

is satisfied that in each case, each of those publications, either under its principle title or under its collection or one-off titles, should be granted a serial restriction order classifying each as indecent in the hands of persons under the age of 18 years.

Dated at Wellington this 13th day of June 1990.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go9802

Decision No. 24/90

Reference No.: IND 19/86

### 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: *Glamour Girls*, Issue 3, published by Parade, London; *Park Lane*, Vol. 1, No. 2, published by Park Lane, England; *Ann Summers Guide To Better Sex*, published by Ann Summers; *101 Sex Positions*, publisher unknown:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham, K. A. Hulme and H. B. Dick.

Hearing at Wellington on the 24th day of October 1986.

Appearances: P. J. Eggleton for Comptroller of Customs. No appearance by or on behalf of importer.

### Decision

These publications were sample copies imported through the port of Auckland by parcel post in July 1986. The publications having been seized by the Collector of Customs, the importer subsequently disputed forfeiture and they were referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*Glamour Girl*, Issue 3, is a collection of photographs of naked and semi-naked female models, but some of these models are photographed in poses which are clearly designed to draw attention to genitalia. The Tribunal is satisfied that this publication would be injurious to younger readers and classifies it as indecent in the hands of persons under the age of 18 years.

*Park Lane*, Vol. 1, No. 2, is also in magazine format but includes a considerable amount of material the bulk of which is of a sexual nature. The remainder is chiefly of single female models, most of whom are posed in a position to accentuate their genitalia. The Tribunal is satisfied that that publication is injurious to younger readers and classifies it as indecent in the hands of persons under the age of 18 years.

*Ann Summers Guide to Better Sex* is similar in format to a number of productions by Ann Summers which have been the subject of decision by the Tribunal. The Tribunal agrees with the Comptroller of Customs in the submission advanced at the time, when this matter came before it, that although it is a lightweight text and tends to concentrate more on photographs to convey its message, it does not contain anything blatantly offensive and warrants an age restriction only. The publication is accordingly classified as indecent in the hands of persons under the age of 18 years.

Since these publications were referred to the Tribunal, the publication *101 Sex Positions* has come before the Tribunal for classification. The Tribunal is satisfied that this publication lacks honesty of purpose in respect of the theme a valid and serious sex manual and it contains material which the Tribunal's view is injurious to the public good. The Tribunal classifies this publication as unconditionally indecent.

Dated at Wellington this 13th day of June 1990.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.  
go9803

Decision No. 25/90  
(Supplementary to Decision No. 6/85)

Reference No.: IND 4/85

### 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: *The Victorian Imagination: A Sampler*, published by Grove Press Inc., New York:

Chairman: Judge R. R. Kearney.

Members: R. E. Barrington, A. J. Graham, H. B. Dick and J. V. B. McLinden.

Hearing at Wellington on the 29th day of March 1985.

Appearances: K. Wild for Comptroller of Customs. No appearance of importer, Milford House Ltd.

### Supplementary Decision

This sample copy was imported through the port of Dunedin in October 1984 and was referred to the Tribunal at the request of the importer for a decision as to its indecency. At the original hearing there was no appearance by the importing company nor was there any representation made in writing by it or on its behalf. The publication was one of a number of books which were before the Tribunal at that time and in respect of the other publications decision was delivered in No. 6/85 on 25 July 1985. In that decision the following is recorded in respect of this present publication:

"*The Victorian Imagination, a Sampler*. The remaining publication, *The Victorian Imagination, a Sampler*, is a book which in our opinion falls into a difficult category. Some investigations which we have carried out suggest to us that the material reproduced might be genuine Victorian literature. The authenticity of the material is very much a matter which could determine the classification given to this publication. The Tribunal has the powers of a commission of inquiry which enables it to obtain further evidence in relation to a particular matter. In this case the Tribunal believes that it is important that expert evidence be obtained as to whether or not the material in this publication is genuine Victorian literature. Upon receipt and consideration of that expert opinion the Tribunal will reach a final determination as to this publication. The application in respect of it has been adjourned."

Following that decision the publication was referred to a specialist academic in the area of Victorian writing. The expert in question reported to the Tribunal on 14 August 1985 with a very helpful and professional consideration of the issues which were of concern to the Tribunal. The members of the Tribunal, at that time, having considered that report, decided on a special category of classification for the publication but unfortunately that issue was never finally dealt with.

The Tribunal accepts that the book has both literary and historical value and that it should be made available to those working in the area of Victorian literature, history or social studies.

The Tribunal accordingly classifies this publication as indecent in the hands of all persons other than those whose professional or academic studies extend into the fields of Victorian literature, history or social studies.

Dated at Wellington this 13th day of June 1990.