

for a decision in respect of the following publication: *Pin Ups* (Advocate Men Centrefold Collection):

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. A. Ireland, counsel for the Lawrence Publishing Company NZ Ltd.

Decision

This magazine was commercially imported through Auckland in October 1988 and it having been seized by the Collector of Customs, the importer has disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

In his written submission to the Tribunal, Mr Ireland points out that *Pin Ups* is a special issue of Advocate Men magazine which has been given an R18 serial restriction order by the Tribunal. Mr Ireland asked that the Tribunal so classify this particular publication.

In his submission to the Tribunal, Mr Wotherspoon on behalf of the Comptroller also submits that the material shown is of the kind which could be injurious to younger readers and the Tribunal agrees with both those submissions and accordingly classifies the publication 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.
go22718

Decision No. 15/89

Reference No.: IND 2/89

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: *Good Boys Gone Hard*, No. 1; *Boys Will Such Boys*, Vol. 1; *Homo Action*, No. 14; *Homo Special*, No. 1; *Homo Special*, No. 7:

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 parcels post, Auckland 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.

All of these magazines are of the homosexual kind and they all feature multiple model scenes involving anal and oral sex. With the exception of *Homo Action*, No. 14 all of the publications are devoid of any text whatsoever. The written material in *Homo Action*, No. 14, consists of very coarse and explicit descriptions of the photographic scenarios.

The Tribunal is satisfied that all of these publications are of a kind that would be injurious to the public good and classifies each as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go22721

Decision No. 13/89

Reference No.: IND 66/88

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: *Friction*, January 1989:

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 submission by G. A. Ireland, counsel for the Lawrence Publishing Company NZ Ltd.

Decision

This publication was commercially imported through Auckland parcels post in December 1988. The publication having been seized, the importer has disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This particular publication has, as Mr Ireland points out in his submission, been previously before the Tribunal and previously been the subject of a request for an R18 serial restriction order.

As pointed out by Mr Wotherspoon on behalf of the Comptroller, this issue is similar in content to the previous issues which have been the subject of decision 54/88 and other decisions, and in each case they have been classified as indecent in the hands of persons under the age of 18. The Tribunal is satisfied that an age restriction is indeed justified because the content is of a kind which would be injurious to the public good and classifies this particular publication as indecent in the hands of persons under the age of 18 years. In view of the number of issues of this publication which have now recently been before the Tribunal and subject to an R18 classification, the Tribunal is satisfied that it would be appropriate for a serial restriction order to be made. The Tribunal accordingly issues a serial restriction order classifying the magazine *Friction* 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.
go22720

Decision No. 16/89

Reference No.: IND 16/89

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 publication: *Dr Ruth's Guide to Sex*:

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.