

<i>Decision No.</i>	<i>Date</i>	<i>Title</i>	<i>Publisher</i>	<i>Importer</i>	<i>Applicant</i>	<i>Decision</i>
6/91	30/4/91	<i>Clive Barker' Hell-Raiser, Book 2</i>	Epic Comics	Mark One Comics and Games	Comptroller of Customs	Not indecent

Category B: Explanatory Note:

Having applied the criteria in section 11 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were unconditionally indecent regardless of whether or not they were likely to be read by children. Because of this finding, it was unnecessary to consider the application of section 11 (3). Whether section 10 (b) or section 11 (3) was applied to these publications, they have been classified unconditionally indecent.

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6/91	30/4/91	<i>Click</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Sexy Stories from the World's Religions, No. 1</i>	Last Gasp ECO Funnies	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Dr Jekyll & Mr Hyde</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	UI
6/91	30/4/91	<i>Sapphire, No. 4</i>	Aircel Comics	M. J. Mortiaux	Comptroller of Customs	UI

Category C: Explanatory Note:

Having applied the criteria in section 11 as well as the test for indecency in section 2, it was the Tribunal's finding that the following publications were indecent in the hands of persons under the age of 16 years in some cases, and indecent in the hands of persons under the age of 18 years in other cases. However, having taken into account considerations of physical availability and the factors which indicated the likely psychological attractiveness of these comics to children, it was the Tribunal's finding that these publications were not likely to be read by children. The drawings in most of these publications did not contain colour and were very complex. The texts contained a great number of words which described situations of no interest to children. While the majority of these publications depicted acts of violence and sex, there was not dwelling on them with intention, overt or covert, to titillate. They did not form the dominant effect of these publications. Because of this finding, one of the conditions for the application of section 11 (3), that a picture-story book must be likely to be read by children, was not met. Section 11 (3) consequently did not apply to deem these publications unconditionally indecent. These publications were therefore classified under section 10 (b) in the normal way.

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6/91	30/4/91	<i>Faust Act 5, Vol. 1, No. 5</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Human Diastrophism</i>	Titan Books	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Hup, No. 3</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Shorts</i>	Catalan Communications	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Zap, No. 11</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Zap, No. 12</i>	Last Gasp	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Big Black Kiss, Book 2</i>	Vortex Comics	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Faust Act 3, Vol. 1, No. 3</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Faust Act 4, Vol. 1, No. 4</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18
6/91	30/4/91	<i>Firkin, No. 3</i>	Knockabout Comics	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Taboo, No. 3</i>	Spiderbaby Grapix Publications	M. J. Mortiaux	Comptroller of Customs	R16
6/91	30/4/91	<i>Faust Act 6, Vol. 1, No. 6</i>	Northstar Productions	M. J. Mortiaux	Comptroller of Customs	R18

Category D: Explanatory Note:

A category to be known as Category D was devised for publications which were likely to be read by children, but which were not indecent in the hands of children under a specified age. Section 11 (3) consequently did not apply because one of the conditions for the application of section 11 (3), that a picture-story book be indecent in the hands of children under a specified age, was not met. The normal section 10 (b) classifications therefore could be made. The type of publication which would likely be read by children and which would not be indecent in their hands is the normal sort of comic aimed at children. Titles such as *Mickey Mouse* and the "superhero" comics would fall within this category. Because all of the comics in the present applications are clearly intended for adults and deal largely with matters of sex and violence, none of them fell into this category.