

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Mr W. M. Willis, S.M. (Chairman), Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.

Hearing: 11 March 1980.

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

DECISION

These three publications are part of a commercial importation and are submitted in accordance with section 14 (1) of the Indecent Publications Act 1963. The importer made no submissions but on behalf of the Comptroller it was submitted that these three volumes are comparable with two previous issues classified in decision No. 913. The series is published in America and appears to follow a pattern in presentation. Several short sex orientated articles, pages of letters in the same vein (apparently from readers), are always there. There is a question and answer section which finishes off what is really a very repetitive explanation of sexual experiences and opinions. Despite its thoughts that some of the material is not genuine, the Tribunal is of the opinion that the sexology series is indecent in the hands of persons under the age of 18 and so classified these three numbers.

It is not prepared, as the Comptroller suggests, to make a serial restriction order.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 944

Reference No. 42-43/79

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs in respect of the publication: *Sex and Marriage Number Six*, published by Ben Books Ltd., England, *Sex and Marriage Number Seven*, published by Titian Publications, England.

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DECISION

These publications were imported commercially and were seized at Auckland in June 1979. Forfeiture is disputed by the importer, Waverly Publications Limited, which has made written submissions. The books are written with a question and answer text accompanied by frank photographs. The books have a tone entirely missing from many the Tribunal is asked to classify. The dominant effect is sensible and serious, for what is reports to portray, namely sex in marriage, with no dishonest purpose perceivable. It is appropriate for persons in a settled or stable relationship. The Comptroller refers to decision No. 926 dealing with *Sex in Marriage Number Ten*. He suggests a similar restriction for these two numbers.

The Tribunal agrees and classifies both books indecent in the hands of persons under the age of 16.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 945

Reference No. 1/80

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs in respect of the publications: *Naked Love Techniques*, published by Pictures Ltd., and *Sexual Positions*, published by Delta Publishing Co. Ltd.

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DECISION

Each of these books was imported commercially and were seized in Auckland in 1979. The importer disputes forfeiture. In each case, the importer, Waverly Publishing Co. Ltd., has made written submissions suggesting an age restriction.

The Comptroller submitted that while an age restriction might be appropriate for *Naked Love Techniques* the other publication should be classified as indecent.

Naked Love Techniques—In consideration of this book the Tribunal discussed the many similar books available to the public, most of which have an age restriction. It appeared to the Tribunal that while the introduction written by the author, Axel Hoving, would have the reader believe that the ensuing pages conveyed "a warm and intimate experience", the Tribunal decided that such was not the case. The book has no literary merit and because of its salacious nature shows a lack of honesty of purpose.

Sexual Positions—The author of this book, Hans Richter, has no other motive than that of promoting sexual practises. Sections of the book give approval to relationships other than the normal which leads the Tribunal to doubt the honesty of purpose throughout this publication. It is essentially the same as *Naked Love Techniques*, and demonstrates no honesty of purpose.

The Tribunal classifies each book as indecent.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 942

Reference No. 1/80

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs in respect of the publication: *The Connoisseurs Handbook on Marijuana*, published by Straight Arrow Books.

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Hearing: 11 March 1980.

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

DECISION

This is a single copy privately imported and seized at Christchurch by the Customs Department in September 1979. Forfeiture has been disputed by the importer.

It was submitted on behalf of the Comptroller that the main purpose of this book is to outline the methods used in growing and cultivating marijuana and its uses. There is also a section on cooking. About two-fifths of the contents of the book deal with these subjects. The cultivation of marijuana is a criminal offence under the Misuse of Drugs Act 1975.

Books of this nature have been classified previously (see decision No. 904 and 922) and as recently as August last year 3 publications of a similar nature were considered by the Tribunal (see decision No. 935).

In view of those rulings the Tribunal classifies this book as indecent.

Dated at Wellington this 9th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 943

Reference No. 50/79

IN the matter of the Indecent Publications Act 1963, and in the matter of an application by the Comptroller of Customs in respect of the publication: *Love Making*, published by Anchor Press.

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DECISION

In this case there are two editions of the same book. There is little difference in each and for the purposes of this decision they may be considered identical. Each has an introduction which is exactly the same. There is no text within the body of the publication which consists of various photo positions for sexual intercourse. Because of the lack of text it was submitted on behalf of the Comptroller that honesty of purpose was suspect. Written submissions were made by the importer, Waverly Publications Ltd.