

go with a lot of dirty pictures. Illustrations and text are properly knit together.

The publication is neither sensational nor titillatory, but an open and indeed compassionate, attempt to instruct and inform other people in a like condition. I don't think the question of literary merit need arise with a book of this kind, but I will comment that the author has a fluent style and manages to convey an extraordinary range of information sensitively.

The matters which concerned other members of the Tribunal—no reference to AIDS; a discussion of S-M, and the mentioning of the place of drugs in the enhancement of sexual pleasure—concerned me also, but I feel these matters are ameliorated—

- (a) The persons for whom the book is intended—homosexual males—are, above all others, most thoroughly aware of AIDS, and the dangers of certain sexual practices. It is generally agreed that gay male community has effectively promoted "Safe Sex": it is unlikely that this one, pre-AIDS as it were, publication is going to annihilate all the effective propaganda;
- (b) *Men Loving Men* is a gay sex guide, and, as such, given that power role-playing and sado-masochistic activities are a part of the male gay "scene", would be failing its own purpose if it did not discuss these matters. It takes a low-key responsible tone, and emphasises consent and mutual understanding of limits, in this kind of relationship;
- (c) The book does not *advocate* drug-use: again, it is placing information before its readers. Indeed, on page 129, the author specifically warns "most of these drugs. . . can be positively dangerous".

While the book is in some respect, outdated, its helpful non-sensational tone and the authority of its guidance and advice, outweigh that: those qualities; to my mind, also argue for making it available to those for whom it is intended. Rather than an "unconditionally indecent" classification, I would opt for "indecent in the hands of persons under 16 years of age."

Dated at Wellington this 29th day of May 1989.

K. A. HULME, Member.

Indecent Publications Tribunal.
go2626

Decision No. 36/89

Reference No.: IND 32/88

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 publications: *Plaisir*, No. 10; *Peaches*, No. 40; *Cunnilingus*; *Strip Revue*, No. 4; *Chesty Girls*, No. 7; *Galerie*, No. 11; *Magazin International*, No. 2; *International Top Magazine*, No. 12; *International Top Magazine*, No. 14:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 13th day of October 1988.

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

Decision

These publications were commercially imported in May 1988 at Hamilton. The Collector of Customs seized these issues and the importer having subsequently disputed forfeiture the publications have been referred to the Tribunal prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Strip Review, No. 4; *Peaches*, No. 40; *Chesty Girls*, No. 7; *Plaisir*, No. 10; *International Top Magazine*, No. 12 and 14; *Galerie*, No. 11

With the exception of the magazine *Strip Review* all of these publications portray photographs of the single female model nude or partly clothed with an emphasis on large breasts. The magazine *Strip Review* contains portfolios of photographs of naked or partly clothed female models, the majority of which are unobjectionable in terms of the legislation. The portfolios are presented with an accompanying text in German and in English of a mildly erotic nature.

The Tribunal is satisfied that these particular publications are not likely to be injurious to older readers but that they do contain material which is likely to be injurious to younger readers. Accordingly the Tribunal classifies each of these publications as indecent in the hands of persons under the age of 18 years.

Magazin International, No. 2

This is an unusual publication in that it collects in the 1 volume, 2 *Galerie* magazines and 1 *Swank* magazine each of which is self-contained and consists of various articles of both a sexual and non-sexual nature, black and white and coloured photographs and several portfolios of nude or semi-nude models. The Tribunal agrees with the submission made by Mr Wotherspoon on behalf of the Comptroller of Customs that "a significant amount of material in this publication would come close to contravening the tripartite test as a number of the photographs include excessive intimacy between 2 models and multiple model scenes which depict lesbian acts". That particular material certainly caused the Tribunal considerable concern but that which justifies the classification of unconditionally indecent which the Tribunal gives to this publication is contained in a photography portfolio under the title of "Scout Jamboree" towards the end of the publication. The photographic sequence depicts a young girl scout in various stages of undress and with 1 full colour photograph which shows considerable emphasis on the genital area. The Tribunal classifies as indicated this publication as unconditionally indecent.

Cunnilingus

This publication purports to be a study of case histories of male oral sex practices edited and with psychological comment by a Dr Douglas H. Ganlin. Included in the publication are various articles on incest, sex relations between humans and animals and sex with minors. In almost every case the alleged case histories describe extreme sexual activities and we agree with the submission of Mr Wotherspoon for the Comptroller of Customs that serious doubt is raised with regard to the honesty of purpose of the author.

For these reasons the Tribunal classifies this publication as unconditionally indecent.

Dated at Wellington this 6th day of June 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.
go2628

Decision No. 37/89

Reference No.: IND 60/88

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 publications: *Drummer*, Issue 121, September 1988; *All American Man*, December 1988:

Chairman: Judge R. R. Kearney.

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