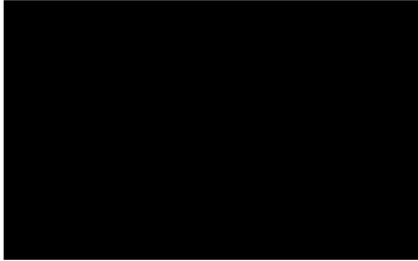




Ref: [REDACTED]

**Notice Of Seizure**  
Indecent and Obscene Material

To



**CONSIGNMENT NO:**  
**ENTRY NO:**

We have seized the items described below (see note 1 on page 2) because :-

we consider them to be indecent or obscene, and therefore prohibited (see note 2 on page 2);  
or

they were found with material we consider to be indecent or obscene (see note 3 on page 2).

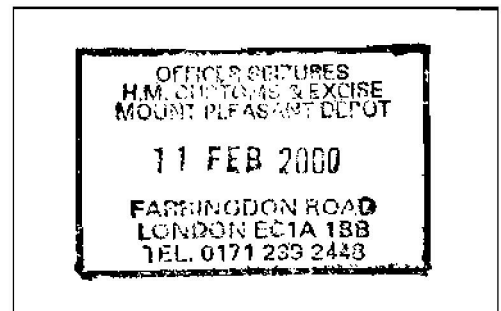
They are liable to forfeiture (see note 4 on page 2)

Quantity	Units	Description
6	UNITS	VIDEO'S

These goods have been seized at MOUNT PLEASANT ORDINARY POST on [REDACTED] 02/2000



[REDACTED]  Officer



Office Date Stamp

If you claim the items are not for forfeiture, you must tell us in writing, giving your full name and address. This claim must be received within one month at the Customs office shown (see note 4). We will then take legal action to decide the matter.

If you do not claim, we will dispose of the items.

You are warned that to be knowingly concerned in importing prohibited items is a Customs offence and a conviction could lead to heavy financial penalties and, in certain cases, imprisonment.

If you are in any doubt about the effect of this Notice, you may consult with the office shown on page 1 or, if you prefer, a solicitor.

### **The Law**

- 1) Section 139(6) of the Customs and Excise Management Act 1979 and paragraph 1 of schedule 3 to the Act
- 2) Section 42 of the Customs Consolidation Act 1876
- 3) Section 49(1) and 141 (10) of the Customs and Excise Management Act 1979
- 4) Schedule 3 to the Customs and Excise Management Act 1979



Tel: [REDACTED]

E-Mail : [REDACTED]

Office Seizures  
H.M. Customs & Excise  
Mount Pleasant Depot  
Farringdon Road  
London  
EC1A 1BB

Dear Sir/Madam,

I am writing to you having just received notification of the seizure of 6 NTSC VHS tapes, please find attached a copy of the letter sent to me on 11/02/00 to make reference to my case easier. As well as a letter from [REDACTED] a lecturer in 'Theatre, Film & Television' at [REDACTED]

The tapes seized contained the following :- 'Night Of The Living Dead', 'Sam Raimi Short Films', 'Faces Of Death 6', Guinea Pig – Special FX', 'George Romero Collectors Tape' and 'The Making Of Killing Zoe And Necronomicon' and I wish to query your judgement upon this matter.

I am studing an HND in 'Theatre & Media Production' at [REDACTED] and am specialising in Special Effects. I ordered the aforementioned tapes because I believed they would be beneficial to my studies in this area.

I feel that while in the wrong context several of the video's could be considered obscene, I don't however feel that in this context confiscation is the correct course of action. Let me refer to each video in turn.

'Night of the living dead' was released by the BBFC Uncut, you have seized the extened special FX version which is not on general release anywhere in the world. Let me bring to your attention a film on the same theme called 'Braindead' (Peter Jackson 1992), which I would consider to be far more violent, and yet was passed completely uncut by the BBFC.

'Sam Raimi Short Films' was never sumitted to the BBFC because the director never had the desire to release it, he however used it to gain funding for his better known films (i.e. 'Evil Dead', 'Darkman' and 'The Quick And The

Dead') the violence contained in the main feature, 'Within The Woods', is no more violent than the BBFC 18 certificate version of 'Braindead', or to give you another film of reference, 'Shogun Assassin' (Vipco 1986) which was also released uncut with an 18 certificate.

'The Making Of Killing Zoe And Necronomicon' and 'George Romero's Collector's Tape' are both behind the scenes special FX tapes, and again a myriad of film spring to mind which I would consider to be far more graphically violent, like 'Goodfellas' (Martin Scorsese 1992) and 'Day Of The Dead' (George Romero 1986) which were also both released uncut.

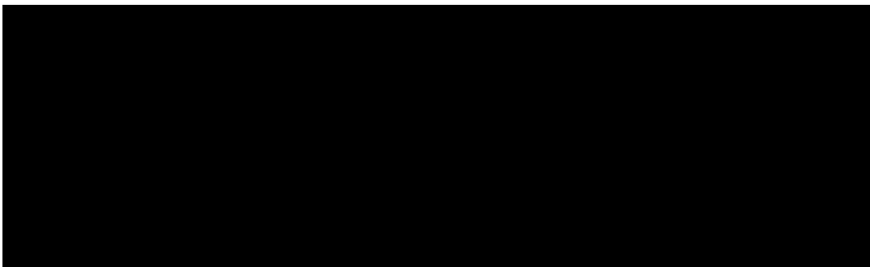
'Guinea Pig – Special FX' when the original 'Guinea Pig' was taken to court by the F.B.I. in America several years ago, the producers and the director were forced to prove that the material contained within was really fake. They did so by showing the court behind the scenes footage among other things. This, later, was turned into a special FX making of segment. The Japanese 'Guinea Pig' series is world renowned for having some of the best special FX sequences of any film ever made.

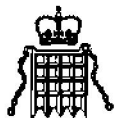
'Faces Of Death 6' was ordered as reference material for the course I am currently studying. Making realistic special FX is a very hard thing to do without having any sort of real life reference material, Also please consider that footage along the same lines as 'Faces Of Death 6' was released in a title called 'Executions' (1989) passed as 18 by the BBFC.

As you can see, all of the tapes are special FX related, and are intended for educational use rather than entertainment. To add to this all of the aforementioned tapes are strictly for personal reference and home use only, I am over 18 and there are no minors residing with me.

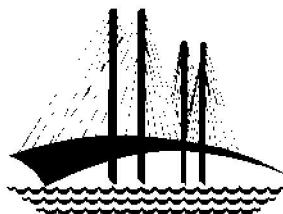
I fully realise that 'H.M. Customs & Excise' exist to prevent people residing in the United Kingdom from coming into receipt of items which could be potentially harmful to themselves or others which may come into contact with them. But I hope I have given sufficient justification for you to understand that the release of all or even part of the seizure would'nt contravene this.

I thank you for taking the time to read this letter, and await your reply on this matter.





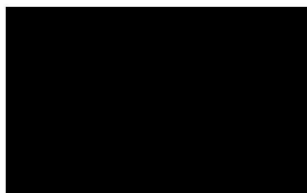
H M Customs & Excise



Mount Pleasant Depot  
Farringdon Road  
London  
EC1A 1BB  
Tel: 0207 239 2448  
Fax: 0207 239 2325

*Officer Seizures*

**SOUTH LONDON & THAMES COLLECTION**




Your Ref :

Our Ref: 

Date:  February 2000

Dear 

Thank you for your letter received at this office on  February 2000 regarding the seizure of six video cassettes, two of which were found to be obscene.

As you have been made aware, the importation of indecent and obscene material is prohibited by section 42 of the Customs Consolidation Act 1876. The intention is to prohibit the importation of any material which is not **legally** available for sale or hire in the UK and which is prohibited by the **Obscene Publications Act 1959 (Section 2)**.

I have now reviewed the videos and found "Faces Of Death 6" to contain graphic depiction's of real life death scenes including motor crashes, suicide and an autopsy. "Guinea Pig-Special FX" featured explicit depiction's of extreme violence including dismemberment, eye gouging and cannibalism.

These depictions are such that we consider the material obscene and its importation prohibited under this Act. As such, it is liable to seizure under Section 49 (1) (b) of the Customs and Excise Management Act 1979 and any other items found, mixed or packed with the prohibited goods, ie. the four other videos, are liable to seizure under Section 141 (b) of the same Act. These can be released to you on written application.

If you still dispute the liability to seizure of the two videos you should notify this office in writing within 14 days of the date of this letter.

In that event, the Commissioners of Customs and Excise are legally obliged to initiate Condemnation Proceedings in a Magistrates Court under Schedule 3 of the Customs and Excise Management Act 1979. These are civil, rather than criminal, proceedings at which you or your legal representative should be present to show cause why the material should not be forfeited. It will then be a matter for the court to decide whether the material is indecent or obscene and forfeiture is confirmed or not. The court will also decide the awarding of costs.

If you do not wish to pursue the matter, the goods will be destroyed in approximately one month and the case closed.

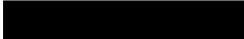
In exceptional circumstances, we may be able to release educational/reference material, providing you can produce evidence that you are specialising in "special effects" at [REDACTED] The case will be given consideration on receipt of your evidence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A K Vickery', with a stylized, cursive script.

**A K Vickery**





Tel : 

E-Mail : 

Office Seizures  
H.M. Customs & Excise  
Mount Pleasant Depot  
Farringdon Road  
London  
EC1A 1BB

Your Ref : 

Dear Sir/Madam,

In your last letter to me dated  February 2000 your last paragraph stated that "In exceptional circumstances, we may be able to release educational/reference material, providing you can produce evidence that you are specialising in special effects at .

Following a telephone call regarding the type of evidence required I have included the following:

- My enrolment form for the course "theatre and media production".
- The specialist project brief to which I am working.
- Some rough planning work
- Two submitted rough personal briefs

Although the person to which I spoke stated that documentary evidence was all that was desired photos can be made available on my projects so far.

If you are at all dubious as to the validity of the submission or require alternate evidence please don't hesitate to contact me.

Yours Sincerely

