

HYPNOTISM

Hypnotism Act 1952

No exhibition demonstration or performance of hypnotism (as defined in Section 6 of the Hypnotism Act 1952) shall be given on any person at the Premises whether on payment or otherwise, without the express written consent of the Council and in accordance with any conditions attached to such consent.

An application for consent under the above condition shall be in writing and signed by the Licensee and shall be made no less than 28 days in advance of the exhibition demonstration or performance concerned. A copy of the application shall at the same time be forwarded to the chief Officer of Police and the Fire Authority. The application shall contain the following particulars:-

The name and address of the person by whom the exhibition demonstration or performance is to be given hereinafter referred to as “the hypnotist”

A description of the proposed exhibition demonstration or performance

A statement as to whether, and if so giving full details thereof the hypnotist has been previously refused or had to withdraw a consent by any local authority or been convicted of an offence under the Hypnotism Act 1982 or of an offence involving a breach of a condition regulating or prohibiting the giving of an exhibition demonstration or performance of hypnotism on any person at a place licensed for public entertainments.

Conditions

Where the Council grants consent for an exhibition demonstration or performance of hypnotism the following conditions shall apply to it:

Publicity

No poster advertisement or programme for the performance which is likely to cause public offence shall be displayed sold or supplied by or on behalf of the licensee either at the premises or elsewhere.

Every poster advertisement or programme for the performance which is displayed sole or supplied shall include clearly and legibly, the following statement “Volunteers who must be aged 18 or over can refuse at any point to continue taking part in the performance”

Insurance

The performance shall be covered to a reasonable level by public liability insurance. The hypnotist must provide evidence of this to the local authority if requested and it must be available for inspection at the performance.

Physical arrangements

The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction.

A continuous white or yellow line shall be provided on the floor of any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis unless specifically told to do so as a part of the performance.

Treatment of audience and subjects

Before starting the performance the hypnotist shall make a statement to the audience in a serious manner identifying those groups of people who should not volunteer to participate in it explaining that volunteers might be asked to perform informing the audience of the possible risks from embarrassment or anxiety and emphasising that subject may cease to participate at any time they wish. The following is a suggested statement which might be amended as necessary to suit individual styles so long as the overall message remains the same.

“I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent offensive or harmful. Volunteers need to be in normal physical and mental health and I must ask that no one volunteers if they have a history of mental illness are under the influence of alcohol or other drugs or are pregnant.

No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular hypnotists shall not use selection techniques which seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any use of such selection techniques (eg asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto stage) should only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage.

If volunteers are to remain hypnotised during an interval in the performance a reasonable number of attendants as agreed with the licensing authority shall be in attendance throughout to ensure their safety.

Prohibited actions

The performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subject.

The performance shall be so conducted as not to be likely to cause harm anxiety or distress to any person in the audience or any hypnotised subject in particular the performance shall not include:-

Any suggestion involving the age regression of a subject (i.e. asking the subject to revert to an earlier age in their life this does not prohibit the hypnotist from asking subjects to act as if they were a child etc)

Any suggestion that the subject has lost something (e.g. a body part) which, if it really occurred could cause considerable distress.

Any demonstration in which the subject is suspended between supports (so called catalepsy)

The consumption of any harmful or noxious substance

Any demonstration of the power of hypnosis to block pain (e.g. pushing a needle through the skin)

The performance shall not include giving hypnotherapy or any other form of treatment.

Completion

All hypnotised subjects shall remain in the presence of the hypnotist and in the room where the performance takes place until the hypnotic suggestions have been removed.

All hypnotic or post hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction of post hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed)

The hypnotist shall remain available for at least 30 minutes after the show to help deal with any problems which might arise. (Such help might take the form of reassurance in the event of headaches or giddiness but this condition does not imply that the hypnotist is an appropriate person to treat anyone who is otherwise unwell).

Authorised access

Where

A constable or

An authorised officer of the licensing authority or

An authorised officer of the fire authority has reason to believe that the performance is being or is about to be given he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.

The use of animals in any act shall not be permitted without the prior written consent of the Council who may impose additional conditions. Written application for consent must be made to the Council at least 28 days prior to the proposed performance.