

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

Hearing at Wellington on the 20th day of February 1990.

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

Decision

These publications were privately imported through parcel post Auckland on 3 October 1989 and they were seized by the Collector of Customs at Auckland. The importer having subsequently disputed forfeiture the publications were referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966. The Comptroller in the submission presented on his behalf by Mr Wotherspoon indicated to the Tribunal that the disputed forfeiture was on the grounds that the publications were for research purposes associated with study at the University of Auckland. No evidence was produced to support that claim either to the Comptroller of Customs or to the Tribunal.

Lesbian Dream Girls, No. 10 and *Unheimliche Wollust 3*

Lesbian Dream Girls, No. 10 graphically depicts multiple model scenes of females engaged in sexual activity. *Unheimliche Wollust 3* is a heterosexual magazine which depicts multiple model scenes of explicit sexual intimacy. The Tribunal is satisfied that both of these publications contain material which is injurious to the public good and classifies each as unconditionally indecent.

Sweet Anus, No. 14 and *Swinger Partner-Contactmarkt*, No. 3

These 2 publications are personal contact magazines with the text in German. Each publication contains graphic multiple-model scenes of explicit sexual intimacy. The Tribunal is satisfied that each publication is injurious to the public good and classifies each as unconditionally indecent.

269 Fetish Photos, Vol. 1, No. 1; *303 Bondage Photos*, No. 4; *Assess In Bondage*, Vol. 1, No. 3; *Best Of Tit and Body Torture*, Vol. 1, No. 1; *Big Tits in Bondage*, Vol. 1, No. 1

The theme of all of these magazines is female subjugation and the publications depict bondage, torture and sexual violence against women. The Tribunal is satisfied that each of these publications is injurious to the public good and classifies each as unconditionally indecent.

Dated at Wellington this 20th day of March 1990.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go7988

Decision No. 7/90

Reference No.: IND 13/90

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: *The New Encyclopedia of Sex*. Publisher: Marshall Cavendish Books Ltd., U.K.:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 20th day of February 1990.

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

Decision

This publication was supplied to the Collector of Customs at Auckland by the importer with a request that it be forwarded to the Indecent Publications Tribunal for classification.

The Tribunal agrees with the submission made by Mr

Wotherspoon on behalf of the Comptroller that the publication is a high-quality sex instruction manual. The work is a collaboration by several doctors, psychologists and social workers and contains sections on relationships, psychological and physiological aspects of sex, contraception, pregnancy and the prevention of sexual diseases. The Tribunal further agrees with the submission made by Mr Wotherspoon as to the classification of the publication and because it contains a section of advice on contraception, the Tribunal classifies this publication as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 20th day of March 1990.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go7990

Decision No. 8/90

Reference No.: IND 12/90

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: *Mach* No. 19. Publisher: Desmodus Inc., U.S.A.:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 20th day of February 1990.

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

Decision

This publication was commercially imported through parcel post, Auckland on 15 January 1990 and it was seized by the Collector of Customs at Auckland. The importer subsequently disputed forfeiture and the publication was referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This publication is in magazine form and is said to be "a drummer super publication". In decision 51/89 the Tribunal considered *Drummer 127* to be unconditionally indecent partially because of its concentration on bondage, violence and brutality. The content of *Mach* No. 19 is very much along the same lines as the publication *Drummer 127* and in addition it contains a considerable amount of written material describing homosexual activity, much of it of a particularly violent kind. There are also stories of sadomasochism and brutality and the whole format is of a kind which in the view of the Tribunal is clearly injurious to the public good. The Tribunal classifies this publication as unconditionally indecent.

Dated at Wellington this 20th day of March 1990.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go7991

Decision No. 9/90

Reference No.: IND 2/90

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: *Sexual Joy*. Publisher: Pan Books:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 20th day of February 1990.