

These publications contain little text and essentially consist of photographs of multiple model scenes of explicit sexual intimacy. They clearly breach the tripartite test. The Tribunal agrees with Mr Wotherspoon that an unconditionally indecent classification is warranted. The Tribunal is satisfied that all the publications listed in category B are injurious to the public good and classifies them as unconditionally indecent.

Category C

Title	Publisher
<i>Father Daughter Incest</i>	American Art Enterprises Inc
<i>Great Danes for Mom</i>	Greenleaf Classics
<i>Sleeping with Sis</i>	Carlyle Communications Inc

These publications are paperbacks and are similar in presentation in that the contents describe graphic sexual encounters. The contents cover sexual activities such as incest and bestiality. The publications have little storyline and depict criminal and deviant behaviour as being enjoyable to the victim. Similar publications have previously been considered by the Tribunal (decision No. 70/89 and 52/89) and classified as unconditionally indecent. Based on these decisions and in view of the clear fact that the present publications do not appear to have any content which would allow for any redeeming feature, the Tribunal agrees with the Comptroller of Customs that these publications would be injurious to the public good and accordingly each of them is classified by the Tribunal as unconditionally indecent.

Title	Publisher
<i>Walter My Secret Life</i> , Vol. 2	Polly Books Limited
<i>Walter My Secret Life</i> , Vol. 3	Moontide Limited, London

One copy only was provided of these publications. They were received only a short time ago. A decision in respect of these publications has been deferred until they have been read by all members.

Title	Publisher
<i>Genesis</i> , Vol. 15, No. 12	Atrium Multi Media Corp

This publication, directed towards the heterosexual market, features photographs of single female models and written articles. Previous issues have been classified by the Tribunal variously as unconditionally indecent or indecent in the hands of persons under the age of 18 years.

The Tribunal is satisfied that this issue of the publication contains material which would be injurious to younger readers and therefore classifies it as indecent in the hands of persons under the age of 18 years.

Title	Publisher
<i>Hustler</i> , Vol. 15, No. 1	Hustler Magazine Inc
<i>Oui</i>	Laurant Publishers Limited

These publications are directed towards the heterosexual market. Both publications contain photographs of single female nudes many of which have excessive emphasis and concentration directed to the female genitalia. In addition these publications also have a significant number of multiple model scenes showing acts of sexual intimacy between the models displayed. Both these publications contain elements of multiplicity of sexual activity of a kind which the Tribunal is satisfied requires that they be classified as unconditionally indecent because they are injurious to the public good. The Tribunal accordingly classifies both these publications as unconditionally indecent.

Dated at Wellington this 14th day of September 1990.

P. J. CARTWRIGHT, Chairperson.

Indecent Publications Tribunal.  
go13931

Decision No. 51/90

Reference No.: IND 45/90

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 publications contained in application No. 45/90. These publications are more particularly referred to by title and publisher in the categories specified in the decision which follows:

*Chairperson:* P. J. Cartwright.  
*Members:* W. K. Hastings, K. A. R. Hulme and S. C. Middleton.  
*Hearing at Wellington on the 16th day of August 1990.*  
*Appearances:* No appearance by or on behalf of the importer. M. J. Wotherspoon on behalf of the Controller of Customs.

Decision

These publications (63 in number) were commercially imported through Auckland air freight on or about November 1987. Clearance of the publications was not made at that time and seizure by the Collector of Customs was not effected until 7 May 1990. The importer having subsequently disputed forfeiture the publications have been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

All these publications are paperback books the contents of which describe graphic sexual encounters. The majority of the publications are stories of homosexual activity while the remainder are of bi-sexual and transsexual encounters. They are all sexually explicit. In the Tribunal's finding 13 paperback books justified an age restriction of 18 with the remainder, the great majority, justifying an unconditionally indecent classification. Accordingly the publications are sublisted below in respect of those particular classifications.

Title	Publisher
<i>Abused at Attica</i>	Star Distributors
<i>African Sex Warriors</i>	Star Distributors
<i>Backwoods Rough House</i>	Star Distributors
<i>Bentley Hall</i>	Arena Publications
<i>Big Black Bruiser</i>	Star Distributors
<i>Big Black Sailor</i>	Star Distributors
<i>Big City Chicken</i>	Star Distributors
<i>Big Rig</i>	Arena Publications
<i>Biker's Little Sex Toy</i>	Star Distributors
<i>Black Studs Lingerie</i>	Star Distributors
<i>Chicken Hawk</i>	Star Distributors
<i>Chicken Rapist</i>	Star Distributors
<i>Cock Balls and Tits</i>	Star Distributors
<i>Cocked for Action</i>	Star Distributors
<i>Dark Desires</i>	Star Distributors
<i>Dilly Boy</i>	Arena Publications
<i>Fireman's Cute Toy</i>	Star Distributors
<i>Hard Driving Bikers</i>	Star Distributors
<i>Hard Time</i>	Star Distributors
<i>Hard Training</i>	Arena Publications
<i>His First Time</i>	Star Distributors
<i>Hot Black Chicken</i>	Star Distributors
<i>Hot Black Meat</i>	Star Distributors
<i>Hot for Leather</i>	Arena Publications
<i>Hung Black Punk</i>	Star Distributors
<i>Hunky Punk</i>	Arena Publications
<i>Jake's Frilly Panties</i>	Star Distributors
<i>Jim's Hard Ten-Incher</i>	Star Distributors
<i>Lockerroom Rookie</i>	Star Distributors
<i>Macho Man in Heels</i>	Star Distributors
<i>Mountain Men</i>	Arena Publications
<i>New Boy on the Street</i>	Star Distributors
<i>Punk Discipline</i>	Arena Publications
<i>Randy Needs More</i>	Star Distributors
<i>Randy Studs</i>	Star Distributors