

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submissions from Waverley Publishing Co. Ltd. were considered.

Decision

These three magazines dated respectively, January, February, and March 1975, are referred to the Tribunal by the Customs Department arising out of the seizure of 500 copies of the magazines in a single importation.

They are similar to such magazines as *Penthouse* and *Mayfair*, but each has to be considered separately having regard to the various considerations set out in s. 11 of the Act. In each of them there is some serious and non-sexual material but the quantitative balance of the content of them is heavily in favour of the sexual material. The balance is to be measured not just in quantitative terms but also in qualitative terms having regard to the overall effect of the magazines.

The Tribunal notes the date of the issues and the style and presentation of the photography. The total effect of these three particular magazines falls on the acceptable side of the balance but they still require an age restriction.

The Tribunal classifies these three magazines as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 20th day of December 1978.

LAURENCE M. GREIG, Chairman.

Decision No. 910
Reference No. IND. 17/78

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 to the following publication: "*The Pillow Book or a History of Naughty Pictures*", published by Words and Pictures Ltd., United Kingdom.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 21 November 1978.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submission on behalf of Waverley Publishing Co. Ltd. were considered.

Decision

The Pillow Book, sub-titled "*A History of 'Naughty Pictures'*" was first published in England in 1972 and this edition in 1974. It is a large paperback book printed on reasonably good quality paper and would probably retail at about \$10.

It is made up of a text which gives a cursory account of the works of artists whose erotic drawings are reproduced and some information about the period and background of the subject. Both text and drawings appear to support the author's intention to assemble a history of a particular section of erotica. The whole effect is complex and tends to result in a reference book rather than a book to be read straight through. It is not likely that a reading of this book would be injurious to adult readers but some of the more explicit drawings are unsuitable for the young.

The Tribunal classifies this book as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 20th day of December 1978.

LAURENCE M. GREIG, Chairman.

Decision No. 911
Reference No. IND. 14/78

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 to the following publication: "*Suze*", published by Suze Randall.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 21 November 1978.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Mr N. F. Miller for Gordon & Gotch. Ltd.

Decision

This book is said to be the life story of a model and photographer.

It is somewhat similar to the *Happy Hooker* in that there are numerous sexual encounters described in explicit detail. The book is not without literary merit but remains unsuitable for younger readers.

The Tribunal classifies this book as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 20th day of December 1978.

LAURENCE M. GREIG, Chairman.

Decision No. 912
Reference No. IND. 15/78 and 16/78

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 to the following publications: "*Rosie Dixon, Barmaid*", published by Futura Publications Ltd. of London; and "*Russ Tobin Uptight*", published by W. H. Allen and Co. Ltd. of London.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 21 November 1978.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submissions from Wholesale Book Distributors were considered.

Decision

These two books are merely collections of episodes of various sexual encounters described in explicit detail. The Tribunal can see no redeeming features to balance the offensive nature of the books overall.

The Tribunal classifies these two books as indecent.

Dated at Wellington this 20th day of December 1978.

LAURENCE M. GREIG, Chairman.

Decision No. 913
Reference No. IND. 14/78

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 to the following publications:

1. "*Hot Girls, No. 2*", published by Phenix Publishers Ltd.
2. "*Floppers, No. 7*", published by Love Publishing Co.
3. "*Potpourri of Sex*", published by Howard Productions.
4. "*Tit'n'tat, No. 3*", published by Kanon Publications.
5. "*The Ultimate Orgasm*", published by Pent-R Books Inc.
6. "*Sexology, March 1978 and May 1978*", published by SXO Corporation.
7. "*Open, Vol. 3, No. 1*", published by Litho Reproductions Ltd.
8. "*Guide to Sexual Growth (Forum Special)*", published by Tinmin Enterprises Pty Ltd.
9. "*The Hite Report*", published by Paul Hamlyn Pty Ltd.
10. "*The Report of the U.S. Commission on Hardcore Porno*", published by Baker Publishing Pty.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 21 November 1978.

Appearances: Mr P. E. Leloir for Comptroller of Customs, Mr N. F. Miller for Gordon & Gotch. Ltd. Written submissions from Wholesale Book Distributors in respect of No. 9 were considered.

Decision

These 10 publications have been referred to the Tribunal, with two others which are still under consideration, by the Comptroller of Customs following a meeting arranged by the Minister of Customs in his office attended by the Comptroller of Customs, Miss P. M. Bartlett and myself as Chairman of the Tribunal. It should be made clear that my attendance was at the invitation of the Minister and I was careful to ensure that I did not peruse or enter into any discussion on any of the publications now before the Tribunal.

The Tribunal was told at the hearing that each of these publications has been in circulation in New Zealand for some little time and is obtainable from a number of shops. The Comptroller has already indicated his view of the character and classification of these publications to the importers con-