

Reference was made to publications previously considered—*Love Play* (decision 525), *Ways of Loving* (decision 432), and *Intercourse* (decision 434). In each of these cases there was a restriction of some kind. The Comptroller submits that because the publications show only the mechanics of intercourse with no reference to emotional aspects, there is demonstrated a lack of honesty of purpose. Therefore, he suggests the book should be classified as indecent. For its part, the publisher suggests that an adult restriction would be appropriate. The Tribunal considers that these books are not dissimilar to other publications which demonstrate sexual positions and which have been either passed by the Tribunal or have had some restriction placed upon them.

In the case of these two publications the Tribunal considers they should be classified as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 941

Reference No. 48/79

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: *Tales from the Leather Nun Volume 1*, published by Last Gasp Eco-Funnies.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 11 March 1980.

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

DECISION

This is a single copy of a publication privately imported and seized at Wellington by the Customs Department. The importer disputes forfeiture. The magazine is described as an adult comic. It may be adult but it is certainly not comic.

The best way of describing it is to say that the least said about it the better. It lacks merit of any description, is prurient in the extreme, is offensive, and borders on the blasphemous.

The Tribunal classifies it as indecent.

Dated at Wellington this 9th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 942

Reference No. 41/79

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: *The Virgin*, published by Open Leaves Press, for Harana Pty. Ltd., Australia.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 11 March 1980.

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

DECISION

This is a sample copy imported commercially and seized at Auckland. The importer disputes forfeiture. The Comptroller made submissions that it should be classified indecent. The Tribunal feels that the Comptroller somewhat exaggerates the theme of this publication. The importer, "Shop Six" made written submissions suggesting that the publication is not dissimilar to *The Professional* previously classified with an R.18 restriction.

Apart from a short paragraph on the title page this volume is entirely made up of a series of photographs which tell the story of a young girl's first experience of sexual intercourse. The technique used would be suitable for film photography and successfully portrays character as well as presenting events. The photographs are sensitively and imaginatively conceived, and in the opinion of the Tribunal the cover subtitle "An erotic peek at a young girl's introduction to sex" is misleading.

The Tribunal classifies *The Virgin* as Not Indecent.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 948

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: *New Man and Woman, Parts One, Two and Three*, published by Marshall Cavendish Partworks Ltd.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearings: 11 March 1980.

Appearances: Mr P. E. Leloir for the Comptroller of Customs, Mr C. Hogg for publishers.

DECISION

These 3 copies are the first parts of a publication to be issued in 52 weekly parts. It retails at \$1.25 per copy, the full set including binders will cost about \$93.00. The Comptroller requests a decision in relation to these 3 parts. The publication is an updated and revised version of *Man and Woman* which was considered by the Tribunal in 1971 (decision 292). The classification then given was that it was indecent in the hands of persons under 16 years of age except when they are being advised by parents or professional advisers. It is acknowledged on behalf of the Comptroller that the current issue retain the same seriousness and honesty of purpose as the earlier edition. It is full and frank in its treatment of sexuality. The publishers, Marshall Cavendish Partworks Ltd., is a substantial publishing house specialising in producing books of an assorted nature in weekly parts.

The Tribunal has referred to the earlier publication and is of the view that the present books are of a different nature. They are well written, sensitively illustrated and exhibit plainly an honesty of purpose. The Comptroller recommends a similar classification to that given in 1971. For the publisher, Mr Hogg suggested that except for one reason the book should have no restriction.

Mr Hogg mentioned that a later part will contain information relating to contraception and for that reason suggested there should be a restriction order. At this stage the Tribunal is not prepared to deal with more than parts one, two, and three, which it classified as not indecent. So far as the issues of contraception are concerned, an appeal is pending in connection with decision number 931, relating to the publication *Make it Happy*. Because of this appeal the Tribunal proposes not to make any decision relating to future parts.

Dated at Wellington this 28th day of May 1980.

W. M. WILLIS, Chairman.

Decision No. 947

Reference No. 49/79

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 publications: *Bird Watchers Manual Volume One Number Two*, publisher anonymous, and *Private Naked Gallery*, published by Wendell and Spears.

BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

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

Hearing: 11 March 1980.

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

DECISION

One sample copy of each of the above publications was seized at Auckland. The Comptroller submits that *Bird Watchers Manual* should be classified as indecent and that *Private Naked Gallery* should receive an R.18 restriction.

Bird Watchers Manual—Labelled a "mad-mad world of girls", this special edition of "Penthouse" is a collection of jokes, cartoons, photographs and stories, apparently a mélange of items from earlier issues of the magazine. A small number of serious articles and interviews have been included, but the overall tone of the magazine is frivolous and salacious. It has insufficient weight to make a profound impression for good or ill but the amount of explicit sexual material of a vulgar kind inclines the Tribunal to impose an age restriction. It, therefore, classifies *Bird Watchers Manual* as indecent in the hands of persons under 18.

Private Naked Gallery—This magazine is a 60-page collection of nude photographs interspersed with articles and comment about photographic techniques, cameras, attitudes to models and to the subject of nudity. The photographs