

ARTICLE

# Satisfaction Guaranteed: Your Choice and the Transnational Distribution of Hardcore Pornography Between the Netherlands and Britain

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Recently, there has been increasing academic interest in the historical foundations of the pornography business. However, these studies tend to focus on individual national contexts rather than exploring the transnational relationships that exist, or have existed, between these countries. This article considers how a transnational approach can further understandings of entrepreneurship in the pornography business. It suggests the need for an interdisciplinary framework to examine transnational enterprise in the pornography business, combining ideas from enterprise alongside criminology and economic geography to frame the enterprise history of the Netherlands-based company Your Choice. Based in Amsterdam, but run by British entrepreneurs, Your Choice's activities can be dated back to the 1970s, specializing in the transnational distribution of hardcore pornographic films to customers in Britain, where the sale of such material is legally problematic. Drawing on ethnohistorical research, which includes primary interviews, workplace observation, and archival and doctrinal research, I use Your Choice as a case study to show how transnational entrepreneurship in the pornography business can create opportunities as well as help to manipulate restrictive laws and regulations. I also suggest that negotiating such legalities carries risk, as does the need to respond and adapt to ongoing shifts in the market.

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**Keywords:** pornography, entrepreneurship, regulation, transnational enterprise

## Introduction

In 2019, after thirty-two years of business, a Dutch magistrates' court declared the company Your Choice B.V. bankrupt. Your Choice was a small, family-run enterprise specializing in the transnational distribution of hardcore pornographic films to British customers, emerging at a time when it was legally problematic to sell such material in Britain. Until the year 2000, the Obscene Publications Act 1959 and the Video Recordings Act 1984 criminalized the distribution of hardcore pornography on home video, creating a thriving black market that

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exploited a demand for uncensored content. Your Choice's intervention was to base itself as a registered company in the Netherlands, where the distribution of pornography was decriminalized,<sup>1</sup> taking orders from British customers in pounds. Several days later, the order would be fulfilled in Britain, avoiding potential customs seizure. This transnational model of business initially allowed Your Choice to thrive, but by 2019, the pound to euro exchange rate had become increasingly devalued because of Britain's exit from the European Union, impacting on the company's exchange model and eventually contributing to its downfall.

Over the past several years, there has been a growth in academic interest around the business of pornography and its postwar history. Many of these studies tend to focus on specific events and periods within a national context, with the field being heavily slanted toward exploring North America's adult film history.<sup>2</sup> Increasing attention has been placed on the European pornography business in Scandinavia,<sup>3</sup> Germany,<sup>4</sup> Italy,<sup>5</sup> France<sup>6</sup> and Britain.<sup>7</sup> Yet surprisingly little focus has been given to the transnational trade between these countries. Exceptions include the work of Colette Colligan<sup>8</sup> and Jamie Stoops,<sup>9</sup> although they both focus on the nineteenth and early twentieth-century pornographic trade, and Mariah Larsson, who has written several pieces discussing the travels of Swedish pornography.<sup>10</sup> In this article, I contribute to this emerging interest by considering how approaching the pornography business as a transnational trade can further our understanding of pornography entrepreneurship. Given Britain's messy legal framework for regulating pornography,<sup>11</sup> Your Choice serves as a useful case study of how pornography enterprises have historically found ways to navigate laws in order to operate, relying on transnational networks. With origins dating back to the 1970s, Your Choice provides forty years of enterprise history, illustrating the long-term challenges of maintaining a transnational enterprise, particularly in the face of technological and regulatory change.

## Porn Travels

The study of transnationalism is receiving increasing attention from a multitude of diverse academic fields, including history,<sup>12</sup> film studies,<sup>13</sup> migration studies,<sup>14</sup> music,<sup>15</sup> and

1. Tate, *Child Pornography: An Investigation*, 59–60.
2. Gertzman, *Bookleggers and Smuthounds*; Schaefer, "Dirty Little Secrets"; Strub, *Perversion for Profit*, Alilunas, *Smutty Little Movies*; Gorfinkel, *Lewd Looks*.
3. Arnberg, "Under the Counter, Under the Radar?"; Arnberg, "Before the Scandinavian 'Porn Wave'"; Larsson, *The Swedish Porn Scene*; Thorsen, "Family Porn—the Zodiac Film."
4. Heineman, *Before Porn Was Legal*.
5. Maina and Zecca, "Turn on the Red Light."
6. Tachou, *Et le sexe entra dans la modernité*; Callwood, "Anxiety and Desire."
7. Smith, "A Perfectly British Business"; Cocks "The Social Picture of Our Own Times"; Carter "Original Climax Films."
8. Colligan, *The Traffic in Obscenity*; Colligan, *A Publisher's Paradise*.
9. Stoops, *The Thorny Path*.
10. Larsson, "A National/Transnational Genre"; Larsson, *The Swedish Porn Scene*; Larsson, "Oh Paris."
11. Smith, "A Perfectly British Business."
12. Saunier, *Transnational History*.
13. Rawle, *Transnational Cinema*.
14. Faist, Fauser, and Reisenauer, *Transnational Migration*.
15. Kiwan and Meinhof, *Cultural Globalization and Music*.

criminology.<sup>16</sup> A possible explanation for this “transnational turn” might be explained by the rise of globalization and its impact on people, places, and economies. Therefore, a transnational approach enables scholars to explore how people, materials, enterprises, and ideas move across geographic borders. In an entrepreneurial context, transnationalism has recently been redefined as the “cross-border investment to acquire, combine, and recombine specialized individuals and heterogeneous assets to create and capture value for the company under conditions of institutional distance and uncertainty.”<sup>17</sup> Particular emphasis has been placed on the movement of migrants and the role they place in forming new markets, drawing on international relationships both formal and informal. For instance, Tu Lan and Shengjun Zhu have investigated how Chinese immigrants in Italy and Europe have introduced new modes of production and distribution in the low-cost fast-fashion industry,<sup>18</sup> while Sanya Ojo looks at Nigerian entrepreneurs in Britain and how diasporic communities create economic opportunities in London, but also back in their home country.<sup>19</sup>

In contrast, exploring pornography as a transnational trade presents a different set of challenges. As I show in this article, emigration played an integral part in Your Choice’s enterprise, but to fully understand transnationality in this context requires an interdisciplinary approach. This has also been identified by Larsson, whose work on Swedish pornography emphasizes the need to move away from a single sense of transnationalism—in her case transnational cinema—to incorporate ideas from criminology and economic geography.<sup>20</sup> For Larsson, the pornography business’s “legally ambiguous” beginnings created “its own production practices, its own distribution networks, its own venues of exhibition, its own codes of behaviour surrounding consumption,” therefore requiring a wider theoretical framework.<sup>21</sup> Because of this, work on transnational crime can be beneficial for understanding the nature of illicit trade, particularly in how prohibition of pornographic materials led to the creation of “illicit markets” where goods were smuggled across borders.<sup>22</sup> This also calls into question the role of regulation, especially with how different countries have historically employed different regulations to control the pornography trade. For instance, Chase G. McClister notes how a disparity between British and European laws placed restrictions on the trade in obscene materials “and the rights of other [EU] Member States to have free access to the United Kingdom market.”<sup>23</sup> Hence, trading pornography transnationally requires a knowledge of national and international law, as the case study of Your Choice illustrates.

Geographic location is also significant. Larsson describes how Italian pornography entrepreneur Lasse Braun/Alberto Ferro relied on “opportunistic transnationalism,” regularly moving from one to another European country and basing his operation in countries that offered economic advantages, such as permissive legal frameworks toward pornography or the

16. Reichel and Albanese, *Handbook of Transnational Crime and Justice*.

17. Bailetti, “Transnational Entrepreneurship,” 34.

18. Lan and Zhu, “Chinese Apparel Value Chains in Europe.”

19. Ojo, “Ethnic Enclaves to Diaspora Entrepreneurs.”

20. Larsson, “A National/Transnational Genre.”

21. *Ibid.*, 220.

22. Serrano, “Transnational Organized Crime,” 15.

23. McClister, “Prohibition of Obscene Imports,” 346.

means to professionally process and print his films.<sup>24</sup> John Dunning and Sarianna Lundan describe such geographic opportunities as “location-specific advantages” that help companies determine where they set up business.<sup>25</sup> Though Dunning and Lundan focus on multinational organizations, their work is helpful for understanding the transnational activities of pornography entrepreneurs. They identify transport infrastructure, government policy, and a favorable business environment as some of the conditions that attract companies to international locations.

In what follows, I demonstrate how such an interdisciplinary framing of transnationalism can be useful for exploring pornography enterprises, focusing on the entrepreneurial practices of David Waterfield, Patricia Clark, and Jayson Pannell and their company Your Choice. I intend to show how transnationality was a key feature of their enterprise, being used as a form of “evasive entrepreneurship” to find loopholes in British law and economically benefit from distributing pornographic materials by setting up a registered company in the Netherlands.<sup>26</sup> I begin by tracing their transnational enterprise to the 1970s, when David Waterfield established international links to provide content for his cinema clubs and how the smuggling of this material eventually resulted in his prosecution. I then move on to explore Waterfield’s development of Your Choice alongside Clark and Pannell, focusing on how they adopted a transnational business model to supply hardcore pornography to British customers. In conclusion, I consider the implications of these findings for studying pornography as a transnational trade. Before doing this, I briefly outline the methodological challenges faced when carrying out this research.

## Researching Porn’s Transnational Trade

The complexities of researching the pornography business’s historical foundations have been well documented. This is, in part, due to the challenges of researching an industry that is regarded as a “controversial economy”<sup>27</sup> operating on the boundaries between legality and illegality, resulting in a lack of formal archives<sup>28</sup> and unreliable sources.<sup>29</sup> I have taken an ethnohistorical approach, which Annette Kuhn describes as “ethnographic description and interpretation alongside oral historical inquiry and the historian’s traditional source materials.”<sup>30</sup> My use of ethnohistory combines archival and doctrinal research<sup>31</sup> with semi-structured interviews, consulting materials such as legal documents, media reportage, primary interviews, and the collecting of relevant ephemera, including magazines, brochures,

24. Larsson, “Oh Paris!,” 158.

25. Dunning and Lundan, *Multinational Enterprises*, 96.

26. Leeson and Coyne, “The Plight of Underdeveloped Countries.”

27. Cannatelli, Smith, and Sydow, “Entrepreneurship in the Controversial Economy.”

28. Williams, *Hard Core*; Dean, Ruszczycyky, and Squires, *Porn Archives*; Alilunas, *Smutty Little Movies*.

29. Schaefer, “Dirty Little Secrets.”

30. Kuhn, *Everyday Magic*, 6.

31. Doctrinal research is “a process used to identify, analyse and synthesise the content of the law.” This method was critical in helping to understanding the legal contexts for pornography, as well as locating legal documents detailing transnational transactions and attempts made to regulate such trade. Hutchinson, “Doctrinal Research,” 9.

and catalogs.<sup>32</sup> Using multiple methods allows me to verify “one set of data sources by collecting data from others,” helping to corroborate claims made in interviews or media reportage.<sup>33</sup>

I also reflect on a workplace observation conducted at Your Choice’s offices on July 16, 2018, one year before they were declared bankrupt. During this observation, I examined their company archive and undertook the first of several interviews with Clark and Pannell that have been crucial to constructing Your Choice’s enterprise history. Unfortunately, David Waterfield did not respond to several interview requests. His story comes secondhand, told by his ex-wife Patricia Clark and her son Jayson Pannell, but also through magazine interviews and legal documents. As Peter Alilunas observes, assembling histories of the pornography business is a challenge, much like trying to assemble a puzzle without all its parts.<sup>34</sup> In what follows, I chronologically piece together the development of Your Choice, drawing on this ethnohistorical research.

## Members Only

David Waterfield, pictured in [Figure 1](#), first became involved in the adult entertainment business in the mid-1960s, working as a stage manager at a strip club in Soho, London. Frank Mort identifies Soho as the “longstanding centre of the capital’s sexual economy” and the epicenter of Britain’s pornography economy.<sup>35</sup> He later joined the Merchant Navy as a commis waiter, serving first-class passengers on trips from Southampton to New York and back. On one visit to New York, he observed crowds flocking to see *Deep Throat*,<sup>36</sup> a film considered to be “the most financially successful” hardcore feature.<sup>37</sup> According to Clark, he purchased a copy of *Deep Throat* in New York, either a commercial 8 mm release or a 16 mm print, and smuggled it back into Britain, making him aware of the transnational opportunities for sourcing and distributing pornographic materials. Many of those involved in smuggling pornography into Britain worked on cruise ships or were part of the Merchant Navy. As Gautam Basu notes, smugglers regularly “‘piggyback’ on legitimate forms of conveyance such as commercial airlines or merchant marine vessels” due to smuggling being a costly and “logistics intensive process.”<sup>38</sup> For example, the German pornography entrepreneur Walter Bartkowski—also known as Charlie Brown—was first “a steward on the many cross-Channel ferries and passenger boats plying the longer routes between the British Isles and Scandinavia.”<sup>39</sup> This job allowed him to establish transnational networks for distributing

32. This article draws on findings from a British Academy– supported project titled “The Transnational Trade in Hardcore Pornography Between Britain, Scandinavia and the Netherlands” that took place between 2019 and 2020. The project sought to explore how histories of the European pornography business interconnect, generating new knowledge of its production, distribution, and regulation.

33. Hammersley and Atkinson, *Ethnography*, 183.

34. Alilunas, *Smutty Little Movies*, 27–30.

35. Mort, *Capital Affairs*, 23.

36. *Deep Throat*, directed by Gerald Damiano (1972; Sunset Entertainment, 2018), Blu-ray.

37. Barnett, “‘The Most Profitable Film Ever Made,’” 15.

38. Basu, “The Role of Transnational Smuggling,” n.pg.

39. Hebditch and Anning, *Porn Gold*, 212.



Figure 1. David Waterfield, 1972. Author's personal collection.

pornographic materials on behalf of Britain's early producers of hardcore photographs and films.<sup>40</sup>

For Basu, "economic actors spot a regulatory arbitrage opportunity and seek to supply prohibited goods and services in order to maximize the economic profit potential."<sup>41</sup> This is true of Waterfield who, after witnessing the demand for hardcore pornography in New York, decided to open two cinema clubs in north London. Private, members-only cinema clubs typically screened films that were either banned or cut by the then-named British Board of Film Censors (BBFC). As Alfred Simpson points out, the Cinematograph Act 1952 was not "applicable to all films shows," therefore cinema clubs "fell outside effective control."<sup>42</sup> Additionally, "films in general were exempted from the 1959 [and 1964] Obscene Publications Act in order to avoid the extension of censorship to cinema exhibition on licensed premises."<sup>43</sup> Providing cinema club owners followed the law carefully, having new members "wait an obligatory hour for their membership applications to be processed," they could

40. Carter, "Original Climax Films."

41. Basu, "The Role of Transnational Smuggling Operations," n.pg.

42. Simpson, *Pornography and Politics*, 14.

43. Cocks, "Conspiracy to Corrupt Public Morals," 274.

legally operate.<sup>44</sup> The majority of cinema clubs, such as the Compton Club,<sup>45</sup> avoided showing hardcore pornography, instead screening uncensored European features that pushed the boundaries of sexual representation. The screening of hardcore was either confined to the home or through informal blue film shows set up in private spaces where a projector could easily be mounted and touts would attract customers.<sup>46</sup> An article in *The People* from July 12, 1964, reports on these types of shows, where people in Soho would pay £5 to be taken to nearby Marylebone to attend an hour-long showing of blue films.<sup>47</sup> Waterfield's innovation was to offer an experience somewhere in between, exploiting this legal loophole.

He opened the Exxon<sup>48</sup> and Archibalds in 1971. Clark recounted how the latter was named after *Archbold's Justice Manual*, a guide on updates to legislation often referred to by legal professionals or those who require an understanding of the law. Using this name suggests that Waterfield was aware of his new enterprise's legal implications and not afraid of provoking authority. A feature on Waterfield found in the adult magazine *Experience* states that the Exxon is the "only place in Britain where you can genuinely see blue movies," claiming that Waterfield is "a pioneer in running the first blue cinema club in Britain."<sup>49</sup> In the article, Waterfield comments on his competitors and how they disappoint their customers by not showing what they promise, stating that he "built up a regular clientele—people who know that they're not going to be conned or cheated, but will get value for money."<sup>50</sup> Advertisements for the Exxon Cinema Club promised a full money-back guarantee (see Figure 2), which became a regular feature of Waterfield's enterprise, seeking to build customer trust in an economy that was often subject to exploitation by more unscrupulous entrepreneurs.<sup>51</sup> Clark told me that Waterfield believed he was operating a legitimate business within the boundaries of the law. Interestingly, he located his clubs outside Soho's sexual economy, which was underwritten by a relationship between those involved in the pornography trade and the corrupt Obscene Publications Squad (OPS), an arm of the Metropolitan police.<sup>52</sup> To police the under-the-counter trade, the OPS adopted an "unofficial licensing system," with a license costing anywhere between £100 and £1000 per month for running illicit enterprises.<sup>53</sup> Clark noted that Waterfield refused to pay the police for a license, opening his premises in north London to avoid this corruption.

44. Hebditch and Anning, *Porn Gold*, 216.

45. Spicer and McKenna, *The Man Who Got Carter*.

46. Schaefer, "Plain Brown Wrapper," 214.

47. "Vice Touts on Wheels," *The People*, July 12, 1964, 15.

48. Clark informed me that Waterfield was sued by the American petroleum company Exxon Mobil for using their trade name. Exxon lost the case when the judge ruled in Waterfield's favor, declaring that there was clear distinction between the business interests of each party. According to Clark, this is why Exxon trades in the United Kingdom as Esso. I have been unable to verify this claim but chose to include it here, as it further exemplifies the myths that surround entrepreneurs. See Shane, *The Illusions of Entrepreneurship*.

49. Love, "Where to Go If You're Feeling Blue," 12–13.

50. *Ibid.*

51. See Killick, *The Sultan of Sleaze*.

52. For a more detailed account of the corruption that existed in the Dirty Squad, see Cox, Shirley, and Short, *The Fall of Scotland Yard*.

53. Tomkinson, *The Pornbrokers*, 53–54.

**IF YOU'RE  
FEELING BLUE**

**WHY NOT CALL IN AT THE EXXON CINEMA CLUB?**

**Weekdays:**  
10 a.m. to 11 p.m.

**Sundays:**  
1 p.m. to 10 p.m.

If we tried to describe how strong our films are in this advertisement the publication would not accept it. Instead, we offer you a full money back guarantee if you are not completely satisfied with the show. The idea of a cinema club is that genuinely uncensored films can be shown within the law as it stands today. In our experience most cinema clubs do not take advantage of this - we do.

**Membership is limited to males over 21 years/ONLY 25p**  
*For full details on membership, call in person or phone -*

*The Exxon Cinema Club*  
42 Danbury Street, The Angel Islington, London, N.1. 01-226 4928

**FULL MONEY  
BACK  
GUARANTEE**

Figure 2. Advertisement for the EXXON Cinema Club. Author's personal collection.

At the time of his arrest, legal records state that Waterfield earned between £400 and £700 per week.<sup>54</sup> The average weekly wage for a male manual worker in 1972 was £33, indicating the lucrativeness of such an enterprise.<sup>55</sup> Yet Waterfield was not solely motivated by profit. An article in the adult magazine *Forum* notes that he used some of these profits to fund “community ventures.”<sup>56</sup> He underwrote a radical publication named *Up Against the Law*, which offered legal advice to countercultural groups who found themselves in breach of the law, guiding how to legally represent yourself in court, as well as naming corrupt police officers and solicitors. *Forum* names Waterfield as a “leading donor” to the Community Levy for Alternative Projects, “an experiment in alternative economics” that funded alternative projects through a “community levy” placed on the incomes of donators.<sup>57</sup> Moreover, Waterfield courted a high profile, being interviewed on national television and in magazines.<sup>58</sup> This contrasts with other pornography entrepreneurs from the 1960s and early 1970s who, out of self-preservation, avoided any form of media attention that could jeopardize their business. Magazine interviews and legal documents suggest that Waterfield positioned himself as a legitimate businessman, but one situated amongst the radical movement of the early 1970s, rejecting the dominant hegemonic values of “straight” society and wanting to challenge them, especially through opposing censorship. The *Forum* article posits that his involvement in

54. *R. v. Waterfield* (1975).

55. Average weekly earnings data taken from the Office of National Statistics: <https://tinyurl.com/ywe3hcrn>.

56. “Cinema Laws,” *Forum: International Journal of Human Relations*, November 1975, 31–34.

57. Button, *A Dictionary of Green Ideas*, 87.

58. Waterfield appeared on an episode of *The Frost Programme*, broadcast October 28, 1973, on ITV.



such countercultural activities ultimately led to his arrest, yet it was to be his transnational entrepreneurship that enabled his prosecution.

*Regina v. Waterfield*

The previously discussed loopholes in British law prevented the police from closing Waterfield's profitable cinema clubs. To counter this, archaic common laws were used "to punish conduct which ... Parliament had declined to make specifically illegal."<sup>59</sup> Waterfield was initially charged under the Disorderly Houses Act 1751, "a relic of eighteenth-century attempts to curtail cockfighting and bear-baiting" that was "refurbished by the Court of Appeal in 1961" to control strip clubs operating through a similar ambiguity.<sup>60</sup> The case, reported in considerable detail in the *Forum* article,<sup>61</sup> relied on the assumption that pornography encouraged public masturbation, and therefore Waterfield could be charged with running a disorderly house. Yet, to pursue a charge, the police had to catch someone in the "act." A two-year operation commenced, involving officers from the Caledonian Road Police Station acting as planning inspectors; this enabled them to access the Exxon Cinema without a warrant. Additional officers stationed in a flat on the opposite side of the street observed members entering and leaving the club. To spot masturbators, a further ten plainclothes officers used public money to become members, eventually witnessing a male member pleasuring himself, using a green tweed hat to disguise the act.<sup>62</sup> Officers followed other members to the toilets, attempting to ascertain whether they had masturbated.

Statements from the police officers give accounts of the 8 mm films screened at the clubs, which were of German, American, but mainly Scandinavian origin, from labels such as Color Climax and Lasse Braun productions. It appears that Waterfield favored screening these films rather than ones made in Britain, as they were produced in Denmark, which had legalized all pornography in 1969.<sup>63</sup> Because of this, Danish-produced pornography was professionally processed and duplicated on the Super 8 format by commercial laboratories rather than through more clandestine means, as was then necessary in Britain. In addition to the police, Her Majesty's Customs and Excise (HMCE) were also interested in Waterfield's enterprise, questioning how he obtained the films screened in his cinemas. As McClister notes, customs laws such as the Customs Consolidation Act 1857 and Customs and Excise Act 1952 were used alongside the Obscene Publications Act 1959 to regulate the distribution and sale of obscene materials in Britain.<sup>64</sup> Whereas the Obscene Publications Act 1959 was based on the test of obscenity, the customs law used indecency. For barrister Geoffrey Robertson, both terms "convey the same idea," but indecency has been perceived as a lower offense, leading to a higher chance of convictions in pornography offenses.<sup>65</sup>

59. Robertson, *Obscenity*, 210.

60. *Ibid.*, 211.

61. "Cinema Laws," *Forum*, 31–34.

62. *Ibid.*

63. Kutchinsky and Snare, *Law, Pornography and Crime*.

64. McClister, "Prohibition of Obscene Imports."

65. Robertson, *Obscenity*, 178.

In 1972, HMCE seized a large consignment of 7647 films and 72,429 magazines linked to Waterfield that originally arrived in Britain via Rotterdam, smuggled in a lorry containing chicken meat.<sup>66</sup> According to Clark, Waterfield sold these materials to club members and possibly wholesaled them to other entrepreneurs. Due to the risk of seizure when importing hardcore pornography, entrepreneurs favored large consignments, placing orders through transnational agents such as Charlie Geerts, a Dutch-based pornography entrepreneur who acted as a representative for the Danish company Color Climax in the early 1970s.<sup>67</sup> As court records and files from the director of public prosecutions show,<sup>68</sup> pornography was regularly hidden in lorries containing meat products, such as bacon or chicken, and smuggled into Britain; couriers on commercial flights or ferries carried smaller orders in their luggage.<sup>69</sup> Before Denmark legalized pornography in 1969, Britain was a substantial exporter of hardcore photographs and films. After legalization, these roles were reversed, it being cheaper to import a professionally produced product despite the risk of seizure. Evidently, Waterfield had established trade relationships with agents in the Netherlands, beginning a relationship with the country that would become a significant feature of his later transnational enterprise *Your Choice*.

On July 4, 1972, the OPS raided Waterfield's premises, arresting him and his staff.<sup>70</sup> Waterfield was indicted on four charges:

1. keeping a disorderly house;
2. outrage to public decency;
3. the fraudulent evasion of a prohibition on the importation of indecent articles, contrary to section 304 (b) of the Customs and Excise Act 1952; and
4. dealing with prohibited goods contrary to section 304 (a) of the Customs and Excise Act 1952.

Waterfield's trials are difficult to decipher, as the original indictment was severed from one to two—a strategy used by the prosecution to attempt to secure a conviction—resulting in two separate trials.<sup>71</sup> In the first, which took place June 30, 1974, Waterfield was tried for charges one and two, with the jury being shown only the American films seized from the cinema clubs, which included *Deep Throat*, suggesting that he also had trade links with North America. Waterfield chose to defend himself, no doubt following the advice made available in *Up Against the Law*, and was acquitted on both charges on June 24, 1974. He called a club member as a witness for the defense, who swore that he saw no masturbation at the cinema club. The trial made the national press; an article in the *Daily Mirror* featured the headline “DEEP

66. *R. v. Waterfield* (1975).

67. Ferris, *Sex and the British*, 261.

68. See DPP2/5759, DPP2/5765, and DPP2/5779.

69. Hebditch and Anning, *Porn Gold*.

70. The case is described in DPP2/5759, DPP2/5765, and DPP2/5779.

71. According to the Crown Prosecution Service, “Severance may be ordered where the admissibility of the evidence is not the same against each defendant or where the case would otherwise be too long and complicated.” See [www.cps.gov.uk/legal-guidance/drafting-indictment](http://www.cps.gov.uk/legal-guidance/drafting-indictment).

THROAT SEVEN CLEARED.”<sup>72</sup> The jury foreman congratulated Waterfield on his successful defense and for taking a stand against censorship.

Waterfield’s second trial on June 27, 1974, focused on charges three and four, which directly related to the transnational aspects of his enterprise: importing pornographic materials for sale and exhibition at his clubs. Waterfield argued that he was taking a stand against censorship, attempting to change Britain’s overly restrictive pornography laws. Unconvinced, the judge dismissed Waterfield’s claims as “humbug,” declaring that he was purely motivated by the profit of selling or screening imported material, which the police estimated to have a sale value of £30,000.<sup>73</sup> The jury, who viewed twenty-two of the seized films,<sup>74</sup> found him guilty, and the judge, who had a reputation for issuing harsh sentences, sentenced him to three years in prison and fines totaling £7,000.<sup>75</sup> Waterfield appealed his conviction, this time employing counsel. His defense focused on the severity of his sentence, arguing that indecency is a lesser charge than obscenity, which gives a two-year sentence. Therefore, the three-year sentence should be reduced. The judge agreed, determining that the films were in “touching distance of the border between indecency and obscenity,”<sup>76</sup> both highly problematic, subjective terms that have received much criticism.<sup>77</sup> Because of this, Waterfield had his sentence reduced from three years to eighteen months, the judge wanting to ensure that a “deterrent sentence” was still given to dissuade others from participating in the trade.<sup>78</sup>

The debts from Waterfield’s court cases led to him selling both of his clubs. When released from prison, he cofounded an ethical company manufacturing bean bag chairs, selling them to high-street retailers. Although successful, he found the business uninspiring. He later became a silent partner in the Exxon Cinema Club’s eventual reopening, this time in his birth town of Southampton rather than north London. It opened in October 1976; police raided the premises in February 1977. This was used as a test case on cinema clubs showing pornographic films, with three men eventually being found guilty of keeping a disorderly house and keeping premises for the purposes of showing an indecent exhibition; Waterfield escaped prosecution.<sup>79</sup> By 1977, the Obscene Publications Act 1959 “was extended to cover all film exhibitions,”<sup>80</sup> and the introduction of the Cinemas Act 1985 ostensibly closed the loophole that enabled Waterfield’s enterprise. Now all cinema clubs were required to have licenses to operate and could only screen films certified by the BBFC. Although their numbers were reduced, hardcore cinema still clubs remained in operation. This foundational period of Waterfield’s enterprise is significant, as it shows how he made use of transnational networks to smuggle pornographic materials into Britain for sale at his cinema clubs. Ironically, it was these transnational networks that enabled Waterfield’s prosecution under the Customs and

72. “Deep Throat Seven Cleared,” *Daily Mirror*, June 24, 1974, 4.

73. *R. v. Waterfield* (1975).

74. See “All-Male Jury Sees Sex Film,” *Daily Mail*, June 1, 1974, 11; and “Nine-Hour Sex Film Show for Jury,” *Birmingham Post*, May 31, 1974, 9.

75. *Ibid.*

76. *Ibid.*

77. Robertson, *Obscenity*; Woozley, “The Tendency to Deprave and Corrupt.”

78. *R. v. Waterfield* (1975); and “Blue Film Club Owner Has Sentence Cut,” *The Times*, February 18, 1975, 4.

79. “Three Jailed in Porn Films Test Case,” *The Journal*, November 8, 1977, 2.

80. Robertson, *Obscenity*, 258.

Excise Act 1952, something the Obscene Publications Act 1959 and Disorderly Houses Act 1751 were unable to achieve. When he later returned to the pornography business, the Netherlands would again feature in his transnational enterprise as he attempted to exploit another loophole in British obscenity law.

## Your Choice

By the early 1980s, home video replaced 8 mm and Super 8. At first, it was unclear as to whether the Obscene Publications Act 1959 applied to this new technology, which led to several British pornography entrepreneurs distributing hardcore pornography on a range of formats, such as Betamax and VHS.<sup>81</sup> In 1980, a British court determined that video was an article under the Obscene Publications Act 1959<sup>82</sup> and the eventual introduction of the Video Recordings Act 1984 meant that all films released on video required certification by the renamed British Board of Film Classification. These regulations created a thriving black market and an under-the-counter trade in pirated video cassettes flourished; this was particularly lucrative for Soho's sex shops. One interviewee named Dave, whose family were involved in running Soho bookshops from the mid-1960s onward, described how he and others profited from the demand for hardcore pornography on VHS, and relied on transnational networks to source content for duplication:

We'd fly to Amsterdam, visit the Scala warehouse in the Red Light District and buy original hardcore tapes. We'd then take the tapes apart with a mini-screwdriver and smuggle them back into the U.K. by just putting the small reels in our pockets. The tapes were put back together, and we'd copy them. They'd sell for £50 each in the sex shops ... I had stacks of VHS decks running copies day and night.<sup>83</sup>

However, it was more common for such sellers to take advantage of this demand:

Most punters would come in asking for a certain film or genre. Whatever it was, we'd always say we had it in stock. We kept tape stickers in the backroom and would go in there, find a tape, sometimes it would be blank, and then write the title on the sticker, attach it to the tape and sell it to the customer for at least £50. Funnily enough, we never had many returns.<sup>84</sup>

Others, such as Steve, another sex shop owner, sold customers blank tapes.<sup>85</sup> After all, this was now an unregulated market that could easily be exploited.

Clark recalled how Waterfield retained an interest in the pornography trade and was aware of people being swindled. Living in Wales and struggling for money, the couple decided to set up a mail-order company selling hardcore pornography. Jay Gertzman suggests that mail order

81. See *R v. Holloway* (1982).

82. See *Attorney General's Reference* (No. 5 of 1980).

83. "Dave," interview by author, London, Friday, December 1, 2017.

84. *Ibid.*

85. "Steve," telephone interview by author, Monday, June 22, 2020.

became an effective model for distributing pornography, as it appealed to a “large middle-income audience” who wanted to enjoy such material “in the privacy of their own homes, without the embarrassment of having to ask for them in ... a bookshop.”<sup>86</sup> From the 1970s onward, it was not uncommon for British mail-order distributors of hardcore pornography to advertise in publications such as *International Times* and *Exchange and Mart* and use Dutch or Danish post boxes to receive orders from customers. Order forms were collected by a paid associate and telephoned back to Britain. The items would then be dispatched from within Britain, avoiding potential customs interference. Classified advertisements in early 1980s video magazines show that this transnational model for exchanging hardcore pornography had become commonplace. However, not all advertisements were genuine, scamming customers who expected hardcore. In interview, Clark told me how she and Waterfield both saw an opportunity to start a company that “did not rip customers off” and offered British citizens the same access to “adult entertainment” as those living in Europe.

In 1987, Waterfield and Clark placed an advert in the adult magazine *Fiesta* under the pseudonym “A. Evans,” offering a sample videotape for £5. According to Clark, the high number of responses demonstrated a demand for hardcore videotapes in Britain (see Figure 3). As discussed in the previous section, Waterfield had already established transnational connections with the Netherlands, using Amsterdam’s agents to export hardcore

**"Your Choice" of AMSTERDAM**

**FREE LISTS**

**FAST!**

**New Offers in  
Sexy Entertainment  
Your Delight  
Guaranteed.**

Safe Delivery  
Quick Service  
FREE Information  
use the coupon NOW?

Available NOW from  
**"Your Choice"**  
Postbus 2138  
1000 CC  
AMSTERDAM  
HOLLAND  
or phone  
Amsterdam  
(0103120) 204209

✂-----

**Please send me FREE lists, I am over 18 years.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

( \_\_\_\_\_ ) Use 18p stamp to Holland.      Postcode? \_\_\_\_\_

**A. Evans of Amsterdam**  
Free New Catalogues.  
Save money. Half Price  
Exchanges.

Free illustrated catalogues for 1988. Non-buyers. Send 2 x 14p stamps. Sex show 88. Double strong outdoor and bed sessions. Different friends. Skin tight excitement, bizarre desires. Both stars very sexy and willing ladies. A full sixty minutes, each on VHS video. Be pleased or you receive a full refund and we pay all postage, guaranteed. Only £19.35 each or take both for £36.00. Includes fast safe U.K. delivery to you. Order from me:-  
**A. Evans, Postbus 2138 (X) 1000 cc, Amsterdam, Holland.**  
Half price exchange at any time.

**"YOUR CHOICE" OF AMSTERDAM**  
**FREE LISTS**  
**FAST!**

NEW OFFERS in sexy entertainment. **YOUR DELIGHT GUARANTEED.** Safe delivery, quick service. Free information. Use 18p stamp to Holland.

AVAILABLE NOW FROM **"YOUR CHOICE"** Postbus 2138, 1000cc, Amsterdam, Holland.  
Or phone Amsterdam (0103120) 204209

Figure 3. A selection of A. Evans and Your Choice advertisements. Courtesy of Pat Clark.

86. Gertzman, *Bookleggers and Smuthounds*, 186.

**A. Evans**  
 POSTBUS 2138, 1000 CC. AMSTERDAM, HOLLAND.  
 TEL: Amsterdam (010-31-20) 20 42 09

**GUARANTEED  
 FAST  
 SAFE  
 DELIVERY!**

**Be delighted with any  
 of these shows or  
 you receive a  
 full refund.**

**ALL GOODS U.K. DISPATCHED**  
**Prices until 1st Sept. 1988.**

**A. Evans**  
 POSTBUS 2138, 1000 CC. AMSTERDAM, HOLLAND.  
 TEL: Amsterdam (010-31-20) 20 42 09.

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Dear Collector,

You are here offered some Classic Sexshows at the lowest prices ever advertised.

When choosing from our lists you can be sure of picking one of the finest erotic shows made in the world.

Your choice will be sent from within the U.K. the same day it arrives here in Amsterdam. You should have delivery in about a week but please allow ten days.

Any show you receive from us is always subject to YOUR APPROVAL. If it does not delight you in every way possible you will receive an immediate refund; No questions - No quibble.

To order please make use of the order form. Use an 18p stamp for first class airmail to Holland.

Enclose U.K. cheque (no clearance waiting time) cash, P.O. or stamps.

Prices listed on some shows are DUE TO RISE this year. To be sure of a genuine sexshow at reasonable cost, ORDER NOW!

Yours sincerely,

*A. Evans.*

A Evans

Figure 4. An example of an A. Evans catalog from 1988. Courtesy of Pat Clark.

pornography for him to show and sell at his cinema clubs. Running such an enterprise in Britain would have been a criminal offense under the Obscene Publications Act 1959 and the Video Recordings Act 1984. The Netherlands offered a number of “location specific advantages” for Waterfield and Clark.<sup>87</sup> First, the distribution of pornography was permitted in the Netherlands; second, under European law, they could freely move to the country; and third, they could set up a legally registered company and accept orders from British customers. Their plan was to invest heavily in promotion, placing advertisements in the classified sections of adult magazines and others devoted to home video, offering a free catalog produced by Clark that contained a list of titles Waterfield curated (see Figures 4 and 5). On receipt of an order, it would be phoned through to an agent in Britain who duplicated the title and dispatched it from within the country to avoid HMCE. This transnational business model allowed Waterfield and Clark to circumvent British law and profit from hardcore pornography. However, it was not wholly exempt from possible legal trouble. Distributing indecent or obscene material via the Royal Mail was, and still is, a criminal offense under the Post Office Act 1953. Waterfield mitigated against this risk by using a reliable agent in Britain—Clark’s son Pannell—to dispatch the orders in discreet packaging using untitled video cassettes.

In July 1987, they moved to Amsterdam, investing what little money they had brought with them into advertising in magazines. The company’s motto became “Satisfaction Guaranteed or Your Money Back.” In an economy dominated by many deceitful operators, this was a unique position to take, and one that Clark was skeptical of, believing that customers would take advantage of the offer. However, it helped to build trust among their customer base and enabled the business to grow. The company’s name was changed from “A. Evans” to “Your Choice,” reflecting their belief in offering customers the choice to view hardcore pornography

87. Dunning and Lundan, *Multinational Enterprises*, 96.

**"Your Choice" s.v.**  
Postbus 2138, 1000 CC,  
AMSTERDAM, Holland.  
Phone: 010 31 20 620 4209  
Mon - Thu: 9am - 5pm; Fri: 9am - 4pm

**"Your Choice" s.v.**  
VIDEOCASSETTES

**FAST, SAFE DELIVERY  
AND YOUR  
SATISFACTION  
FULLY GUARANTEED**

**5 - 10 DAY DELIVERY  
U.K. DISPATCHED.**

**NON VIOLENT ADULT ENTERTAINMENT**

**"Your Choice" s.v.**  
Postbus 2138, 1000 CC,  
AMSTERDAM, Holland.  
Phone: 010 31 20 620 4209  
Mon - Thu: 9am - 5pm; Fri: 9am - 4pm

**"Your Choice" s.v.**  
VIDEOCASSETTES

It is perfectly legal in the U.K. to buy or own any kind of sexshow. If the video is for your own pleasure only, it is no offence in the United Kingdom. Provided of course the show does not concern minors. "Your Choice" is legally registered in Holland to trade in video shows anywhere in the world. All shows are VHS in full colour, language as advertised.

**NO QUIBBLE GUARANTEE OF SATISFACTION**  
Your new show is guaranteed to delight you in every way possible. If it fails to do so, we will refund your payment in full, without question, at your request.

**PAYMENT**  
All prices include post and packing. UK, cheque, UK, Postal Orders, cash or most major credit cards are acceptable. We do not wait for your cheque to clear before sending your order - once your first cheque has been cleared. Make cheques and P.O.'s payable to "Your Choice". Please cross Postal Orders and retain the counterfoils. It is advisable to register cash.

**CREDIT CARDS**  
Credit card holders may order by post, telephone, ansaphone or faxed order. You may telephone us on our usual number during office hours to place credit card orders. You will get be invited to order any other shows than those you have chosen.

**24 HOUR ANSAPHONE AND FAX SERVICE**  
You may leave your order on our ansaphone line Tel: 010 31 20 624 8166 at any time. Please state clearly in this order: 1) Your name and address, if your postal name and/or address is different please state that also, 2) your credit card type 3) the number 4) expiry date 5) and the show numbers you require.  
If you have a fax facility you may fax us, at any time, on: 010 31 20 639 9556  
This line is for incoming customer documents only  
Ansaphone and faxed orders are cleared at 11am each weekday and sent the next working day from the U.K.

**DELIVERY**  
Your new show will have a plain dust jacket and be sent in a well sealed padded envelope. More than one show may be posted separately and may arrive on different days. No identification marks or printed matter will be included with your video cassette. Orders usually take four days to reach us after posting. Your parcel will be delivered within ten days of you posting your order. Telephoned or faxed credit card orders are delivered within five days.

**SAFE DELIVERY IS GUARANTEED**  
If your new show does not arrive in the promised five or ten days, please let us know. Your show will be sent from within the U.K.

Figure 5. A later Your Choice catalog from the early 1990s. Courtesy of Pat Clark.

should they so wish, contrasting with what was permitted under British law. By October 1987, they formally registered their residency with the Dutch authorities and the business Your Choice B.V. with the Dutch Chamber of Commerce. The choice of location carried an added benefit. Eric Schaefer has written about how Denmark's and Sweden's connections to sexual freedom were often referred to in advertisements found in American pornographic magazines, but also in the titles of films and distribution companies to signify "the hardest material."<sup>88</sup> Waterfield and Clark's association with Amsterdam carried a similar connotation in Britain, not necessarily one of a "sexy nation," but a city with relaxed attitudes toward pornography, sex work, and drugs, perhaps adding further credibility to the company.<sup>89</sup>

Initially, Your Choice distributed unlicensed films, pirating videos purchased from Amsterdam's sex shops and smuggling them into Britain via a courier for Pannell to copy. Clark described one courier who used Sellotape to attach numerous VHS spools to a coat and brazenly walked through British customs, managing to evade their attention. As Colin Williams acknowledges, many new businesses adopt such informal and legally contentious practices on the journey to becoming registered companies.<sup>90</sup> Although piracy was unethical, it allowed for higher profit margins and growth. An early catalog from 1988 shows that titles were selling at prices ranging from £17.50 to £29.50. By now, a mailing list of 751 names and addresses had been accumulated. From interviews I have conducted with mail-order operators, it appears that mailing lists are an important currency, providing a targeted list of customers with similar tastes. It was not uncommon to sell mailing lists on to others wanting to start similar businesses. Clark recalled how they were unable to keep up with the high number of orders and quickly

88. Schaefer, "I'll Take Sweden," 228–229.

89. Hekma, "A Radical Break with a Puritanical Past."

90. Williams, *The Hidden Enterprise Culture*.

recruited an office staff and more British agents to support Pannell. After four years of selling unlicensed pornographic films, Waterfield contacted major international porn studios to license titles, purchasing the British copyrights for films, wanting the business to benefit all involved in the enterprise. According to Clark, the studios realized this was a lucrative opportunity, as only softcore edits of hardcore films were being licensed for release in Britain, with many being distributed via licensed sex shops, thus affecting their market reach.

After a deal had been negotiated, studios supplied Your Choice with master tapes. Once more, these were smuggled into Britain and passed on to agents for duplication. It also meant that customers received a copy of a film taken from a studio master rather than the usual “low-quality duplicates of duplicates” commonly in circulation.<sup>91</sup> A sister company named “Man Alive” was also introduced, specializing in the distribution of gay pornography and following the same business model as Your Choice. This expanded their customer base further, as access to hardcore gay pornography in Britain was limited.<sup>92</sup> Clark recalled how they wanted to maintain a strong relationship with customers and the film studios, running a legitimate business that contrasted with British-based enterprises that pirated tapes and offered an inferior product. They discovered that one of their British-based agents, a friend of Waterfield’s, had set up a competing company named “Hand Picked Films.” When dispatching Your Choice orders, this agent placed the Hand Picked Films catalog in the package, offering the same titles, but undercutting Your Choice’s prices by 50%. This demonstrates how entrepreneurs within the economy could take “advantage of the imperfections in the enforcement of laws and regulations” and exploit others in an unregulated market.<sup>93</sup> Hand Picked Films eventually based itself in Amsterdam, following Waterfield and Clark’s transnational model. However, it chose to pirate titles rather than purchasing rights from studios. To attract customers, Hand Picked Films offered a “free adult film of your choice.” Clark remembered being upset by this, believing that the agent had taken advantage of Waterfield and Clark’s good nature. From then on, Waterfield and Clark chose their agents carefully.

## Operation Dare

By the mid-1990s, Your Choice’s transnational reach had expanded. Connections were established with pornography studios across Europe, such as Germany’s Hans Moser, Denmark’s Color Climax, and Sweden’s Private, but also in North America, where there was “an unexpectedly successful wave” of “gonzo” pornography from Evil Angel and Elegant Angel, among others.<sup>94</sup> Staff regularly attended international trade fairs and exhibitions to forge relationships with other studios and increase the range of content they sold. Monthly catalogs became increasingly professional, now printed on better-quality paper and featuring full-color images. Color advertisements appeared in the back pages of magazines, and Waterfield and Clark paid

91. Church, *Disposable Passions*, 125.

92. See O’Toole, *Pornocopia*, 146–148.

93. Webb et al., “You Say Illegal, I Say Legitimate,” 500.

94. According to Biasin and Zecca, “gonzo” is a term used to describe a “successful wave of first-person and more ‘realistic’ pornographic products that sprung seemingly out of nowhere at the end of the 1980s.” See Biasin and Zecca, “Introduction: Inside Gonzo Porn,” 332.



for space in British newspapers, investing money into promotion to support the company's further growth. As Your Choice grew, it began to attract unwanted attention that threatened the business's operation. First was a failed investigation by the popular British tabloid newspaper the *News of the World*, with their journalist Mazheer Mahmood, more colloquially known as the "Fake Sheikh" attempting to purchase a large amount of pornography, specifically child pornography.<sup>95</sup> Although the Netherlands made the production and distribution of child pornography an offense in 1985,<sup>96</sup> the country still found itself associated with its trade.<sup>97</sup> According to Clark, Your Choice never sold child pornography, only dealing in what they termed "non-violent adult entertainment." She recalled how Waterfield quickly realized that they were being set up and they both left the meeting, much to the ire of Mahmood.

Although this attempted sting was unsuccessful, it highlights Your Choice's increasing transnational profile and precarious legal position in Britain. Despite operating lawfully in the Netherlands, Your Choice's posting of indecent or obscene material via Britain's Royal Mail network remained a crime. This flaw in its transnational business model was utilized by Manchester Police to pursue a police investigation into the British arm of Your Choice's operation. In 1994, police arrested a Manchester-based Your Choice agent for reusing postage stamps, a criminal offense under section 62 of the Post Offices Act 1959. Agents were provided with a budget to cover postage, but this person had been photocopying stamps and affixing them to the envelopes that contained Your Choice catalogs to increase earnings. Instead of prosecuting, Manchester police persuaded the agent to infiltrate the company. Operation Dare, the name reflecting Waterfield's signature on his letters as "Dave," was put into action. The arrested agent was asked to name other British-based agents; staff based in the Netherlands were protected under Dutch law.

In May 1995, after a yearlong investigation led by the Manchester police's vice squad, the majority of Your Choice's British agents were arrested in raids taking place across the country, resulting in a total of thirty-one arrests for conspiracy to publish obscene articles. On May 15, 1995, the *Daily Echo* devoted three pages to the story, featuring an interview with Waterfield.<sup>98</sup> According to the article, the raid's purpose was to shut down the British arm of Your Choice, as it would limit the company's ability to function. Waterfield bragged "even after the raids, we are still getting orders, and we will fulfil them" and outlined plans to replenish the sub-master tapes seized in the raids.<sup>99</sup> The article also hints at the company's success, referring to Your Choice as a "multi-million-pound business" and calling for stricter laws to control the transnational trade in pornography by closing the loophole used by Your Choice.<sup>100</sup>

95. This was not the first attempt to use such a method to investigate Britain's transnational trade in hardcore pornography. Back in 1970, *The People* also utilized a "Fake Sheikh" in attempt to reveal the practices of pornographer of Evan "Big Jeff" Phillips, who was a prolific producer of rollers; 200 ft, 8 mm films produced in Britain during the 1960s and 1970s. The sting failed, but the under-the-counter trade was eventually revealed by *The People* on November 5, 1970. See Cox, Shirley, and Short, *The Fall of Scotland Yard*, 140–141.

96. Hebditch and Anning, *Porn Gold*, 322.

97. Tate, *Child Pornography*, 44.

98. Shearsmith, "Mr Big's Porn Boast Shame," *Daily Echo*, 1–3.

99. *Ibid.*

100. *Ibid.*

Clark admitted that she was concerned about how the raid would impact the business, particularly given the attention Operation Dare received in the national press. In response, Waterfield wrote to every customer on their mailing list, personally informing them of the situation and the delay in sending out orders. Instead of driving customers away, Clark found that orders kept coming in via post and phone: “Many sent kind letters of support and some even enclosed payment for goods to be dispatched when possible, despite not knowing when they would receive their orders.” For Clark, it was the “Satisfaction Guaranteed” motto that established a strong relationship with their customers and helped the company withstand Operation Dare.

Once the British network was back up and running, Waterfield turned his attention to the agents in custody and awaiting trial. The company archive shows that he wrote a letter to each arresting officer, offering to take the place of those arrested. Clark informed me that his proposals were rejected. Instead, Waterfield and Clark paid for all the associated legal costs and financially supported the families of those arrested. Many agents were charged under offenses relating to the Obscene Publications Act 1959 and the Postal Services Act 1953. For those found guilty, sentences ranged from nine months in prison and a fine for one man to community service and fines for others; these ranged from £500 to £10,000. The inconsistencies of sentencing further highlight the Obscene Publications Act’s 1959 limitations as a legal mechanism for regulating pornography.<sup>101</sup> Operation Dare had little impact on Your Choice’s transnational operations, though it did highlight the risks taken by British-based agents. After Your Choice recruited new agents, all orders were eventually fulfilled. However, the investigation affected Waterfield, and Clark believed that it contributed to Waterfield’s leaving Your Choice and emigrating to Thailand in 1996. They divorced in 1997. The end of the 1990s was a crucial time for the company, as the new distribution technologies of DVD and the Internet were emerging. Furthermore, the BBFC “experimented with passing non-simulated sex” in R18 certified porn films.<sup>102</sup>

## Diversification

With Waterfield gone, Clark and Pannell took control, seeking to diversify the business (see Figure 6). They soon moved into production, starting the sister company Your Choice Productions. This started after a British customer sent homemade pornography to Your Choice, asking if the company would be interested in releasing it. They placed a request for homemade amateur content in the catalog, offering £15 per minute of footage, up to a maximum of twenty-five minutes, as well as a £500 bonus for “particularly stellar material.” Those providing footage had to provide evidence that they were over 18 and were assured that any sensitive personal information would be protected under the Netherlands’ Personal Data Protection Act. Clark remembered how their expectations were exceeded: “We received so much material from enthusiastic couples we could barely keep up. The Viewers Wives series has proved to be one of our most popular lines.” In discussing online amateur pornography, Susanna Paasonen claims that it connotes “a better kind of porn that is ethical in its principles of

101. Beresford, “Obscene Performative Pornography,” 387.

102. Hunter, “Naughty Realism,” 154.



Figure 6. Press picture of Pat Clark. Courtesy of Pat Clark.

production, but also somehow more real, raw and innovative than commercially produced.”<sup>103</sup> This may, in part, suggest why the line was so successful for Your Choice, offering a more realistic representation of sex than that commonly found in the conventional, studio-produced pornography that dominated their catalogs. According to Clark, it also fulfilled customer demand for hardcore British content, which was then a scarce commodity, as it was unable to be legally sold in Britain.

By the end of the 1990s, moving into production turned out to be a shrewd tactic. Following a review of the R18 certificate, the sale of hardcore pornography became legally permitted in Britain.<sup>104</sup> Now hardcore pornography could lawfully be purchased at licensed sex shops and imported from outside Britain without the threat of customs interference, providing that the “material was not in breach of criminal law.”<sup>105</sup> Your Choice, in keeping with its commitment to customer satisfaction, continued to sidestep HMCE by sending orders via their usual network of agents. Eventually, this was replaced when they employed a Dutch courier company. According to pornographer Terry Stephens, “The British market for hardcore pornography grew rapidly ... this was also driven by new DVD format.”<sup>106</sup> Bulky VHS tapes became increasingly redundant, as the introduction of DVD in 1998 resulted in mass consumer adoption of the technology.<sup>107</sup> While the smaller footprint and lighter weight of DVDs made them cheaper to store and post, being almost half the cost of a VHS tape, they also carried extra costs. Previously, the British rights purchased from studios allowed them to produce as many VHS tapes as they required, but now each DVD unit had to be bought from the producers at wholesale prices; for U.S.-based companies, this varied between \$6 and \$18. Their loyal

103. Paasonen, “Labors of Love,” 1302.

104. Perkins, “Pornography, Policing and Censorship”; Petley, *Film and Video Censorship*.

105. Petley, *Film and Video Censorship*, 154.

106. Terry Stephens, interview by author, London, Wednesday, January 11, 2017.

107. Church, *Disposable Passions*, 162.

customer base continued to support Your Choice, appreciating the convenience of not having to visit a licensed sex shop to purchase hardcore pornography.

Now having greater responsibility, Pannell decided to develop Your Choice's position as a transnational producer and distributor, establishing 24 Carat Productions and employing a production team. His vision was to provide not only filmmaking and editing facilities, but also to give access to distribution via Your Choice, which according to Pannell was "particularly difficult for young producers trying to get started." This relationship with producers was mutually beneficial, particularly for large-scale wholesalers who preferred to "buy large quantities of multiple titles" rather than "buying from producers who only have one or two titles to offer." Stephens, a British producer recruited by Pannell, had fond memories of his time working for the company:

It's ironic as I started off pirating Your Choice's tapes in the late nineties. I sent some of my earliest films to them for inclusion in their Viewer's Wives series and ended up winning their bonus prize for my footage ... years later I was contacted by them to make the One Eyed Jack series, which ended up being one of their best sellers. I was flown over to Amsterdam and really looked after; I felt like I was inducted into a family. Until I worked with Your Choice I was an underground filmmaker, making and distributing my own films. I suppose they brought me into the mainstream.<sup>108</sup>

Company documents show that Stephens's One Eyed Jack series was one of the company's better-selling releases, alongside other Your Choice productions, further demonstrating the demand for original British content.

Pornography's relationship with technologies has been well documented. For example, Jonathan Coopersmith suggests that accelerated technological change has constantly "shaken the [pornography] industry ... forcing companies to reinvent themselves to survive,"<sup>109</sup> while Alilunas notes how pornography is often a driver for new technologies.<sup>110</sup> Clark explained how the company always "kept on top of new technological developments," releasing pornography on CD-ROM in the mid-1990s and opening an online shop in June 1997. While the move from VHS to DVD provided further growth for Your Choice, the advent of the Internet presented both new opportunities for enterprise and significant challenges. According to Gerald Spindler, the "Internet knows no borders and facilitates transnational trade."<sup>111</sup> Other transnational online enterprises specializing in distributing hardcore pornography to Britain emerged, such as Simply Adult, creating greater competition. Sensing a need for change, Clark and Pannell restructured the company in 2004, bringing in management from outside the adult sector. In 2005, Your Choice established Night Streams to offer a streaming platform for their productions and other content makers. It also responded to the need for an online presence, creating websites with an online shop and streaming facilities.

In 2006, they released more titles than in previous years, embracing the move to high-definition technology, investing in new production equipment to further attract producers to

108. Terry Stephens, interview by author, London, Wednesday, January 11, 2017.

109. Coopersmith, "Pornography, Technology and Progress," 95.

110. Alilunas, *Smutty Little Movies*, 32.

111. Spindler, "The Standardization of the Internet," 100.

use their facilities. Yet Your Choice became one of the numerous porn companies affected by the disruption of online streaming platforms such as Pornhub and xHamster, which transnationally distribute commercially produced pornography alongside homemade, amateur porn for free. As Paasonen points out, “the profits of porn have shifted from production, DVD and magazine retail to key video aggregator sites, giving select players unprecedented control over audience access to adult content on a global scale.”<sup>112</sup> With Your Choice focusing heavily on the British market, this shift in pornography distribution greatly affected the company’s finances, despite their attempts to innovate and diversify.

## Bankruptcy

I visited Your Choice in 2018, shortly after the business celebrated its thirtieth anniversary. On my arrival, Pannell explained that the company had been through several restructures and relocations to increasingly smaller premises, occupying part of a floor of an office block just outside Amsterdam. At its height, Your Choice employed around sixty staff, now reduced to five people with one absent on long-term sickness. The inventory stock of DVDs was surprisingly small. The changes brought on by the growth of online distribution of pornography were apparent and had impacted on Pannell’s own well-being. He was candid about how running the business affected his health and expressed concern for its future. Yet I was surprised at the number of orders phoned through. “Our new catalog was released last week,” Pannell told me. “We always see a surge in orders the week after, mostly from customers who have been with us for years.” One could see the company’s personable and friendly nature as an employee chatted at length with customers.

It seemed that Your Choice had returned to its roots, primarily distributing pornography in a physical format rather than producing it. Pannell talked about how they now focused on purchasing the rights to scenes from popular online brands and releasing them as compilations on DVD. He described how many of their older clientele are nervous about using computers or paying for pornography online using a credit card, preferring to buy pornography on a physical format from a company they can trust. After spending time with Pannell and Clark, it appeared to me that the business had a niche, and while it was not as financially successful as it had been in the past, it relied on a strong, loyal, British customer base to sustain it. Clark believed that this was a legacy of Waterfield’s commitment to running a business that benefited all of those it affected and the “Satisfaction Guaranteed” pledge.

Pannell was more skeptical about the long term, expressing concern about the company being able to survive the impact of Brexit. Although Your Choice was a Dutch business, it took payment in pounds sterling only. By late 2018, the value of the pound dropped to levels not seen since 1985 in response to concerns about a no-deal Brexit, with some experts predicting the pound would eventually reach parity with the euro.<sup>113</sup> Clark described how this “entirely removed” any small profit, making it increasingly difficult to keep the company afloat. Around this time, the majority of the staff took sick leave, including the graphics designer

112. Paasonen, “Blocked Access,” 168.

113. Inman and Davies, “Pound Falls to Lowest Level in Three Years as Brexit Clash Looms.”

who produced the monthly catalogs sent to those on the mailing list; according to Clark, this was their “primary source of income.” Sick leave was paid to the staff, as in accordance with Dutch employment law, further affecting the company’s financial resources. On September 17, 2019, I received an email from Clark, informing me that the company’s income was “decimated,” and recent turnover was only 15% of what it had been three months earlier, with no chance of improvement. A Dutch court declared bankruptcy on that very day, ending thirty-two years of trading and a history dating back to the early 1970s when Waterfield opened his first cinema club in north London. The transnational model of business that initially allowed Your Choice to thrive now had contributed to its closure.

## Conclusion

Your Choice’s forty-year history demonstrates how transnationality plays an important factor in pornography businesses and is not solely about expanding market reach. First, it has shown how transnational links present opportunity, whether it be networks for smuggling pornographic materials across borders or relocating to countries that offer location-specific advantages<sup>114</sup> that provide favorable conditions for doing trade. Second, transnational trading enables the manipulation of laws and other regulations. By basing itself in the Netherlands, Your Choice ran a registered business that distributed pornography to Britain, evading the Obscene Publications Act 1959 and the Video Recordings Act 1984. In this instance, transnationality can be seen as a form of “evasive entrepreneurship,” where there is an “expenditure of resources and efforts in evading the legal system or in avoiding the unproductive activities of other agents.”<sup>115</sup> Yet this also brings risk, as the legal battles I have discussed illustrate. For example, Waterfield’s early prosecution for smuggling obscene materials enabled his prosecution and ended his cinema clubs, while Operation Dare highlighted how the legal frameworks of different countries can affect business. Third, Your Choice’s enterprise history illustrates the impact of technological change, particularly how new technologies changed the transnational distribution of pornography, with the Internet being particularly transformative, altering how pornography is circulated and consumed. Finally, uncontrollable economic change was also a factor, with Your Choice’s focus on British market ultimately leading to its closure following the impact of Brexit.

In this article, I have attempted to show how approaching the pornography business as a transnational trade can provide further understanding of pornography entrepreneurship. Looking at the relationship between the national and transnational in other long-running pornography enterprises would therefore help to shed greater light on how the pornography economy functions, historically and contemporaneously, and the ways it responds to regulation. Furthermore, it emphasizes the need for interdisciplinary approaches to explore this activity. As I have suggested here, ideas from law, economic geography, and criminology can be useful when investigating how pornography entrepreneurs trade transnationally and pornography’s movement between licit and illicit spaces over extended periods of time.

114. Dunning and Lundan, *Multinational Enterprises*, 96.

115. Leeson and Coyne, “The Plight of Underdeveloped Countries,” 4.

Despite Your Choice no longer operating, the brand continues to live on. In mid-2020, [www.yourchoicedvd.co.uk](http://www.yourchoicedvd.co.uk) appeared, using the same company branding. Additionally, the long-running Spain-based pornography enterprise Simply Adult adopted the original Your Choice domain name—[www.yourchoice.nl](http://www.yourchoice.nl)—which now diverts to Simply Adult's online shop. The reasons behind this are not clear, but it suggests that the brand still has currency within the economy, perhaps signifying a lasting value among other British pornography entrepreneurs and consumers.

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## Acknowledgement

The author would like to thank Patricia Clark and Jayson Pannell for their time and generosity, as well as Terry Stephens, Edward Goodman, and J. J. Marsh for their contributions to this article.

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**Cite this article:** Carter, Oliver. "Satisfaction Guaranteed: Your Choice and the Transnational Distribution of Hardcore Pornography Between the Netherlands and Britain." *Enterprise & Society* (2022): 1–27.