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**HYPNOTISM ACT 1952**

**(As amended by the Licensing Act 2003)**

**Conditions for the performance of hypnotism.**

**Consents**

No exhibition, demonstration or performance of hypnotism (as defined in section 6 of the Hypnotism Act 1952 and amended by the Licensing Act 2003) shall be given on any person at the place licensed except with the express consent of the licensing authority and in accordance with any conditions attached to such consent

**Applications**

An application for consent shall be in writing and signed by the licence holder or his agent, unless made electronically and shall be made not 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:

(a) the name (both real and stage, if different) and address of the person by whom the exhibition, demonstration or performance is to be given (hereinafter referred to as "the hypnotist"); together with details of their last three performances (when and where)

(b) a description of the proposed exhibition, demonstration or performance; and

(c) a statement as to whether, and if so giving full details thereof, the hypnotist has been previously refused, or had withdrawn, a consent by any licensing authority or been convicted of an offence under the Hypnotism Act 1952 or of an offence involving the breach of a condition,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 entertainment.

## Conditions

The following conditions shall apply to any consent given:

## 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, 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”***

## Insurance

The hypnotist shall have public liability insurance cover for the performance to the value of at least £1,000.000 and must provide evidence of this to the licensing authority if requested. The certificate must be available for inspection at the performance.

**Performance**

The exhibition shall conform to the description submitted to the licensing authority unless the authority has required or expressly authorised a modification;

Any modifications in the exhibition subsequently required by the licensing authority shall be made immediately upon notice thereof being given by the authority to the licensee;

No inducements shall be offered to members of the public to subject themselves to the influence of the hypnotist;

**Treatment of Audience and Subjects.**

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 the stage (where appropriate) at a point no less than [1.5 metres?] from the edge (i.e. the change in level between the stage and the auditorium). This line shall run parallel with the edge of the stage for the whole width of the proscenium opening. The hypnotist shall inform all subjects that they must not cross the line whilst under hypnosis.

Immediately prior to the start of the performance the hypnotist shall make, in a serious manner, a statement to the audience which identifies those groups of people who should not volunteer to participate in the performance, which provides information about the type of things which volunteers might be asked to perform, which informs the audience of the possible risks from embarrassment or anxiety, and which emphasises that subjects may cease to participate at any time they wish.

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 (e.g. asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the 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:

1. 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);
2. Any suggestion that the subject has lost something (e.g. a body part) which, if it really occurred, could cause considerable distress;
3. Any demonstration in which the subject is suspended between two supports (so called “catalepsy”);
4. The consumption of any harmful or noxious substance;
5. Any demonstration of the power of hypnosis to block pain (e.g. pushing a needle through the skin);
6. The giving of hypnotherapy or any other form of treatment.
7. The giving of suggestions to the subject that he should perform any act or behave in any manner offensive or harmful.

**Completion**

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.

All hypnotic or post-hypnotic suggestions shall be completely removed from the minds of all the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotists shall confirm with each of them they feel well and relaxed (the restriction on 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 that might arise. (Such help may 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 unwell)

The Hypnotist should supply an emergency telephone number where they can be contacted up to 12 hours after the event, to deal with any issues that may arise.

## General

The Designated Premises Supervisor (DPS) or some responsible person nominated by him in writing for the purpose shall be in charge of and on the licensed premises during the whole performance.

The person in charge shall, throughout the performance, be assisted by a sufficient staff of competent attendants (qualified in first aid) and who shall be specially instructed by the DPS or a person nominated by him as to their duties in the event of a fire or other emergency.

A copy of these conditions shall be displayed in an accessible place on the premises for the duration of the performance.

**Authorised Access**

Where

* a constable
* an authorised officer of the licensing authority: or
* 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 ensuring compliance with the above conditions.