

And the following further directions of His Honour at pages 5 and 6:

"The main consideration must be whether what was before the Tribunal demonstrated that the publication had 'the capacity for some actual harm'."

"From the point of view of young people we cannot escape the conclusion that the publication is capable of actual harm. We accordingly conclude that its availability should be limited to adults."

With all of those considerations and submissions in mind the Tribunal finds as follows:

The Leatherman's Handbook 2

The Tribunal finds that this paperback publication contains what can only be described as a manual for homosexual sado-masochism. In the publication are items dealing with bondage, male castration and descriptions of sexual deviancy. There are also items which appear to the Tribunal to advocate drug use and the whole publication has in the Tribunal's view the countenancing and encouragement of the more deviant aspects of homosexual activity. The Tribunal finds *The Leatherman's Handbook* unconditionally indecent and classifies it accordingly.

Hombre Scene, Vol. 1, No. 1, Hombre Scene, Vol. 1, No. 5

This publication is largely text interspersed with drawings and photographs. A great deal of the text relates to both the fantasies of homosexual men and in some cases the reporting of such fantasies being converted into realities. There are drawings and photographs involving multiple models of a kind which concern the Tribunal. It is because of the overall effect of the publications that the Tribunal classifies them as unconditionally indecent.

Di's Dilemma, Off-Shore Duty & Others

Both of these publications are printed in the United States and are relatively cheaply produced novels. Both novels contain a great deal of material relating to homosexual activity and although they have a plot which is clearly discernible they cannot pretend to be works of any literary merit. The Tribunal is satisfied that these books would have a limited market and that they do not require an unconditionally indecent classification. The Tribunal classifies both books as indecent in the hands of persons under the age of 18 years.

The Zeus Collection, Zeus Presents Robert La Tourneaux, Zeus in Bondage, Zeus Presents Joe Paducah, Zeus Cowboys, The Zeus Collection, The Cavello Portfolio

These publications are distributed by Hudson Communications Inc. of New York and the Tribunal finds that they are predominantly concerned with the prurient and lewd aspects of homosexual sex and bondage. The bondage by itself would call for an unconditionally indecent classification but it is the whole tone of the production which satisfies the Tribunal beyond any question that these type of publications must be given an unconditionally indecent classification as in its finding they are clearly of a type which would be damaging to the public good. Each publication is classified as unconditionally indecent.

Mandate June 1980, October 1980, November 1980, December 1980, January 1985, February 1985, March 1985, April 1985, May 1985, July 1985, September 1985, November 1985, the Men of Mandate Vol. 1

These publications largely consist of photographs of males nude, partly clad and clad. They also contain articles, stories and letters to the editor which in the main are directed towards the male homosexual market. Some of them have aspects of bondage which in the Tribunal's view came very close to requiring an unconditionally indecent classification and we mention that so that the importers and distributors will be made aware of that concern. The Tribunal is satisfied that the appropriate decision to be made in respect of these particular magazines is for limited distribution and accordingly each is classified as indecent in the hands of persons under the age of 18 years.

Mandate October 1985

This particular issue caused concern for two reasons. The first being a series of photographs with limited text under the heading of "Window Display". The photographs depict a nude male model in various poses with plastic male mannequins. That feature of the publication which caused most concern to the Tribunal was however a short story commencing at page 69 of the magazine which dealt with bondage and flagellation in a way which the Tribunal found to be not only unwholesome but clearly damaging to the public good. This particular issue is classified by the Tribunal as unconditionally indecent.

The Physical Man No. 2, Torso January 1983, Torso April 1983, Torso June 1983, Exposures

Each of these publications which are largely pictorial displays of the male figure, and in the case of *Torso* containing a reasonable amount of text, are classified by the Tribunal as indecent in the hands of persons under the age of 16 years. *The Physical Man* and

Exposures which are also entirely photographic depictions of the male nude are both quite sensitively and artistically produced with a lack of objectionable material. We however feel that an age limit of 16 is justified. The magazine *Torso* has a significant amount of text of a kind which would have of itself justified its restricted publication and as indicated all five magazines are classified indecent in the hands of persons under the age of 16 years.

Riders

This publication which consists almost entirely of photographs is classified as unconditionally indecent for two reasons. Firstly the multiplicity of models engaged in homosexual activity of a sexual nature and secondly the many portrayals of bondage. Either of these aspects on their own justified the classification.

All Muscle

This is another well produced publication but differs from the publications to which we have given an R16 classification in the more contrived poses with emphasis on the erect penis of the models. The Tribunal classifies this publication as indecent in the hands of persons under the age of 18 years.

Playguy, Vol. 5, No. 5, 7, 8, 9, 11, and 12, Vol. 6, No. 11, Vol. 7, No. 2, 4, 5 and 6, Vol. 8, No. 3 and 6

These magazines are a mixture of text and photographs of the male figure nude and partly dressed. There were some aspects of the text which caused the Tribunal concern in that their coarseness and explicit depictions of sexual activity is clearly designed to attract the prurient interest of homosexual males. There are also some elements of bondage which cause concern but not to the extent of justifying an unconditionally indecent classification. The majority of the photographs concentrate on the erect penis of the various models. The Tribunal finds that these particular publications are indecent in the hands of persons under the age of 18 years and so classifies them with the additional condition and requirement and respect of their sale and distribution that they not be exposed for sale or distribution.

Dated at Wellington this 1st day of September 1987.

Judge R. R. KEARNEY, Chairman.

Decision No. 5/87
Reference No. IND 5/87

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 publication: *Inches*, Vol. 2, No. 7, published by Mavety Media Group Ltd.:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 6th day of April 1987.

Appearances: P. J. Eggleton for Comptroller of Customs. No appearance on behalf of importer.

DECISION

This publication was privately imported through parcel post through the Port of Auckland on 7 October 1986. The Comptroller of Customs advised the importer that he was seizing the publication and that it should be forfeited to the Crown as indecent. The importer disputed forfeiture and the publication was referred to the Tribunal for classification.

The Tribunal at the hearing on 6 April 1987 had before it a substantial number of magazines directed at the male homosexual market and this was one of those. Although the magazine contains no serious articles much of its content is indeed as submitted by a Mr Eggleton, graphic and lurid. The Tribunal is unanimous in its decision that an age restriction is all that is required and accordingly we find it to be indecent in the hands of persons under the age of 18 years and so classifies it.

Dated at Wellington this 31st day of August 1987.

Judge R. R. KEARNEY, Chairman.

Decision No. 6/87
Reference No. IND 4/87

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: *Oui*, Vol. 15, No. 11, published by Laurant Publishing Ltd.; *Adam*, Vol. 30, No. 11, published by Knight Publishing Ltd.: