

for a decision in respect of the following publication:
Drummer, Issue 125:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 27th day of April 1989.

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

Decision

This publication was commercially imported through parcel post Auckland on 27 February 1989 and it was seized by the Collector of Customs. The importer having disputed forfeiture the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Contemporaneous with this decision other decisions in relation to this publication have been issued by the Tribunal, declaring other issues of this publication to be unconditionally indecent for reasons which are the subject of previous decisions of the Tribunal. For the same reasons expressed in those earlier decisions in particular 37/88 the Tribunal finds that this publication is injurious to the public good and classifies it as unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go20775

Decision No. 21/89

Reference No.: IND 11/89

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 publication:
Drummer, Issue 122:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

Decision

This publication was part of a commercial importing consignment through airfreight, Auckland in December 1988. The publication having been seized by the Collector of Customs, the importer has disputed forfeiture and it has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This issue of *Drummer* has maintained the themes of sado masochism and bondage in both pictorial and written matter that have been depicted in previous issues of this publication declared by the Tribunal to be unconditionally indecent. One of the decisions in relation to earlier copies of this publication is the subject of an appeal. The Tribunal for the same reasons as advanced in respect of the previous issues of *Drummer* classifies this publication as unconditionally indecent and now having sufficient copies of that publication before it makes a serial order under section 15A declaring all copies of this publication to be unconditionally indecent.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go20778

Decision No. 22/89

Reference No.: IND 17/89

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 publication: *Loving Encounters (A Book for Teenagers About Sex)*:

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

Decision

This publication was commercially imported through Auckland seafreight, in January 1989. The publication having been seized by the Collector of Customs the importer has disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

This publication is a sex manual for teenagers written by Rosemary Stones. The Tribunal agrees with the Comptroller of Customs that the book is well written with informative sections on AIDS and safe sex, emotions, body changes and sexual responsibility and other matters of particular interest to teenagers in respect of their sexuality. The Tribunal agrees with the Comptroller of Customs that the publication is a genuine one and would be of considerable interest to many readers.

Because of the provisions of the Contraception Sterilisation and Abortion Act 1977, restricting the age at which advice can be given on contraception, this publication is classified as indecent in the hands of persons under the age of 16 years.

Dated at Wellington this 18th day of May 1989.

R. R. KEARNEY, Chairman.

Indecent Publications Tribunal.

go20780

Decision No. 23/89

Reference No.: IND 8/89

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 publication:
Psilocybin, (Magic Mushroom Grower's Guide):

Chairman: Judge R. R. Kearney.

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

Hearing at Wellington on the 26th day of April 1989.

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

Decision

This publication was privately imported by mail in December 1988 and seized by the Collector of Customs at Palmerston North. The importer has now disputed forfeiture and the publication has been referred to the Tribunal for classification prior to the commencement of condemnation proceedings pursuant to the Customs Act 1966.

Psilocybin is a publication which deals with the home cultivation and use of "magic mushrooms" which are ingested for their hallucinogenic drug content. The cultivation and use of these mushrooms is an offence against the Misuse of Drugs Act 1975 and the mushrooms in fact under the name of *Psilocybin* are a class A drug in terms of that Act.