

Setting Apart Maori Freehold Land as a Maori Reservation

PURSUANT to section 439 of the Maori Affairs Act 1953, the Maori freehold land described in the Schedule hereto is hereby set apart as a Maori reservation for the purpose of a recreation ground, sports ground, bathing place, and landing place for the common use and benefit of the owners and of the Maori peoples of the district generally.

SCHEDULE

GISBORNE LAND DISTRICT

ALL that piece of land situated in Block V, Haparapara Survey District, and described as follows:

A. R. P. Being
0 2 20 Omaio 44 as described in a partition order of the Maori Land Court dated 14 June 1973 and shown on plan N.L.C.P. 3125 (Gisborne) and 13102 (Auckland).

Dated at Wellington this 14th day of December 1973.

I. W. APPERLEY,
Deputy Secretary for Maori and Island Affairs.
(M. and I.A. H.O. 21/1/272; D.O. Omaio Court Corres.)

Setting Apart Maori Freehold Land as a Maori Reservation

PURSUANT to section 439 of the Maori Affairs Act 1953, the Maori freehold land described in the Schedule hereto is hereby set apart as a Maori reservation for the purpose of a burial ground for the common use and benefit of the owners and of the Maori peoples of the district generally.

SCHEDULE

GISBORNE LAND DISTRICT

ALL that piece of land situated in Block V, Haparapara Survey District and described as follows:

A. R. P. Being
1 1 20 Omaio 1 as described in a partition order of the Maori Land Court dated 14 June 1973 and shown on plan N.L.C.P. 3125 (Gisborne) and 13102 (Auckland).

Dated at Wellington this 14th day of December 1973.

I. W. APPERLEY,
Deputy Secretary for Maori and Island Affairs.
(M. and I.A. H.O. 21/1/272; D.O. Omaio Court Corres.)

Setting Apart Maori Freehold Land as a Maori Reservation

PURSUANT to section 439 of the Maori Affairs Act 1953, the Maori freehold land described in the Schedule hereto is hereby set apart as a Maori reservation for the purpose of a burial ground and as a place of historical interest (being the site of the ancient Puhirua Pa) for the common use and benefit of Ngati Rangiwewehi and the Maori peoples of the District.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL that piece of land situated in Block XII, Rotorua Survey District and described as follows:

A. R. P. Being
5 3 9.4 Mangorewa Kaharoa 15 as described in Partition Order of the Maori Land Court dated 23 August 1973.

Dated at Wellington this 20th day of December 1973.

I. W. APPERLEY,
Deputy Secretary for Maori and Island Affairs.
(M. and I.A. H.O. 21/1/273; D.O. Mangorewa Kaharoa Court Corres.)

No. 765

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by Waverley Publishing Co. Ltd. for a decision in respect of the book *Your Sex Drive* by Robert Chartham, PH.D., published by Pinnacle Books Inc., New York.

A written submission was received from the applicant.

DECISION OF THE TRIBUNAL

Your Sex Drive

This is another book on sex by Dr Robert Chartham in which he discusses and gives his explanation of the term "sex-drive". It is a question and answer discussion interspersed with a large number of case histories of husbands and wives with extracts from diaries in which they record in detail their lovemaking.

Dr Chartham endeavours to justify the recording of these with a veneer of pseudo-medical scientific comment—a device, it would seem, to have the book accepted as an authoritative study of sexual behaviour. We question the integrity of the writing.

The deliberately explicit and somewhat tedious accounts of sexual behaviour both natural and unnatural are offensive and in the opinion of the Tribunal render the book indecent within the meaning of the Act.

The Tribunal classifies this book as indecent.

R. S. V. SIMPSON, Chairman.

14 December 1973.

No. 766

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of a reference to the Tribunal under section 12 (1) of the said Act by the Magistrate's Court at Wellington for a decision and report in terms of the said section in respect of the book *Itch No. 2*, published by Itch Publications.

Miss Tuohy appeared on behalf of the publishers and made submissions. Mr Neazor and Mr Trendle, solicitors, appeared on behalf of the Police and made submissions. Mr Rosenburg appeared on behalf of the defendant in the Court proceedings but did not make submissions.

DECISION AND REPORT

Itch No. 2

The Tribunal is charged by section 10 of the Indecent Publications Act 1963 with determining the character of any book submitted to it and with classifying it within the categories there provided. The Tribunal has no function in respect of what precedes or follows its determination of the character of a book and its classification. Accordingly, that part of the submissions by the publishers relating to their dealings with the police is simply put aside by the Tribunal.

In considering *Itch No. 2* the Tribunal has taken into consideration the matters set out in section 11 of the Act. These may be summarised as the overall effect of the work, the intrinsic worth of its contents, its intended or probable readers, its price, the possibility of corruption of any readers and the likelihood of benefit to others, and the sincerity of the author. Dealing with sex, horror, crime, cruelty, or violence in a manner injurious to the public good is the fundamental ingredient which must be found in a work declared indecent. The Tribunal has on various occasions referred to discussion of the provisions of the Act in the case of *Robson v. Hicks, Smith, and Sons Ltd.* [1965], N.Z.L.R. 1113, and wishes on this occasion to refer to two statements in the judgment of Haslam, J. At page 1120 he states that the words of section 11 (2) lead him to the conclusion "that the effect of the publication of a book upon the 'public good' is to be the primary element in its classification, and that this expression of variable content, designed to direct attention to the impact of a published work upon the community, is expressly left undefined so that the Tribunal may exercise its statutory powers with due regard to changing conditions".

Again, at page 1121, he says:

"It is therefore clear that protection of young persons from contamination by mischievous literature still survives as the salient purpose of the present Act."