

DECISION

No. 893

This record comprises conversations, monologues, and a song describing or dramatising sexual incidents in which Xaviera Hollander purports to take part.

The dominant effect of this record is to provide, in audible form, the kind of article which Xaviera Hollander contributes to magazines.

The Tribunal can see no literary or artistic merit in the record. It lacks honesty of purpose, and far from having any serious value for assisting people with sexual difficulties, it is calculated to arouse prurient interest. It is an unrelieved narration of sexual exploits. It describes and depicts sex in a manner which is indecent.

The Tribunal classifies this record as indecent.

Dated this 2nd day of February 1978.

LAURENCE M. GREIG, Chairman.

(Reference No. Ind. 7/77)

No. 891

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by Bruce Albert Armstrong for a decision in respect of the following publications:

Title Publisher

Chained Ron Smith, Melbourne.
The Waterhole Free Association Press, N.S.W.
Rubber Fetish Kanon Publishing, Sydney.
Virgin Caller Cletus Publications, Sydney.
Suburban Sex York House Publishing Co. Pty Limited.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Messrs L. M. Greig (Chairman), D. M. Wylie, Mrs H. B. Dick, and Miss W. M. Rolleston.

Hearing: 13 December 1977.

Appearances: Mr J. Pike for Secretary for Justice, Written submissions from Mr B. A. Armstrong.

DECISION

These five publications all emanate from Australia, and consist of highly contrived and artificially posed photographs of sexual encounters of varying kinds. Three of them have a minimal kind of story line, the other two rely entirely on the photographs to make their point. One has a strong dose of sado-masochism. There is neither artistic or literary merit to be found in the slightest degree in any of them; they are clearly designed to appeal to the prurient. The Tribunal has no hesitation in declaring them to be indecent.

Dated this 2nd day of February 1978.

LAURENCE M. GREIG, Chairman.

(Reference No. Ind. 10/77 and 12/77)

No. 892

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 following publications: *Boy*, Vol 2, Nos. 8 and 10, published by Owreland Limited, London; and *Kids*, No. 2, published by Overstock Book Co., New York.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Messrs L. M. Greig (Chairman), D. M. Wylie, Mrs H. B. Dick, and Miss W. M. Rolleston.

Hearing: 13 December 1977.

Appearances: Mr P. E. Leloir for Comptroller of Customs.

DECISION

The first two of these books come from Denmark and the other from New York. All consist entirely of photographs of young boys mostly naked. The poses are contrived and tend to emphasise the penis.

The tribunal has considered similar publications on a number of occasions. We see no reason to depart from our previous view of this kind of material and find them to be indecent.

The Tribunal classifies each book as indecent.

Dated this 2nd day of February 1978.

LAURENCE M. GREIG, Chairman.

(Reference No. Ind. 14/77)

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of a reference from the Magistrate's Court, Christchurch, for a decision in respect of the following publications:

Title: *Enema*.

Publisher: Australian Book Co. Pty. Ltd., S.A.

Title: *Mississippi Stud*.

Publisher: Australian Book Co. Pty. Ltd., S.A.

Title: *Poor Alice*.

Publisher: Australian Book Co. Pty. Ltd., S.A.

Title: *Vengeance Is Mine*.

Publisher: Australian Book Co. Pty. Ltd., S.A.

Title: *Male Maze*, No. 2.

Publisher: Mankind Publications, N.S.W.

Title: *Mankind*, No. 4.

Publisher: Mankind Publications, N.S.W.

Title: *Mate Magazine*.

Publisher: Jeepster Productions, N.S.W.

Title: *Mankind, Special Edition*, No. 1.

Publisher: W. J. Publishing Co., N.S.W.

Title: *The Naked Male*.

Publisher: Pumpkin Press Pty. Ltd., N.S.W.

Title: *California Scene*, Feb/March, Vol. 4, No. 1.

Publisher: Sagittarius Publications, California.

Title: *Quorum*, No. 11.

Publisher: S & H Publications, England.

Title: *The Other Side of the Fence (Porno Gang Bangs)*.

Publisher: R. G. Publications, England.

Title: *Australian Golden Boys*, Vol. 1, No. 1.

Publisher: Australian Golden Boys, N.S.W.

Title: *Q Q Magazine*, March/April 1971, Vol. 3, No. 2.

Publisher: Queens Quarterly Publishing Co. Inc., New York.

Ten postcard size coloured photographs.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Messrs L. M. Greig (Chairman), I. R. Cross, D. M. Wylie, and Miss W. M. Rolleston.

Hearing: 3 May 1977.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submission from Mr P. R. H. Maling.

DECISION

This group of books, magazines, and photographs comes before us on reference from the Magistrate's Court in Christchurch in proceedings under the Customs Act 1966. Because this matter has taken an unusual course over a longer time than is customary it is proper that before dealing with the items we should set out the background facts. We should say at once that these facts in no way influence our decision.

The information laid by the Collector of Customs at Christchurch allege importation on or about 28 August 1974. The material was referred to us in October 1976 following a hearing in the Magistrate's Court on 12 October 1976. The matter was first set down for hearing before this Tribunal on 22 November 1976. Mr Maling sought an adjournment of that hearing which was granted. Endeavours were made to have a hearing on a number of occasions after that but as Mr Maling was unable to attend, no hearing was held. On 3 May 1977 a hearing was set down and submissions by the Customs Department were presented in writing to us. Mr Maling was again unable to attend, but by direction of the Tribunal the department's submissions were forwarded to him and he was invited to reply within 2 weeks. Following that hearing there has been a continuing correspondence with Mr Maling in our desire to give him every opportunity to present submissions to us. Submissions were finally received from him on 31 October 1977. These comprise some five pages of submissions on one magazine and short submissions on four other books. On the other matters Mr Maling states that he has been unable to complete and type his submissions.

We consider that more than ample opportunity has been given to Mr Maling notwithstanding any health or other disability which may have impeded him. We therefore have considered the books and magazines on the material before us and make our finding on those and on our examination of the books and magazines.

We do not make any finding or decision on the photographs. The Tribunal's functions are limited to determination of the character and the classification of books, which by definition include magazines and sound recordings. Single photographs such as these are outside our functions and authority and the decision on those must remain with the Magistrate.

The first four items named are books. Mr Maling in his short submissions on these states: