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The Truth, the Whole Truth and Nothing ... But ... the *Truth* ... ?

When will the Police learn the dangers of trying to use hypnosis in criminal investigations? Maybe some kind soul should quietly describe the potential hazards to evidence-hungry detectives and explain the implications of the term confabulation.

Trial witnesses, as we know, are under oath to tell the truth, the whole truth and nothing but the truth ... but hypnosis may, inadvertently, present falsehoods as truth.

Which is why readers may have been dismayed by recent disclosures of how investigation into a murder in the English West Midlands six years ago involved hypnosis.

The hope was to elicit vital clues about the identity of the murderer. A worthy objective but one fraught with dangers.

Details of what happened only emerged at the convicted man's latest hearing at the Court of Appeal in London when the defence argued that crucial evidence involving the use of hypnosis was deliberately kept secret during the original trial.

This evidence was a video recorded interview of a key witness, a police officer, who, during part of the interview, was hypnotised in an effort at memory enhancement.

It is of course easy to understand and sympathise with the police's anxiety to use any legitimate method to track down the perpetrator of this particularly cruel, sad and much publicised case.

The victim, a 22-year-old woman, seven months pregnant, was murdered after her car broke down on the M50 motorway one evening in June 1988. She was apparently walking from her vehicle, parked on the motorway hard shoulder, to an emergency phone box when she was attacked and stabbed in the neck. Her body was found down an embankment the next day.

Four years ago a former night-club bouncer was convicted of her murder. Among the witnesses at his trial was an off-duty Inspector with the West Mercia Force who was driving on the M50 and noticed a silver Renault hatchback pull on to the hard shoulder, behind the victim's car.

Realising he had probably seen the killer just before the attack, the Inspector came forward as a witness.

To assist the Inspector to *remember* the Renault's registration number the Police asked a psychiatrist to interview him. During part of that interview she hypnotised him. He *remembered* the vehicle was not a hatchback, had chrome bumpers and the registration number was C856 HFK. The defendant's Renault was a hatchback, had plastic bumpers and its registration number was C754 VAD.

The Police did not inform trial lawyers about this interview and the Inspector did not refer to it while giving evidence.

Two years later the psychiatrist, in conversation with members of the Crown Prosecution Service, mentioned her involvement in the M50 murder case and how the interview had been video recorded. The CPS's immediate realisation that this was fresh evidence resulted in the appeal hearing.

As many of you could have predicted, none of this has done any favours for the reputation of hypnosis or its perception by the public.

At the appeal, Counsel for the Prosecution insisted the use of hypnosis had been worthless. The Inspector, now a Superintendent, denied having been hypnotised. Both sides appeared to argue that the use of hypnosis was an irrelevancy.

For those concerned with clinical hypnosis however this clearly has wider implications. Attempting to employ hypnosis in a forensic setting poses significant problems – and serious pitfalls.

The most obvious danger is that witnesses may confabulate; come up with "*evidence*" they genuinely believe they have "*remembered*" but which they have fantasised.

Unquestionably hypnosis can on many occasions produce hypermnesia, unlocking genuine memories which have been buried and forgotten. But the difficulty lies in establishing which are genuine recall and which are confabulations.

Unfortunately among the public's many misconceptions of hypnosis is the widespread belief that it is a super key to unlocking the memory and revealing the truth, the whole truth and nothing but the truth.

Well, it is not. You know. We know and probably it is about time the Police knew it.