

The Tribunal is in no doubt whatsoever that this publication is one which advocates or incites actions which are unlawful in this country and it has no difficulty in reaching a conclusion that it must be classified as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go20782

Decision No. 24/89

Reference No.: IND 7/89

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:
Advocate 21st Birthday; Fox Hunt Five:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

Appearances: M. J. Wotherspoon for Comptroller of Customs. Written submissions by G. R. Ireland, counsel for the Lawrence Publishing Company NZ Ltd.

Decision

These publications were commercially imported through airfreight, Auckland in December 1988. The Collector of Customs having seized the publications, the importer has disputed forfeiture and they have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Mr Ireland in his submissions submits that *Fox Hunt Five* would appropriately be given an R18 classification and the Comptroller of Customs supports that classification in his submission presented by Mr Wotherspoon. The Tribunal is satisfied that this is the appropriate classification and accordingly *Fox Hunt Five* is classified indecent in the hands of persons under the age of 18 years.

Advocate 21st Birthday

Although the Tribunal had reached a decision in relation to this publication it unfortunately overlooked that there was a memorandum of submissions by Mr Ireland on behalf of the Lawrence Publishing Company NZ Ltd. As chairman of the Tribunal I have in the circumstances decided that it would be unjust for the decision to be delivered until such time as all the members of the Tribunal have had the opportunity of considering the submission by Mr Ireland together with that previously made by Mr Wotherspoon. A copy of Mr Ireland's memorandum will be forwarded to all members of the Tribunal who will then be in a position to reconsider the matter at the Tribunal's meeting on 5 July 1989.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go20785

Decision No. 25/89

Reference No.: IND 6/89

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: *How to Drive Your Women Wild in Bed; How to Drive Your Man Wild in Bed*:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

Decision

These publications were commercially imported through Auckland airfreight in December 1988. The publications having been seized by the Collector of Customs the importer has disputed forfeiture and the publications have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Both of these books are paperbacks and are written by Graham Masterton an author who appears to the Comptroller of Customs to have no formal qualifications in any recognised sex therapy/education field and who apparently bases his knowledge on the fact that he has edited *Penthouse*, *Forum* and a Swedish pornographic magazine.

The comptroller suggests to the Tribunal that the sexual content of the number of articles in both publications may not be appropriate for younger readers, and the Tribunal agrees with that representation. The Tribunal classifies both these publications as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go20786

Decision No. 26/89

Reference No.: IND 3/89

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:
Supreme Mail Order Catalogue; Color Climax, No. 35:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

Decision

These publications were privately imported through Wellington in November 1988. The publications having been seized by the Collector of Customs, the importer has disputed forfeiture and they have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Supreme Mail Order Catalogue

Supreme Mail Order Catalogue is a catalogue for an Australian company advertising a wide range of publications, video tapes and articles. Contained in the catalogue are a number of photographs depicting a range of sexual activity including homosexual acts, bondage and sexual intercourse. The Tribunal is satisfied that the material in this publication is of a kind which is injurious to the public good and classify it as unconditionally indecent.

Colour Climax, No. 35

This publication was before the Tribunal in 1984 when edition No. 115 was classified by the Tribunal as unconditionally indecent. The publication is one which consists essentially of photographs with little or no text, and the photographs are considered by the Tribunal to be of the hard core type of