

## DECISION

SAMPLE copies of the above publications were commercially imported by parcel post and seized at Auckland in September 1980. Forfeiture has been disputed, so that the publications have been referred to the Tribunal for classification.

*Rub A Dub Dub* was first published in Australia in 1972 and contains a short introductory text followed by a series of photographs of lesbians making love in the bath and in bed. The *Orgy of Body Paint*, also first published in 1972, contains a minimal amount of text and full photographs of a man and 2 women painting each other's bodies and then having a sexual orgy. *Hard in the Lace Game* once again, first published in 1972, is the story of a salesman and his sexual escapades with 2 girls. Once again there is little text, the major portion of the publication consisting of photographs depicting his sexual escapades.

The Comptroller submitted that these publications are intended to appeal to the salacious and are devoid of any redeeming feature. They lack honesty of purpose and are injurious to the public good. For these reasons he submitted they should be classified as indecent.

The Tribunal cannot agree with the submission by the importer that these publications are similar in content to those considered in decision No. 962 and for the reasons submitted by the Comptroller holds them to be indecent.

*Pucker Up* is a collection of 3 Howard magazines which contains a minimum amount of text and is made up of pictures of nude or semi-nude women with little or no photography of genitalia. It is not dissimilar to the publications held by the High Court to be indecent in the hands of persons under the age of 18 so that a similar classification will be attached to *Pucker Up*.

Dated at Wellington this 25th day of May 1981.

District Court Judge W. M. WILLIS, Chairman.

Decision No. 992

Reference No. Ind. 47/80

*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 publications:

*Girls, Girls, Girls! No. 2*, published by Howard Publications, Sydney, Australia.

*High Heels No. 4, Peek-A-Boo No. 4, Twilight No. 5*, all published by Bedtime Book Co., South Australia.

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

Hearing: 2 December 1980.

Appearances: Mr P. E. Leloir for Comptroller of Customs. Written submissions by importer, Shop 6, Auckland.

## DECISION

THESE are sample copies of publications imported commercially and seized at Auckland in October 1980. Forfeiture was disputed so that the publications were referred to the Tribunal for classification.

Each magazine is of the girlie type and consists almost entirely of photographs of nude or semi-nude women. It was submitted by the Comptroller that although there are no photographs exposing genitalia, they are, nevertheless, highly contrived and provocative. It was further submitted that the publications are almost exclusively concerned with sexual stimulation and arousal and lack literary merit.

It was submitted by the importer, Shop 6 of Auckland, that *High Heels No. 4* is one-third of *Stiff*, a composite of 3 publications classified by the High Court as indecent in the hands of persons under the age of 18. *Peek-A-Boo No. 4* is stated to be one-third of *Throb* which was similarly classified by the High Court. Despite its best endeavours the Tribunal is unable to find any resemblance between photographs in *Peek-A-Boo No. 4* and those in *Throb*, although it would agree that the contents are of similar type. *Twilight* and *Girls, Girls, Girls* are similar magazines and the Tribunal would agree with the importer that they are virtually indistinguishable from *High Heels* and *Peek-A-Boo*.

Being bound by the decision of the High Court, the Tribunal classifies each publication as indecent in the hands of persons under the age of 18.

Dated at Wellington this 25th day of May 1981.

District Court Judge W. M. WILLIS, Chairman.

Decision No. 993

Reference No. Ind. 6/81

*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:

*Sex Cage* by Ilonke, published by MacFadden of Bartell, New York.

*Women Who Like Furs*, by T. Galle, published by Venus Publications, London.

*Naked Shadows*, by Chris Vaughan, published by Goldstar Publications, United Kingdom.

*Sex Aids*, an investigation by Carole Ann Dale, published by Diamond Star Books, United Kingdom.

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

Hearing: 5 February 1981.

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

## DECISION

THESE 4 paperback books were part of a shipment imported by a commercial importer and seized at Auckland in August 1980. As the importer has disputed forfeiture the Customs Department has referred the publications to the Tribunal for classification.

*Sex Cage* is a story of a lesbian and her involvement with 3 other women. There are a number of explicit sexual episodes. The book tends to promote matters to deviate sex as being normal way of life. The Tribunal sees this as injurious to the public good and therefore "indecent".

*Women who like Furs*. The majority of this book consists of women in various contrived poses which have little or no relevance to the text at the beginning of the book. The 21 pages of text is of an explicitly sexual character. The book has no literary or artistic merit and is designed to appeal to the salacious and is therefore classified as indecent.

*Naked Shadows* purports to be the story about the rise to fame of a 'pop star'. The text is interspersed with pictures which generally relate to the sexual portions of the text. The story is very flimsy and appears to be the vehicle for detailed sexual episodes. The book is of no literary merit and lacks honesty of purpose. For these reasons the Tribunal classifies it as indecent.

*Sex Aids* is reputed to be a book on sex aids and their uses. A considerable portion of the book is given to so-called "case histories" which include detailed description of various forms of deviate sex. The book also contains advertisements and contacts for the purchase of sex aids, as well as mail order lists for books and magazines of the same type. This book would appeal to prurient interests. For the above reasons, this book is considered to be injurious to the public good and indecent.

Dated at Wellington this 25th day of May 1981.

District Court Judge W. M. WILLIS, Chairman.

*Notice of Intention to Vary Hours of Sale of Liquor at Licensed Premises—Nelson Licensing Committee*

PURSUANT to section 221A of the Sale of Liquor Act 1962, as amended by section 22 (14) of the Sale of Liquor Amendment Act 1976, I, John Fraser Robertson, Secretary for Justice, hereby give notice that the Nelson Licensing Committee on 22 February 1982, made an order authorising variations of the usual hours of trading for the licensed premises known as the D.B. Swan Hotel, Motueka.

To the intent that on days other than those on which licensed premises are required to be closed for the sale of liquor to the general public the hours for the opening and closing of the said premises shall be as follows for the Public Bar, Palm Lounge Bar and the Bottle Store:

- (a) On any Friday and Saturday (not being New Year's Eve) and on Christmas Eve—Opening at 11 o'clock in the morning and closing at 11 o'clock in the evening.
- (b) On any New Year's Eve—Opening at 11 o'clock in the morning and closing at 00.30 o'clock on the morning of New Year's Day.

Dated at Wellington this 19th day of March 1982.

J. F. ROBERTSON, Secretary for Justice.

(Adm. 2/72/5)