considerable level of attention in both scholarly and popular literary material. In his autobiographical work, *I Pornographer*, Michael Freeman discussed his initial dealings with Unit Chief Bill Moody and aspects of bribery and graft that he was directly involved with (Freeman 2013). David Woodland's work takes a similarly personal approach to the issues of corruption in the Metropolitan Police, albeit from the perspective of a 19-year veteran of the CID; *Crime and Corruption at the Yard: Downfall of Scotland Yard* details his dealings with convicted corrupt officers such as Wally Virgo and Bill Moody, including an incident in which an attempt was made to include the author in the corrupt network managed by the Dirty Squad. Woodland (2015) describes the "potential dangers" of refusing involvement in corrupt practices, and the general consensus amongst even honest officers that policing pornography was "well down on (their) list of priorities" (154). Root's (2014) history of the Flying Squad titled *The Sweeney: Corruption, Greed and Villainy* also gives some attention to the 1977 trials of Virgo, Moody and Drury given the latter's involvement in sparking the corruption inquiry that would reveal the network of graft managed by officers. Whilst this material provides crucial insight into the actions of the Dirty Squad, anecdotal accounts are less reliable than more scholarly material and fail to examine the behaviour of corrupt officers against a theoretical framework. It is the aim of this article to address that gap in the literature referring to the Dirty Squad, using the

existing colloquial narrative to facilitate a more thoroughly academic understanding of the narratives of corruption in mid-twentieth-century policing.

Discussion

Social Control and the Moral Arbitration of the Dirty Squad

The Obscene Publications Squad was given considerable powers of social control in their role as enforcers of British obscenity legislation. The vagaries apparent within the language of the Obscene Publications Act 1959 and its subsequent 1964 amended version allowed officers to make independent determinations regarding whether material was likely to corrupt members of the general public. Under s. 1(1) of the Obscene Publications Act 1959, a test of obscenity was established that defined prohibited items as any that may “deprave and corrupt persons who, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it”. By not specifically enumerating material that should be considered prohibited, officers were able to make judgements under the act that directly facilitated the corrupt network of graft in Soho. With vice squad officers on side, sex trade operators could be confident that their businesses and the material they were disseminating would not be deemed corruptive despite it being precisely the kind of material that was the intended target of the legislation (Winston 2012). In this sense, the Dirty Squad engaged in a direct form of social control by opting not to punish pornographers in direct contravention of assumed expectations. It is questionable, however, whether the tolerance of porn peddlers in Soho constituted a form of direct formal control or informal control based on a local community context. To a certain extent, police were given powers to make judgements regarding obscene materials and, as such, their reluctance to lay charges against sex traders was formally justified under the law. In another sense, the tradition of the vice industry in Soho had been strong throughout the area’s history; as such, much of the district had become reliant on the industry as a means of financial support, and there existed a degree of informal, micro-societal approval of the sex trade in Soho (Agustín 2008). If it is accepted that there was a level of tacit approval for the sex trade in Soho, it could be considered that the Dirty Squad’s tolerance of the district’s pornographers was reflective of community values and an application of informal social control.

The campaign levied by the Obscene Publications Squad against the counter-culture and alternative press also straddles the line between formal and informal social control. It has been widely suggested that prosecuting magazines such as *Oz* provided a cover for corrupt officers in the Dirty Squad; by mounting these raids and high-profile investigations, police could be seen to be taking action against these publications in lieu of arresting Soho’s protected pornographers (Travis

1999). This undoubtedly provided motivation for the police's pursuit of the underground press, however, this perspective neglects to account for the cultural conflict that existed throughout the 1960s and 1970s. If the counterculture was a convenient target for police action, it was largely due to persistent social tensions between its members and the more conservative establishment. Whereas the vast majority of British society was not regularly exposed to the Soho sex trade, the actions of the global countercultural movement were highly publicized and often presented as a threat to societal norms (Marwick 2011). In this sense, there was a prevalent trend towards informal social sanctions against this community that no doubt influenced the police focus on their operations.

To a significant extent, the Dirty Squad's decision to focus on the countercultural press instead of the Soho pornographer set unwittingly reflects an engagement with Cohen's stages of moral panic. Regardless of police action, the radical countercultural movement had already passed through the first three stages of a moral panic, being defined as a disruption to the social order and demonized in the mainstream media (Cohen 1972: 97); in this sense, the police focus on taking punitive action against this community can be seen as a natural transition into Stage 4 of Cohen's model, which demands a response from policymakers. Taking this view, it may be the case that it was not the Dirty Squad that drove action against the counterculture, but rather a case of them capitalizing on a moral panic to target their authority more effectively. Informal sanctions were essentially formalized by the Dirty Squad's interpretation of the Obscene Publications Act; although hardcore pornography was perceived as having a low risk of corrupting those that purchased it, alternative publications were considered widely influential and anti-establishment by nature (Nelson 1989). Targeting publications such as *Oz* or *International Times* may have been useful in shielding corrupt vice squad officers from scrutiny, however, given the context of the period, it is clear that the Dirty Squad were supported in their attempts at social control over this group both by legislation and an alignment with community standards.

Legislative Interpretation and the "Mischief" Rule in the Obscene Publications Act

In the application of formal social control, the language of legislation is of crucial importance in dictating the scope of police powers. By necessity, much of the legislation produced by a parliamentary democracy is designed to be applicable to a broad range of circumstances; in making legislation deliberately vague, police and judiciaries do not require unique statutes to be created for every possible scenario as laws can be adapted to account for any developments in technology or society (Hadfield 1994). The core principles of legislative interpretation are of critical importance in determining the extent to which legislation can – or more

importantly, should – be applied. Adopting a literal interpretive approach is highly problematic when it comes to enforcing legislation such as the Obscene Publications Act 1964; the very basis of determining which materials could be considered corruptive requires a more subjective evaluation of the language and intent of the law. This would traditionally take place through the application of “the mischief rule”, a method of statutory interpretation that seeks to determine what “mischief” the laws were designed to address as a means of determining whether prosecution under the act is valid (Willis 1938).

The mischief rule is largely grounded in the principles of social control, with the idea that applying laws in adherence with the intentions of elected officials is the best method of ensuring that the law conforms to community standards. Accounting for intent in determining whether or not to pursue charges is a recurrent problem for law enforcement agencies and continues to be an issue for the Metropolitan Police over half a century after the Dirty Squad was at the peak of its activities. Just as the Dirty Squad was able to interpret obscenity legislation in such a way as to suit its agenda, a valid concern continues to exist that similarly broadly worded legislation in regard to the policing of terrorism gives police similar authority to interpret the law in a way that does not apply the mischief rule effectively. Although it is important to draft legislation in a way that is not too proscriptive for police to use, the case of the Dirty Squad should stand as an exemplar of the ways in which legislation with a broad scope can be intentionally misinterpreted to suit divergent agendas.

It is clear that a subjective interpretive approach was utilized by the Dirty Squad in their application of the Obscene Publications Act. It is less evident, however, whether their interpretation of the act in regard to the radical counterculture was valid under the mischief rule. The Obscene Publications Act 1959 was initially introduced as a means of addressing the problematic nature of the Hicklin test, which dominated judicial precedent in obscenity cases until that point. The Hicklin test sought to determine only if material had a tendency to corrupt and did not account for issues such as the intentions of the defendant, the material’s artistic merit or its publication being in the interests of the community (Alpert 1938). Under this context, the mischief rule could be seen to preclude publications such as *Oz* or *International Times* from prosecution if it could be determined that they constituted either political commentary or art in the form of satire. This test for classifying material is in itself subjective, however, it would require officers to make individual determinations on what was in the public interest, and given the relative conservatism of the establishment, these decisions would typically be to the detriment of the underground press (Harcup 2003). Interestingly, applying the mischief rule would also appear to justify the vice squad’s reluctance to prosecute the purchasers of illicit material. The law was partially designed to account for the

intentions of the defendant in an obscenity case; police found that buyers of pornography were unlikely to be corrupted by material that they had knowingly exchanged money for, and as such, this significant loophole in the law served as a useful means of facilitating the corrupt network in Soho (Morton 2012).

The Strategy of Containment in the “Red-Light District”

The tradition of containing the sex industry within strictly defined urban areas has been in evidence for over a century. The concept of the “red-light district” can be officially traced to 1894, however, the existence of specified districts in which prostitution was tolerated can be seen throughout the nineteenth century (Wellman 1988). In socially liberal communities such as Amsterdam and Berlin, red-light districts are government sanctioned and legal; in the majority of urban locations, however, these areas are merely tolerated despite the vice activity taking place continuing to be technically illegal. Containment strategies have resulted in red-light districts such as Soho developing a unique and divergent social identity. Caves (2005) suggested that, although originally established as a venue for the sex trade operations, these areas often developed in a community forged as a result of “the outcome of a complex interaction of moral codes, legal structures and police practices” (382). Containment of vice is beneficial to police in several ways, not the least of which being the greater ease of monitoring illegal activity within a concentrated area. Former commanding officer of the Dirty Squad, Bill Moody, justified his use of containment openly by arguing that “you could not keep a city like London under wraps, (so) you had to be selective about what you stopped and what you allowed to continue” (Cox et al. 1977: 176). This strategy has the additional outcome of shielding the general public from negative consequences of crime including violence, theft and the corruptive influences of vice (Hubbard 1998); by restricting illicit activity to a single district, police are able to prevent its spread throughout the community and employ more targeted methods of enforcement.

Soho’s reputation as an area associated with prostitution, and the wider sex trade made it the ideal location for London’s red-light district. The prevalence of vice crime in the area was formally acknowledged through the logistical determination that C Division would base itself out of the local West End police station rather than Metropolitan Police headquarters (Laité 2011). Aside from the social benefits of containing vice in Soho, positioning the majority of illicit traders under the direct supervision of Dirty Squad officers gave them better opportunity to control the trade. It allowed corrupt officers to be kept aware of any impending raids or action scheduled against protected individuals and gave them ample opportunity to warn traders to remove questionable material that may be considered obscene (Morton 2012). It also provided Dirty Squad officers with the opportunity to interact with Soho sex operators on a daily basis and monitor any conflict

between them that would upset the status quo in the district. These interactions were facilitated by virtue of the squad's proximity to the businesses that they were nominally tasked with policing; their relationship with porn peddlers was also justified by the officer's prerogative to cultivate informants and gather intelligence within the industry (Caiden 2005). As Cox et al. (1977) note, it was an "open secret that many officers in the West End were on drinking terms with the top men in the porn trade" (174); whilst these relationships were justifiable as a form of informant relations, the lack of charges pursued by Dirty Squad officers suggests that these relationships were more useful in facilitating corrupt networks in Soho. By concentrating vice in Soho, the corrupt network of Dirty Squad officers was confined to a geographic area in which the sex trade was largely tolerated and easily managed.

Reform of the CID and the Ongoing Culture Wars

It is not solely the mechanisms of corruption under the direction of the Dirty Squad that serves to highlight social control in Soho during the mid-twentieth century. Allegations of corruption in the Metropolitan Police initially surfaced as a result of an article published in *The Times* on 29 November 1969; the reporter claimed to possess audio recordings of three detectives meeting with a criminal and offering to protect him from legal problems for a fee (Bottoms and Stevenson 2016). It was through this article that the term "a firm in a firm" originally surfaced as a way of describing the corrupt cabal of officers that operated across the City of London. This article triggered an inquiry overseen by Home Office appointee Frank Williamson, although operational control of the anti-corruption investigation was given to head of the Obscene Publications Squad, Bill Moody, later proven to be one of the Metropolitan Police's most senior corrupt officers (McLagan 2012). Unsurprisingly, Williamson complained that his investigation was heavily obstructed by officers demonstrating "a misguided loyalty to the CID" (McLagan 2012: 3). Along with the force's decision to allow Drug Squad Chief Vic Kelaher to retire on medical grounds rather than face prosecution for corruption, the actions of the Metropolitan Police show a tacit acceptance of corrupt behaviour and an overt willingness to cover their behaviours to protect the reputation of the organization (Punch 2013). This internal support for corrupt officers did not abate until after the appointment of Deputy Commissioner Robert Mark to the position of commissioner in 1972. Mark's establishment of dedicated anti-corruption task-force A10 would ultimately result in an effective internal affairs body that would go on to dismantle the corrupt network in Soho.

A key element of Mark's reforms after becoming commissioner was to disrupt the power base of CID officers, many of whom were implicated in or suspected of engaging in corrupt activities. Tension between uniformed officers and the CID

had existed for over a century prior to Mark's ascension to the role of commissioner; former commissioner Charles Warren registered his concerns about the autonomy of the CID in 1888 and was forced out of his position soon after as a result of Home Office support for the detective's branch (Evans and Rumbelow 2006). A strong proponent of uniformed police presence, Mark began stripping power from the CID by giving responsibility for policing vice to local uniformed officers. His actions are supported by Newburn and Webb (1999), who found that the low visibility of plain-clothed police was one of the most significant risk factors for corruption. In replacing the vice unit with uniformed officers, visible policing was restored and the actions of corrupt officers were easier to scrutinize by members of the general public. Accountability in the CID squads was also enacted through Mark's decision to appoint a uniformed commander to be in charge of each detective unit; in doing so, detectives hoping to ascend the police hierarchy were forced to return to uniform and disrupt any corrupt network they may have been involved with (James 2013). These actions were supplemented by the decision to rotate detectives frequently in units that were vulnerable to corruption. This recommendation had also been made during the contemporaneous Lucas Inquiry into policing in Australia, under the assumption that corruption flourished in squads where an unofficial culture of deception was allowed to flourish over time (Lucas 1976). The control of rampant CID corruption under the Mark regime placed considerable limitations on the branch's activities and fundamentally ended the Dirty Squad's control of Soho.

Despite the perception of Robert Mark as a reformer within the Metropolitan Police, it is inaccurate to assume that this means he was sympathetic to the liberal cause. Just as the Dirty Squad utilized the Obscene Publications Act as a tool to control the counterculture, Mark's shift towards a paramilitary style of policing was also targeted at combatting left-wing agitators. In this respect, Mark was a significantly more dangerous threat to the cause of liberal activists; his expansion in the role of the Special Patrol Group led to the unit being seen as an elite branch of the Metropolitan Police. The Special Patrol Group was regularly dispatched to quash protests by using aggressive public order tactics. As a result of these tactics, the unit was responsible for several deaths including the shooting of two protestors at a political demonstration in 1973 (Kennison and Squires 2010). Rather than his traditional characterization as a staunch anti-corruption advocate, Marks identified political violence as "the worst of all crimes". He was vocal about his disdain for student demonstrators, strikers, the Irish Republican Army and "any other group he regarded as a threat to the socio-political order" (Hobbs 2010). Whereas the Dirty Squad used the law as a formal method of social control, Mark's Special Patrol Group achieved the same ends through a direct physical assault on the counterculture movement. This provides further indication that the prosecution of

publications such as *Oz* was not solely undertaken by the Dirty Squad as a cover for their corrupt activities; instead, it appears to be reflective of a collective view within the police community that protestors and activists were a major threat to the social fabric of the United Kingdom.

Conclusion

Enforcement of the Obscene Publications Act may have superficially seemed to be a relatively limited jurisdiction, yet the law was interpreted in a way that made it a tool of social control for members of the Metropolitan Police's Dirty Squad. The misuse of the Obscene Publications Act by this cabal of corrupt officers has far broader reaching implications for policing and state crime studies than simply reflecting the context of mid-twentieth-century London. Indeed, the ability afforded to the Dirty Squad to interpret their remit in whatsoever way they saw fit is an intrinsic issue in policing that could be applied to more recent laws giving law enforcement broad powers to investigate counterterrorism or organized crime. In the same sense that the Dirty Squad used the legislation available to it to pursue the countercultural press, rather than illegal pornographers, laws targeting terrorism have regularly been critiqued as giving police the power to stifle any and all political dissent. The police effort to exercise social control did not end with the dismantling of the Dirty Squad: actions against demonstrators only seemed to intensify during the Mark era, with violence and direct confrontation becoming increasingly frequent occurrences. It is evident that the police were used to enforce the societal norms endorsed by the establishment during this period. In shutting down the Dirty Squad and implementing a strategy of greater visibility, the police's conflict with the counterculture became more apparent and entered a newly aggressive phase.

The Dirty Squad did not single-handedly impose the sex industry upon Soho, which had existed as a red-light district long before the establishment of the Metropolitan Police. It was under the management of the vice unit that containment of pornography and prostitution became a semi-formalized policy; this containment strategy allowed police to effectively monitor the activities of sex traders and address conflict between operators in an efficient manner. It had the additional benefit of concentrating vice-related businesses in a confined area and facilitated the Dirty Squad's corrupt network. These circumstances invariably aided and abetted the protection racket of the Dirty Squad, however, the designation of Soho as an area where vice was tolerated could be seen as recognizing the status quo of the district. Although wider British society was not typically tolerant of the sex industry, the long-held reputation of Soho as a haven for illicit activities fostered a tolerance and even some level of financial reliance on such businesses. In

choosing to contain the sex trade in Soho, the vice squad allowed the industry to operate in a micro-societal environment, wherein it was already expected and accepted. The Dirty Squad were a thoroughly corrupt unit that engaged in the protection of Soho's sex traders for their own financial benefit; that being said, their actions often took the form of social control designed to maintain the existing cultural standards within both Soho and mainstream British society.

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