

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis (chairman).
 Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.
 Mr J. V. B. McLinden.

Hearing: 20 August 1980.

Appearances: Mr P. E. LeLoir for Comptroller of Customs.
 No submissions by importer, Mr J. Reddieson.

Decision

All these volumes were seized by the Customs Department in June 1980 and forfeiture is disputed by the importer.

The first publication is English in origin but the other three are American. All relate to the sport of wrestling by females. It could be said of all of them that they have no literary or artistic merit but it could also be said that they are not concerned with prurient and lewd aspects of sex. The subject-matter is depicted in an offensive manner and in some cases there is photography of the genital areas. There is also the aspect of violent physical exploitation with its sexual components and overtones. There could be no sincerity of purpose in any publication and the likelihood of corruption far outweighs possible benefit to the public.

Each publication is classified as indecent.

Dated at Wellington this 16th day of September 1980.

Judge W. M. WILLIS, Chairman.

Decision No. 964

Reference No. 19/80

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 publication: *Rapier*, Volume 2, No. 3, published by Gold Star Publications Ltd.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis.
 Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.
 Mr J. V. B. McLinden.

Hearing: 20 August 1980.

Appearances: Mr P. E. LeLoir for Comptroller of Customs.
 No submissions by importer Mr P. A. Alley.

Decision

This is a single copy publication imported privately and seized at Auckland in May 1980. Forfeiture is disputed.

In his submission to the Tribunal, the Comptroller of Customs said that it was totally and blatantly devoted to sex and with this description the Tribunal cannot disagree.

The pictorial content is largely devoted to the genital area in contrived and unnatural poses. Included in the publication is a recording; the contents of which appear quite revolting. In view of these comments it seems inevitable that the publication including the sound recording should be classified as indecent.

Dated at Wellington this 16th day of September 1980.

Judge W. M. WILLIS, Chairman.

Decision No. 965

Reference No. 20/80

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the District Court, Auckland, for a decision on the following publication: *Knockers and Knickers*, published by Howard Productions Pty. Ltd., Sydney.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis.
 Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.
 Mr J. V. B. McLinden.

Hearing: 20 August 1980.

Appearances: Mr D. C. Bates for Police. Mr R. J. Stapleton for defendant—written submissions:

Decision

This publication was seized by the Auckland Police earlier this year from a person who had it in his possession for the purpose of resale. It has been referred to the Tribunal for classification by the Auckland District Court.

It is printed on poor quality paper and consists of photographs of females in most cases partially dressed. There is little or no photography of the vaginal area and the publication in many respects resembles some of those recently considered by the High Court. In this case the publication which first appeared in 1972 was in the hands of somebody who had it in his possession for the purpose of sale. The Tribunal is not aware of whether he is the importer or whether he had bought it overseas and was attempting to sell it in New Zealand.

The Tribunal is inclined to classify the book as not indecent but in view of the recent decision and in view of the fact it was held for sale it feels it ought to be classified as indecent in the hands of persons under the age of 18.

Dated at Wellington this 16th day of September 1980.

Judge W. M. WILLIS, Chairman.

Decision No. 966

Reference No. 5/80

Decision of the Indecent Publications Tribunal

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the District Court, Wellington for a decision in respect of the following publication *Score*, Volume 1, No. 2, published by American Art Enterprises Inc., North Hollywood, California.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis (chairman).
 Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.
 Mr J. V. B. McLinden.

Hearing: 20 August 1980.

Appearances: Inspector D. C. Bates for Police. No submissions by defendant.

Decision

This publication comes before the Tribunal as a result of a complaint being made to the Police by an adult member of the public. He had bought the magazine and referred it to the Police because he believed it to be indecent. Prosecution was commenced but the publication was referred to the Tribunal by the District Court in Wellington.

The publication is essentially a book of pictures with minimal text but with photographs concentrating on women with oversized breasts. There are also the usual collection of photographs of the genital area. As a matter of interest two publications are advertised, namely *Foxette* and *Big Juicy Jugs* both of which have been classified as indecent not only by this Tribunal but by the High Court. The publication concentrates on prurient and lewd aspects of sex. As there is little text there could be no claim to literary merit, nor is it otherwise redeemed. Sincerity of purpose is much in question.

The Tribunal classifies the magazine as indecent.

Dated at Wellington this 16th day of September 1980.

Judge W. M. WILLIS, Chairman.

Decision No. 967

Reference No. 16/80

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 on the following publications: *Swinging Nudes*, publisher anonymous; and *Nude Figure*, published by Modern Nudist Associates, Las Vegas, U.S.A.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis (chairman).
 Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.
 Mr J. V. B. McLinden.

Hearing: 20 August 1980.

Appearances: Mr P. E. LeLoir for Comptroller of Customs.
 No submission by importer, Waverley Publishing Co. Ltd.

Decision

These two publications were imported commercially and were seized at Auckland in November 1979. Forfeiture was disputed and the Tribunal has now to consider a classification.

Swinging Nudes consists of a number of photographs in contrived positions, mostly female, but containing two frontal male nudes. The photographs concentrate on the genital area.