

*Chic*, published by Chic Magazine Inc., California:

Judge W. M. Willis (Chairman), Mesdames H. B. Dick, L. P. Nikera, Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 15 September 1982.

Decision: 28 October 1982.

Appearances: Mr McNeice for Comptroller of Customs. No appearance of importer, Mr P. R. Mussen.

#### DECISION

A single copy of this magazine was privately imported and seized from Invercargill parcels post in July this year. Forfeiture has been disputed by the importer so that the publication is submitted to the Tribunal for classification prior to the commencement of condemnation proceedings.

The magazine consists of pictures and text. There are numerous coloured photographs of nude and semi-nude females mainly with genitalia exposed in posed positions. The text is plainly sexually orientated and it includes a classified section for swingers.

The Comptroller submitted that because of its content the publication should be considered as indecent. This magazine is not dissimilar to others recently before the Tribunal viz. *Men Only*, *Escort*, *Golden Girls* and *Sexy M*. It is predominantly concerned with the lewd aspects of sex. It has no literary or artistic merit. It lacks honesty of purpose and is plainly injurious to the public good. It is classified as indecent.

W. M. WILLIS, District Judge Chairman.

Decision No. 1045

Reference No. Ind 46/80

#### Before 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:

*Single Women's Sex Book*, published by Quartet Books Limited, London:

Judge W. M. Willis (Chairman), Mesdames N. B. Dick, L. P. Nikera, Messrs J. V. B. Malcolm:

Hearing: 2 December 1980.

Decision: 28 October 1982.

Appearances: Mr Leloir for Comptroller of Customs. No appearance of importer, Waverley Publishing Co. Ltd.

#### DECISION

A sample copy of this publication was imported commercially and seized at Auckland in August 1980. Forfeiture has been disputed so that the Tribunal has been asked to classify the publication. The submission of Mr Leloir is very succinct and in the Tribunal's view properly describes the contents of the book. The Comptroller said the book gives advice to young women about sex from the time they lose their virginity until they marry. The theme covers not only physical sex but also emotional matters, good manners and the like. There are sections in the book dealing with methods of intercourse, masturbation, contraception, what to look for in a lover, why have sex and the dangers of venereal disease. The Tribunal agrees with the Comptroller that it justifies a restricted classification so that it is classified as indecent in the hands of persons under the age of 16.

It will be noted that this matter came before the Tribunal on 2 December 1980. The delay in giving a decision is regretted. It so happens that the hearing in December 1980 concerned 52 publications and somehow or another this particular publication seems to have been overlooked when the time came for writing a decision.

W. M. WILLIS, District Judge Chairman.

Decision No. 1043

Reference No. Ind 4/82

#### Before 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:

*Black Temptress*, published by New English Library Ltd., London:

Hearing: 1 April 1982.

Decision: 28 October 1982.

Appearances: Mr Leloir for Comptroller of Customs. No appearance of importer, Wholesale Book Distributions.

#### DECISION

WE were informed by Mr Leloir that a single copy of this publication was imported by Wholesale Book Distributors and seized at Auckland in September 1981. As the importer disputed forfeiture the Customs Department referred the publication to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This publication is a paper back novel 24 pages in length, written by Leo Callan in 1980 (judging from the date of copyright).

The plot is set in the southern states of America. A banker wishes to obtain the right to a railroad through his town. He tries to secure this by trapping (through sexual indiscretions) a California railroad executive who comes to the south to examine suitable towns. The banker directs one of his female slave (the *Black Temptress*) to be caught in a compromising position with the railroad executive, so that the executive can be blackmailed into recommending the banker's town as being the most appropriate for the railroad.

However, as it happens, neither the banker nor his wife are entirely blameless citizens themselves, and their plan is undone when their own sexual perversions lead to their downfall and banishment from their local community.

The plot chosen by the author provides him with plenty of opportunity for extended descriptions of sexual matters.

Mr Leloir submitted that the story was merely a cheap collection of explicit sexual escapades set in crude language, and that as a result the publication was injurious to the public good and should be classified as indecent.

Relatively recently the same submission was made in respect of a publication entitled *Generation of Blood*, (Decision No. 973). In that case we were not prepared to accept the submission because of the historical setting of the book, and the fact that although there were descriptions of sexual acts they were not so frequent or explicit as to indicate the author merely used the plot as a vehicle to provide crude and prurient descriptions of sexual activity.

We feel that this book is different and we find it goes beyond a classification of pulp fiction. We think that the plot and the various descriptions of sex traversed in detail in the publication indicate that it lacks honesty of purpose as an historical novel.

We find, pursuant to section 11 (1) that the dominant effect of the book is to described prurient and perverted aspects of sex, and that persons are likely to be corrupted by reading the book.

Because of the publication's superficial nature we do not find it has any literary, artistic or social merit.

For all these reasons we declare *Black Temptress* to be indecent.

W. M. WILLIS, District Judge Chairman.

Decision No. 1046

Reference No. Ind 27/82

#### Before 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 publications:

*Sexy M*, published by Silaw Film GMBH, Deutschland,

*Golden Girls GG Collection* 1-8, 9-12, 13-16:

Judge W. M. Willis (Chairman), Mesdames N. B. Dick, L. P. Nikera, Messrs J. V. B. McLinden, I. W. Malcolm.

Hearing: 15 September 1982.

Decision: 28 October 1982.

Appearances: Mr McNeice for Comptroller of Customs. No appearance of importer, N. D. Burgess.

#### DECISION

THE above magazines were imported privately through parcels post and were seized at Dunedin in July 1982. Forfeiture was disputed by the importer so that reference has been made to this Tribunal for classification.

*Golden Girls*—Mr McNeice submitted that the 3 *Golden Girls* publications consisted of picture and a brief text. The pictures purport to be a sample selection of scenes from a new line of *Golden Girl* movies and they feature nude or semi-nude males and females in a variety of sexual acts some of a lesbian nature.