



Hypnotism Act 1952

Introduction

1. No exhibition, demonstration or performance of hypnotism (as defined in the Hypnotism Act 1952) shall be given, except with the express consent of the Council and in compliance with these conditions.

Applications

2. Application for consent under condition 1 above shall be in writing and signed by the applicant or his agent, and shall normally be made not less than 28 days in advance of the performance concerned. This period may be reduced at the discretion of the Council in the case of a Hypnotist who has performed at the same venue within the last three years, without any serious incident. A copy of the application shall at the same time be forwarded to the Chief Officer of Police.
3. The application shall include the following:-
 - a) The name (including stage name, if different) and address of the person who will give the performance (hereafter referred to as the "hypnotist"), together with details of the hypnotist's last three performances (including details both of the venue and of the date of such performances); and
 - b) A statement as to whether, and if so giving full details thereof, the Hypnotist has been previously refused, or had withdrawn, a consent by any Licensing Authority or been convicted of an offence under the Hypnotism Act or of an offence involving the breach of a condition regulating or prohibiting the giving of a performance of hypnotism on any person at a place licensed for public entertainment or approved for the purposes of the Hypnotism Act 1952; and
 - c) The address of the premises where the performance(s) is or are proposed to be provided and the date of the first such proposed performance.

Conditions

4. The following conditions shall apply to any consent given

Publicity

5. 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, occupier or hypnotist, either at the premises or elsewhere;
6. Every poster, advertisement or programme for the performance which is displayed, sold 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".
7. The performance shall be covered to a reasonable level by public liability insurance. The hypnotist must provide evidence of reasonable coverage to the Council, upon request; and a certificate of insurance must be available for inspection at the performance.

Physical Arrangements

8. The means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction;
9. 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 part of the performance.

Treatment of Audience and Subjects

10. 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 what volunteers might be asked to perform; informing the audience of the possible risk from embarrassment or anxiety; and emphasising that subjects may cease to participate any time they wish. The following statement, or words to the same effect, shall be utilised "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."

11. No form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, the hypnotist 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 (such as, for example, asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage) shall only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage;
12. The licensee or nominated person shall be present throughout the performance and shall ensure compliance with these conditions and any further conditions attached to the consent.
13. If volunteers are to remain hypnotised during an interval in the performance, a reasonable number of attendants as agreed with the Council shall be in attendance throughout to ensure their safety.
14. The performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subjects;
15. 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:-
 - i) Any suggestion involving the age regression of a subject (that is asking the subject to revert to an earlier age in their life), but this requirement shall not prohibit the hypnotist from asking the subject to act as if they were a child;
 - ii) Any suggestion that the subject has lost something (for example, a part of their body) which, if it had really occurred, could cause considerable distress;
 - iii) Any demonstration in which the subject is suspended between supports (so called "catalepsy");
 - iv) The consumption of any harmful or noxious substance;
 - v) Any demonstration of the power of hypnosis to block pain (for example, pushing a needle through the skin);
16. The performance shall not include giving hypnotherapy or any form of treatment:

Completion

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

18. 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 on posthypnotic suggestion does not prevent the hypnotists from telling subjects that they will feel well and relaxed after the suggestions are removed);
19. The hypnotist shall remain available for at least 30 minutes after the performance to help deal with any problems which might arise (such help may take the form of reassurance in the event of headaches or giddiness, but this condition shall not be taken to imply that the hypnotist is an appropriate person to treat anyone who is otherwise unwell).

Authorised Access

20. Where:

- i) A constable; or
- ii) An Authorised Officer of the Council; or
- iii) An Authorised Officer of the Fire Authority

has reason to believe that a performance is being, or is about to be, given he may enter the venue with a view to seeing whether the conditions subject to which approval of performance was granted are being complied with.

Notes

The following notes do not form part of the conditions

- **Refusal of consent by another authority shall not necessarily indicate that a particular hypnotist is unacceptable, and will not necessarily of itself be used to decide whether consent should be granted.**
- **Attention is drawn to the fact that the Hypnotism Act 1952 specifically prohibits the hypnotising of persons under the age of 18.**
- **The imposition of the above conditions, and their compliance, confers no protection on the person who gives the exhibition from any criminal proceedings or civil action, which may be brought against him.**
- **The examples given within certain of the conditions above are without prejudice to the generality of those conditions.**