

redeemed by any other characteristics. The multiplicity of models even though they are in caricature form, the activities depicted by those models and the whole theme of the book clearly places it well within the Tribunal's previously set guidelines of the tripartite test. For those reasons the Tribunal is satisfied that the book is indeed injurious to the public good and the application for reclassification is rejected. The classification of unconditionally indecent is an appropriate one for this publication.

Dated at Wellington this 11th day of December 1986.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

Decision No. 17/86
Reference No. IND 21/86

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: *Genesis Girls/Girls Fall 1986*, published by Cycle Guide Publications Inc:

Chairman: Judge R. R. Kearney.

Members: Mrs H. B. Dick, Mrs R. Barrington, Mr A. J. Graham and Ms K. Hulme.

Hearing: At Wellington on 24 October 1986.

Appearances: Mr G. F. Ellis for Gordon & Gotch (NZ) Ltd., the importer; Mr P. J. Eggleton for Comptroller of Customs.

DECISION

THIS magazine was a sample copy imported by parcel post through the port of Auckland in July 1986. The magazine was seized by the Collector of Customs in Auckland and the importer has subsequently disputed forfeiture. Although the record does not disclose this, our understanding is that this magazine like others imported by Gordon and Gotch (NZ) Ltd., would have been a sample copy for the purpose of having it placed before the Tribunal for determination and classification. The publication is accordingly now before the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. Mr Ellis, counsel for the importer, submitted to the Tribunal that the classification appropriate for this publication would be an age restriction of 18 years. With that submission Mr Eggleton, on behalf of the Comptroller of Customs, concurs. The Tribunal has found that the magazine although not as explicit as many others which the Tribunal has had to consider nevertheless presents female nude models in contrived poses in a way which accentuates the genitalia region. The Tribunal is satisfied that unrestricted availability of the magazine would be injurious to younger persons and accordingly it classifies the magazine as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 11th day of December 1986.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

Decision No. 18/86
Reference No. IND 15/86

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: *Golden Girls No. 7* published by Federal Publishing Co. Pty Ltd.:

Chairman: Judge R. R. Kearney.

Members: Mrs H. B. Dick, Mrs R. Barrington, Mr A. J. Graham and Ms K. Hulme.

Hearing: At Wellington on 24 October 1986.

Appearances: Mr G. F. Ellis for publishers and persons having an interest in the publication; Mr Eggleton for the Comptroller of Customs; no appearance from importer, Waverley International Ltd.

DECISION

THIS publication was a sample copy imported by parcel post through Auckland in May 1986. The magazine was seized by the Collector of Customs and the importer has disputed forfeiture. The magazine has accordingly been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. In his submission to the Tribunal Mr Eggleton on behalf of the Comptroller of Customs indicated that the Comptroller saw this publication as on the borderline between requiring an age restriction and being declared not indecent. The

magazine consists entirely of photographs of female models, the great majority of these photographs are, we accept as submitted by the Comptroller, quite innocuous. In a written submission Waverley International Ltd. thought that a limited classification would be appropriate in respect of this publication. In his submission to the Tribunal Mr Ellis asked the Tribunal to consider finding the publication not indecent and not requiring an age restriction. Mr Ellis submitted that the material in the magazine was quite innocuous and in the nature of this type of publication much more restrained than the great majority of them. Because of the nature of some of the poses depicting as they do with some emphasis the genitalia region the Tribunal is concerned that publication should not be available to younger children and accordingly classifies this publication as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 11th day of December 1986.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

Decision No. 19/86
Reference No. IND 13/86

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 decisions in respect of the following publications: *Sweet Little 16, Vol. 4, No. 11*, published by Verlag Teresa Orłowski; *New Cunts 40*, published by Color Climax Corporation; *Private International No. 68* published by Private Press AB:

Chairman: Judge R. R. Kearney.

Members: Mrs H. B. Dick, Mrs R. Barrington, Mr A. J. Graham, Ms K. Hulme.

Hearing: At Wellington on 24 October 1986.

Appearances: No appearance of importer, C. M. Sekula; Mr P. J. Eggleton for Comptroller of Customs.

DECISION

THESE three publications were privately imported through the port of Auckland in May 1986. The publications were seized by the Comptroller of Customs and the importer has now disputed forfeiture. The publications have accordingly been referred to the Tribunal by the Comptroller of Customs for determination and classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. These three publications are of a kind which only infrequently come before the Tribunal because in the majority of cases such material, having been seized by the Comptroller of Customs, does not get referred to us as the owner or importer accepts the Comptroller's determination that the material is unconditionally indecent. On this occasion, as indicated, the importer challenges the Comptroller's evaluation.

The Tribunal finds that there is nothing in the way of any redeeming features in respect of any of these magazines which are plainly hard core pornography. The publications are comprised chiefly of photographs featuring depictions of sexual intercourse, sodomy and group, oral and lesbian sex accompanied by text that is coarse and offensive in the extreme.

The Tribunal is satisfied that each of the publications is clearly injurious to the public good in the manner contemplated by the Indecent Publications Act and classifies each of them as unconditionally indecent.

Dated at Wellington this 11th day of December 1986.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

Decision No. 20/86
Reference No. IND 12/86

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 decisions in respect of the following publications: *Busen No. 21*, published by Pleasure-Verlag GmbH & Co., *Parade Vol. 1, No. 1, 2, 3, Vol. 3, No. 9; Spring Special No. 1, Winter Special No. 2*, publisher unknown:

Chairman: Judge R. R. Kearney.

Members: Mr H. B. Dick, Mrs R. Barrington, Mr A. J. Graham, Ms K. Hulme.

Hearing: At Wellington on 24 October 1986.