

Geneva, November 15th, 1944.

**LEAGUE OF NATIONS**

**ADVISORY COMMITTEE ON SOCIAL QUESTIONS**

**Summary of Annual Reports for 1942/43  
prepared by the Secretariat**

**CIRCULATION OF AND TRAFFIC IN OBSCENE  
PUBLICATIONS**

1. Paragraph (ii) of the introductory remarks to the questionnaire on obscene publications (form of annual reports)<sup>1</sup> reads: "Governments are requested to send their annual reports to the Secretary-General on or before November 1st in each year. The report should relate to the twelve months ending June 30th, except for the purpose of the statistical information asked for in questions 1 and 2, in which cases the calendar year immediately preceding the date of the report should be taken."

2. Owing, in particular, to difficulties in regard to communications, reports on the circulation of and traffic in obscene publications have this year been submitted by or on behalf of only the following countries, dependencies, protectorates, colonies, mandated territories, etc.:<sup>2</sup>

*United Kingdom.*

*British Colonies, Possessions, Protectorates, Overseas Territories and Mandated Territories:*

Aden (—) <sup>3 4</sup> .	Leeward Islands (Virgin Islands) (—).
Bahamas.	Mauritius (—) <sup>3 4</sup> .
Barbados <sup>5</sup> .	New Hebrides (—) <sup>3 4</sup> .
Basutoland (—).	Nigeria <sup>3</sup> .
Bechuanaland (—).	Nyasaland (—).
Cayman Islands (—) <sup>5</sup> .	Palestine <sup>6</sup> .
Ceylon (—) <sup>3 4</sup> .	Southern Rhodesia (—) <sup>6</sup> .
Cyprus (—).	Sierra Leone (—).
Falkland Islands (—).	Swaziland (—).
Fiji (—) <sup>5</sup> .	Tanganyika (—) <sup>6</sup> .
Gambia (—).	Trans-Jordan (—) <sup>6</sup> .
Gold Coast (—).	Turks and Caicos Islands (—) <sup>5</sup> .
British Guiana (—).	Windward Islands (Dominica (—) <sup>6</sup> , St. Lucia).
British Honduras (—).	Zanzibar (—) <sup>6</sup> .
Jamaica (—).	
Kenya (—).	

*India<sup>5</sup>.*

*Ireland (—).*

3. The United Kingdom Government has informed the Secretariat that the address of the central authority for Great Britain and Northern Ireland under the International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications is now: The Under-Secretary of State, "N" Division, Home Office, Cornwall House, Stamford Street, London, S.E.1.

<sup>1</sup> See Circular Letter 35.1940.IV.

<sup>2</sup> Countries which sent in reports, but stated either that there were no cases or that the trade in and production of obscene publications did not exist, are marked thus: (—).

<sup>3</sup> Reports for the year 1941/42 are also included in this document.

<sup>4</sup> The reports for the years 1941/42 and 1942/43 are identical.

<sup>5</sup> The report refers to the year 1941/42.

<sup>6</sup> The report refers to the calendar year 1942.

## QUESTION 1

### OFFENCES DISCOVERED

*Please give full information as to offences discovered during the year and of the action taken. It should be stated whether the cases relate (a) wholly to your own country or (b) partly to another country (giving the name of the country).*

### Replies.

UNITED KINGDOM. — During the year ended December 31st, 1942, criminal proceedings were taken in twenty-seven cases of trafficking in obscene wares. Particulars of these cases are given below<sup>1</sup>.

(1) A boy was brought before the Juvenile Court for sending obscene communications through the post. He was bound over in the sum of £5 for two years and placed under the supervision of the Probation Officer. (Great Britain.)

(2) A shopkeeper was summoned to show cause why books and magazines seized should not be destroyed. An order was made for destruction. (United States of America.)

(3) Four persons were charged with sending indecent photographs and communications through the post. Each was fined £10, and an order was made for the destruction of all the obscene letters and photographs. (Great Britain.)

(4) A person summoned for selling indecent photographs was fined £5, and the photographs and negatives were ordered to be destroyed. (Great Britain.)

(5) A bookseller was summoned to show cause why 41 copies of two books should not be destroyed. An order for destruction was made. (Great Britain.)

(6) A person summoned for publishing and selling indecent photographs was sentenced to imprisonment for four months. (Great Britain.)

(7) A shopkeeper was fined £4 4s. on each of four charges for publishing four obscene books. (Great Britain.)

(8) Seven persons were summoned on a charge of sending or soliciting obscene matter through the post. In one case a sentence of hard labour for six months was imposed, and in another a fine of £10 was inflicted. In five cases the offenders were bound over in the sum of £10. (Great Britain.)

(9) Four persons were charged with sending obscene matter through the post and with publishing obscene photographs. Sentences of imprisonment ranging from eight months to two years were imposed, and an order was made for destruction. (Great Britain.)

(10) and (11) Two publishers and two authors were found guilty of publishing obscene books. The publishers were fined £100 each and were each ordered to pay £50 costs. The authors were fined £100 each. (Great Britain.)

(12) A firm of book suppliers was summoned to show cause why two books should not be destroyed. An order for destruction was made. (Great Britain.)

(13) A person charged with sending an indecent communication through the post was bound over in the sum of £5 for twelve months. (Great Britain.)

(14) A person was summoned on two charges of selling indecent photographs and on one charge of procuring the sending of indecent photographs through the post. He was fined 40s. on each charge. (Great Britain.)

(15) A person was charged with sending obscene photographs through the post. He was sentenced to a fine of £200 and £50 costs. The photographs were seized by the police. (Great Britain.)

(16) A bookseller charged with being in possession of obscene books and offering them for sale was fined £5, and an order for the destruction of the books was made. (Great Britain.)

(17) A person was convicted for sending an indecent and obscene communication through the post. He was fined £10 on each of two charges. (Great Britain.)

(18) A bookseller charged with the sale of indecent matter was fined £20 and all the publications seized were ordered for destruction. (Great Britain, United States of America.)

<sup>1</sup> The country of origin of the goods, where known, is shown in brackets.

(19) A person was fined 40s. on each of three charges for sending obscene communications through the post. (Great Britain.)

(20) A bookseller was fined £5 for selling an obscene publication. (Great Britain.)

(21) A person charged with sending an obscene communication through the post was sentenced to a fine of £10 and 13s. costs. (Great Britain.)

(22) A bookseller was sentenced to a fine of £10 and 3s. costs for selling an obscene book, and an order was also made for the destruction of magazines and photographs. (France, Great Britain, United States of America.)

(23) A bookseller charged with selling three obscene books was convicted on all three charges and was sentenced to pay a fine of £30 on each summons, £5 5s. solicitor's fees, and 18s. the cost of the purchase of the books by the police. (Great Britain.)

(24) A company of book publishers and the directors (man and wife) were summoned on five charges of procuring and publishing obscene books. One charge was withdrawn and on the other four defendants pleaded "guilty". The company was fined £100 and was ordered to pay £100 costs. The male prisoner was also sentenced to imprisonment for twelve months (concurrent) on each of 4 charges. (Great Britain.)

(25) A person charged with sending an indecent communication through the post was fined £1 0s. 9d. and ordered to pay £1 19s. 3d. costs. (Great Britain.)

(26) A person was sentenced to hard labour for twelve months—to run concurrently—on five charges of sending obscene matter through the post. (Great Britain.)

(27) The proprietor of a bookshop charged with publishing obscene photographs was fined £100 and ordered to pay £10 10s. costs. The prints were seized and destroyed. (Great Britain.)

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The General Post Office made no seizures during the period under review.  
The Customs made no seizures during the period under review.

#### BRITISH COLONIES, POSSESSIONS, PROTECTORATES, OVERSEAS TERRITORIES AND MANDATED TERRITORIES

##### *Nigeria.*

1941/42. While a search for stolen property was being carried out in a house in Sabon-Gari, Kano, 4 obscene photographs were found in a box belonging to one of the occupants. He stated that he had picked them up in the street. He was not prosecuted because the photographs were not published, but they were destroyed by the police.

1942/43. Two cases are reported. In one, as a result of information received, a police officer went to a photographer in Kaduna Township and bought an obscene photograph, obviously of Nigerian origin. The photographer was prosecuted and fined. He was ordered to leave the Township. The photograph was destroyed. In the other case, a native was fined for exposing obscene photographs in a public place at Baro, Niger Province. The origin of the photographs was unknown and it is doubtful whether the offence related wholly to Nigeria. It is presumed that the photographs were destroyed.

*Palestine.* — One case was discovered in Jaffa. The accused, who was found in possession of a book of obscene pictures, was fined £P. 4 and the book was destroyed by order of the Court.

##### INDIA.

*Madras.* — The report of the Collector of Customs states that 4 offences were discovered in the *Chief Port*. The offensive matter came in 2 cases from the Straits Settlements, in 1 from Portugal (Lisbon) and in the other from Calcutta in a foreign vessel. All the seizures, except one which was made from a passenger from the Straits Settlements, were made from the crews of the vessels concerned. All the articles were confiscated under Section 167 (8) of the Sea Customs Act and destroyed. The offenders were fined.

In the *Outports* 42 offences were discovered. In 13 cases the offensive matter came from Ceylon and in 29 from the Straits Settlements. The seizures were from passengers. The pictures were confiscated under Section 167 (8) of the Sea Customs Act and were to be destroyed in due course. The passengers were fined in every case.

The report adds that there is no reason to believe that any organised plan exists for the importation of such articles.

The Criminal Investigation Department reports the discovery of 8 offences. Prosecutions were instituted in each case.

*Bombay.* — The Collector of Customs reports the discovery of 9 offences. The offensive matter came in 1 case from Alexandria, in 1 from Kharamshahr, in 6 from Africa and in 1 from Suez. It arrived as luggage and was dealt with, as in previous years, under the Sea Customs Act. The seizures consisted mostly of obscene pictures imported in small lots by passengers for private use. No prosecutions took place.

6 offences are mentioned by the Commissioner of Police. 6 prosecutions ended in convictions. In 1 case, which gave rise to 6 prosecutions, 1 of the 2 persons accused died during the trial.

*Bengal.* — The Criminal Investigation Department reports the discovery of 1 offence. As the result of the prosecution which took place, 1 person was sentenced to a fine of 50 rupees or, in default, rigorous imprisonment for 15 days; 1 was sentenced to rigorous imprisonment for two months and to a fine of 20 rupees or, in default, further rigorous imprisonment for three weeks under Section 292 of the Indian Penal Code.

*United Provinces.* — The Criminal Investigation Department states that 1 offence was discovered. The accused read aloud and distributed on the occasion of Holi an obscene pamphlet urging the audience to condone obscene excesses at Holi time.

*Punjab.* — 4 offences are reported by the Criminal Investigation Department, all of which ended in conviction.

*Sind.* — In the 1 case discovered the 3 accused were convicted under Section 292 of the Indian Penal Code and were each sentenced to rigorous imprisonment for three months. A fine of 250 rupees was also imposed or, in default, a further term of rigorous imprisonment for three months.

*Karachi.* — The Collector of Customs gives details of 3 offences. In 2 cases the offensive matter came from abroad (Shanghai and Basrah) and in the third from Cutch. It consisted of 72 obscene pictures—52 in the first case, 15 in the second and 5 in the third—and was found in the possession of passengers and crew. The pictures were confiscated. No prosecutions took place.

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## QUESTION 2

### COMMUNICATION BETWEEN CENTRAL AUTHORITIES

*Please give particulars of any cases during the year in which communications have been sent to or received from other central authorities, giving the name of the central authority.*

Only negative replies have been received to this question.

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## QUESTION 3

### GENERAL OBSERVATIONS

*Under this heading shall be given an account of any changes in legislation, difficulties experienced, new questions arising, etc.*

### Replies.

#### BRITISH COLONIES, POSSESSIONS, PROTECTORATES, OVERSEAS TERRITORIES AND MANDATED TERRITORIES.

*Bahamas.* — There is no known traffic in obscene publications in the Bahamas.

*Barbados.* — So far as is known, there are no dealings in obscene publications and consequently no difficulties have been experienced.

*Nigeria*<sup>1</sup>. — Traffic in obscene publications is extremely rare in Nigeria.

*Palestine.* — Obscene publications published abroad are excluded from Palestine by order of the High Commissioner under section 20 (i) of the Press Ordinance.

*Windward Islands: St. Lucia.* — There is no circulation of obscene literature in the colony.

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<sup>1</sup> The replies for 1941/42 and 1942/43 are identical.

ANNEX

TABLE SHOWING THE POSITION WITH REGARD TO RATIFICATION  
AND SIGNATURE OF THE INTERNATIONAL CONVENTION  
FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC  
IN OBSCENE PUBLICATIONS<sup>1</sup>

- a. signifies that the Convention applies to colonies, oversea possessions, protectorates or territories under the sovereignty or authority of a State which has acceded to the Convention on their behalf as provided in Article XIII.  
r. indicates ratification or definitive accession.  
s. indicates signature or accession not yet perfected by ratification.

Afghanistan . . . . .	r.	Colombia . . . . .	r.
Union of South Africa . . . . .	r.	Costa Rica . . . . .	s.
Albania . . . . .	r.	Cuba . . . . .	r.
United States of America . . . . .	—	Czechoslovakia . . . . .	r.
Argentine Republic . . . . .	s.	Danzig . . . . .	r.
Australia . . . . .	r. <sup>2</sup>	Denmark . . . . .	r.
Belgium . . . . .	r. <sup>3</sup>	Dominican Republic . . . . .	—
Bolivia . . . . .	—	Ecuador . . . . .	—
Brazil . . . . .	r.	Egypt . . . . .	r.
Great Britain and Northern Ireland . . . . .	r.	Estonia . . . . .	r.
Bahamas . . . . .	a.	Ethiopia . . . . .	—
Barbados . . . . .	a.	Finland . . . . .	r.
Basutoland . . . . .	a.	France . . . . .	r.
Bechuanaland . . . . .	a.	Morocco . . . . .	a.
Bermuda . . . . .	a.	Germany . . . . .	r.
Burma . . . . .	a.	Greece . . . . .	r.
Ceylon . . . . .	a.	Guatemala . . . . .	r.
Cyprus . . . . .	a.	Haiti . . . . .	s.
Falkland Islands . . . . .	a.	Honduras . . . . .	s.
Fiji . . . . .	a.	Hungary . . . . .	r.
Gambia . . . . .	a.	India . . . . .	r.
Gibraltar . . . . .	a.	Iran . . . . .	r.
Gilbert and Ellice Islands . . . . .	a.	Iraq . . . . .	r.
Gold Coast . . . . .	a.	Ireland . . . . .	r.
British Guiana . . . . .	a.	Italy . . . . .	r.
British Honduras . . . . .	a.	Japan . . . . .	r.
Hong-Kong . . . . .	a.	Latvia . . . . .	r.
Jamaica . . . . .	a.	Liberia . . . . .	—
Kenya . . . . .	a.	Liechtenstein . . . . .	—
Leeward Islands . . . . .	a.	Lithuania . . . . .	s.
Federated Malay States . . . . .	a.	Luxemburg . . . . .	r.
Unfederated Malay States . . . . .	a.	Mexico . . . . .	—
Malta . . . . .	a.	Monaco . . . . .	r.
Mauritius . . . . .	a.	Netherlands (Netherlands Indies, Surinam and Curaçao) . . . . .	r.
Newfoundland . . . . .	a.	New Zealand . . . . .	r.
Nigeria . . . . .	a.	Nicaragua . . . . .	—
Nyasaland . . . . .	a.	Norway . . . . .	r.
Palestine . . . . .	a.	Panama . . . . .	s.
N. Rhodesia . . . . .	a.	Paraguay . . . . .	r.
S. Rhodesia . . . . .	a.	Peru . . . . .	s.
St. Helena . . . . .	a.	Poland . . . . .	r.
Sarawak . . . . .	—	Portugal . . . . .	r.
Seychelles . . . . .	a.	Roumania . . . . .	r.
Sierra Leone . . . . .	a.	Salvador . . . . .	r.
British Solomon Islands . . . . .	a.	San Marino . . . . .	r.
Somaliland . . . . .	a.	Sa'udi Arabia . . . . .	—
Straits Settlements . . . . .	a.	Spain . . . . .	r.
Swaziland . . . . .	a.	Sudan . . . . .	—
Tanganyika . . . . .	a.	Sweden . . . . .	—
Trans-Jordan . . . . .	a.	Switzerland . . . . .	r.
Trinidad and Tobago . . . . .	a.	Thailand . . . . .	r.
Uganda . . . . .	a.	Turkey . . . . .	r.
Windward Islands . . . . .	a.	Union of Soviet Socialist Republics . . . . .	r.
Zanzibar . . . . .	a.	Uruguay . . . . .	s.
Bulgaria . . . . .	r.	Venezuela . . . . .	—
Canada . . . . .	r.	Yugoslavia . . . . .	r.
Chile . . . . .	—		
China . . . . .	r.		

<sup>1</sup> Reservations made with regard to the application of the Convention are not given.

<sup>2</sup> Including Papua and Norfolk Island and the mandated territories of New Guinea and Nauru.

<sup>3</sup> Including the Belgian Congo and mandated territory of Ruanda-Urundi.