

Park Lane, No. 17.

Parade, Issues 72, 73, 74, 75, 76 1988.

Parade, Winter Special 1987.

Glamour Girls, Issues 11, 12, 13.

Mayfair, Volume 22, No. 8, Volume 22, No. 11.

The Best of Mayfair, No. 7, Decision No. 8/88.

Dated at Wellington this 28th day of July 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go12323

Decision No. 34/88

Reference No. 30/88

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: *Colt Studios Presents*, Issues Nos, 2, 8 and 10; *Colt Men* Issue No. 11:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham, and S. C. Middleton.

Hearing at Wellington on the 28th day of July 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs. No appearance by or on behalf of importer.

Decision

Although there was no appearance by or on behalf of the importer, a detailed written submission was received from him, and this was taken into account by the Tribunal in its deliberations.

These publications were privately imported at Auckland in May 1988 and subsequently seized by the Collector of Customs at Auckland. The importer having disputed forfeiture of the publications, they have accordingly been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. In Decision No. 1/88 the Tribunal ruled that earlier copies of *Colt Studio*, consisting in the main of photographs of single male models with very little accompanying text, were indecent in the hands of persons under the age of 18 years.

Having considered Mr Hughes' submission and having measured the content of these particular publications, the Tribunal is satisfied that all that is required is an age classification, as each of these publications is likely to be injurious to younger readers. Accordingly, the Tribunal classifies each of these publications as indecent in the hands of persons under the age of 18 years. The Tribunal is further satisfied that the material presented in the *Colt* publications is of such a nature that a serial order in terms of section 15A of the Indecent Publications Act 1963 is justified. Accordingly, the Tribunal makes a serial order in terms of section 15A classifying all publications under the *Colt Studio Presentation* as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 14th day of October 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go12324

Decision No. 35/88

Reference No.: IND 17/88

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:

Teenage Climax Vol. 1, No. 4; *Private* No. 37; *Teenager* No. 18; *Blue Climax* No. 19; *Fascination* No. 24; *Baby Dolls* No. 17; *Aim To Please*.

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham, and S. C. Middleton.

Hearing at Wellington on the 28th day of July 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs. No appearance by or on behalf of importer.

Decision

These publications were imported privately at Auckland in December 1984 and subsequently seized by the Collector of Customs at Auckland. The importer at the time disputed forfeiture of the publications but unfortunately the publications sat in the Comptroller's Office at Auckland and it wasn't until recently that they came once again to notice. As far as the Tribunal is aware there has been no complaint by the importer relating to the delay in referring the publications to the Tribunal.

All of these publications are heterosexual magazines which depict both single model scenes and multiple model scenes of explicit sexual intimacy. Emphasis is placed on genital exposure and various aspects of sexual intercourse specifically oral, anal and lesbian.

The Tribunal is satisfied that the publications display no honest purpose nor is there any literary or artistic merit in respect of any of the publications. The Tribunal is satisfied that this type of publication is clearly injurious to the public good and classifies each as unconditionally indecent.

Dated at Wellington this 18th day of October 1988.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go12325

Decision No. 36/88

Reference No.: IND 18/88

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: *True Blue* No. 3:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham, and S. C. Middleton.

Hearing at Wellington on the 28th day of July 1988.

Appearances: M. J. Wotherspoon for Comptroller of Customs. G. F. Ellis on behalf of importer.

Decision

This publication was commercially imported by Gordon & Gotch Ltd. through the port of Auckland on 2 February 1988. A number of copies of the magazine in question were seized by the Collector of Customs at Auckland and as the importer has disputed forfeiture of the magazines they have been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

The Tribunal finds that the magazine in question is largely unobjectionable from the point of view of the legislation consisting principally of photographs of nude or semi-nude female models, articles, cartoons, video reviews and the like. The Tribunal is satisfied that some of the material particularly some of the depictions of the single female nude is of such a nature as to be likely to be injurious to younger readers. Accordingly the Tribunal classifies this publication as indecent in the hands of persons under age of 18 years.

Dated at Wellington this 18th day of October 1988.