

No. 804

Decision of the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by Marketing Services (N.Z.) Ltd. for a decision in respect of the publication *Girls of the World*, Vol. 5, No. 7, published by Export Publications Ltd., New York.

Mr Downey appeared on behalf of the applicant, Marketing Services (N.Z.) Ltd., and presented written submissions.

DECISION OF THE TRIBUNAL

ISSUES of this magazine have been before the Tribunal on several previous occasions, the most recent being Vol. 2, No. 2, in December 1970. The Tribunal found this to be indecent. Mr Downey, in his written submission, drew an analogy with *Penthouse* in that decisions on early issues of that magazine finding it indecent, had given way to an age restriction when later issues had been before the Tribunal, and that this change reflected contemporary community standards. It must be observed, however, that *Penthouse* is a magazine which has fair measure of varied literary content as well as its illustrative material, and that each issue must be judged as a whole.

Girls of the World, by contrast, consists entirely of a series of photographs of unclad or partially clad women, nearly all in contrived and provocative poses. Its literary content is confined to captions, of dubious merit, to some of the photographs. It is entirely lacking in any artistic merit, and in terms of the criteria laid down in section 11 of the Act, the Tribunal finds *Girls of the World*, Vol. 5, No. 7, to be indecent.

18 April 1974.

R. S. V. SIMPSON, Chairman.

No. 805-810

Decision of the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs for decisions in respect of the comics *American Flyer Funnies*, No. 2, by Larry Wetz, Larry Todd, and Larry Sutherland, published by Last Gasp-Eco Funnies Inc., California; *Wimmen's Comix*, No. 2, published by Last Gasp-Eco Funnies Inc., California; *Two Fisted Zombies*, No. 5, published by Last Gasp-Eco Funnies Inc., California; *Big League Laffs*, No. 4, by Jim Himes, published by Last Gasp-Eco Funnies Inc., California; *The Best of the Rip Off Press*, Vol. 1, published by Rip Off Press Inc., California; *Slow Death*, No. 5, published by Last Gasp-Eco Funnies Inc., California.

Mr Murray appeared on behalf of the Comptroller of Customs and made submissions. Mr Alister Taylor appeared on behalf of the importer and made submissions.

DECISION OF THE TRIBUNAL

In earlier decisions the Tribunal has considered numerous comic books from the underground press and applies the same criteria in assessing this further batch.

The first four books deal with sex and violence in a way that is, in places, grossly offensive and likely to be injurious to impressionable readers. The fifth book is a more substantial publication and has a somewhat different cover from the comic books it anthologises. In content, however, it is entirely comparable, and some of the material in it is unacceptable for circulation in this country. The sixth book has much less sexual material than most of the comic books the Tribunal has seen, but what there is is sufficiently explicit and crudely sensational to require rejection of the book for circulation among younger readers.

As the Tribunal has pointed out on several occasions, an age restriction is not possible for any picture-story book likely to be read by children. Section 11 (3) of the Act requires the Tribunal to decide whether such a book is acceptable for free circulation or not acceptable for any circulation. The latter view must be taken of each of these comic books.

The Tribunal classifies these six books as indecent.

L. M. GREIG, Deputy Chairman.

3 May 1974.

No. 811

Decision of the Indecent Publications Tribunal

In the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs

for a decision in respect of the comic *La Vida De Dos Novios* by Martin Vinaver, published by John Muir Publications, New Mexico.

Mr Murray appeared on behalf of the Comptroller of Customs and made submissions. Mr Alister Taylor appeared on behalf of the importer and made submissions.

DECISION OF THE TRIBUNAL

This is a picture story book, the coloured illustrations and captions in which are claimed as the work of a 13-year-old boy, born in France and living in Mexico. The original is in Spanish, with French and English translations. It is quite expensively produced.

Mr Alister Taylor for the importers claimed that the illustrations had high artistic merit for a 13-year-old artist, and that the work was a social document of value in depicting Mexican society through his eyes.

We reject this assessment of the work. It is gross, cruel and brutal, and depicts matters of sex in a manner that is injurious to the public good. We have no means of verifying whether the publication is genuine but we doubt its honesty of purpose.

Although some may contend that at \$4 per copy the price charged would put it beyond the reach of young readers, it is designed particularly to appeal to them in its format. In our view it could encourage in the young and the impressionable codes of conduct and behaviour that are not in the public interest.

The Tribunal classifies this book as indecent.

L. M. GREIG, Deputy Chairman.

3 May 1974.

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, subject to and having appurtenant rights of way as set out in Partition Order of the Maori Land Court, dated the 27th day of April 1929, as a Maori reservation for the purpose of a marae, meeting house, and burial ground for the common use and benefit of the Maoris of the Kohupatiki District and their descendants.

SCHEDULE

HAWKE'S BAY LAND DISTRICT

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

Area
m²

Being

4849 That part of Rotopounamu 1B1A as created by a Partition Order of the Maori Land Court, dated 27 April 1929, as delineated on plan ML 2414, held in the records of the Ikaroa Maori Land Court.

Dated at Wellington this 7th day of May 1974.

I. W. APPERLEY,

Deputy Secretary for Maori and Island Affairs.

(M. and I.A. H.O. 21/3/714; D.O. N.A. 259)

Maori Land Development Notice

PURSUANT to section 330 of the Maori Affairs Act 1953, the Board of Maori Affairs hereby gives notice as follows.

NOTICE

1. This notice may be cited as Maori Land Development Notice Hamilton 1974, No. 4.

2. The land described in the Schedule hereto is hereby declared to be subject to Part XXIV of the Maori Affairs Act 1953.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL those pieces of land described as follows:

A. R. P.

Being

74 0 0 Allotment 66B3C2, Waipa Parish, situated in Block XIV, Whaingaroa Survey District. All certificate of title No. 2D/150.