

*Jock and Uncut*

Both of these publications are aimed at the male homosexual market and the Tribunal has found in respect of both that they contain a significant number of photographs which show sexual intimacy between the models of a kind which is clearly in breach of the guidelines set by the Tribunal in the tri partate post. The Tribunal is satisfied that the presentation of those photographs in these publications is of a kind which would be injurious to the public good and classifies both publications as unconditionally indecent.

*Playboy's 1987 Book of Lingerie*

This publication consists largely of photographs of single female models with a minimal text. The nature of the pictorial displays is such that the Tribunal is satisfied that the publication would be injurious to younger readers and accordingly classifies this publication as indecent in the hands of persons under the age of 16 years.

*Players Girls Pictorial, June 1987 and May 1987*

These publications consist essentially of photographs of single female models with minimal text. Many of the pictures are concentrated on the female genitalia and are of such a nature as would in the Tribunal's view be injurious to younger readers. Each of the publications is accordingly classified as indecent in the hands of persons under the age of 18 years.

*Cavalier, March 1987*

This magazine is designed for the heterosexual market but contains a number of aspects which caused concern to the Tribunal. The Tribunal agrees with the Comptroller of Customs in the submission made by Mr Wotherspoon that the publication has a textual theme of violence in the form of female wrestling and that many of the photographic sequences feature single female models manipulating their genitalia. In addition to those matters there is also concern for a number of the advertisements in the magazine which portray spanking and wrestling scenes of a kind which are injurious to the public good. This publication is classified by the Tribunal as unconditionally indecent.

*Cheri and The Best of Cheri*

These publications are magazines mainly of single female nudes but containing a significant number of multiple models scenes of female nudes in acts of intimacy. Many of the photographs of single models display a concentration on the genitalia which in a number of the photographs is the subject of manipulation by the models displayed. Such small amount of text as is contained in the publications is of a basic sexual nature and there is very little about the magazines which could be considered of a positive nature. The Tribunal is satisfied that these publications would be injurious to the public good and classifies each as unconditionally indecent.

*Gallery, May 1987 and June 1987*

Gallery is a heterosexual magazine that has previously been the subject of a decision 1080 in which the magazine was classified as indecent in the hands of persons under 18 years of age and a two year serial restriction order issued. The magazine is consistent in its quality and more restrained than many similar publications and the Tribunal is satisfied that the earlier classification is justified. Accordingly each of these publications is classified as indecent in the hands of persons under the age of 18 years. Mr Ellis on behalf of the importer seeks an interim restriction order in terms of section 14A of the Indecent Publications Act and such is granted.

Dated at Wellington this 17th day of May 1988.

R. R. KEARNEY, Chairman.

Decision No. 15/88

Reference No.: IND 12/88

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: *Mister Quorum*, Vol. 2, No. 3, Publisher: Milivres Ltd., U.K.; *Australian Golden Boys*, Vol. 1, No. 2, Publisher: Pictorial Magazines Australasia Pty. Ltd., Australia; *Stallion's 50 Best* (Special No. 4), Publisher: Stallion Publications Inc., U.S.A.; *Stallion*, January 1986, Publisher: Stallion Publications Inc., U.S.A.; *Blueboy*, March–August 1980, October 1980, December 1980, November 1986, Publisher: Blueboy Inc., U.S.A.; *Playguy*, January–May 1985, July–December 1985, Publisher: Playguy Publications Ltd., U.S.A.; *Mandate*, June 1985, August 1985, December 1985, December 1986, Publisher: Mandate Publications Ltd., U.S.A.; *Men Only*, Vol. 50, No. 11; Vol. 51, No. 7, 11, 12, 13; Vol. 52, No. 4, 5; Publisher: Paul Raymond Publications Ltd., U.K.; *The Best of Men Only*, Vol. 17, 18, Publisher: Paul Raymond Publications Ltd., U.K.

**Before the Indecent Publications Tribunal**

*Chairman:* Judge R. R. Kearney.

*Members:* R. Barrington, A. J. Graham, K. Hulme, and S. C. Middleton.

Hearing at Wellington on the 11th day of April 1988.

*Appearances:* M. S. Wotherspoon for Comptroller of Customs; G. F. Ellis for Importer.

**Decision**

These magazines were commercially imported at Auckland on 24 December 1987 and were seized by the Collector of Customs at Auckland. The importer has disputed forfeiture and the publications have been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*Australian Golden Boys*, Vol. 1, No. 2

This magazine publication contains a series of photographs of nude males with text and cartoon material. The Tribunal was satisfied that some aspects of the presentation of the material would be injurious to younger readers and accordingly classifies this particular publication as injurious in the hands of persons under the age of 16 years.

*Stallion's 50 Best and Stallion*

Both of these publications are male homosexual magazines and both in the clear finding of the Tribunal are of a kind which could be injurious to the public good. *Stallion*, January 1986 contains one particular series of photographs at pages 73, 75 and 76 where there is excessive sexual intimacy between the male models depicted. *Stallion's 50 Best* is an illustrated review of homosexual films and it contains numerous photographs of males engaging in homosexual acts. The Tribunal classifies both of these publications as unconditionally indecent.

*Blueboy*

In decision 23/87 the Tribunal classified the January and February 1981 issues of this male homosexual magazine as indecent in the hands of persons under 18 years of age. In respect of all of the publications of *Blueboy* before the Tribunal other than the November 1986 issue the Tribunal is satisfied that there are features of the publication which would be injurious for the younger reader and classifies those particular publications as indecent in the hands of persons under the age of 18 years.

The publication *Blueboy*, November 1986 is quite different from the other magazines in the series which we had to consider and it contains numerous photographs portraying sexual activity between the models portrayed. The Tribunal is satisfied that the November 1986 issue of *Blueboy* would be