

## WARD 14 (MANUREWA/OTARA)

Thorby, Patricia Ann (elected unopposed)

## WARD 16 (FRANKLIN)

Van Der Hulst, Jack Peter (elected unopposed)

I hereby declare:

McConnell, Clifford Anthony;  
 Day, Leslie Albert;  
 Taylor, Ronald Francis;  
 Francis, Hubert Louis;  
 Gow, Janet Dorothy;  
 McKerras, Alan Mervyn;  
 Thorby, Patricia Ann; and  
 Van Der Hulst, Jack Peter,

duly elected for their respective wards.

Auckland, 23 July 1980.

M. A. ALLEN, Returning Officer.

and lacks honesty of purpose. The pictures in the main are contrived sexual poses and once again the appeal is to the salacious. This book is also classified indecent.

Dated at Wellington this 30th day of May 1980.

Judge W. M. WILLIS, Chairman.

Decision No. 951

Reference No. Ind. 51/79

*Decision of 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: *A Guide to British Psilocybin Mushrooms*, published by Red Shift Research Collective and *Home Grown*, Volume 1, No. 2, published by Graham Andrews and Lee Harris.

## BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis (chairman).

Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.

Mr J. V. B. McLinden.

Hearing: 22 April 1980.

*Appearances:* Mr T. C. Thackeray for Comptroller of Customs. Written submissions on behalf of Mr Hamlin.

*Decision*

It is common ground that these publications were single copies of a private importation seized at Auckland in October 1979. As the importer apparently disputed the forfeiture of the publications, the Customs Department referred the publications to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

*A Guide to British Psilocybin Mushrooms—*

Book type and length: This document is a soft covered booklet, 16 pages long. Its introduction (p. 2) describes it as relating to the cultivation, processing, and consumption of three species of hallucinogenic mushrooms (psilocybe semilanceata, psilocybe cubensis, and panaeolus foenicisii) which grow in England.

The author describes his purpose as:

To help you find and identify these particular mushrooms, to give some idea of what dosage to take, and to explain to you how to dry the mushrooms you find for later use.

The submissions made on behalf of the importer suggested that his interests lay in the book as a student of natural foods and as a vegetarian interested in edible fungi. It was suggested that the booklet's emphasis was on the mushrooms' biological characteristics as well as the fact that the booklet concerned a British species of mushroom, which it was suggested was unique to that country.

The Tribunal is unable to accept those submissions. It is manifest that the purpose of the booklet is to educate the reader as to the hallucinogenic properties of the three named species of mushrooms. It would appear that the species of mushrooms are not unique to Britain because one of the three (psilocybe cubensis) is a "prohibited plant" within the definition of those words in s. 2 of the Misuse of Drugs Act 1975. Cultivation of that plant would be an offence under s. 9 (2) of the Misuse of Drugs Act, the cultivator being liable to a penalty of 7 years imprisonment.

Nor can the Tribunal accept the booklet's emphasis is on the species' biological characteristics. The booklet's interest lies in the chemical characteristics of the species. The chemical content of the mushrooms is important in that in their natural state all three types of mushrooms contain the active hallucinogenic ingredients of psilocin and psilocybin. Psilocin and psilocybin are classified as Class A controlled drugs in the First Schedule to the Misuse of Drugs Act 1975. Further, regulation 8 (2) of the Misuse of Drugs Regulations 1977, prohibits the cultivation of, *inter alia*, psilocybe cubensis for the purpose of the production of either psilocin or psilocybin.

The Tribunal considers that the booklet provides a measure of expert advice on activity which could constitute serious offending under a number of different provisions of the Misuse of Drugs Act.

As well as all those matters, there is the inherent danger that the advice provided in the booklet might encourage any of its readers to experiment with the consumption of toxic species of mushrooms in order to seek an hallucinogenic effect. Such an adventure might well be fatal or seriously injurious to health.

Decision No. 950

Reference No. 3/80

*Decision of 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 in respect of publications; *Cover Girl*, Volume 1, Nos. 1, 2, and 3, published by Cover Girl, London, and the *Delicate Art of Love*, published by Western Colour Print, Alexandra, New South Wales.

## BEFORE THE INDECENT PUBLICATIONS TRIBUNAL

Judge W. M. Willis (chairman).

Mesdames L. Edmond, H. B. Dick, and L. P. Nikera.

Mr J. V. B. McLinden.

Hearing: 22 April 1980.

*Appearances:* Mr T. C. Thackeray for Comptroller of Customs.

*Decision*

Sample copies of these publications were imported by a commercial importer and were seized at Auckland. The importer, Waverly Publications, disputes forfeiture so that the Comptroller has referred them to the Tribunal for classification. Written submissions in respect of each publication were made by the importer who suggests that age restrictions in each case would be appropriate.

*Cover Girl*—These are the first 3 issues of what appears to be a monthly publication. The editorial to Volume 1, No. 1, says this:

*Cover Girl* is the sort of magazine a man can be proud to buy and have in his living room—it is a complete magazine with features of such sports and interests as golf, horse racing, football, boxing, motor car and cycle racing, cricket, drinking and other adult entertainment.

Each number is similar in style and purports to contain articles of the nature referred to in the editorial. Each has a large number of photographs of women in various stages of dress and undress and there are a number of articles of a sexual nature. The photographs are, in the main, contrived poses of the same nature of many girly-type magazines. Despite its claim to have articles of the nature mentioned, it is apparent that these are only a small proportion of the publication. Each number has 98 pages. Number 1 has 12 pages devoted to matters of general interest, number 2 has 17, and number 3 has 8. As stated the remaining articles are of a sexual nature which have no literary merit and which quote the alleged sexual experiences of the author in a variety of extraordinary situations. Despite its claim in the editorial, the whole tenor of the magazine is directed towards sexual themes, mostly in unhealthy terms. Its appeal is to the salacious and the public good almost demands that the magazines should be classified as indecent. They are classified accordingly.

*The Delicate Art of Love*—This is sub-titled *An Illustrated Aid to Sexual Techniques*. It contains a number of photos and a fair proportion of textual matter. The curious thing is that the text bears no relation to the pictures nor do the captions have any relevance to them. It has no literary merit