



**COSA NEW ZEALAND INCORPORATED  
CASUALTIES OF FALSE SEXUAL ALLEGATIONS**

## COSA South AGM, May 2000

Cold squally winter showers did nothing to chill the cosy cordiality afforded visitors to the country home of Jane and Tony Allison for a luncheon and subsequent COSA South AGM on 21st May.

Bright fires alight at either end of the open house along with lovely food and wine reflected the warmth and generosity of our hosts who's unflagging support of COSA objectives will always be remembered and appreciated. It was pleasing that Peter and Mrs Ellis accepted an invitation to attend and enjoy the luncheon.

With no Notices of Motion, limited discussion in General Business and a reported sound Financial Position, the AGM followed a predictable course with most focus on the Election of Officers. Jane Allison chose not to seek re-election to the Chair after two years in that role preceded by three years as Secretary. Jane's contribution over those years has been immeasurable where her energy, wisdom and diplomacy has facilitated many positive outcomes, and been a catalyst for changes in attitudes; knowledge and understanding that have, and will continue to benefit many individuals.

COSA South is indeed very fortunate that John Lindsay, who has worked closely with Jane on many issues, including casework, accepted a nomination for the Chairmanship, and was unanimously applauded, rather than voted into the position. John replicates many of Jane's skills and brings the same measured approach to issues while maintaining sensitivity to individual needs. The above-mentioned changes in conjunction with re-election of our four other committee members and our Secretary and Treasurer, left one committee position vacant.

## No. 5 JUNE 2000

### CONTENTS

COSA South AGM, May 2000  
CHCH Civic Child-care Centre Inquiry  
Sir Thomas Eichelbaum  
Letters/Views:  
Unbundling prejudices  
Joined up thinking  
Counselling  
Court News  
Britain  
Letter from Auckland-based mother  
Dilemma in dealing with memory  
Law Commission Paper on Memory  
Woman with Walter Mitty syndrome  
Book Review of Hystories:  
News from COSA North

After an absence of two years for business and family reasons, past Chairman and founding member of COSA National, Arthur, accepted that nomination and was welcomed back on board unanimously. Arthur has earned an enviable respect for his knowledge and passionate determination to protect and defend what is right, by lawyers and defendants alike.

Patron Dr Greg Newbold and Advisory Panel members, Mervyn Glue, Dr Denis Dutton, Nigel Hampton have re-affirmed their ongoing support in those roles and COSA South is very grateful for their past and future contributions and assistance. - Thank You.

It is clear a skilled, knowledgeable and experienced team to address current and future issues that concern us administers COSA South. Much has been achieved for individuals and collectively for society, but sadly, human nature being what it is, there may always be a need and COSA South is determined to contribute whatever assistance it can.

## **CHRISTCHURCH CIVIC CHILDCARE CENTRE INQUIRY:**

Disappointment over narrowness of terms for Eichelbaum

The government has taken the rare step of ordering a Ministerial Inquiry (announced by the new government early in 2000), to be conducted by former chief justice Sir Thomas Eichelbaum, into aspects of the Peter Ellis case.

Some will question whether this further step is justified or even casts doubt on the competency of the judicial process, while yet others will complain that the Terms of Reference are too limited. These varying reactions reflecting the community polarisation over this case. There are two arguments in favour of this inquiry.

- Firstly the Court of Appeal found there were issues that fell outside its scope and required examination by a Commission of Inquiry, not by a court under the guise of an appeal.

- Secondly, the issue of children's evidence is subject to vast international debate over its use and mis-use.

Sir Thomas's Inquiry will be invaluable if it can further improve the processes followed when the evidence of children is central to a case.

The narrowness of the Inquiry has greatly disappointed knowledgeable Mr Ellis supporters. His lawyer Judith Ablett-Kerr expressed concern that important evidence would be excluded, such as police reports, original reports relating to police, and later information concerning a detective.

COSA South understands that aspects of the Terms of Reference for the Inquiry are being challenged.

### **TERMS OF REFERENCE FOR THE MINISTERIAL INQUIRY SET IN 2000**

The Minister of Justice appoints you to inquire in the manner set out below into matters which may be relevant to the assessment of the reliability of evidence given by the children who

attended the Christchurch Civic Crèche against Peter Hugh McGregor Ellis and to report on whether there are any such matters which give rise to doubt: about the assessment of the children's evidence to an extent which would render the convictions of Peter Hugh McGregor Ellis unsafe and warrant the grant of a pardon.

**You are to;**

(1) (a) Review the reports and memoranda listed in the schedule and

- (i) identify the processes, practices and procedures currently accepted internationally as best practice for investigating mass allegation child sexual abuses and interviewing children in these cases; and

- (ii) identify any risks associated with a failure to adhere to best practice.

- (b) On the basis of the evidence given at both the depositions and the trial, assess whether the investigation into the events at the Christchurch Civic Crèche case and interviews of children were conducted in accordance with best practice as now understood.

- (c) If you conclude that the interviews were not conducted in accordance with best practice, identify the nature and extent of any risks which arise, which might affect the assessment of the reliability of the children's evidence. In conducting this task you are not required to attribute or apportion blame to particular individuals who undertook the interviews. The focus of the task is on the evaluation of systems and techniques and their impact on the children.

In undertaking the tasks referred in (1) above, you are to invite, and consider, written submissions from the Crown Law office (on behalf of the Police, Department of Social Welfare and Specialist Interviewers), Peter Ellis, the families of children who gave evidence at the Ellis trial, and the Commissioner for Children.

(2) For the purpose of the assessment and the conclusions under (1) above, you are to;

(a) Seek and evaluate opinions from at least two internationally recognised experts (if possible with experience in mass allegation child sexual abuse) on whether there are features of the investigation and/or interviews of the children (on the basis of the evidence at depositions and trial) which may have affected the reliability of the children's evidence, and if so, their likely impact.

(b) In selecting the experts from whom opinions are to be sought you are to:

(i) invite and consider submissions from the Crown Law Office, Mr Peter Ellis, the families of children who gave evidence at Mr Ellis's trial and the Commissioner of Children; and

(ii) make such further inquiries as you consider necessary to ensure that the experts from whom opinions are sought reasonably reflect the range of professional views.

(3) In light of your assessment and conclusions in (1) and (2) above, you are to report by 31 August 2000 on whether there are any matters which give rise to doubts about the assessment of the children's evidence to an extent which would render the conviction of Peter Hugh McGregor Ellis unsafe and warrant the grant of a pardon.

## SCHEDULE

Report on the Inquiry into Child Abuse in Cleveland 1987;

Report of the Inquiry into the Removal of Children from Orkney Isles in February 1991;

The 1992 Memorandum of Good Practice (England),

The Joint New Zealand Children and Young Persons Service and Police Operating Guidelines March 1997;

The Final Report of the Royal Commission into the New South Wales Police Service

Law Commission. Total Recall? The Reliability of Witness Testimony. A Consultation (July 1999); and

Analysis of Child Molestation Issues Report No. 7, A Report by the 1993 San Diego Grand Jury, June 1, 1994.

## LETTERS/VIEWS

*Dear COSA South,*

### UNBUNDLING PREJUDICES

A web site on religious tolerance has recently caught my eye, my conscience and at prejudices that I have developed since being affected by a case of false allegations of sexual abuse. This prejudice is against lesbians.

There has been a discussion recently on the Internet, in the newsgroup called 'nz.queer', suggesting that perhaps there is a higher percentage of lesbians in groups helping those alleging sexual abuse, than there is per capita. A writer said that this was because lesbians liked to help people, and because they have been affected by the bad behaviour of men. Whether that is as innocuous as it sounds, can be debated.

However, what makes me angry is specifically people who unthinkingly support persons who make false allegations of sexual abuse, and both the supporters and the complainers are often females. A question was posted to the newsgroup, asking if it was known whether any lesbians had ever supported someone whose allegations of sexual abuse were false. One woman answered, saying no. She also didn't know of any heterosexuals supporting anyone falsely alleging sexual abuse. However, the crunch question was asked of this woman: "How would you know if lesbians you know, had supported a person making allegations of sexual abuse that were false?"

My point is that the woman may well have found this question unanswerable; the question of lesbianism was actually a red herring except insofar as lesbians may accidentally be supporting false sexual allegations, for dogmatic reasons, more frequently than for some other demographic groups. I hoped to

show her the logical absurdity of what I believe to be a dogmatic position that says anyone who alleges sexual abuse is to be believed - claimants never lie. Such a position means that such allegations are never falsifiable. But the possibility of falsifiability has to be theoretically available to any supposed real-world event, or it is just supposition, and a nonsense, and of no scientific merit. Clearly allegations of sexual abuse whose 'truth' is based only on the dogma that such allegations must always be believed, if there is no evidence, is an unscientific position.

There must be lesbians who do not support such unscientific dogma and its results; it's just that I don't know any. However many heterosexual people sadly also support unscientific dogma. What they have in common with, I hope, only some lesbians is that they will not challenge the position that when a woman (or a child or any person for that matter) alleges sexual abuse it must be true, no matter what. What the heterosexuals gain by not challenging that dogma is amongst other things a smoother relationship with many lesbians. I really think this amounts to a kind of dogmatic collusion.

Meantime, I am doomed to a rough ride with those lesbians, and those colluding dogma supporters.

*Dear COSA South,*

### **JOINED UP THINKING**

Recently on radio an advocate scientist speaking on the subject of clean water as applied to resource management, said the issues were going to be described and solutions worked towards, within the context of 'joined-up thinking'.

She said that community health issues as espoused by any interest groups were going to be considered, when decisions about water monitoring and such like were being decided by scientists. The plan of action would take into account different ends of the community's spectrum of interest and reflected the concept of 'joined-up thinking'.

Clearly this approach goes beyond 'networking' which tends to be mildly consultative only and depository in so far as information and/or concerns are distributed to other party's after the fact. Networking, in reality, tends not to be very inclusive.

If a group representing our concerns - the problem of false allegations of sexual abuse - in all its various manifestations and effects, was to bring some 'joined-up thinking' to bear on this issue, our effectiveness and contribution may be enhanced.

It would involve increased dialogue at a meaningful level, exchange of information sharing and analysis by sharing resources, and could involve joint action, increasing impact and outcomes.

Targetting specific areas needing input or change obviously requires personal resources - manpower - but acquisition of a computer and access to electronic information technology will greatly assist this task.

*Dear COSA South,*

### **COUNSELLING: RATIONAL, REGULATED, ACCOUNTABLE?**

Society puts in place safeguards and frameworks of operation for the professions, to try to ensure public health, welfare and safety. This is brought about by having systems of training, testing, licensing, re-licensing, and regulation, and enforcement and discipline measures for dealing with cases when things go wrong.

The COSA North editorial argues that in counselling, a testable reliable body of knowledge, backed up by observations and linked to falsifiable theories, and accompanied by such things as registration and enforceability of standards and a code of ethics, is often, or even always, lacking.

In some cases, counsellors would dispute this when they are trained in reputable scientifically orientated courses and pass difficult theoretical examinations, undergo professional supervision during their clinical training, have ongoing supervision, and belong to

a professional body which has a strict, enforced, code of ethics. Of course a science of human behaviour is unlikely to be as exact as mathematics, or as universal. In other cases, however, counsellor's work does appear to encompass fields that have little or no scientific, testable, or observable basis. COSA North seems to make valid points.

To take a local example, Mareesa K Dannielle has advertised for clients, offering counselling at \$30 per session in St Albans newsletter STANN, in Christchurch recently. She gives her qualifications as a diploma in industrial psychology, a diploma in clinical psychology (Brazil), and "REBT practitioner". She also says she is interested in clairvoyance, psychic and spiritual counselling.

How much of her qualifications have as a basis internationally accepted bodies of knowledge publicly available and based on falsifiable theories? What restraints and accountability apply to her work, which may include the unusual fields she mentions? Is any professional body with an enforceable code of ethics backing her up, and is she responsibly supervised?

When she does her work, it is with a person. If she damages that person - who comes to her looking for help, or assistance towards her/his own answers - and that client does damage on that basis, who and where is there recourse to? No one and no where, and that is exactly where we are at in relation to false allegations of sexual abuse which often owe some of their existence to 'nourishment in counselling'.

The counselling and related services sectors of society, with the assistance of government if necessary, need to take action to force rationality and accountability into the industry. There has to be a stance of getting past what we might be forgiven for calling an "anything goes" attitude in counselling in terms of the broad area of practice.

A timeline on the Civic Crèche case in Christchurch, pertaining to events around 1992 clearly shows ludicrous false allegations in the nature of satanic ritual abuse against

certain Christchurch personages and institutions. Fully implicated in belief in these allegations and in their proliferation is someone apparently acting as a sexual abuse counsellor. She is the mother of the first child to make a remark treated as an allegation and has had a material effect on the Crèche case.

Has counselling as an arena reacted publicly against the ludicrousness of the situation to help bring things back under control and to stop the damage?

## COURT NEWS

### **BRITAIN: MAN CLEARED AFTER APPEAL AGAINST RAPE CONVICTION**

A man, who has spent 14 years in jail for rape, was cleared after Britain's appeal court ruled that his alleged victim had probably made up her story.

A man, 56, a gardener, had been jailed for life in 1986 after a jury accepted evidence from a 20 year old nurse that he had raped her. Burnett refused to admit guilt but had no grounds for an appeal until 1998 when the same woman made a false complaint of rape against someone else.

- *Christchurch Press 10 April 2000*

### LETTER FROM AUCKLAND-BASED MOTHER,

### **A PSYCHOTHERAPIST, FAILS TO IMPRESS CHRISTCHURCH JUDGE: SON JAILED**

A psychotherapist who spoke in defence of her son acted unprofessionally, says a High Court judge.

In a letter to the court, the man's mother had disqualified herself from speaking about her son - but then proceeded to do so at length, Justice Hansen said.

The Auckland based professional had suggested that her son was really not guilty of crimes he had admitted.

"The bulk of this document is completely unprofessional, for a psychotherapist to put before the court ... for reasons so obvious I

hardly need to state them.” His Honour told the High Court in Christchurch.

Earlier, the man’s counsel said he thought the letter had “dubious” credibility. Crown counsel urged the court to set it aside.

The man admitted charges of sexually violating his 12-year-old daughter, and inducing her to perform an indecent act, on December 30 last year. He also admitted indecently assaulting the girl on five occasions.

Defence Counsel said the letter arrived the day before sentencing. He put it forward at his client’s request.

Urging the judge to dismiss the letter, the Prosecutor said the document spoke at length about the man’s ‘care and devotion’ towards his children.

It suggested the complainant had concocted allegations on the basis of claims by the former wife, who was prone to make up stories.

“It suggests he mistook his 12 year old daughter for his de facto partner when he climbed into bed with her”, The Crown said.

Justice Hansen said he would lend the letter no weight. The man had been abusing drugs and alcohol since his early teens.

“Tragically, it seems your mother, despite her qualifications, was unable to assist you”, His Honour told the prisoner.

The man did not believe there were sexual connotations to his drinking, which was troubling. A 1998 case, in which he was convicted for criminally harassing a 14-year-old girl, had ‘sinister undertones’.

Justice Hansen said the man was entitled to a hefty discount for his early guilty plea. He sentenced him to three years in jail.

- *Christchurch Press 15 April 2000*

### ***DID YOU HEAR THE ONE ABOUT ...***

Did you hear the story about the student of life who was also a bit of a villain, who painted his car in two colours.

He divided the car longitudinally down the centre from the grill to the boot number plate. He painted the passenger side yellow, and the drivers side red.

This caused interest among considerable friends and onlookers who enquired as to Why he would do such a thing?

“Well”, he would repeatedly respond, “I’m planning for the day when I have a not too serious accident, an incident or something in the middle of town from which I can drive away. Imagine the confusion, some witnesses will see a yellow car, some will see a red car, the outline and make will be unclear, they won’t even be sure which way it was going. In fact some witnesses won’t have a bloody clue what they saw. They’ll never catch me good fun aah”.

UNIVERSITY OF OTAGO MEMORY CONFERENCE MARCH 2000

### **DILEMMA IN DEALING WITH MEMORY**

Police and social workers often face dilemmas in dealing with children’s memories, American psychologist Prof. Karen Saywitz says.

Prof. Saywitz, based at the University of California Harbor Medical Centre in Los Angeles, was one of seven leading overseas researchers who addressed an international conference on memory at the University of Otago in March.

In a paper on “Children’s Memories: Strengths, Weaknesses, Implications for Practice and Policy”, Prof. Saywitz said professionals such as police often faced a dilemma over how to elicit as much trustworthy information as possible from children without tainting what was gained.

Doctors diagnosing medical problems and police considering possible criminal charges had to seek and evaluate such remembered information, she said.

Such professionals found that some research literature emphasised the accuracy of recall, but other studies pointed to the apparent unreliability of some childhood memories.

She warned against oversimplification.

However, studies reporting unreliable recall often involved younger children such as those aged 3 to 5, and partly reflected problems with dubious interview techniques.

She warned against the use of leading or emotionally loaded questions, and repeated queries seeking yes or no answers, during child interviews.

She outlined promising research on methods of increasing the narrative detail recalled by children.

In another paper, Associate Prof. Margaret-Ellen Pipe, of the Otago University psychology department, discussed changes in children's event memory over time. Four years later, many children accurately recalled details of a brief simulated encounter with a 'pirate' they met when they were aged 5 to 6.

Recall of the encounter a year after researchers had staged the 'pirate' event was increased when the children made a brief return visit to the room and saw the pirate 'props' again, she said.

Conference organiser Associate Prof. Harlene Hayne, also a leading memory researcher based at the Otago University psychology department, said the symposium had been highly successful and had boosted international research links.

- *Otago Daily Times, March 2000 by John Gibb*

**COSA South is trying to acquire these conference papers for our library**

## MEMORY THEORY

*Law Commission Paper on Memory August 1999*

In August last year the Law Commission produced three documents on Evidence; one of which is titled: Miscellaneous Paper 13 - Total Recall? The Reliability of Witness Testimony.

Approaching 100 pages of easy to read text, the paper deals with memory and has chapters on:

- Memory Theory

- Eye Witness Identification

- Children's Memory

## Recovered Memory

A comprehensive bibliography supplements the text.

A précis of part of this document is set out below as a helpful foundation to understanding a critical but vulnerable, fluid and imprecise area of human functioning.

## Preface

The testimony of witnesses about events and the people involved in them, or more accurately their 'recollection' of those events is central to criminal and civil proceedings. Judges and juries must then assess the reliability of witness's evidence, which, because of the complexity of memory processes, requires the validity of a persons recall to be assessed on an individual basis.

The application of the findings of experimental research to that task, in the real world, must be undertaken with caution. Research reports provide statistical information regarding the 'group' being studied. Individual differences exist within the group and an individual may not be typical of the group.

Memories are not permanently stored as if recorded on tape, unaltered, to be played back later as an exact recording of the event. Memory is both a reconstructive and reproductive process - it depends in part on knowledge and in part on the additional information sourced after the event.

Neither perception nor memory is a copying process. They are decision-making processes affected by the totality of a persons abilities, motives and beliefs, by the environment and by the way the recollection is eventually tested.

The observer is an active rather than a passive perceiver and recorder and reaches conclusions by evaluating fragments of information and reconstructing them.

In the absence of irrefutable proof, belief may become a part of a memory - the memory may

be promoted as a truth but that truth may not be fact.

The lyricist who penned the words of the musical hit "No Matter What", for the pop group - Boyzone - clearly has an understanding of the process:

No matter what they tell us  
No matter what they do  
No matter what they teach us  
What we believe is true.  
No matter what they call us  
However they attack  
No matter where they take us  
We'll find our own way back.  
I can't deny what I believe  
I can't be what I'm not.

### The Three Stages of Memory

Theorists present memory as involving three stages: acquisition, storage and recall. Processes involved with each stage influence how accurately and completely any witnessed event will later be recalled.

**Acquisition** is when information is encoded in memory. This involves transferring the information from 'short term' (working memory which holds information for a few seconds) to 'long term' (more permanent) memory. Processes relating to perception, attention and understanding, including the stress or shock of an event or a person's expectations of what will happen, may influence what information is encoded in memory and how well it is encoded.

The **retention** stage is the period of time that passes between an event and the eventual recollection of a particular piece of information. Research indicates that stored information is malleable and subject to change and distortion during this retention stage. Memories may change simply as a function of time, or may also change as a result of similar intervening experiences, rehearsal of the event (for instance, thinking and talking about it),

and exposure to other information about the event. Many factors which affect encoding also affect the retention stage.

The **retrieval** stage, during which a person recalls the information about the event, is influenced by the cues available to retrieve the memory; for example, as provided by questions, or physical cues such as photographs. Recall is also affected by the social context in which the person is asked to recall the information. Forgetting, that is, failure to retrieve information from our memory, may indicate:

- Failure to store information correctly;
- Displacement of information;
- The memory trace has faded away or decayed with the passage of time;
- Interference from later input which sounded similar and impacted negatively on the short-term memory or information which is semantically similar and interfered with information stored in the long-term memory;
- Lack of appropriate retrieval cues.

The accuracy and comprehensiveness of any persons recall depends on factors such as the personal significance of the event, the emotive content of the event, the time lapsed since the event, the occurrence of other related events, why and by whom the person is asked to recall their memories, and the kinds of retrieval cues provided at the time of recall. The fundamental question of whether forgetting is the result of actual loss of information stored, or whether it is the loss of access to that information, or whether it is the result of both, may be unanswerable.

### Types of Memory

Psychologists now distinguish between different types of memory. This is best understood "as reflecting the different processes that can be used to access a common memory trace" (Squire et al, 1993:482, cited in Kapardis, 1997:25).

However, it should be noted that some memories may not be neatly pigeonholed into a single category. Some types of long-term



memory may be more vulnerable to change than others.

**Implicit** memory is memory, which operates at an unconscious level. Also known as **non-declarative** memory, it is seen operating in habits, skills, emotions and reflexive actions. The memory is not available for conscious verbal recall but may impact on a person's behaviour. **Somatosensory** memory, a type of implicit memory, refers to physical sensations and reactions. We may have physiological reactions to situations and people, without necessarily being able to consciously recall or reflect on their origins.

**Explicit** (or **recollective**) memory is memory which is accessible to the consciousness. Also known as **declarative** memory, these memories may be recalled verbally.

Theorists have also distinguished two kinds of explicit memory: semantic memory and episodic memory. **Semantic** memory refers to our general knowledge of the world, of the sort that may be recorded in an encyclopaedia or dictionary. **Episodic** memory refers to the memory for events that involve the individual, of the sort that may be recorded in a personal diary. These are the most fragile of memories and are probably not fully formed until a child has developed a concept of self and the necessary cognitive skills.

**Autobiographical** memory system refers to the system by which we organise the episodic memories that make up our personal histories. This system is dependent on the development of cognitive skills, particularly language. Even in adulthood our autobiographical memory is likely to be patchy and subject to distortions, the more so the more distant the memory.

### Source Monitoring

Source monitoring refers to the set of processes involved in making attributions about the origins of memories, knowledge and belief. These processes are relevant because the accuracy of any memory crucially depends on being able to attribute it to its correct source. Theorists suggest that there are at

least three important types of source monitoring: reality monitoring, external source monitoring and internal source monitoring.

**Reality monitoring** involves discriminating memories of internally generated information from memories of externally derived information, for example, distinguishing memories of thoughts and imaginations from memories of perceived events. **External source monitoring** refers to discriminating between externally derived sources, for example, statements made by A from statements made by B. **Internal source monitoring** refers to discriminating between internally generated sources, for example, discriminating memories of what one thought from memories of what one said.

Two **processes** are involved in each type of source monitoring. The first is a **relatively automatic evaluation** of characteristics of the memory such as perceptual information, context in space and time, semantic detail, emotional characteristics and cognitive operations that were established when the memory was formed.

The second is a *more reflective process* and involves retrieval of supporting memories, **noting or discovering relations, and reasoning**. (Eg, asking yourself "does this seem like a real memory, given other things I know?") After reflective reasoning, a memory with a lot of sensory detail may be rejected as a memory of an actual event on the basis of implausibility. Similarly, lack of sensory detail may challenge the reality of recollections that would otherwise be readily accepted because they fitted with one's general knowledge and beliefs.

Source monitoring depends on the quality of the information initially encoded, the uniqueness of the characteristics associated with given sources and the quality of the decision processes when source-monitoring judgments are made.

Human memory is a **very complex** interaction of many **extra-ordinary** processes. It is personal, **individualistic, fragile** and is subject to **change**.

It is important that the fact finder (the judge and jury) be aware of these limitations when evaluating the testimony of a witness.

### **Woman with Walter Mitty Syndrome ...**

It was a shocking scene - a paraplegic woman dead in her blood-soaked bed from knife wounds.

When the Adelaide pathologist performed a post-mortem, he found a case of Walter Mitty Syndrome - a rare psychological condition where a person lives a fantasy life.

The 46 year old had duped healthcare workers, telling them she was wheelchair bound after an accident in Sydney. She also told them she was dying of a terminal disease - anaplastic carcinoma of the lungs - and that she was a witness in Queensland's notorious Fitzgerald Inquiry into police corruption.

But her story finally came unglued as Dr Ross James performed the autopsy.

"It was all rubbish", he said. "She had no malignancies in her lungs, no abnormality of the vertebral column; her spinal cord was intact. There wasn't a bloody thing wrong with her. The Fitzgerald Inquiry had never heard of her".

Dr James outlined the unusual case to a recent international symposium on the forensic sciences on Queensland's Gold Coast. He said healthcare workers had missed telltale signs at the woman's home.

"When you went back to the scene, you could see that she had been walking around," Dr James said.

The woman had been "travelling along pretty well" with her story in Adelaide until she invented the terminal illness.

"Then she had to die. But of course, she wasn't going to die until she killed herself, which is what she did. It was all her own work", he said.

- *Christchurch Press* 21/3/00

### **BOOK REVIEW**

*Women especially*, need 'cultural work to be done' to relieve sexual guilt, says author

**Hystories: Hysterical epidemics and modern media.** Elaine Showalter, 1997. Columbia University Press, New York. 244 pp. Bibliographical references and index.

The trouble with us, this book says, is that we would rather disown than own the full extent of our sexual beings, so we project our 'unacceptable' sexual content onto something, at times allying the thing with attributes of sinfulness and evil. This can be the basis of several modern hysterias including recovered memory, argues the author of this book. These hysterias are present amongst both men and women, but more amongst women, and she suggests, "There is much cultural work to be done, especially for women, in relieving the sexual guilt".

Avalon Professor of Humanities and professor of English at Princeton University, Elaine Showalter, is also listed as working at the Wellcome Institute for the History of Medicine in London. She is also a contributor to the literary sections of notable newspapers, and author of books including on women, madness, and gender. Showalter concentrates her book on ME, Gulf War syndrome, recovered memory, multiple personality disorder, satanic ritual abuse, and alien abduction. In defining these subjects as hysterias, and analysing such as recovered memories on a continuum with alien abduction theories, she expects she will "infuriate thousands of people". Her answer is to have us accept that suffering from physical and other kinds of problems as a result of psychological stress is not illegitimate or unreal. She makes admitting 'yes, I'm confused and depressed' instead of saying 'I've got MPD' into a self-compassionate act of personal courage that has social benefit.

Referring to hysteria in fiction, she mentions New Zealander Jane Campion's 1993 film 'The Piano'. Most of the film's time is spent on relishing, what flows from the heroine's hysteria (loss of voice), she says. Worse, when the hysterical heroine loses her hysteria (speaks) and so should become a heroine, she actually suffers a loss of power in all other areas: she loses her creativity and becomes a boring housewife.

On conspiracy theories - commonly used for plot resolution - Showalter argues that while such a tendency in fiction is one thing, in real-world postulates such as Gulf War syndrome and satanic ritual abuse it is quite another. Satanic ritual abuse has no reality, and in the case of Gulf War syndrome, intangible but real post-traumatic stress disorder attributable to the war is mingled with certain unrealities. Doctors seem unable to combat the force of rumour and panic, and the US government is contributing "to a tragic stand-off" by not holding to the position that the illness suffered is PTSD.

Whether, as she postulates, there is a religious dimension related to the end of the century - as the Salem witch trials of the 1690's were - and the millennium, I am not convinced. Perhaps it is an expression of frustration and conservatism against science and rationalism, subjects or approaches which some cannot, or do not want to, understand. It is possible to say, these approaches have not delivered the goods as much as they might have. Such dissatisfaction in the first-world, mixed with idealism and third-world desperation and resentment, might provide a condition ripe for jumping on the bandwagon of any destabiliser that will work, with emotionalism producing some wanted results quicker than rationality.

Directly of interest to people falsely accused of sexual abuse are several comments, including: "We must exercise caution as a society when histories take on that political and judicial form, when they stop being therapeutic and cross the line into accusation and prosecution".

This author expresses some interesting ideas, and the book was stimulating to read.

## **NEWS FROM COSA NORTH'S JUNE-JULY 2000 NEWSLETTER**

### **... NOTABLE WINS IN THE USA**

- All of DID/MPD units in hospitals throughout the US have been closed;
- Dissociation, a journal on MPD and such topics, has ceased publication;

- Bennett Braun has lost his licence to practice medicine in Illinois; and
- Patricia Neuhasel and Patricia Mansmann have lost their social work licenses, both due to problems associated with their types of therapy.

Note that DID stands for Dissociative Identity Disorder and MPD for Multiple Personality Disorder and these notional entities were a part of what lay behind and helped prop up false allegations of sexual abuse and satanic ritual abuse etc.

The closures and discontinuation are quite remarkable, and a cause for celebration. However, a lack of publicity reaching our newspapers and media so far is surprising or alarming.

The news about the practitioners is related to notable cases in the USA. Sourced from an email from Hollida Wakefield at a recent FMSF conference in New York .

### **... CHILD-CARE CENTRE CASE GRINDS ON - 15 YEARS LATER**

A juror has recently written to the Massachusetts Governor explaining that new information relating to a case where he was juror, has been sufficient for him to have a change of mind. He pleads to the governor for release of the convicted man to "undo a terrible wrong".

The juror's reversal of opinion is in relation to the Amirault case, where a prominent woman, her brother and the brother's wife, were all accused of child abuse at the Fell Acres Day School in Massachusetts in 1986. The innocence of the man's wife, reportedly, was later restored; she has since died. The man's sister apparently didn't fare so well, although she was discharged after she was convicted and in a muddling bargain, the conviction was later restored but on terms that did not require her to return to prison.

The reason he had changed his mind, the juror said, was that he had learnt that the accusing children were inappropriately interviewed and he did not know this at the time of

the trial. Nor did he or the rest of the jurors know “how authorities and parents influenced their testimony” of the children, and if he had, he “would not have convicted Mr Amirault”.

As in other cases we know about, investigators “interested themselves exclusively in efforts to prove ... guilt ... The question of whether anything had in fact happened was not one they were prepared to consider”. This happened against a background of a militant climate of irrationality, and “insults to justice” and constituted the prosecution of the Amiraults.

While the juror had already had a similar appeal rejected by the Supreme Court of Massachusetts, the Governor, Celluci “may have a different view” as to whether there has been a miscarriage of justice.

- COSA North sourced the material on Fell Acres and the Amiraults from an article by Dorothy Rabinowitz in the Wall St Journal of 12/5/00

*The COSA North Newsletter that the above section is based on used COSA North “News and Views” Issue June-July 2000 Vol 2 Issue 3, the second to last of the Newsletters of that society which was wound up in October 2000. Their material is currently still available on the Internet on the web site of the group called ‘Men’s Centre Northshore’.*

*The web address of the site, called the MENZ site, is [www.menz.org.nz](http://www.menz.org.nz)*

*Using the ‘False Allegations’ or ‘COSA’ links on that page will take you to the material controlled by COSA North and authored during the time-period 1994 - October 2000. Or you may be able to use [www.menz.org.nz/cosa.htm](http://www.menz.org.nz/cosa.htm) to go directly to their page. COSA North, formerly a colleague group, closed in October 2000, although they still act as a support group. The COSA section of the MENZ pages has a wealth of historical information that is of abiding interest.*

*Much of of COSA North’s material still has relevance in 2001.*

***~The Newsletter reflects the interests and views of the COSA South Editors~***