

The Tribunal therefore classifies *Glass Head* as not indecent and classifies each issue of *High Times* as indecent. In respect of *High Times* it makes a restriction order under section 15A of the Act for a period of 2 years applying to every issue of that publication each issue to be treated as indecent.

Dated at Wellington this 12th day of April 1979.

LAURENCE M. GREIG, Chairman.

Decision No. 923  
Reference No. IND. 4/79

*Decision of the Indecent Publications Tribunal*

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by Comptroller of Customs in respect of the book: *Erotic Art of China*; published by Crown Publishers.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Messrs. L. M. Greig (chairman), D. M. Wylie, Mrs L. Edmond, Mrs H. B. Dick.

Hearing: 27 February 1979.

Appearances: Mr P. E. Leloir for Customs.

DECISION

This book is a collection of erotic pictures which were originally produced for the edification of young couples of the Ming period. There are 53 prints, accompanied by a selection of Chinese love poems, some written as early as 100 A.D. and translated by American Orientalists with the help of the Chinese artist-poet Walasse Ting who is known for his translations of Chinese classics into contemporary idiom.

Dr Franzblau, Emeritus Professor of Pastoral Psychiatry of the Hebrew Union College - Jewish Institute of Religion, New York, and now on the psychiatric staff of Mount Sinai Hospital, says in his introduction, "These prints clearly are not pornography, whose goal is only sexual arousal, but represent a valid form of instruction in the techniques of conjugal love." Professor Franzblau surveys the social and cultural milieu in which the sexual practices shown in the prints existed; thus giving the whole work a sound historical perspective.

*Erotic Art of China* is a serious contribution to artistic and cultural history. Its study of unfamiliar sexual mores is scholarly and humane, and both prints and poems are tastefully presented. The Tribunal classifies this book as not indecent.

Dated at Wellington this 12th day of April 1979.

LAURENCE M. GREIG, Chairman.

Decision No. 924  
Reference No. IND. 18/78

*Decision of the Indecent Publications Tribunal*

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by Comptroller of Customs in respect of paperback edition titled: *Delta of Venus*, by Anais Nin.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Messrs. L. M. Greig (chairman), D. M. Wylie, Mrs L. Edmond, Mrs H. B. Dick.

Hearing: 27 February 1979.

Appearances: Mr P. E. Leloir for Customs.

DECISION

Anais Nin, who died in 1977, was born of mixed Spanish and French parentage, spent part of her formative years in the United States and did most of her writing in English. She lived in France between the two world wars, and returned to America at the beginning of World War II. She is known for several novels, poems, and other literary works, and a multi-volume diary covering some 35 years. She could be described as a minor literary figure of the 20th century, but of particular interest to feminists. The stories collected in *Delta of Venus* were written in 1940-41, at a time she and a group of her friends were hard up in New York and had an opportunity to write frankly erotic stories for the money. In spite of this genesis, the stories are easily distinguished from run-of-the-mill pornography by their literary character. This is illustrated both by the style and by the characterisation of the persons whose stories they tell: they are real individuals, not simply puppets who proceed straight from one lurid sexual adventure to the next. There is certainly frankness in the description of

sexual encounters, and for this reason we place an age restriction on the book, which should certainly otherwise be available. The Tribunal classifies *Delta of Venus* as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 12th day of April 1979.

LAURENCE M. GREIG, Chairman.

*Decision of the Films Censorship Board of Review*

IN the matter of the Cinematograph Films Act 1976, and in the matter of an application by Twentieth Century Fox Film Corporation (N.Z.) Ltd., for a review of the feature film "The Pom Pom Girls".

THE FILMS CENSORSHIP BOARD OF REVIEW

Messrs A. B. Beatson, S.M. (chairman), W. Colgan, R. Tanner, Dr R. A. Sharp, Mrs M. T. Cole, Professor E. M. Dalziel, C.B.E. (Mrs V. Forbes, was absent).

Review: 2 March 1979.

DECISION

The board conducted a review of the film *The Pom Pom Girls* on the application of the distributor on 2 March 1979 pursuant to the powers vested in it by section 84 (5) of the Cinematograph Films Act 1976 and the Cinematograph Films Regulations 1977 section 11 (2) (e). No submissions were made on behalf of the distributor and the Chief Censor accordingly was not called upon. The board's decision was reached after viewing the film and discussing it at length. All members of the board other than Mrs Forbes (who was granted leave of absence) were present.

The decision of the board was to approve the film for exhibition, to classify it as approved for exhibition to those aged 16 years and over, and to direct the Chief Censor to enter the board's decision in the Register of Films. The decision however was subject to the film being cut in part one of it after the titles when one of the youths in the film was portrayed running round the perimeter of a football field muttering "fuck you" in response to his coaches exhortation to "move it, move it". It was felt that this cut was necessary to bring the film within the language guide lines set by the censor in other decisions. Such a cut would not effect the continuity or meaning of the film in any way.

In coming to its decision as to whether or not the film was likely to be injurious to the public good the board took into account the matters set out in section 26 (2) (a) (b) (c) (d) and (e) of the Act. In considering subsection (b) the board was unanimous in considering the film had little or no artistic merit or value or importance for social, cultural, or other reasons. It was considered to be a fairly slight teenage romp which was likely to appeal mainly to relatively young audiences.

The film was not particularly well made or tastefully made and if the board were to be the arbiter of public taste it would no doubt have considered that there was little merit in the film at all. However that is not the test.

What was considered was (a) the extent to which the film depicted anti-social behaviour, cruelty, violence, crime, horror, sex, or indecent or offensive language or behaviour and (b) the extent to which the film denigrated any particular class of the general public by reference to the colour, race, or ethnic or national origins, the sex, or the religious beliefs of the members of that class. In considering (a) (i.e. section 26.2 (c) of the Act), the board considered each of the episodes which no doubt would have caused concern to the censor in coming to his decision to ban the film. In particular there was a flick knife scene. The board considered this to be more comical than frightening. The youth's handling of the knife was so unskilled and his "disarming" so ironic as to make him appear ridiculous. The board considered this scene in itself could not be considered as frightening as the knife episodes in other films including *West Side Story* and that the conduct displayed was not likely in its context to promote imitation and thereby be injurious to the public good. Nudity in the film was considered unexceptionable and unobjectionable in its context. Indeed it was not nearly as explicit as in many other films approved for general release.

There were two episodes of cannabis smoking shown in the film. The first related to a number of students smoking reefers whilst being addressed by the headmaster. The second depicted two of the school's football team having a reefer before a football match. While it is agreed that such conduct cannot be condoned by the board it was not considered in the context of the film to be likely to be injurious in the wider sense to the public good.