



PRESS RELEASE

Justice in question for those accused of newly-remembered historic child sexual abuse

Innocent people still go to prison because there is an inbuilt bias against those accused of historic sexual abuse, according to a collection of articles and individual testimonies published and launched today, Thursday November 25th 2010, in *Miscarriage of Memory, historic child abuse cases – a dilemma for the legal system*, edited by William Burgoyne and Norman Brand at Garden Court Chambers, 57-60 Lincoln's Inn Fields, London WC2A 3LJ at 11.30 a.m. to 2 p.m.

Contents include:

- Thirteen case histories, from over 2000 on record at the BFMS, where allegations of historic child sexual abuse involved evidence based on uncorroborated 'memories', often newly 'recovered' during therapy.
- Five case-histories of women who have retracted their accusations, including details of the 2006 case: 'Katrina Fairlie versus Perth and Kinross Healthcare NHS Trust.'
- Three disciplinary hearings brought against therapists by the General Medical Council and the British Psychological Society.
- And in a section on legal issues, the perils of 'postdictive' evidence, in which psychological troubles in adulthood are regarded as retrospective *proof* of sexual abuse in childhood, are examined by a solicitor in the case of an 81 year-old man acquitted in the Crown Court of historic allegations of abuse made by a disturbed adult.

Earl Howe, Parliamentary Under-Secretary of State, Department of Health, and formerly Vice-Chair of the All-Party Parliamentary Group for Abuse Investigations says in a foreword: 'The need for the BFMS to publish a book such as *Miscarriage of Memory* is itself evidence that injustices caused by a lack of understanding of memory throughout the legal system continue.'

Recovered false 'memory' is a problem that persists and therapists are still being disciplined by their professional bodies for engaging in activities that are intended to reveal indications of past sexual abuse for which the client has no memory.

For further information and to request pre-press copies contact:

Madeline Greenhalgh, Director, BFMS, Tel 01225 868682
Alison Eden, Communications Officer, Tel 07802 425482

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Notes to editors

1. Since it was founded in 1993, the British False Memory Society has had contact with more than 2000 families affected by false memory allegations by their now adult children who have 'discovered' memories of sexual abuse in early childhood.
2. False Memory has been regarded as a phenomenon of the 1990s and 1980s but the BFMS continues to receive calls daily from parents who have been accused by a now adult child. So far this year 50 cases have been recorded by the BFMS.
3. Recent evidence demonstrating how some therapists still actively suggest to clients that they were sexually abused in childhood was reported by Patrick Strudwick in: 'The ex-gay files: the bizarre world of gay to straight conversion' see www.independent.co.uk/life-style/health-and-families/features/the-exgay-files-the-bizarre-world-of-gay-to-straight-conversion-1884947.html
This article exposed interactions including: "There was no sexual abuse?" she asks, leaning in and squinting again. No, I repeat. "I think it will be there," she replies, dropping her voice to a concerned tone. "It does need to come to the surface."
4. Controversy over the issue of false memory was renewed by the publication on October 20, 2010 by the American writer and journalist, Meredith Maran of 'My Lie: A True Story of False Memory' (Jossey-Bass/Wiley). Maran details the stages by which she came to believe and then to question her recovered 'memories' of abuse - and then, happily, to be reconciled with her father. An extract from the book Meredith Maran's book My Lie: A True Story of False Memory was published in The Guardian on October 10, 2010.
5. The British False Memory Society, which has a Scientific and Professional Advisory Board comprising respected psychiatrists and psychologists (see <http://www.bfms.org.uk/site>), works to improve understanding of false memory by encouraging, sponsoring, conducting and publishing academic and professional research.
6. The British Psychological Society guidelines are clear that: " psychologists must be alert to the dangers of suggestion...psychologists should avoid engaging in activities and techniques which are intended to reveal indications of past sexual abuse of which the client has no memory..." (http://www.bps.org.uk/downloadfile.cfm?file_uid=AF4596F6-1143-DFD0-7E33-8AC1F41ACCE4&ext=pdf)
7. In its guidelines for good practice, published 1997, The Royal College of Psychiatrists Working Group on Reported Recovered Memories of Child Sexual Abuse' warns that 'the evidence shows that memories of events which did not in fact occur may develop and be held with total conviction.' Psychiatric Bulletin (1997). 21. 663-665.
8. 'Recovered memory' can be brought about through the ministrations of authoritative figures such as therapists and psychiatrists or reading self-help literature or concentrated focus on 'what might have been'. In an insidious process, which might take years, the patient comes to believe that all his or her troubles stem from this newly remembered abuse.
9. Memory is not a video tape that can be rewound and revisited. Memory is a process of reconstruction and human beings are highly suggestible. We live in a culture that finds the idea you can 'regress' to childhood and revisit the past through hypnosis very attractive. Public understanding of science in relation to the function of memory is poor. The evidence base shows that false memories can be implanted (see: Loftus research papers <http://faculty.washington.edu/eloftus/> and Wade, KA and Laney, C. Time to rewrite your autobiography?' The Psychologist, July 2008, Volume 21, No 7. http://www.thepsychologist.org.uk/archive/archive_home.cfm?volumeID=21&editionID=162&ArticleID=1375
10. Note also the impending publication of 'Unbreakable Bonds – They know about you Dad' by Jim Fairlie, published Austin Macauley. The story of a father, a well known politician at the time, who was falsely accused of historic abuse by his youngest daughter whilst undergoing psychotherapy who later retracted her accusations.

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