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**THE EFFECTS OF ABUSE TYPE AND COMPLAINANT SYMPTOMATOLOGY IN A
SIMULATED SEXUAL ABUSE TRIAL**

by

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**A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfilment of
the requirements for the degree of
Master of Arts
Department of Psychology**

Carleton University

Ottawa, Ontario

September, 1999

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Abstract

Mock jurors ($N = 371$) were asked to reach a verdict in a criminal case in which the complainant claimed to have repressed and, subsequently through therapy, recovered memories of childhood sexual abuse at the hands of her father. This study assessed how the nature of the memories being repressed and the symptoms of psychological damage presented by the complainant affect jurors in such cases. Jurors viewed a videotaped trial of a case that involved either abuse with satanic ritual elements or abuse without such elements. The case also included a complainant who presented mild symptoms of psychological damage, symptoms of post-traumatic stress disorder (PTSD) but without the appropriate diagnosis or label, or symptoms of post-traumatic stress disorder with the appropriate diagnosis or label. Participants were randomly assigned to one of six conditions in a 2 (no ritual/ritual) x 3 (mild symptoms/PTSD symptoms without label/PTSD with diagnosis) design. The results indicated that, consistent with expectations, jurors were significantly more likely to convict the defendant in the condition in which there were no elements of satanic ritual abuse than in the ritual abuse condition at both the individual and jury verdict levels. No differences were found in juror verdicts between the three symptomatology conditions. Gender differences were also observed. Female jurors voted to convict the defendant significantly more at pre-deliberation, held a stronger belief in the defendant's guilt, and believed the complainant and her therapist to be more credible and the defendant to be less credible than did male jurors.

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The Effects of Abuse Type and Complainant Symptomatology in a Simulated Sexual Abuse Trial

Over the last few years, an increasing number of allegations involving previously repressed memories of childhood sexual abuse have come before the courts (Loftus, 1993). In some cases, allegations have included incredible tales involving the use of satanic rituals as part of the abuse. Usually, there is at least some discussion about the psychological damage done to the complainant in such cases. How do jurors respond to these various issues and how do they evaluate evidence in reaching verdicts in such cases? It is hoped that the present study will address these questions by looking at how the nature of the memories being repressed and the symptoms of psychological damage that the complainant presents affect jurors in cases of childhood sexual abuse involving previously repressed memories.

Although it has always existed, childhood sexual abuse has only received widespread attention since the early 1970s. Since the 1970s, it has been thought that childhood sexual abuse is far more prevalent than previously believed (Spanos, 1996). Complicating the understanding of the prevalence of childhood sexual abuse is the debate over whether memories of childhood sexual abuse can be 'repressed' - that is, pushed from consciousness to the 'unconscious' mind because these memories are 'too horrifying to contemplate' (Loftus, 1996, p. 283, Spanos, 1996). While many clinicians have argued for the validity of such a process (e.g. Briere & Conte, 1991), to date, there is no empirical evidence to support the concept of repression (Loftus, 1996).

Those who advocate that memories of traumatic events such as childhood sexual abuse can be repressed believe that the prevalence rates of sexual abuse of children are much higher than can be documented (e.g. Briere & Conte, 1993). According to such advocates, there are many people who have been sexually abused as children who simply have no memory of this abuse. For example, Briere and Conte (1993) believe that “it is likely that some significant proportion of psychotherapy clients who deny a history of childhood sexual ‘victimization’ are, nevertheless, suffering from sexual abuse trauma” (p. 26). If memories of childhood sexual abuse are alleged to be commonly repressed, it is important to gain an understanding of the nature of these memories that are subsequently recovered.

Memories Being Repressed

Contrary to Spanos’ (1996) conclusion that the rate of incest was less than 5% of all sexual abuse cases, one of the more common forms of sexual abuse that is supposedly being repressed is that of incest and in particular, parent-child incest (Spanos, 1996; Wakefield & Underwager, 1992). It seems rather odd that a disproportionate number of repressed memories that are subsequently recovered involve parent-child incest when the actual findings of parent-child incest are so low. Perhaps, memories of parent-child incest are far more horrific than those of being sexually abused by a sibling or another close relative and thus are more likely to be repressed. However, given that there is no empirical evidence for the concept of repression (Loftus, 1996), proof for this possibility of differential horror effects has yet to be documented.

Ritual Abuse Memories. Similarly unique in terms of documented prevalence and inferred horror is the incidence of ritual abuse. Ritual abuse is a type of repressed sexual abuse memory that has been increasingly encountered among some therapists, and involves abuse as part of a cult that incorporates the sexual abuse of children into its special rituals which often deal with the worship of Satan (Edwards, 1990; Fraser, 1990; Hudson, 1990). According to Fraser (1990), ritual abuse is:

a severe form of abuse in which the child, and even the adults, are repeatedly physically and sexually abused in self-styled or traditional ceremonies by an organized group of perpetrators. Such groups may be secular or pseudo-religious which often have connections with prostitution rings and the production of pornographic videos. The abuse is frequently violent, repeated, and may involve threats of death and/or the witnessing of death of other victims (p. 56).

Researchers have found that the events that allegedly occur during satanic ritual abuse and that have been repressed by victims include various sexual acts between children and adults, children and adults making references to the devil and chanting, the wearing of black robes by participants, animal sacrifice and the breeding of babies for human sacrifice, cannibalism, victims being buried alive, the eating and drinking of animal and human waste products and blood, kidnapping, torture and mass murder (Bottoms, Diviak & Davis, 1997; Fraser, 1990; Schutte, 1994; Spanos, Burgess & Burgess, 1994; Wakefield & Underwager, 1992; Young, Sachs, Braun & Watkins, 1991).

Some researchers feel that they have good reason to believe in the legitimacy of these frightening ritual abuse memories (Edwards, 1990; Fraser, 1990; Hudson, 1990). They

point out that reports from different parts of the United States of these kinds of memories have been quite consistent in their details of the abuse. Further, the experiences of ritual abuse reported by victims of all ages are almost identical to historical written accounts of Satan worship (Shaffer & Cozolino, 1992; Young et al., 1991). Finally, Shaffer and Cozolino (1992) found that individuals who are reporting memories of ritual abuse tend to suffer symptoms that are consistent with those of a psychological disorder called post-traumatic stress disorder (PTSD). The existence of such symptoms is argued to be evidence that something as horrible as being abused within a satanic cult must have happened to these people.

Despite the fact that many people, including several high-profile cases, have come forward with these newly recovered memories of ritual abuse in recent years (Loftus, 1993; Loftus, 1996), there is virtually no corroborating evidence that any such activity has taken place (Bottoms & Davis, 1997; Wakefield & Underwager, 1992). Wakefield and Underwager (1992) reported from a survey they conducted of people whose adult children accused them of childhood sexual abuse based on recently recovered memories, that 18% of allegations involved satanic ritual abuse. However, law enforcement agencies in North America and even FBI agents in the United States have never found evidence of child-abusing satanic cults (Bottoms & Davis, 1997; Spanos, 1996). This lack of corroborative evidence has led some researchers to investigate potential alternative reasons for the existence of such ritual abuse memories.

One alternative explanation involves the finding of Bottoms and Davis (1997) from their survey of a sample of clinicians, that relatively few therapists actually ever directly

encounter a case of satanic ritual abuse. Only about 11% of their sample had ever seen a case reported by an adult survivor and 13% had seen a case reported by a child.

Furthermore, they found that the majority of reported satanic ritual abuse cases were accounted for by a very small number of clinicians. In fact, 2% of their sample had reported seeing hundreds of cases each. This seems to indicate that these few therapists have some characteristics in common which would perhaps predispose them to encounter more cases of satanic ritual abuse. Bottoms and Davis found that:

therapists who reported cases were especially likely to have attended special workshops dealing with ways to identify and treat ritual abuse, to believe in the reality of satanic ritual abuse and repressed memories, (and) to use suggestive 'memory recovery' techniques such as hypnotic age regression which can produce false memories and iatrogenic symptoms in clients (p. 114).

Dreams and artwork are techniques especially used to help recover memories of satanic ritual abuse (Hudson, 1990; Young et al., 1991). Bottoms and Davis also found that nearly all of the clinicians in their sample who reported satanic ritual abuse cases believed their clients' claims, although there was little or no corroboration for them, and that nearly all of the claims arose within the context of psychotherapy. With no physical evidence of satanic ritual abuse and seemingly no memories of such abuse in anyone before they go for therapy, it seems only logical to question the existence of satanic ritual abuse.

Loftus (1998) noted several court cases in which complainants who had previously been convinced that they had been the victims of sexual and ritual abuse through the use

of hypnosis and other suggestive memory recovery techniques successfully sued their therapists after discovering that these memories were not true. If some of these repressed memories have been found not to be true, does it not bring into question all such memories? Loftus noted from a December 1997 newsletter of the False Memory Syndrome Foundation that of 105 malpractice suits filed by former patients against their therapists for the creation of abuse memories that were later found not to be true, one case was dropped, forty-two were settled out of court, fifty-three were still pending, and nine went to trial with the patient winning all of the cases against their therapist. When combined with the lack of corroborative evidence of the existence of satanic ritual child-abusing cults, this pattern of recanting further supports suspicions that memories of ritual abuse that have been elicited through the use of hypnosis and other suggestive techniques are of questionable veracity.

Repressed Memories and the Law

Many of those who claim to have recovered memories of abuse have attempted to seek remedy from the courts and are often encouraged to do so by their clinicians in order to help them emotionally (Loftus, 1993). Many jurisdictions have made it easier for people who believe that they have recovered repressed memories of abuse to take their alleged perpetrators to court by relaxing their statutes of limitation (Burgess, 1994; Loftus, 1993). As a result, jurors are being asked to reach decisions in cases of child sexual abuse based largely, if not solely, on memories that have been supposedly repressed from conscious memory for some period of time and subsequently recovered.

In particular, jurors must assess just how credible such memories are.

A few studies have been conducted in recent years to investigate jurors' reactions to repressed memory cases and how credible jurors find repressed memories to be. The results have been inconclusive. Key, Warren and Ross (1996) investigated whether jurors would find the testimony of a victim more credible if her memories had not been repressed. Key et al. had mock jurors read a trial summary of a sexual abuse case in which the victim claimed either that her recently recovered memory of the abuse had been repressed for twenty years until being recovered in therapy or that she had always had memory for the abuse for the last twenty years but had never discussed it until recently in therapy. Key and her colleagues found that participants were significantly more likely to convict the alleged perpetrator when the testimony was described as nonrepressed than when it was described as repressed, thus indicating that the mock jurors found the nonrepressed memories to have more credibility. Likewise, Loftus, Weingardt, and Hoffman (1993) found that participants who read that the victim had repressed memories of abuse for 10 years before recovery ascribed less credibility and honesty to her and less strength to her case than did participants who read a scenario in which the victim did not repress her memories of the abuse. Conversely, Golding, Sego, Sanchez, and Hasemann (1995) found no differences in either civil or criminal verdicts between repressed and nonrepressed versions of written sexual abuse case summaries.

Golding et al. (1995) note that the methodology that they and other researchers have used which includes the use of sexual abuse case summaries and having no juror discussion or deliberation of the case, "may render it difficult to generalize the present

results to real juror decision making” (p. 587). Golding and his colleagues suggest that jury researchers should make use of more realistic simulation techniques, longer trial transcripts, and juror deliberations. Perhaps, by taking the advice of Golding and his colleagues, it may be possible to gain a more realistic understanding of how jurors assess evidence in repressed memory cases and thus provide a clearer picture as to the credibility ascribed by jurors to repressed memories.

Jurors’ Perceptions of Satanic Ritual Abuse Cases. Would introducing satanic ritual abuse elements to a sexual abuse case scenario influence jurors’ perceptions of the credibility of repressed memories? With the recent rise of cases before the courts dealing with repressed memories of ritual abuse (Loftus, 1993; Spanos, 1996), it might be of interest to see if jurors find these claims more or less credible than those of repressed memories of non-ritual sexual abuse. Those in the legal profession especially might be interested in jurors’ reactions to such cases as the findings may affect their strategy in dealing with them. For instance, if jurors do not find claims of recovered memories of satanic ritual abuse particularly credible, it may not make much sense for a prosecutor or plaintiff’s counsel to pursue such a case (Loftus, 1993). Alternatively, given the often extreme depictions of events involved in satanic ritual abuse, the possibility of repression and subsequent recovery may make intuitive sense to jurors, and thereby enhance the perceived credibility of the case.

There has only been one known study in the literature assessing the credibility of previously repressed memories of satanic ritual abuse. Schutte (1994) found that mock jurors’ verdicts did not differ as a result of reading a civil trial scenario of a sexual abuse

case involving repressed memories that included satanic ritual elements versus reading about a repressed memory case with no satanic ritual abuse. This finding indicates that jurors ascribed no more or less credibility to the satanic ritual abuse case than to the case with no satanic ritual abuse.

Bottoms et al.'s (1997) study also evaluated only whether there was a difference in verdicts between those who had read a case scenario that included the victim being subjected to satanic ritual abuse as opposed to a scenario in which there was no satanic ritual abuse, but did not take into account whether the memories had been repressed or not. As in the Schutte (1994) study, there was no difference between the two scenarios in mock jurors' verdicts thus indicating that no difference in the credibility of the two types of memories was found. Thus, while the results of their study do not reflect directly on the credibility of repressed memories, they do speak to the believability of claims of satanic ritual abuse by jurors.

However, given the extreme abuse involved in satanic ritual abuse, jurors may find it more credible that the memory would be repressed. This is particularly likely to be the case if it can be demonstrated that the symptoms the victim has experienced are also devastating.

Post-traumatic Stress Disorder and Sexual Abuse

As mentioned previously, the finding that people reporting recovered memories of satanic ritual abuse tend to exhibit symptoms of post-traumatic stress disorder (PTSD) has been used to buttress the credibility of such memories (Shaffer & Cozolino, 1992).

The implication is that if a person has reported such memories and has such symptoms, then the memories must be of real events. There is certainly evidence of a link between PTSD and childhood sexual abuse (e.g. Wolfe, Sas & Wekerle, 1993). The American Psychiatric Association's fourth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) considers the essential features of a diagnosis of PTSD to include that "the person must have experienced an event outside the range of normal human experience and have had symptoms lasting for longer than 1 month in each of the following categories: intrusive re-experiencing of the trauma; persistent avoidance of stimuli associated with the trauma or numbing of general responsiveness; and persistent autonomic signs of anxiety" (Briggs & Joyce, 1997, p. 576).

Several investigators have concluded that the link between childhood sexual abuse and PTSD exists and that the severity and duration of the abuse are among the best predictors of PTSD. Further studies (e.g. Briggs & Joyce, 1997; Rodriguez, Ryan, Rowan and Foy, 1996) have concluded that female adult sexual abuse survivors who reported multiple sexual abuse episodes that included sexual intercourse were more likely to develop PTSD. Rowan and Foy (1993) argued following their review of the literature on PTSD and childhood sexual abuse, that symptoms of PTSD would more likely be found in adult survivors when the frequency of abuse was high and the sexual acts were of a more intimate nature (e.g. intercourse). The closer the relationship to the perpetrator (e.g. a parent), the greater the number of perpetrators, and the existence of the use of force were all strong predictors of PTSD symptoms in adult survivors.

Many adults who claim to have repressed and subsequently recovered memories of

childhood sexual abuse (both the ritual and non-ritual kinds) have been diagnosed with PTSD. It is possible that PTSD is indicative that these memories are real and the events clearly affected the individual. Alternatively, Bottoms and Davis (1997) suggest that one possible reason for the high diagnostic rates of PTSD could be that these people have been led to believe that not only have they been ritually abused but that they have developed a psychological disorder (such as PTSD) as well. Usually, clients enter therapy because they have one or more problems that they would like help with. As the symptoms of PTSD (e.g. depression, recurrent nightmares) include many of the problems that are common to those entering therapy (Loftus, 1996), perhaps PTSD is seen as a suitable diagnosis where a horrific trauma such as satanic ritual abuse has brought such symptoms about. Likewise, the question of whether PTSD is a result of actual abuse or of suggestion within the therapeutic process also holds true for non-satanic sexual abuse. This question may be relevant to cases which come before the courts. If a complainant has recovered memories of sexual abuse and has also been diagnosed with PTSD as is often the case (Bottoms & Davis, 1997), does the diagnosis of PTSD make the complainant's claim more or less credible to jurors? The known literature has no answer to this query at this time.

However, previous research does show that public perceptions of mental illness are affected by diagnostic labels (Arkur & Eker, 1994; Nieradzik & Cochrane, 1985). Of particular interest is the finding by Arkur and Eker (1994), from their survey of visitors of patients in a Turkish hospital. Respondents showed significantly more recognition of mental illness for a written vignette involving a case with a psychiatric label than for the

case without a label. This finding indicates that psychiatric labels validate the existence of mental illness.

Extending this finding to jury decision-making, it is possible that even when the exact same symptoms are present in the complainant in both instances, jurors would find repressed memory claims more credible if the complainant has been diagnosed or labelled with a psychiatric syndrome than if she or he has not been. If the complainant has been labelled with a psychiatric syndrome, it is possible that jurors may be more likely to perceive that something terrible, such as childhood sexual abuse or worse still, childhood sexual abuse involving satanic ritual elements, must have happened to the person to have caused this illness (Shaffer & Cozolino, 1992). The newly recovered memories may thus seem more credible to jurors when the complainant has been diagnosed with a psychiatric disorder than when she or he has not been.

Effects of Juror Gender

Previous mock juror research has shown that male and female jurors' assessments of the evidence in sexual abuse cases differ. In Bottoms et al.'s (1997) mock juror study, male jurors found the male defendant in both the satanic and nonsatanic cases to be more credible and less likely to be guilty, and the female victim to be less credible, as compared to female jurors. Schutte (1994) found that female mock jurors were more likely to find for the plaintiff than male jurors across both nonsatanic and satanic versions. This latter finding is consistent with the finding of Golding et al. (1995) that females rate the alleged victim as more believable, rate the defendant as less believable

and decide for the plaintiff more often than do males. As plaintiffs or complainants in such cases are most often female and the alleged perpetrators tend to be an adult male whom the alleged victim knows (Duggan, Aubrey, Doherty, Isquith, Levine & Scheiner, 1989), it is possible that female mock jurors better identify with the plaintiff and male jurors better identify with the defendant. Therefore female jurors may be expected to find in favour of the complainant and against the defendant in a civil or criminal trial while male jurors might be expected to rule in favour of the defendant in such cases.

The Present Study

In recent years, courts within both criminal and civil law domains have evidenced an increase in cases involving allegations brought forth by adults regarding incestuous relations that occurred when they were children. A number of these cases have involved allegations of abuse that were until recently, completely repressed from the conscious mind for a period of years and even decades. As jurors must render verdicts as to the guilt or innocence of a defendant charged with sexual abuse, the credibility of the recently recovered memory of the complainant becomes a central issue in the jury decision-making process. Nevertheless, as few actual criminal trials have been settled, little information is available regarding jurors' reactions to recovered memory cases (Loftus, 1993). Consequently, jury simulations provide a forum by which jurors' perceptions of recovered memory trials may be assessed.

The nature of the recovered memories may or may not affect the credibility of the memories in the minds of jurors. In recent years, there have been an increasing number

of reports of satanic ritual abuse involving children (Spanos, 1996). In order to assess the impact of the type of alleged childhood sexual abuse on juror decision-making, two levels of alleged childhood sexual abuse were presented: childhood sexual abuse with no satanic rituals involved, and child sexual abuse involving satanic rituals. As the trial in the satanic ritual abuse condition questions the lack of evidence for the existence of satanic ritual abuse, it was predicted that mock juries would find the satanic ritual abuse case less credible and thus return fewer guilty verdicts than in the child sexual abuse case with no satanic rituals involved.

It could also be argued that the extent to which the alleged abuse victim has suffered symptoms of a psychological disorder could be a contributing factor in jurors' assessment of the credibility of the recovered memories of abuse. As child sexual abuse victims often are diagnosed with PTSD (Bottoms & Davis, 1997), it was expected that the presentation of such symptoms and labelling of the disorder would make the complainant more credible in the eyes of the jurors thus resulting in more guilty verdicts. For instance, if the alleged victim has suffered few symptoms of psychological disorder despite his/her claims of sexual abuse, jurors may not be as convinced that his/her memories of childhood sexual abuse are accurate. However, if the alleged victim has suffered many symptoms of psychological disorder, then jurors may be more convinced that in fact, he/she suffered a traumatic experience as a child. Furthermore, if the alleged victim has been diagnosed or labelled with a particular psychological disorder, jurors may be even more persuaded to believe his/her recovered memories of abuse than if there is no diagnosis or label attached despite the symptoms being the same.

Consequently, three levels of symptomatology were presented to jurors: mild symptoms of psychological disorder; symptomatic of post-traumatic stress disorder (PTSD) but not diagnosed as such (i.e. no label); and symptomatic of PTSD and diagnosed as such (i.e. labelled). It was predicted in the present study that juries would find the complainant more credible when she was labelled as having PTSD and thus would find the defendant guilty more often in this condition than in either of the other two symptom conditions. It was also expected that juries would return more guilty verdicts when the complainant presents symptoms of PTSD without the diagnosis than when she has only mild symptoms.

As well, it was predicted that consistent with previous research conducted in this area (e.g. Bottoms et al., 1997; Schutte, 1994), female mock jurors would find the complainant more credible, the defendant less credible, and believe the defendant to be guilty more often than would male jurors.

In order to assess the variables of interest, mock jurors were asked to watch a simulated trial involving a defendant accused of sexually abusing his daughter when she was under 14 years of age.

The present study presented a criminal as opposed to a civil trial involving repressed memories of ritual and non-ritual childhood sexual abuse. There is no known literature concerning mock jurors' reactions to a case such as this in the context of a criminal trial where the standard of finding liability of the defendant is higher than in a civil trial context. As the statute of limitations in criminal cases involving the sexual abuse of a child has been extended in many jurisdictions in recent years, it has become increasingly

important to study how mock jurors reach verdicts in criminal trials (Loftus, 1993).

The present study was different from the previous research examining the effects of case type (nonsatanic vs. satanic ritual abuse) on individual juror verdicts (i.e. Bottoms et al., 1997; Schutte, 1994) in that videotaped trial scenarios were used rather than written scenarios and juries made up of mock jurors were formed and deliberated to actual verdicts. As recommended by Golding et al. (1995), a simulated trial format with longer transcripts than the case summaries which have been used in previous research, and juror deliberations, were utilized in the present study. Previous research has indicated that where real trial conditions have been simulated, “mock jurors do not appear to reach decisions by a fundamentally different process than actual jurors” (MacCoun, 1989, p. 1046).

Method

Participants

A total of 371 (181 males and 190 females) first year psychology students at Carleton University served as participants in this study. They volunteered to participate as jurors in a simulation of a sexual abuse trial in exchange for course credit (see Appendix A). Juries (N=60) consisted of 4-8 members with the provision that each jury be composed of both males and females. Juries were randomly assigned to experimental conditions.

Procedure

Participants were randomly assigned to one of six conditions in a 2 x 3 ((nature of abuse: child sexual abuse with vs. without satanic rituals) x (symptoms: mild symptoms vs. post-traumatic stress disorder symptoms vs. post-traumatic stress disorder symptoms with diagnosis)) between groups design. The study took place in a laboratory room with a table, chairs, and a television and video camera. Participants were informed that they would see a videotape of a simulated trial wherein the defendant has been accused of sexual abuse of his daughter when she was under 14 years of age. After viewing this tape, as part of the jury, they were also told that they would be required to deliberate for up to sixty minutes and that these deliberations would be taped. Jurors were asked to sign an informed consent form (see Appendix B). The experimenter then started the video of the trial proceedings.

The experimenter remained in the room during the trial proceedings and stopped the tape at four intervals: at the end of the opening statements of the judge, prosecutor and

defence; after the testimony of the prosecution witnesses; after the testimony of the defence witnesses; and after the closing statements of the defence and prosecutor, and the judge's charge. During these intervals, jurors were asked to complete a personal belief in guilt rating scale (see Appendix C), based upon the testimony they had heard.

At the completion of the trial proceedings and before jury deliberation, jurors were asked to complete a credibility checklist (see Appendix D) for the complainant, therapist, defendant and the expert witness, and a questionnaire containing statements relating to the effectiveness of the manipulations used in this study (see Appendix E). Also at this time, jurors were reminded that their task as jurors was to reach a unanimous verdict and that deliberations would be videotaped. They were asked to complete an informed consent form regarding this videotaping (see Appendix F).

Before deliberation, a foreperson was randomly selected and informed of their duties (see Appendix G). The foreperson was informed to continue taking tallies or individual juror verdicts (see Appendix H) until the jury had reached a unanimous verdict. A maximum time limit of 60 minutes was given to the jury for deliberation. At the end of this time, if the jury had not reached a unanimous verdict, the jury was declared to be hung.

At the end of deliberation, jurors were asked to complete a questionnaire containing statements relating to participants' knowledge and beliefs with respect to the independent variables used in the present study and the issue of repressed memories (see Appendix I).

The debriefing session included a discussion of the purpose of the experiment,

clarification of legal issues, and responding to questions raised by the students (see Appendix J). In addition, all students were provided with a list of contact numbers which consisted of services for general matters (eg; legal aid), and services specifically for victims of abuse (see Appendix K).

Videotapes

Six videotapes simulating a trial of a man charged with the sexual abuse of his daughter when she was under 14 years of age were presented. Actors appearing in the videotapes were volunteers selected from friends of the researcher. The script (see Appendix L) was drawn from legal cases and case studies involving recovered memories of sexual abuse and satanic ritual abuse as well as previous jury simulation studies (Bass & Davis, 1992; Fraser, 1990; Gabora, 1990; Hines, 1994; R. v E.F.H., 1994; R. v Norman, 1993; T.K.S. v E.B.S., 1992; Young et al., 1991). The trial proceedings paralleled those of an actual trial and included the presentation of the opening statements of the judge, prosecution and defence, presentation of the witnesses for the prosecution and defence, closing statements by the defence and prosecution, and the judge's charge.

The two independent variables were the type of abuse reported (i.e. child sexual abuse with no satanic rituals involved vs. child sexual abuse involving satanic rituals) and the symptoms exhibited by the complainant (i.e. no symptoms of post-traumatic stress disorder; symptomatic of post-traumatic stress disorder but without the diagnosis; diagnosed with post-traumatic stress disorder). The dialogue of the judge and the

lawyers for the defence and prosecution, and the testimony of witnesses reflected these different conditions.

The Trial Scenario - All Conditions. At the beginning of the trial, the judge informed the jury that the defendant, John R. Harris, was charged with sexually assaulting his daughter, Jill Harris, twelve years ago when she was under 14 years of age. Mr. Harris was charged under section 271.1 of the Canadian Criminal Code which says that anyone who commits a sexual assault is guilty of an indictable offence and is liable to imprisonment for a maximum of ten years. Sexual assault was defined by the court as unwanted, nonconsensual sexual activity that includes any incident of sexual contact ranging from fondling to intercourse. The judge went on to say that under section 271.1, no corroboration is required for a conviction and it is possible for the accused to be found guilty in the absence of corroboration.

Following the judge's opening statement, the prosecution and defence attorneys presented their opening arguments. The prosecuting attorney outlined the case against Mr. Harris and how the trauma caused to the complainant was so painful that it resulted in her repressing her memories of the abuse for over ten years. The prosecuting attorney also mentioned that the prosecution had corroborating evidence in the form of a pro-repression expert who would explain the concept of repression in general. The defence attorney countered that Jill's recovered memories of sexual abuse came only under the guidance and suggestions of her therapist and that the evidence would show that Jill was simply a confused and troubled woman and that these memories were indeed false.

There were four witnesses for the prosecution including a friend of the complainant

named Brenda, the complainant's therapist, the complainant Jill, herself, and a pro-repression expert.

Brenda testified that Jill had only mentioned the alleged abuse at the hands of her father since she entered therapy and that Jill seemed to be better since undergoing therapy.

Jill's therapist, Ms. Barr, who is a social worker, described the problems that prompted Jill to see her and how after attending workshops dealing with repressed memories, she believed that Jill was similar to many of her other clients in that she was also repressing memories of sexual abuse. She also described how Jill retrieved these memories with the aid of pictures, flashbacks and group therapy with other sexual abuse survivors.

The complainant, Jill, reiterated much of what the therapist said except that she went into greater detail about the abuse and all of the problems that she had experienced, presumably as a result of being sexually abused. She also testified that it was her father who sexually abused her. Under cross-examination, Jill testified that she had no memory of the abuse for over 10 years until she underwent therapy and that there were other events during her childhood that she still could not remember. She admitted that there was no physical evidence that she was abused but did say that she believed that her recovered memories were real.

The pro-repression expert, Dr. Morgan, testified that he had a Ph.D in clinical psychology and had a clinical practice which specializes in treating clients who have been traumatized. He talked about how memories can be repressed and how recovery of

the memories can occur.

Two people, Jill's mother and father, testified on behalf of the defence. Jill's mother testified that her husband was a kind and gentle man and that there had never been any time when she suspected him of abusing her daughter. Under cross-examination, the mother testified that during the time of the alleged abuse, she was under prescription medication which made her drowsy and she was confined to a wheelchair following a stroke which made it difficult for her to get around the house. The prosecution had previously established that the sexual abuse could have easily happened without Jill's mother knowing about it because of these limitations on her due to her stroke. Jill's mother also testified that she was unable to have sexual intercourse with her husband at the time of the alleged abuse.

The defendant, Mr. Harris, testified that he had no criminal record, that until recently, his relationship with his daughter was fine and that he had never had any sexual contact with Jill. Under cross-examination, Mr. Harris admitted that he was frustrated with the lack of sexual intimacy with his wife during the time of the alleged abuse, that he would give Jill back rubs to alleviate problems she was experiencing due to her participation in gymnastics and that he would go into Jill's bedroom late at night when he got home from work and after his wife was asleep but only to give Jill a 'good night' kiss.

The defence and prosecution attorneys summarized their respective cases with their closing arguments and the judge summarized both cases and explained the law and how the jurors must find that the case against Mr. Harris has been proven beyond a 'reasonable doubt' if the jury is to convict the defendant of the charges against him.

Ritual Abuse Manipulation

There were two levels of the nature of the abuse Jill had allegedly experienced. In one, Jill had been sexually abused by her father as the above scenario indicates. In the second level of abuse, elements of satanic ritual abuse were added. These elements included alleged multiple perpetrators including Jill's father, animal sacrifices and breeding of babies for human sacrifice, the drinking of animal and human blood and urine, the wearing of black cloaks and the worship of a higher power called Lucifer and Satan. The statements and testimony of all witnesses were altered where necessary to reflect this manipulation. These alterations were in the form of the inclusion of remarks concerning ritual abuse.

PTSD/Symptoms Manipulation

The testimony of Jill and her therapist, and the closing arguments of both lawyers were altered where necessary to reflect this manipulation. In a third of the trial scenarios, the complainant, Jill Harris, was not suffering from a set of symptoms characteristic of a psychological disorder. She was simply suffering from depression, anxiety and sexual intimacy problems with her husband which are all common reasons for seeking professional help. In the remaining scenarios, Jill was suffering from a set of symptoms that is characteristic of post-traumatic stress disorder. These symptoms included the repression itself, depression, anxiety, intrusive thoughts and recurrent nightmares about the abuse that contribute to insomnia, difficulties in concentration, outbursts of anger and avoidance of emotional and sexual intimacy leading to difficulty

in establishing and maintaining good interpersonal relationships including marital problems (Rowan & Foy, 1993; Stefan, 1994). In half of these scenarios, she was explicitly diagnosed by her therapist as having post-traumatic stress disorder while in the other half, she was not explicitly diagnosed with this disorder.

Questionnaire Package

Private Belief in Guilt Rating Scale. On an 11-point scale, participants were asked to indicate whether they believed the defendant was guilty (-5), or not guilty (+5). Participants were informed that their ratings need not affect their final decision as a jury. This one-item measure has been commonly used in past research (Gabora, 1990; Ramkissoonsingh, 1994; Spanos, DuBreuil & Gwynn, 1991), to track mock jurors' perceptions throughout the course of the trial. The use of an 11-point scale allows for sensitivity to minor shifts in opinion.

Credibility Checklist. Participants were asked to indicate on a 5-point scale whether they found each of the complainant, defendant, therapist and pro-repression expert to be credible (1) or not credible (5).

Manipulation Check. Prior to deliberations, participants were asked to indicate on a 7-point scale the degree to which they completely disagreed (0) or completely agreed (6) with a number of statements. Some of the statements related to the manipulations in the present study (e.g. "How bizarre did you find Jill's testimony concerning the events surrounding her alleged childhood sexual abuse?") while others had been included to ensure that factors such as Jill's sincerity were constant across conditions (e.g. "Based

upon Jill's testimony, how convinced do you believe Jill herself was concerning the guilt of her father?"). Other statements were included as 'filler' items.

Individual Juror Verdicts. During deliberations, participants were asked to indicate whether the defendant was guilty or not guilty of the charge brought against him. One tally was taken at the beginning of deliberations which was considered to be the pre-deliberation verdict. If the jury was not unanimous in its decision at that time, as many tallies of the jury as necessary would be taken until such time as a unanimous verdict was reached. The final tally taken was considered to be the post-deliberation verdict. Individual juror verdicts that were marked as guilty were assigned a numeric score of +1 and those marked as not guilty were given a numeric value of 0.

Beliefs about Repressed Memories. Following deliberations, participants were asked to indicate on a 7-point scale the degree to which they completely disagreed (0) or completely agreed (6) with a number of statements. These statements assessed participants' knowledge and beliefs concerning the independent variables used in the present study and the issue of repressed memories. Examples of such questions include "Based upon your own personal opinion, to what degree do you believe in the existence of satanic ritual abuse?" and "Based upon your own personal opinion, to what degree do you believe that repressed memories of childhood sexual abuse, once retrieved, represent accurate reflections of past events?" One other question, which asked "To what degree are you aware of Posttraumatic Stress Disorder (PTSD)?", was included as a 'filler' item.

Results

Manipulation Check

The questions “How realistic (in terms of memories recalled) did you find Jill’s testimony?” and “How bizarre did you find Jill’s testimony concerning the events surrounding her alleged childhood sexual abuse?” were analysed with t-tests for independent samples to assess the effectiveness of the abuse type manipulation. The first question attained significance, $t(1,362) = 3.17$, $p < .01$, $\eta^2 = .027$. Jurors in the no ritual abuse condition ($M = 4.17$, $SD = 1.36$) believed the victim’s testimony to be more realistic in terms of the memories recalled than did those in the ritual abuse condition ($M = 3.70$, $SD = 1.46$). The second question also reached significance, $t(1,362) = -7.25$, $p < .001$, $\eta^2 = .126$. Jurors in the ritual abuse condition ($M = 3.79$, $SD = 1.71$) found the victim’s testimony to be more bizarre than did jurors in the no ritual abuse condition ($M = 2.53$, $SD = 1.61$). These findings suggest that the manipulation of abuse type was effective.

The question “How severe do you believe Jill’s symptoms to be?” was analysed with a one-way analysis of variance (ANOVA) with the three levels of symptoms as the independent variable. The analysis was significant, $F(2,350) = 7.96$, $p < .001$, $\eta^2 = .044$. A planned comparison between the mean of the mild symptoms condition and the average of the means of the two PTSD symptoms conditions found that, consistent with expectations, jurors in the mild symptoms condition ($M = 3.68$, $SD = 1.17$) believed the victim’s symptoms to be less severe than did those in the symptoms without diagnosis ($M = 4.30$, $SD = 1.11$) and the PTSD symptoms with diagnosis ($M = 4.04$, $SD = 1.22$).

conditions combined, $t(2,350) = 3.67$, $p < .001$. A second planned comparison revealed that there was no significant difference between jurors in the latter two conditions.

The question “Based upon Jill’s testimony, how convinced do you believe Jill herself was concerning the guilt of her father?” was analysed with a 2 x 3 (type of abuse x symptomatology) ANOVA. There were no significant findings which was consistent with expectations that the variable of interest, the victim’s sincerity, would remain constant across all levels of the independent variables.

Jury Verdicts

Jury verdicts were analysed in a 2(ritual abuse/no ritual abuse) x 3 (mild symptoms/symptoms/symptoms with PTSD diagnosis) between subjects ANOVA. Guilty verdicts were given the numeric value of 2, hung juries were coded as 1, and not guilty verdicts were ascribed the value of 0, thereby representing an approximation of an interval scale. The main effect of abuse type attained significance, $F(1,54) = 9.39$, $p < .01$, partial $\eta^2 = .148$. As can be seen in Table 1, juries tended to convict the defendant significantly more often in the no ritual abuse condition than in the ritual abuse condition, which was consistent with expectations. Contrary to expectations, the main effect of symptomatology, $F(2,54) = .03$, ns, and the abuse type x symptomatology interaction, $F(2,54) = 1.59$, ns, were not significant. Chi-square analyses confirmed the significant finding for abuse type, $\chi^2(2, N=60) = 11.49$, $p < .01$, and the finding of non-significance for symptomatology, $\chi^2(4, N=60) = 1.21$, ns.

Individual Juror Verdicts

Individual juror verdicts were analysed in a 2 x 2 x 2 x 3 mixed nested ANOVA with

one within-subjects variable (interval: pre- and post-deliberation verdicts) and three between-subjects variables (gender of juror x type of abuse x symptomatology). A guilty vote was coded as 1 and a not guilty vote was coded as 0. Juries to which participants were assigned were nested within treatments, but crossed with gender.

The main effects of interval, $F(1,251) = 80.66$, $p < .001$, partial $\eta^2 = .243$, and gender, $F(1,251) = 29.66$, $p < .001$, partial $\eta^2 = .106$, reached significance but these effects were qualified by a significant gender x interval interaction, $F(1,251) = 28.13$, $p < .001$, partial $\eta^2 = .101$. The simple main effect of gender was significant at pre-deliberation, $F(1,251) = 34.28$, $p < .001$, but did not attain significance at post-deliberation. As can be seen in Table 2, as expected, female participants tended to vote to convict the defendant significantly more often than did male participants at pre-deliberation but there was no significant difference between the women and men at post-deliberation. The simple main effects of interval were significant for both women, $F(1,251) = 91.35$, $p < .001$, and men, $F(1,251) = 4.94$, $p < .05$. Both women and men voted to convict the defendant significantly more often at pre-deliberation than at post-deliberation, however the difference from pre- to post-deliberation was clearly greater for women than men.

The main effect of abuse type also attained significance, $F(1,54) = 12.82$, $p < .01$, partial $\eta^2 = .192$. Consistent with expectations, participants who saw the no ritual abuse case ($M = .49$, $SD = .44$) voted to convict the defendant significantly more often than did those who saw the ritual abuse case ($M = .26$, $SD = .34$).

No other significant effects were found.

Private Belief Ratings

Jurors' private belief ratings of the defendant's guilt were analysed with a 4 x 2 x 2 x 3 mixed ANOVA with one within-subjects variable (interval: the four private belief ratings) and three between-subjects variables (gender of juror x type of abuse x symptomatology).

The main effects of interval, $F(2,700) = 5.83$, $p < .01$, partial $\eta^2 = .019$, and gender, $F(1,304) = 7.26$, $p < .01$, partial $\eta^2 = .023$, reached significance but were qualified by a significant gender x interval interaction, $F(2,700) = 3.52$, $p < .05$, partial $\eta^2 = .011$.¹

Simple effects analyses revealed significant simple main effects for gender at the second, $F(1,314) = 5.38$, $p < .05$, third, $F(1,369) = 8.87$, $p < .01$, and fourth, $F(1,369) = 8.72$, $p < .01$, measurement intervals. As can be seen in Table 3, at all three of these intervals, female participants believed in the defendant's guilt significantly more than did male participants, which was consistent with expectations.

Simple effects analyses further indicated that the simple main effect of interval was significant for both men, $F(3,942) = 3.89$, $p < .01$, and women, $F(3,942) = 5.07$, $p < .01$. However, Newman Keuls post hoc comparisons revealed no significant differences among private belief means for either female or male participants.

The abuse type x symptomatology interaction attained significance, $F(2,304) = 4.15$, $p < .05$, partial $\eta^2 = .027$. Simple effects analyses revealed a significant simple main effect for symptomatology at the ritual level of abuse type, $F(2,153) = 3.75$, $p < .05$. Newman

¹ A test of sphericity indicated that the sphericity assumption was violated and a Huynh-Feldt epsilon correction was necessary.

Keuls post hoc comparisons indicated that jurors in the ritual abuse/mild symptoms condition believed in the defendant's guilt significantly more than did jurors in the ritual abuse/PTSD symptoms with diagnosis condition. The simple main effect for symptomatology at the no ritual level of abuse type was not significant, $F(2,157) = .48$, ns. The means and standard deviations for this interaction are shown in Table 4.

As expected, the abuse type x interval interaction was significant, $F(3,912) = 6.27$, $p < .001$, partial $\eta^2 = .020$. Simple effects analyses revealed significant simple main effects for abuse type at both the first, $F(1,369) = 4.93$, $p < .05$, and fourth, $F(1,369) = 6.29$, $p < .05$, intervals. At the first interval, jurors in the ritual abuse condition believed in the defendant's guilt significantly more than did jurors in the no ritual abuse condition. However, at the fourth measurement interval, jurors in the no ritual abuse condition believed in the defendant's guilt significantly more than did jurors in the ritual abuse condition.

The simple main effect of interval was significant for both the no ritual abuse, $F(3,942) = 4.51$, $p < .01$, and ritual abuse, $F(3,942) = 7.55$, $p < .001$, conditions. Newman Keuls post hoc comparisons revealed that for the no ritual abuse condition, jurors believed in the defendant's guilt significantly more at the third private belief interval than at the first interval. For the ritual abuse condition, jurors believed in the defendant's guilt significantly more at the second private belief interval than at the fourth interval. No other significant differences were found. The means and standard deviations for this interaction are displayed in Table 5.

Credibility Checklist

Credibility ratings for the complainant, defendant, therapist and pro-repression expert were analysed with a 2 x 2 x 3 (juror gender x type of abuse x symptomatology) multivariate analysis of variance (MANOVA). Only the multivariate main effect of gender reached significance, Pillais = .12; $F(4,356) = 11.57$, $p < .001$. The univariate main effects of gender indicate a significant difference in perceptions of complainant credibility, $F(1,359) = 10.89$, $p < .01$, partial $\eta^2 = .029$; credibility of the therapist, $F(1,359) = 34.67$, $p < .001$, partial $\eta^2 = .088$; and defendant credibility, $F(1,359) = 17.76$, $p < .001$, partial $\eta^2 = .047$. As can be seen in Table 6, female jurors rated the complainant and her therapist to be more credible and the defendant as less credible than did male jurors, which was consistent with expectations.

Beliefs about Repressed Memories

A 2 x 3 (type of abuse x symptomatology) MANOVA was performed on the three questions that dealt with participants' opinions about the credibility of recovered memories. The multivariate main effects of abuse type, Pillais = .07; $F(3,362) = 9.62$, $p < .001$, and symptomatology, Pillais = .04; $F(6,726) = 2.47$, $p < .05$, were both significant but were qualified by the multivariate abuse type x symptomatology interaction, Pillais = .04; $F(6,726) = 2.76$, $p < .05$. The univariate abuse type x symptomatology interaction was not significant for the second ($M = 4.29$, $SD = 1.49$) or third ($M = 3.53$, $SD = 1.25$) questions but did attain significance for the first question, $F(2,364) = 6.78$, $p < .01$, partial $\eta^2 = .036$, which asked "To what extent do you believe that Jill's memories of childhood sexual abuse are true?".

Simple effects analysis of this question revealed significant simple main effects for type of abuse at the symptomatology levels of symptoms of PTSD without the diagnosis, $F(1,119) = 27.68, p < .001$, and symptoms of PTSD with the diagnosis, $F(1,126) = 16.12, p < .001$, only. Jurors in the condition in which there was no ritual abuse and symptoms of PTSD were presented without the diagnosis believed that the victim's memories of childhood sexual abuse were true to a greater extent than did those jurors in the ritual abuse/symptoms of PTSD without diagnosis condition. Likewise, jurors in the condition in which there was no ritual abuse and symptoms of PTSD presented with a diagnosis believed that the victim's memories of childhood sexual abuse were true to a greater extent than did jurors in the ritual abuse/symptoms of PTSD with diagnosis condition. These findings were consistent with expectations.

Simple effects analysis further revealed a significant simple main effect for symptomatology at the abuse type level of ritual abuse, $F(2,183) = 9.86, p < .001$. Newman Keuls post hoc analysis showed that jurors in the ritual abuse/mild symptoms condition believed that the victim's memories of childhood sexual abuse were true to a greater extent than did jurors in either the ritual abuse/PTSD symptoms without diagnosis or ritual abuse/PTSD symptoms with diagnosis conditions, which was not consistent with expectations. There was no significant difference between the latter two conditions, and no differences among the conditions that did not involve ritual abuse, $F(2,181) = 1.00, ns$. Means and standard deviations for this interaction are displayed in Table 7.

Two further questions dealt with the believability of claims of satanic ritual abuse and were analysed with a 2×3 (type of abuse $\times$ symptomatology) MANOVA. No significant

effects were revealed (Question 4: $\underline{M} = 3.89$, $\underline{SD} = 1.65$; Question 5: $\underline{M} = 3.44$, $\underline{SD} = 1.51$).

A 2 x 3 (type of abuse x symptomatology) analysis of variance (ANOVA) with juries nested within treatments (given this measure followed jury deliberations) was conducted on the final question which asked “Based upon your own personal opinion, to what degree do you believe that Posttraumatic Stress Disorder (PTSD) can be a consequence of childhood sexual abuse?”. However, no significant effects were found ($\underline{M} = 4.17$, $\underline{SD} = 1.35$).

Discussion

Repressed memories in the courtroom has been a topic of great debate in recent years and jurors have had to assess such cases based largely, if not solely, on the believability of the repressed memories. Therefore factors that influence the credibility of such memories and ultimately, juror decision-making, are crucial in such cases.

The main purpose of the present study was to investigate how the nature of the memories being repressed and the symptoms of psychological damage that the complainant presents affect jurors in cases of childhood sexual abuse involving previously repressed memories. Another variable of interest was juror gender as previous mock juror research (e.g. Bottoms et al., 1997; Golding et al., 1995; Schutte, 1994) has shown that male and female mock jurors’ assessments of the evidence in sexual abuse cases differ.

Effects of Abuse Type

As the satanic ritual abuse case includes elements that are so bizarre and questions the lack of evidence for the existence of ritual abuse, it was hypothesized that jurors would be less likely to believe the complainant's claims in the ritual abuse condition, and more likely to convict the defendant at both the individual and jury level in the condition in which there were no elements of satanic ritual abuse than in the ritual abuse condition. Consistent with this, jurors who saw the sexual abuse case in which there were no allegations involving satanic rituals were more likely to convict the defendant than were ritual abuse jurors at both the individual and jury level. These findings, though expected, were inconsistent with those of previous studies (Bottoms et al., 1997; Schutte, 1994) which assessed the credibility of sexual abuse cases involving satanic rituals versus cases without such rituals. It was postulated that this difference in findings was because neither of these previous studies had jurors deliberate to an actual verdict. Both studies only looked at individual juror beliefs concerning the guilt of the defendant. However, when examining the private beliefs in to defendant's guilt assessed at the conclusion of the trial but prior to deliberations (and which could be considered comparable to the individual juror verdicts used in the other studies), it was found that jurors in the no ritual abuse condition held a stronger belief that the defendant was guilty than did jurors in the ritual abuse condition. Also, there was no difference between the pre- and post-deliberation verdicts as a function of the ritual abuse elements being present or not. Jurors in the no ritual abuse condition rendered guilty verdicts significantly more than did ritual abuse jurors. Therefore the inclusion of jury deliberations does not account for

the different findings of this study from the previous research in this area.

Another possible explanation for the differences in the findings is that the lack of credibility of the satanic ritual elements combined with the questioning of the lack of evidence for the large number of ritual abuse events in the present study raised more reasonable doubt for jurors in the ritual abuse condition. Bottoms et al. (1997) found in their trial presentation that mock jurors found the satanic ritual allegations to be less credible than the nonsatanic allegations though they seemed able to set aside their skepticism of the satanic ritual elements and focused in on the nonsatanic elements only when delivering a verdict. In the present study, when asked “How realistic (in terms of memories recalled) did you find Jill’s (the complainant’s) testimony?”, participants found the memories to be more realistic in the no ritual abuse than in the ritual abuse condition. Perhaps, by finding the memories more realistic when they did not include satanic ritual elements suggests that, as in the Bottoms et al. study, the ritual abuse allegations are seen as less credible by participants than the nonritual abuse allegations. However, the present study included more satanic ritual elements than did either Bottoms et al.’s one-page written scenario or Schutte’s (1994) satanic ritual abuse case as well as repeated questioning of the lack of evidence for ritual abuse. The greater number of ritual abuse details or bizarreness combined with the questioning of the lack of evidence for this large number of events in the present study may have constituted enough reasonable doubt for those in the ritual abuse condition to convict the defendant less often than jurors in the no ritual abuse condition and contributed to the different findings between the previous research and the present study.

Possible support that the questioning of the lack of evidence for ritual abuse had an impact on jurors may come from looking at the abuse type by interval interaction regarding jurors' private beliefs of the defendant's guilt. Following the opening statements of the judge and attorneys for the prosecution and defence, ritual abuse jurors had a stronger belief in the defendant's guilt than did jurors in the no ritual abuse condition. However, when measured following the presentation of all trial material to the jury, jurors in the no ritual abuse condition held a stronger belief in the defendant's guilt than did jurors in the ritual abuse condition. Perhaps, the mere mention that there were allegations of satanic ritual abuse in the opening statements may have provided ritual abuse jurors with greater reason to believe that the defendant may be guilty as opposed to jurors in the no ritual abuse condition who did not hear such a claim. Jurors in the ritual abuse condition may have believed after listening to the opening statements that they would be hearing strong evidence to support the claims of ritual abuse which would only strengthen the case against the defendant. However, as the trial progressed and ritual abuse jurors did not hear that there was evidence for the existence of ritual abuse other than the claims of the complainant, their belief of all of the complainant's claims may have been tarnished. Jurors in the no ritual abuse condition did not hear as much questioning of the prosecution's case since they did not hear anything about ritual abuse and the lack of evidence for its existence. Therefore, the complainant's claims may not have been tarnished for them as it could have been for the ritual abuse jurors and by the time all of the case material had been presented, the no ritual abuse jurors held a stronger belief in the defendant's guilt than did the ritual abuse jurors.

There appears to be some support for the notion that there was more reasonable doubt concerning the defendant's guilt among jurors in the ritual abuse condition as a result of the greater bizarreness of and the subsequent lack of evidence for the ritual abuse allegations when examining the pattern of jury verdicts. Of note is that hung juries were the most common verdict in the no ritual abuse condition whereas there were few hung juries in the ritual abuse condition. Juries reached unanimous verdicts in only 17 of the 30 trials (57%) in the no ritual condition whereas unanimous verdicts were reached in 26 of the 30 (87%) ritual abuse cases with 23 (77%) of the cases resulting in a not guilty verdict. It is possible that in the ritual abuse condition, the greater bizarreness of and the lack of evidence for the satanic ritual abuse allegations may have provided that just sufficient decrease in believability to move an already questionable trial to a not guilty verdict.

In the present study, it was found that jurors tended to deliver fewer guilty verdicts when the recovered memories involved allegations of satanic ritual abuse than when no such allegations were made. There was no evidence that jurors were not willing to believe claims based upon recovered memories that were previously repressed as the number of guilty verdicts delivered at the individual juror and jury levels in the no ritual abuse condition might suggest. However, when there were allegations of ritual abuse, jurors seemed to ascribe less credibility to these memories possibly due to the lack of physical evidence which is inherent in such fantastic claims. It would appear from the findings of the present study that those involved in the prosecution of recovered memory cases involving satanic ritual abuse allegations face a formidable task in gaining

convictions.

In the present study, there were only two levels of the abuse type manipulation - one level in which there was no mention or inclusion of satanic rituals and another level in which a large number of events consistent with published reports of satanic ritual abuse was included. It may be the case that jurors believe that some elements of satanic ritual abuse can possibly occur but the number of ritual abuse events included in the present study may have been so large that jurors could not believe that there would not be some evidence left behind. Future research should include a third level of abuse type in which there is a reduction in the number of ritual abuse elements from the large number included in the present study. In this way, one could investigate whether jurors are amenable to any suggestions of the occurrence of ritual abuse or if any mention of such allegations strips away all credibility from these types of repressed memory cases.

Symptomatology Manipulation

It was hypothesized that the presence of symptoms of post-traumatic stress disorder (PTSD) in the complainant would lend more credibility to her story as opposed to when she presented only mild symptoms of psychological disorder and that this enhanced credibility would result in more guilty verdicts in the former condition compared to the latter one. It was further expected that jurors would ascribe even more legitimacy to the complainant in the condition in which she was diagnosed or labelled with post-traumatic stress disorder resulting in more guilty verdicts than in the condition in which she presented symptoms but was not diagnosed with PTSD. However, inconsistent with

Arkur and Eker's (1994) finding that public perceptions of mental illness are affected by diagnostic labels, the results in the present study did not indicate any effect of the symptomatology manipulation at either the jury or individual juror levels.

The only significant findings involving the symptoms manipulation were the significant simple main effects of symptomatology at the ritual abuse level of abuse type for the private belief ratings and the Beliefs about Repressed Memories question which asked "To what extent do you believe that Jill's memories of childhood sexual abuse are true?". These findings, contrary to expectations, indicated that jurors in the ritual abuse condition actually found the complainant's claims more believable when her symptoms were mild than when they were more severe. Perhaps, jurors found the ritual abuse claims to be so sensational that they believed that when the complainant presented severe psychological symptoms, her story was more the result of her psychological problems than her symptoms being a result of such fantastic events.

The lack of an effect of the symptomatology manipulation in the no ritual abuse condition may be attributed to jurors in that condition expecting that the complainant would exhibit at least some mild symptoms of psychological distress if there were allegations of sexual abuse and once that basic expectation was met, anything above and beyond these mild symptoms did not have any greater influence on jurors' perceptions of the credibility of the allegations. Once jurors saw that any psychological damage was suffered by the complainant, which may have given them some reason to believe her allegations, they may have disregarded the extent of the damage and only concerned themselves with the evidence surrounding the alleged abuse events.

The diagnosis of post-traumatic stress disorder is commonly found in child sexual abuse cases, including those involving repressed memories (Wakefield & Underwager, 1992). In the present study, whether the complainant presented only mild symptoms of psychological disorder, symptoms of PTSD without the diagnosis or the symptoms as well as the diagnosis of PTSD did not affect jurors' verdicts. Contrary to the manipulation of the nature of the memories, it does not appear that the manipulation of the symptoms which the complainant presented affected the amount of legitimacy that jurors ascribed to the recovered memories and thus their verdicts were unaffected by this manipulation.

Future research in this area should include a symptomatology manipulation of another psychological disorder that has been commonly diagnosed in alleged victims of childhood sexual abuse such as Multiple Personality Disorder (MPD). MPD is quite often diagnosed in individuals who allegedly recover memories of extreme and violent childhood sexual abuse such as ritual abuse (Wakefield & Underwager, 1992) and has been a subject of media interest since the early 1960s (Mulhern, 1994). Because of the greater awareness of MPD due to its higher profile in the media, it may be possible that the presence or absence of the symptoms and diagnosis of MPD may affect jurors' verdicts in a case such as that used in the present study even though there was no effect of a symptomatology manipulation involving PTSD, which may not be as well known to the general public.

Gender Differences

It was predicted that female jurors would find the complainant more credible, the defendant less credible and hold a stronger belief in the defendant's guilt than would male jurors. As expected, there were significant gender differences in the measures of individual juror verdicts, private belief ratings of defendant guilt and credibility ratings.

Of note concerning the gender differences in this study is the finding that there was a significant gender difference at the pre-deliberation ballot with female jurors voting to convict the defendant significantly more than male jurors but this gender difference disappeared at post-deliberation. This finding is consistent with that of Ramkissoonsingh's (1994) study in which a jury simulation paradigm was utilized that was similar to the one used in the present study, but the charges involved a male defendant sexually assaulting a female complainant. As in Ramkissoonsingh's study, an examination of the significant gender by interval interaction and the means involved indicates that there was a tendency for female participants in particular to shift their pre-deliberation vote from guilty to not guilty at post-deliberation. There was a significant but smaller shift towards leniency for male jurors but they tended to believe that the defendant was not guilty at both pre- and post-deliberation. A possible explanation for the large shift in opinion towards leniency among female jurors could be that the lack of physical evidence that is inherent in trials involving allegations of repressed memories of sexual abuse was a key discussion point during deliberations and, when combined with the pressure to reach a unanimous verdict within sixty minutes, resulted in many female participants changing to a not guilty verdict. The finding of a shift towards leniency for

the defendant following deliberations in the present study is also consistent with MacCoun and Kerr's (1988) finding, from a review of the literature, that jury deliberation results in a "leniency bias" toward the defendant.

Consistent with the findings of Bottoms et al. (1997), female jurors believed in the defendant's guilt significantly more than did male participants as measured by private belief ratings taken following both the presentations of the prosecution case and the case for the defence, and after hearing the closing arguments of the defence and prosecuting attorneys and the judge's charge. Also consistent with the findings of Bottoms et al. (1997) and Golding et al. (1995), female participants rated the alleged victim as more credible and the defendant as less credible than did male jurors.

Borgida and Brekke (1985) found that, in adult rape cases, females tend to identify more with the victim and males tend to better identify with the defendant. As Gabora (1990) suggests, this finding could be extended to cases in which allegations of child sexual abuse are at issue. In the present study, it is also possible that the gender differences are largely as a result of female participants better identifying with the female complainant and male jurors identifying more with the male defendant. A possibility for future research might be to manipulate the gender of the complainant and/or the defendant. Males make up 10% of plaintiffs in repressed memory lawsuits while the mother is named as a co-defendant in one-third of these types of lawsuits (Wakefield & Underwager, 1992). It would be of interest to see if, for instance, female jurors have a lesser belief and male jurors have a greater belief in the guilt of the defendant when the complainant is male and the defendant is female than when there is a female complainant

and a male defendant as was the case in the present study. Research of this type might give a better indication as to whether female jurors identify more with the female participants and male jurors better identify with the male participants in a court case, which may affect their perceptions of the case.

Conclusion

Results from the present study indicate that mock jurors are more likely to convict a defendant when allegations involving previously repressed memories of sexual abuse do not include the more bizarre satanic ritual elements, in comparison to when such elements are included in the allegations. Although child sexual abuse is widely recognized as existing in our society, there is a lack of evidence for the existence of satanic ritual abuse and this lack of evidence may account, at least in part, for the greater rates of conviction in the no ritual abuse condition as opposed to the ritual abuse condition. Symptoms of psychological disorder (or the lack thereof) in the complainant did not affect jurors' verdicts but juror gender did affect the assessments of credibility of the complainant, her therapist and the defendant.

Although it is important to emphasize that studying actual juries at work would be most desirable in understanding the factors which influence jury decision-making, it is simply not legally possible in almost all jurisdictions (Bottoms et al., 1997). The best alternative is the jury simulation paradigm which is very useful because it allows us "the experimental control necessary to draw cause and effect conclusions about our variables" (Bottoms et al., 1997, p. 856). One potential limitation of the present study was the use

of university students as mock jurors rather than drawing mock jurors from the community at large. However, there is little or no evidence of differences in mock trial outcomes between student jurors and community jurors (Bottoms et al., 1997; MacCoun, 1989) so the findings of the present study would appear to have some merit concerning jurors' reactions to repressed memory cases involving allegations of satanic ritual abuse. It is hoped that future research using the jury simulation paradigm will be undertaken so that a better understanding of the factors that influence jury decision-making in cases such as that used in the present study can be achieved and aid the legal profession in being as fair and as just as possible.

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Table 1

Jury Verdicts as a Function of Abuse Type

	Verdict			Mean	SD
	Not Guilty	Guilty	Hung		
No Ritual	10 (33.3%)	7 (23.3%)	13 (43.3%)	.90	.76
Ritual	23 (76.7%)	3 (10.0%)	4 (13.3%)	.33	.66

Note: Guilty = 2, Hung Jury = 1, Not Guilty = 0.

Table 2

Means and Standard Deviations for Pre and Post Deliberation

Verdicts as a Function of Gender

		Interval	
Gender		Pre	Post
Women	Mean	.61	.31
	SD	.49	.46
Men	Mean	.33	.25
	SD	.47	.44

Note: Guilty = 1, Not Guilty = 0.

Table 3

Means and Standard Deviations for Private Belief Ratings of
Defendant Guilt as a Function of Gender

		Interval			
Gender		Time1	Time2	Time3	Time4
Women	Mean	-0.63	-1.29	-1.19	-1.09
	SD	1.74	2.40	2.72	3.48
Men	Mean	-0.36	-0.64	-0.32	-0.02
	SD	1.56	2.64	2.90	3.49

Note: Scores ranged from -5 (should be convicted) to +5 (should not be convicted).

Table 4

Means and Standard Deviations for Mean Private Belief Ratings of
Defendant Guilt as a Function of the Abuse Type x Symptomatology
Interaction

		Abuse Type	
Symptomatology		No Ritual	Ritual
Mild Symptoms	Mean	-0.45	-1.28
	SD	2.38	2.45
PTSD Symptoms	Mean	-0.82	-0.42
	SD	2.17	2.15
PTSD Diagnosed	Mean	-0.85	-0.16
	SD	2.22	2.17

Note: Scores ranged from -5 (should be convicted) to +5 (should not be convicted).

Table 5

Means and Standard Deviations for Private Belief Ratings of
Defendant Guilt as a Function of the Abuse Type x Interval
Interaction

		Interval			
Abuse Type		Time 1	Time2	Time3	Time4
No Ritual	Mean	-0.30	-0.93	-0.90	-1.03
	SD	1.65	2.54	2.79	3.47
Ritual	Mean	-0.68	-1.06	-0.64	-0.12
	SD	1.64	2.52	2.89	3.51

Note: Scores ranged from -5 (should be convicted) to +5
(should not be convicted).

Table 6

Means and Standard Deviations for Credibility Ratings as a
Function of Gender

	Gender	
	Females (N=190)	Males (N=181)
Complainant		
Mean	3.61	3.24
SD	1.04	1.12
Therapist		
Mean	3.99	3.37
SD	0.96	1.09
Expert		
Mean	4.23	3.89
SD	2.37	1.08
Defendant		
Mean	2.77	3.25
SD	1.05	1.14

Note: Scores ranged from 1 (Not Credible) to 5 (Very Credible).

Table 7

Means and Standard Deviations for the question “To what extent do you believe that Jill’s memories of childhood sexual abuse are true?” as a Function of the Abuse Type x Symptomatology Interaction

		Abuse Type	
Symptomatology		No Ritual	Ritual
Mild Symptoms	Mean	3.98	3.97
	SD	1.80	1.31
PTSD Symptoms	Mean	4.36	2.98
	SD	1.25	1.62
PTSD Diagnosed	Mean	4.05	2.89
	SD	1.67	1.58

Note: Scores ranged from 0 (not at all true) to 6 (completely true).

Appendix A

Announcement for Recruiting

Participation in this study requires that you play the role of a juror in a simulated criminal case. Students will be asked to watch a videotape of a simulated trial, and then deliberate as a group to a verdict. Jury deliberations will be videotaped and all videotapes will remain confidential. The subject matter of this trial may involve allegations of sexual abuse. If you are still interested despite this, please leave your student number below. The experiment will take between 2-3 hours, thereby giving students a maximum of 3 course credits for participation. I will call you to set up an appointment at a time that is convenient to you.

Appendix B
INFORMED CONSENT FORM

The purpose of an informed consent is to ensure that you understand the purpose of the study and the nature of your involvement. The informed consent must provide sufficient information such that you have the opportunity to determine whether you wish to participate in the study.

You are about to see a videotape of a simulated trial wherein the defendant has been accused of sexual abuse of his daughter when she was under 14 years of age. Some people may find the issue of assault, along with the aspects of the trial, to be offensive and you are under no obligation to continue with this study. You may withdraw at any time without losing credit. As part of the procedure you will be required to fill out a series of questionnaires pertaining to the guilt or innocence of the defendant. After viewing the videotape, as part of the jury, you will be required to spend up to a maximum of 60 minutes in deliberation. Jury deliberations will be videotaped and all videotapes will remain confidential. The purpose of this study is to examine how juries reach decisions in such trials. It is hoped that your participation will give us some insight into the matter.

I am aware that my participation in this study is voluntary. If for any reason, at any time, I wish to leave the experiment I may do so without having to give an explanation and with no penalty whatsoever.

Furthermore, I am also aware that the data gathered in this study is confidential and anonymous with respect to my personal identity.

I have read the above form and with the understanding that I can withdraw at any time and for whatever reason. I consent to participate in today's jury simulation experiment.

Participant's Signature

Investigator's Signature

Date

If you have any questions or ethical concerns regarding this experiment, please contact any or all of the following faculty members,

Dr. M. Gick 520-2600, ext. 2664 (Chair of the Ethics Committee)

Dr. K. Matheson 520-2600, ext. 2648 (Faculty Advisor & Chair of the Psychology Department)

Appendix C

PRIVATE BELIEF QUESTIONNAIRE

With this questionnaire, you are being asked to circle the one number that best describes your private belief that Mr. Harris should or should not be convicted for sexually assaulting his daughter. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether Mr. Harris should or should not be convicted of sexual assault.

-5 -4 -3 -2 -1 0 +1 +2 +3 +4 +5

Certain Mr.
Harris should be
convicted.

Completely
unsure.

Certain Mr.
Harris
should not
be
convicted.

Appendix D

Credibility Rating

How credible were each of the trial participants on a scale of 1 to 5?

	Not Credible			Very Credible	
Jill Harris	1	2	3	4	5
Dr. Morgan	1	2	3	4	5
Mr. Harris	1	2	3	4	5
Ms. Barr	1	2	3	4	5

Appendix E

1. How realistic (in terms of memories recalled) did you find Jill's testimony?

0	1	2	3	4	5	6
not at all realistic		slightly		very realistic		

2. How bizarre did you find Jill's testimony concerning the events surrounding her alleged childhood sexual abuse?

0	1	2	3	4	5	6
not at all bizarre		slightly		very bizarre		

3. Based upon Jill's testimony, how convinced do you believe Jill herself was concerning the guilt of her father?

0	1	2	3	4	5	6
Not at all Convinced		Slightly		Very Convinced		

4. To what extent do you believe that Jill's symptoms show evidence of her being sexually abused as a child?

0	1	2	3	4	5	6
not at all		slightly		to a great extent		

5. How severe do you believe Jill's symptoms to be?

0	1	2	3	4	5	6
not at all severe		slightly		extremely severe		

6. How convincing did you find the testimony of Jill's therapist to be?

0	1	2	3	4	5	6
not at all convincing		slightly		very convincing		

Appendix F

INFORMED CONSENT

Your task as a jury will be to reach a unanimous decision concerning the guilt or innocence of the defendant. You will attempt to reach a decision during deliberations in which you and the other members of the jury discuss the case. The experimenter will not be present during the deliberations.

Very little is known about how juries reach their decisions because, by law, jury deliberations are held in secret, and justifications for jury verdicts are not demanded. In order to understand this process more fully we would like to videotape your deliberations.

I understand that I am completely free to withdraw at this point in time (without penalty) or at any subsequent time during or following deliberations.

Furthermore, I am also aware that the deliberation videotapes will be kept completely confidential and anonymous with respect to my personal identity.

I have read the above form and with the understanding that I can withdraw at any time, I consent to the videotaping of the deliberations.

Participant

Investigator

Date

Appendix G

Duties of the Foreperson
(foreperson should read this aloud to the jury)

Before beginning any deliberations I, as foreperson, will tally the jury for their opinions concerning the guilt or innocence of the defendant. I will do this by asking all of the jurors to indicate on their ballot if they believe the defendant to be guilty or not guilty. I as the foreperson will also participate in this vote by indicating on my ballot if I think that the defendant is guilty or not guilty.

Afterwards, the deliberations will begin and will continue until we reach a unanimous decision concerning the guilt or innocence of the defendant. At various times during the deliberations, I will tally the jury for their opinions concerning the guilt or the innocence of the defendant. We can take as many tallies as we need in order to reach a unanimous decision.

Appendix H

Tally Sheet

Name: _____

Juror Number: _____

Tally Number: _____

On the basis of the evidence, my vote is that

Mr. Harris is **Guilty** _____

Mr. Harris is **Not Guilty** _____

Appendix I

1. To what extent do you believe that Jill's memories of childhood sexual abuse are true?

0	1	2	3	4	5	6
not at all		slightly		completely true		
true						

2. Based upon your own personal opinion, to what degree do you believe in the notion of repressed memories of childhood sexual abuse (memories of traumatic events that the person is unaware of, i.e; they get 'erased' from consciousness).

0	1	2	3	4	5	6
Not at		Slightly		Strongly Believe		
all						

3. Based upon your own personal opinion, to what degree do you believe that repressed memories of childhood sexual abuse, once retrieved, represent accurate reflections of past events?

0	1	2	3	4	5	6
Not at		Slightly		Very Accurate		
all accurate						

4. Based upon your own personal opinion, to what degree do you believe in the existence of satanic ritual abuse?

0	1	2	3	4	5	6
Not at all		Slightly		Strongly Believe		

5. Based upon your own personal opinion, to what degree do you believe that claims of satanic ritual abuse are authentic?

0	1	2	3	4	5	6
Not at all			Slightly		Strongly Believe	

6. To what degree are you aware of Posttraumatic Stress Disorder (PTSD)?

0	1	2	3	4	5	6
Not at all aware			Slightly		Very much aware	

7. Based upon your own personal opinion, to what degree do you believe that Posttraumatic Stress Disorder (PTSD) can be a consequence of childhood sexual abuse.

0	1	2	3	4	5	6
Not at all			Slightly		Strongly Believe	

Appendix J

Debriefing Information

We would like to thank you for participating in this study. Your participation will help us understand more about how jurors make decisions in trials involving recovered memories of childhood sexual abuse and will offer a new contribution to this field. This study and others like it assist those individuals who are involved in similar litigation.

We would like to emphasize that sexual abuse of children is a serious and violent crime, punishable by many years in prison. Sexually abused children suffer severe psychological trauma as well as the more obvious physical effects of the assault. Unfortunately, many people still believe a number of falsehoods or myths about the sexual abuse of children. It is important to recognize that the majority of persons who offend against children are known by the child. Moreover, child sexual abuse is not limited to any social, economic or ethnic class. Under no circumstances should a child be blamed for being sexually assaulted, rather they are the victims of a brutal crime.

Another misconception many people have is that if a child does not immediately report being sexually assaulted or hesitates to report an assault, that they were not sexually assaulted at all. This belief is false. There are many reasons that make it difficult for children to report being sexually abused (e.g., reactions of others, psychological trauma experienced from the assault, fear of being disbelieved).

Controversy exists however with regard to the reality of repressed memories for childhood sexual abuse. Definitively, the existence or non-existence of repression as a mechanism by which an individual may come to be unaware of childhood sexual abuse remains unproven.

The purpose of the study in which you have just participated is to investigate different factors which may influence the decisions that jurors make in trials involving repressed memories of childhood sexual abuse. In this study, the symptoms of a mental disorder affecting the complainant and the type of sexual abuse allegedly experienced by the complainant were manipulated. We wanted to determine if changes in these independent variables affected the dependent variable, jury verdicts. Past research using the jury simulation paradigm has shown that jury verdicts vary as a function of the amount of evidence presented at trial and the composition of certain judicial instructions and expert testimony. Research also indicates that extralegal variables (e.g., demeanour of the complainant and defendant, juror gender, age of the complainant, etc.) influence jury decisions.

There are a couple of discrepancies between the procedure used in this study and the procedure used in actual criminal trials. In this study, ALL mock jurors who agreed to take part in the study sat on the jury. However, in actual trials, potential jurors would be questioned by the Defence and Crown attorneys before the trial proceedings. This process is called the jury selection procedure and all individuals who arrive for jury duty are not selected to sit on the jury. Another difference between the procedure used in this study and actual criminal trials is the artificial time limit placed on the deliberations. In actual trials, the length of the deliberations are not limited. However, literature indicates

that the majority of juries that try cases involving charges of sexual assault reach a verdict within 90 minutes.

We appreciate your taking the time to answer the questions and want to stress that our intent is to understand your beliefs; consequently, all your answers are valuable. Also, please note that the trial presented to you on videotape is a completely simulated trial; that is, it is a totally fictional scenario. Furthermore, all of the characters were actors and actresses who volunteered their time and efforts to this project.

Carleton University is devoted to creating an environment free of harassment, discrimination and violence. Questions concerning any of these forms of abuse, and Carleton University's response to them, should be directed to the Sexual Harassment Officers on campus (520-2600 ext. 5622). Studies such as this are conducted so that a better understanding of violence against women, children and sexual assault may be achieved.

We understand that the scenarios may be upsetting and anxiety provoking for some people and we stress that you contact myself or one of the agencies listed below if you have any concerns regarding this study or the issues referred to in this study. This list of contacts includes agencies within both the university and the community that are available for men and women.

Due to the nature of this research, we ask you not to discuss the subject matter with potential participants until testing is complete (approximately April of 1998). If you wish to discuss any additional aspects of the research we are available for appointments. You may contact Ravi Ramkissoonsingh in room A304 Loeb or by phoning 520-2600 ext. 2683.

If you have any questions and/or ethical concerns regarding this experiment, you may also contact the following faculty members:

Dr. M. Gick, 520-2600, ext. 2664 (Chair, Psychology Department Ethics Committee)

Dr. K. Matheson, 520-2600, ext. 2648 (Faculty Researcher & Chair of the Psychology Department)

Appendix K

Contact Sheet

Police Phone Numbers

Emergency	911
Ottawa	230-6211
Nepean	829-2211
Kanata	592-6061
Gloucester	822-2961
O.P.P.	828-9171

24 Hour Distress Lines

Distress Centre	238-3311
Rape Crisis Line	729-8889
Sexual Assault Centre	234-2266

Legal Aid 238-7931

Ottawa Law Information Line

Referral to appropriate services 236-3893

Help For Victims of Sexual Abuse and Their Families

Family Service Centre	725-3601
The Sexual Assault Support Centre	234-2266
Children's Aid Society	747-1918

Counselling Services for Men

New Directions 238-8478

Counselling Services

Carleton University	
Counselling Services	520-6600

Appendix L

Trial Script

Judge's Opening Statement (All Conditions)

Members of the jury, it is your responsibility to decide upon guilt or innocence of Mr. John R. Harris. Mr. Harris is charged in an indictment that he sexually assaulted his daughter, Jill A. Harris 12 years ago when she was under 14 years of age.

Sexual assault is outlined in Section 271.1 of the Canadian Criminal Code. Every one who commits a sexual assault is guilty of an indictable offence and is liable to imprisonment for a maximum of ten years. Sexual assault is defined by the court as unwanted, nonconsensual sexual activity that includes any incident of sexual contact ranging from fondling to intercourse.

Where an accused is charged under Section 271.1 it is not a defence that the complainant consented to the activity that forms the subject matter of the charge when the complainant is under the age of fourteen years. Nor is it a defence that the complainant consented to the activity when the accused is in a position of trust or authority. Under Section 265 of the Criminal Code, no consent is obtained where the complainant submits or does not resist by reason of the exercise of authority.

Furthermore, where an accused is charged under Section 271.1, no corroboration is required for a conviction and it is possible for the accused to be found guilty in the absence of corroboration.

In our legal system, the defendant is presumed to be innocent unless he is proven guilty in a court of law. Therefore, it is your responsibility to pay careful attention to all

the evidence that is presented by both the Crown and the defence before you make a judgement or formulate an opinion. Do not make your decision hastily. You will hear the testimony of a number of witnesses and it is very important that you keep an open mind and listen carefully to everything that is said. After all the evidence has been presented, you will be asked to deliberate to a unanimous verdict concerning the guilt or innocence of Mr. Harris.

Prosecution Opening Statement - All Conditions (**Ritual Abuse Dialogue in Bold**)

Members of the jury, the case before you is really quite straightforward. The Crown will show that, on repeated occasions over a two year period, John R. Harris sexually assaulted his daughter, Jill A. Harris when she was 10 years old. Members of the jury, the Crown will show that the evidence against Mr. Harris is very strong. Jill Harris, the victim in this case will take the stand. Under oath, she will describe how Mr. Harris, her father, on a number of occasions, would touch and fondle her genitals. You will hear how he would ask her to touch and fondle him as well. On different occasions, Mr. Harris even forced Jill to perform oral sex on him. On one specific occasion in the basement of her home you will hear how Mr. Harris forced Jill to have sex with him. **You will also hear how Mr. Harris hosted meetings in this same basement where participants engaged in devil worship and the ritualistic sexual abuse of children. Mr. Harris forced his own daughter to participate in these meetings and allowed her to be subjected to some of the most perverted treatment imaginable.**

As a consequence of almost two years of such abhorrent behaviour, you will hear how, in order to protect herself from the emotional and physical trauma she had endured, Jill Harris repressed these despicable acts for a period of 10 to 12 years. Having been denied entry into Jill's consciousness, these repressed memories lay at the heart of the psychological problems Jill had been suffering which led her to turn to the supportive guidance of her therapist. Only then, secure in a safe environment, could Jill bring herself to recall incidents of sexual abuse that her father had inflicted upon her.

Members of the jury, you will also hear expert testimony that will corroborate Jill's

testimony. He will testify as to how repression is a common consequence of traumatic experiences. And how, in order to be able to get on with her life, it was essential that Jill deal with, and acknowledge the trauma that was inflicted upon her when she was a young girl.

In summary, the Crown will present evidence to prove beyond a reasonable doubt that Mr. John Harris committed sexual assault against his own daughter, Jill Harris.

Members of the jury, I ask you to listen carefully to all the evidence presented and then I ask you to find John Harris guilty of sexual assault.

Thank you very much for your attention.

Defence Opening Statement - All Conditions (Ritual Abuse Dialogue in Bold)

Members of the jury, sexual assault is a horrible and serious crime. Those persons that sexually assault children should be punished by law. However, my client, Mr. John Harris, did not sexually abuse his daughter, Jill. Instead, this horrible allegation, though firmly believed by Jill is a misguided and falsely held belief. In an attempt to seek an answer for any psychological problems she may have been suffering, Jill, though perhaps unwittingly, conjured up images and memories that were false. There is no doubt that the acts you will hear Jill describe as being perpetrated against her by her own father are despicable acts. Nevertheless, these events never took place.

Members of the jury, Mr. Harris is a well educated, upstanding member of the community. He has a good job. Before this misunderstanding, he had never been arrested for anything. In short, John Harris is not the sort of man who sexually assaults children.

Mr. Harris will take the stand in his own defence. It is important that you listen very carefully to everything that he tells you. Under oath he will tell you that he never asked his daughter, Jill, to perform any sexual acts upon him. Nor did he engage in any sexual acts with her. **And he most certainly has never participated in or forced Jill to partake in any satanic rituals as the prosecution would have you believe.** Members of the jury, Jill Harris's whole story is completely false. Mr. Harris will testify that he has never had any type of sexual relations with his daughter.

Why would a woman falsely accuse her father of sexual assault? The answer to that question will become clear as you listen to the evidence surrounding Jill's recovery of her

memories. Jill started going to see a therapist seeking answers as to why she was feeling the way she did. Only under the guidance of her therapist, Jill came to recall memories for tragic events of abuse. Unfortunately, Jill's memories which started as fragmented and confusing images during her early sessions in therapy, came to take on the quality of a real memory only under the guidance of her therapist. Though honestly believed by Jill, evidence will demonstrate that these memories are indeed false.

Members of the jury, I told you earlier that sexual assault is a horrible crime. But this trial is not about sexual assault because Mr. Harris did not sexually abuse his daughter at any time during her life. As you will see, none of the witnesses called by the Crown, can confirm this allegation. Members of the jury, this trial is about a confused and troubled woman who has falsely accused her own innocent father of sexual assault. For this reason, I ask you to find Mr. Harris not guilty. Thank you.

Examination of Witness for Prosecution (Brenda Harper) (All Conditions)

P. Please state your name for the court and the nature of your relationship with Jill Harris.

B. My name is Brenda Harper and I'm a friend of Jill's.

P. And how long have you known Jill?

B. Since we were 5 years old...so I guess around 17 years.

P. So it's fair to say that you had a close relationship with Jill?

B. Yes.

P. And what about her family - were you close with them?

B. Yes. Very close. We often did things together and I'd eat and sleep over at their house a lot.

P. How would you describe Jill's relationship with her family when she was growing up?

B. It was close - they seemed happy.

P. And how would you describe Jill's relationship with her family when her mother suffered a stroke.

B. Well, because her mother was partially paralysed for almost a year, Jill had to take on a lot more responsibility at the time. Cleaning the house, dishes, helping cook supper...things like that.

P. And did Jill have many friends at this time?

B. No, not really. She pretty well kept to herself.

P. What was Jill like before going to therapy Brenda?

B. She was having a lot of problems that were interfering with her work and her relationship with her husband - she even stopped calling me as often as she used to.

P. And how would you describe Jill's emotional state at the present time?

B. She's doing a lot better - she doesn't seem so troubled anymore.

P. No further questions your honour.

Cross-Examination of Brenda - All Conditions (**Ritual Abuse Dialogue in Bold**)

D. Brenda, you stated that Jill pretty well kept to herself when she was younger. Was she always that way?

B. Yes, I guess so.

D. How often in the past few years have you seen Jill?

B. Oh I don't know - as often as we can...every few months or so.

D. Would it be fair to say then Brenda that most of your communication with Jill has been in telephone conversations?

B. Yes, we don't live too close together anymore.

D. And when did you last see Jill?

B. Almost 6 months ago I guess.

D. And yet you claim that all of a sudden Jill is not, in your words, troubled anymore?

B. I said she seems to doing a lot better, yes...

D. Based on what evidence Brenda?

B. We talked on the phone together a couple of months ago or so...

D. Brenda, has Jill at any point ever confided in you that she was being sexually abused?

B. Yes, she told me she had memories of being abused **in satanic rituals** by her father **and some other people** as a child.

D. Was she in therapy at this time?

B. Yes.

D. Did she ever confide in you that she was being abused when you were children?

B. No.

D. No further questions.

Examination of Therapist - Mild Symptoms (**Ritual Abuse Dialogue in Bold**)

Pro: Please state your name and occupation for the court.

T: My name is Phyllis Barr, and I am a mental health therapist at an in-patient unit at St. Michael's General Hospital.

Pr: Can you please tell us your educational background and how long you have worked as a therapist.

T: I have a bachelor of arts degree in psychology and a Master of Social work. I've worked as a therapist for about 15 years now.

Pro: Have you any direct experience in dealing with cases of sexual abuse?

T: Yes I do. A number of my clients have sexual abuse histories. As well, I also oversee a group for adult survivors of childhood sexual abuse.

Pro: And have you any experience in dealing with individuals who have repressed memories of sexual abuse?

T: Yes. A number of my clients who have been sexually abused as children had repressed their memories and have been unaware for a period of time - some for years and even decades that they had been abused.

Pro: And have you ever worked with individuals who have been abused as part of ritual satanic ceremonies?

T: Yes, some of my clients have to endure years of such abuse at the hands of numerous perpetrators.

Pro: And you have been working with a client named Jill Harris?

T: Yes, that is correct.

Pro: And how many individual sessions did you have with Jill?

T: I saw Jill in one to one sessions for one year - twice a week at first, and then less over time. When group sessions started, which would take place once every two weeks I would see Jill individually less than once a week.

Pro: Can you please describe the events surrounding Jill's first session?

T: Jill was referred to me by a co-worker of hers who was a former client of mine. Jill's predominant problems were depression, anxiety and sexual intimacy problems with her husband.

Pro: Can you please describe to the court what took place during the first few sessions you had with Jill?

T: At the beginning we had talked about her present situation and the current problems that were troubling her. We discussed her family life and her work.

Pro: Did you discuss Jill's relationship with her parents?

T: Yes, eventually we did.

Pro: And what was Jill's attitude towards her family Ms. Barr?

T: Well, every time we discussed her family, Jill seemed to get anxious - particularly at the mention of her father. In fact, when talking about her parents, Jill would open up more when discussing her mother than her father.

Pro: And did you ask Jill why she would become so upset?

T: Yes, but she couldn't give me an answer. I think she was unaware why she felt so upset herself.

Pro: Did you find it necessary to pursue her feelings about her family?

T: Yes of course. I found her reactions to be odd in light of the fact that she could not explain why she felt the way she did. I thought that it was likely that there were issues surrounding her family that needed to be addressed in order to help her overcome the problems she was currently experiencing. So I suggested that her childhood be followed up and looked at more closely.

Pro: When you discussed Jill's childhood what was her reaction at that point?

T: Well, in general she remembered happy times with her family. Jill however had a lot of difficulty remembering from the ages of 10 to 12 despite the fact that her memory was more clear for previous years. She told me about her mother having suffered a stroke when she was 10 and she remembered having to help out around the house but other than that she didn't remember much else.

Pro: Did you have an opinion as to why she couldn't remember any events in that age period?

T: Well, I have gone to workshops with regard to repressed memories involving sexual abuse. When I put together Jill's current problems of depression, anxiety, sexual intimacy difficulties along with the substantial memory gap it was consistent with other survivors who had repressed memories of sexual abuse.

Pro: Did you address this issue with Jill?

T: No. I did not want to unduly influence her - while I knew that if repressed memories of abuse were involved that they had to be addressed, I also knew that they had to be recovered in her own time.

Pro: So when you realized that Jill may have repressed memories what did you do at that point?

T: Because Jill would appear anxious every time she tried to think back to that time period, I talked with Jill about how memory works. That is, I told her not to force or try to dig for any memories. I also suggested that she look at pictures of her childhood from the ages of 10 to 12 as an aid in triggering her memories.

Pro: Could looking at those pictures unduly influence Jill?

T: Oh no - it's an accepted and widely used method.

Pro: What was the nature of Jill's memory recall?

T: It was fragmented initially. Jill was having a series of flashbacks of a sexual nature involving a shadowy figure.

Pro: And when did Jill first begin having these flashbacks?

T: Oh, about 3 months into therapy.

Pro: Have you ever come across flashbacks before in your practice.

T: Oh yes, flashbacks are common when repressed memories begin to surface in the conscious mind. Frequently, the figure of the abuser is shadowed because of the trauma associated with the identification of the abuser - particularly if the abuser was someone who was trusted and loved - such as a father.

Pro: When did Jill identify her father as first having sexually abusing her?

T: She told me during the course of one of our sessions in about the 4th month that I had been seeing her, that she had another flashback that occurred the night before and

had seen the image of her father fondling her.

Pro: And how did Jill relay this information to you?

T: Well, she was muted at first in terms of not showing a lot of affect which is very common for incest survivors who are disclosing for the first time. As our therapy sessions continued however, Jill, in relaying the fragments of memory that she had been having would appear to be very frightened and emotional - almost as if she were re experiencing the elements of the actual abuse.

Pro: Why did you suggest to Jill that she participate in the group that you oversaw for adult survivors of sexual abuse?

T: Because she was recalling incidents of sexual abuse it was important for her to feel that she was in a safe environment where her memories could be explored and supported by people who had experienced the same things that she had. **Particularly because of the abuse she endured in the ritual satanic ceremonies, it was crucial that Jill not feel alone.**

Pro: What else takes place during these group sessions?

T: We discuss ways of coping with the reality of the abuse and how the abuse has affected their lives.

Pro: What is your role as a group leader Ms. Barr?

T: Well, it's sort of misleading to even refer to me as a group leader, I don't really lead the discussion at all. My role is really just that of being supportive.

Pro: Do you probe for memories during these sessions?

T: No. I do not make suggestions as to what might have happened because I don't want to tell people what they know or lived through - I only want to help them get back the power to control their lives.

Pro: Did you at any point suggest or encourage your client to seek legal action against her father?

T: No I did not.

Pro: From your experience as a counselor, it is not unusual for sexual abuse in childhood to have an impact on functioning in adult life?

T: No, it is not. As well, when ritual satanic abuse is involved, it can have a particularly damaging effect on an individuals' life. Having been exposed to potentially numerous perpetrators, especially including the element of secrecy that is typically involved in such cases, could certainly impact an individuals ability to function as an adult.

Pro: Do you find Ms. Harris's functioning as an adult to be affected by the sexual abuse she allegedly incurred as a child at the hands of her father?

T: Yes, I do

Pro: Ms. Barr, could you please describe some of the problems that Ms. Harris is currently having that, in your opinion, could be attributed, at least in part, to the alleged sexual abuse she suffered at the hands of her father?

T: Jill has been feeling depressed and anxious for some time and has been having difficulties in relating sexually with her husband.

Pro: How long have the problems that you have just mentioned been experienced by Ms. Harris?

T: It seems that many of these problems have been present in Jill in varying degrees prior to her coming to see me - so while she didn't act on these problems before a couple of years ago, it is likely the case that these problems have been present since the abuse ended.

Pro: So, in your professional opinion, do you consider Ms. Harris to be telling the truth concerning her alleged sexual abuse at the hands of her father?

T: Yes I do.

Pro: Thank you very much Ms. Barr. No further questions.

Examination of Therapist - PTSD Symptoms without Diagnosis (**Ritual Abuse Dialogue in Bold**)

Pro: Please state your name and occupation for the court.

T: My name is Phyllis Barr, and I am a mental health therapist at an in-patient unit at St. Michael's General Hospital.

Pr: Can you please tell us your educational background and how long you have worked as a therapist.

T: I have a bachelor of arts degree in psychology and a Master of Social work. I've worked as a therapist for about 15 years now.

Pro: Have you any direct experience in dealing with cases of sexual abuse?

T: Yes I do. A number of my clients have sexual abuse histories. As well, I also oversee a group for adult survivors of childhood sexual abuse.

Pro: Have you ever worked with individuals who have been abused as part of ritual satanic ceremonies?

T: Yes, some of my clients have to endure years of such abuse at the hands of numerous perpetrators.

Pro: And have you any experience in dealing with individuals who have repressed memories of sexual abuse?

T: Yes. A number of my clients who have been sexually abused as children had repressed their memories and have been unaware for a period of time - some for years and even decades that they had been abused.

Pro: And you have been working with a client named Jill Harris?

T: Yes, that is correct.

Pro: And how many individual sessions did you have with Jill?

T: I saw Jill in one to one sessions for one year - twice a week at first, and then less over time. When group sessions started, which would take place once every two weeks I would see Jill individually less than once a week.

Pro: Can you please describe the events surrounding Jill's first session?

T: Jill was referred to me by a co-worker of hers who was a former client of mine. Jill's predominant problems were depression, anxiety and sexual intimacy problems with her husband. As well, she was complaining of having difficulty sleeping because of nightmares and was also having difficulty concentrating on everyday tasks.

Pro: Can you please describe to the court what took place during the first few sessions you had with Jill?

T: At the beginning we had talked about her present situation and the current problems that were troubling her. We discussed her family life and her work.

Pro: Did you discuss Jill's relationship with her parents?

T: Yes, eventually we did.

Pro: And what was Jill's attitude towards her family Ms. Barr?

T: Well, every time we discussed her family, Jill seemed to get anxious - particularly at the mention of her father. In fact, when talking about her parents, Jill would open up more when discussing her mother than her father.

Pro: And did you ask Jill why she would become so upset?

T: Yes, but she couldn't give me an answer. I think she was unaware why she felt so upset herself.

Pro: Did you find it necessary to pursue her feelings about her family?

T: Yes of course. I found her reactions to be odd in light of the fact that she could not explain why she felt the way she did. I thought that it was likely that there were issues surrounding her family that needed to be addressed in order to help her overcome the problems she was currently experiencing. So I suggested that her childhood be followed up and looked at more closely.

Pro: When you discussed Jill's childhood what was her reaction at that point?

T: Well, in general she remembered happy times with her family. Jill however had a lot of difficulty remembering from the ages of 10 to 12 despite the fact that her memory was more clear for previous years. She told me about her mother having suffered a stroke when she was 10 and she remembered having to help out around the house but other than that she didn't remember much else.

Pro: Did you have an opinion as to why she couldn't remember any events in that age period?

T: Well, I have gone to workshops with regard to repressed memories involving sexual abuse. When I put together Jill's current problems of depression, anxiety, sexual intimacy difficulties, nightmares, lack of ability to concentrate, along with the substantial memory gap, it was consistent with other survivors who had repressed memories of sexual abuse.

Pro: Did you address this issue with Jill?

T: No. I did not want to unduly influence her - while I knew that if repressed memories of abuse were involved that they had to be addressed, I also knew that they had to be recovered in her own time.

Pro: So when you realized that Jill may have repressed memories what did you do at that point?

T: Because Jill would appear anxious every time she tried to think back to that time period, I talked with Jill about how memory works. That is, I told her not to force or try to dig for any memories. I also suggested that she look at pictures of her childhood from the ages of 10 to 12 as an aid in triggering her memories.

Pro: Could looking at those pictures unduly influence Jill?

T: Oh no - it's an accepted and widely used method.

Pro: What was the nature of Jill's memory recall?

T: It was fragmented initially. Jill was having a series of flashbacks of a sexual nature involving a shadowy figure.

Pro: And when did Jill first begin having these flashbacks?

T: Oh, about 3 months into therapy.

Pro: Have you ever come across flashbacks before in your practice.

T: Oh yes, flashbacks are common when repressed memories begin to surface in the conscious mind. Frequently, the figure of the abuser is shadowed because of the trauma associated with the identification of the abuser - particularly if the abuser was someone who was trusted and loved - such as a father.

Pro: When did Jill identify her father as first having sexually abusing her?

T: She told me during the course of one of our sessions in about the 4th month that I had been seeing her, that she had had another flashback that occurred the night before and had seen the image of her father fondling her.

Pro: And how did Jill relay this information to you?

T: Well, she was muted at first in terms of not showing a lot of affect which is very common for incest survivors who are disclosing for the first time. As our therapy sessions continued however, Jill, in relaying the fragments of memory that she had been having and recalling elements of ritual satanic abuse, would appear to be very frightened and emotional - almost as if she were re experiencing the elements of the actual abuse.

Pro: Why did you suggest to Jill that she participate in the group that you oversaw for adult survivors of sexual abuse?

T: Because she was recalling incidents of sexual abuse it was important for her to feel that she was in a safe environment where her memories could be explored and supported by people who had experienced the same things that she had. **Particularly because of the abuse she endured in the ritual satanic ceremonies, it was crucial that Jill not feel alone.**

Pro: What else takes place during these group sessions?

T: We discuss ways of coping with the reality of the abuse and how the abuse has affected their lives.

Pro: What is your role as a group leader Ms. Barr?

T: Well, it's sort of misleading to even refer to me as a group leader, I don't really lead the discussion at all. My role is really just that of being supportive.

Pro: Do you probe for memories during these sessions?

T: No. I do not make suggestions as to what might have happened because I don't want to tell people what they know or lived through - I only want to help them get back the power to control their lives.

Pro: Did you at any point suggest or encourage your client to seek legal action against her father?

T: No I did not.

Pro: From your experience as a counselor, it is not unusual for sexual abuse in childhood to have an impact on functioning in adult life?

T: No, it is not. **As well, when ritual satanic abuse is involved, it can have a particularly damaging effect on an individuals' life. Having been exposed to potentially numerous perpetrators, especially the element of secrecy that is typically involved in such cases, could certainly have impact on an individuals ability to function as an adult.**

Pro: Do you find Ms. Harris's functioning as an adult to be affected by the sexual abuse she allegedly incurred as a child at the hands of her father?

T: Yes, I do

Pro: Ms. Barr, could you please describe some of the problems that Ms. Harris is currently having that, in your opinion, could be attributed, at least in part, to the alleged sexual abuse she suffered at the hands of her father?

T: Jill is currently suffering from recurrent nightmares about the abuse that have become so bad, she is having difficulty falling asleep because she is afraid of having the nightmares. She also has had great difficulty in establishing and maintaining good interpersonal relationships of any kind, including sexual relationships. The marital problems that she has been experiencing are a result of her difficulties with interpersonal relationships.

Pro: Why would she be having such difficulties in establishing and maintaining these interpersonal relationships, Ms. Barr?

T: Jill is having problems in having good interpersonal relationships of any kind because she is unable to become emotionally involved with anyone. She tends to try to avoid emotional and sexual intimacy because of the great betrayal of trust that she experienced at the hands of her father. Jill is simply afraid that she will be hurt again like she was hurt by her father if she becomes too close to anyone, even her husband.

Pro: How long have the problems that you have just mentioned been experienced by Ms. Harris?

T: It seems that many of these problems have been present in Jill in varying degrees prior to her coming to see me - so while she didn't act on these problems before a couple of years ago, it is likely the case that these problems have been present since the abuse ended.

P: Are there any other difficulties being experienced by Ms. Harris that you know about?

T: Yes, there most certainly are. Jill has great difficulty in concentrating on everyday tasks because of the intrusive memories that she now has about the abuse. No matter how hard she tries, she simply cannot forget the horrible acts that were perpetrated on her. The difficulties in concentration brought on by these intrusive memories also results in outbursts of anger in Jill. She often has temper tantrums at the slightest provocation which further hampers her ability to establish and maintain normal interpersonal relationships.

P: And for how long has she experienced these problems?

T: The intrusive memories have only been a problems since the recovery of her memories of the abuse began over the last year. Jill says that she has been prone to temper tantrums for several years but this problem seems to have been exacerbated by the intrusive memories of the abuse in the last year. As well, while some of Jill's symptoms, including the recurrent nightmares and intrusive memories of abuse, have been present for several months, the rest of her symptoms have existed for close to ten years.

Pro: So, in your professional opinion, do you consider Ms. Harris to be telling the truth concerning her alleged sexual abuse at the hands of her father?

T: Yes I do.

Pro: Thank you very much Ms. Barr. No further questions.

Examination of Therapist - PTSD Symptoms with the Diagnosis (**Ritual Abuse Dialogue in Bold**)

Pro: Please state your name and occupation for the court.

T: My name is Phyllis Barr, and I am a mental health therapist at an in-patient unit at St. Michael's General Hospital.

Pr: Can you please tell us your educational background and how long you have worked as a therapist.

T: I have a bachelor of arts degree in psychology and a Master of Social work. I've worked as a therapist for about 15 years now.

Pro: Have you any direct experience in dealing with cases of sexual abuse?

T: Yes I do. A number of my clients have sexual abuse histories. As well, I also oversee a group for adult survivors of childhood sexual abuse.

Pro: And have you any experience in dealing with individuals who have repressed memories of sexual abuse?

T: Yes. A number of my clients who have been sexually abused as children had repressed their memories and have been unaware for a period of time - some for years and even decades that they had been abused.

Pro: And have you ever worked with individuals who have been abused as part of ritual satanic ceremonies?

T: Yes, some of my clients have to endure years of such abuse at the hands of numerous perpetrators.

Pro: And you have been working with a client named Jill Harris?

T: Yes, that is correct.

Pro: And how many individual sessions did you have with Jill?

T: I saw Jill in one to one sessions for one year - twice a week at first, and then less over time. When group sessions started, which would take place once every two weeks I would see Jill individually less than once a week.

Pro: Can you please describe the events surrounding Jill's first session?

T: Jill was referred to me by a co-worker of hers who was a former client of mine. Jill's predominant problems were depression, anxiety and sexual intimacy problems with her husband. As well, she was complaining of having difficulty sleeping because of nightmares and was also having difficulty concentrating on everyday tasks.

Pro: Can you please describe to the court what took place during the first few sessions you had with Jill?

T: At the beginning we had talked about her present situation and the current problems that were troubling her. We discussed her family life and her work.

Pro: Did you discuss Jill's relationship with her parents?

T: Yes, eventually we did.

Pro: And what was Jill's attitude towards her family Ms. Barr?

T: Well, every time we discussed her family, Jill seemed to get anxious - particularly at the mention of her father. In fact, when talking about her parents, Jill would open up more when discussing her mother than her father.

Pro: And did you ask Jill why she would become so upset?

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Pro: Did you find it necessary to pursue her feelings about her family?

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Pro: When you discussed Jill's childhood what was her reaction at that point?

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Pro: Did you have an opinion as to why she couldn't remember any events in that age period?

T: Well, I have gone to workshops with regard to repressed memories involving sexual abuse. When I put together Jill's current problems of depression, anxiety, sexual intimacy difficulties, nightmares, lack of ability to concentrate, along with the substantial memory gap, it was consistent with other survivors who had repressed memories of sexual abuse.

Pro: Did you address this issue with Jill?

T: No. I did not want to unduly influence her - while I knew that if repressed memories of abuse were involved that they had to be addressed, I also knew that they had to be recovered in her own time.

Pro: So when you realized that Jill may have repressed memories what did you do at that point?

T: Because Jill would appear anxious every time she tried to think back to that time period, I talked with Jill about how memory works. That is, I told her not to force or try to dig for any memories. I also suggested that she look at pictures of her childhood from the ages of 10 to 12 as an aid in triggering her memories.

Pro: Could looking at those pictures unduly influence Jill?

T: Oh no - it's an accepted and widely used method.

Pro: What was the nature of Jill's memory recall?

T: It was fragmented initially. Jill was having a series of flashbacks of a sexual nature involving a shadowy figure.

Pro: And when did Jill first begin having these flashbacks?

T: Oh, about 3 months into therapy.

Pro: Have you ever come across flashbacks before in your practice.

T: Oh yes, flashbacks are common when repressed memories begin to surface in the conscious mind. Frequently, the figure of the abuser is shadowed because of the trauma associated with the identification of the abuser - particularly if the abuser was someone who was trusted and loved - such as a father.

Pro: When did Jill identify her father as first having sexually abusing her?

T: She told me during the course of one of our sessions in about the 4th month that I had been seeing her, that she had another flashback that occurred the night before and had seen the image of her father fondling her.

Pro: And how did Jill relay this information to you?

T: Well, she was muted at first in terms of not showing a lot of affect which is very common for incest survivors who are disclosing for the first time. As our therapy sessions continued however, Jill, in relaying the fragments of memory that she had been having and began recalling elements of **ritual satanic** abuse, would appear to be very frightened and emotional - almost as if she were re experiencing the elements of the actual abuse.

Pro: Why did you suggest to Jill that she participate in the group that you oversaw for adult survivors of sexual abuse?

T: Because she was recalling incidents of sexual abuse it was important for her to feel that she was in a safe environment where her memories could be explored and supported by people who had experienced the same things that she had. **Particularly because of the abuse she endured in the ritual satanic ceremonies, it was crucial that Jill not feel alone.**

Pro: What else takes place during these group sessions?

T: We discuss ways of coping with the reality of the abuse and how the abuse has affected their lives.

Pro: What is your role as a group leader Ms. Barr?

T: Well, it's sort of misleading to even refer to me as a group leader, I don't really lead the discussion at all. My role is really just that of being supportive.

Pro: Do you probe for memories during these sessions?

T: No. I do not make suggestions as to what might have happened because I don't want to tell people what they know or lived through - I only want to help them get back the power to control their lives.

Pro: Did you at any point suggest or encourage your client to seek legal action against her father?

T: No I did not.

Pro: From your experience as a counsellor, it is not unusual for sexual abuse in childhood to have an impact on functioning in adult life?

T: No, it is not. **As well, when ritual satanic abuse is involved, it can have a particularly damaging effect on an individuals' life. Having been exposed to potentially numerous perpetrators, especially the element of secrecy that is typically involved in such cases, could certainly have impact on an individuals ability to function as an adult.**

Pro: Do you find Ms. Harris's functioning as an adult to be affected by the sexual abuse she allegedly incurred as a child at the hands of her father?

T: Yes, I do

Pro: Ms. Barr, could you please describe some of the problems that Ms. Harris is currently having that, in your opinion, could be attributed, at least in part, to the alleged sexual abuse she suffered at the hands of her father?

T: Jill is suffering many of the symptoms that are characteristic of what is referred to within the clinical literature as post-traumatic stress disorder. The repression of her memories of the abuse, in itself, is a symptom of PTSD.

Pro: Exactly what other kinds of symptoms is she experiencing?

T: Jill is having difficulty in relating sexually with her husband. As well, Jill is currently suffering from recurrent nightmares about the abuse that have become so bad, she is having difficulty falling asleep because she is afraid of having the nightmares. She also has had great difficulty in establishing and maintaining good interpersonal relationships of any kind, including sexual relationships. The marital problems that she has been experiencing are a result of her difficulties with interpersonal relationships.

Pro: Why would she be having such difficulties in establishing and maintaining these interpersonal relationships, Ms. Barr?

T: Jill is having problems in having good interpersonal relationships of any kind because she is unable to become emotionally involved with anyone. She tends to try to avoid emotional and sexual intimacy because of the great betrayal of trust that she experienced at the hands of her father. Jill is simply afraid that she will be hurt again like she was hurt by her father if she becomes too close to anyone, even her husband.

Pro: How long have the problems that you have just mentioned been experienced by Ms. Harris?

T: It seems that many of these problems have been present in Jill in varying degrees prior to her coming to see me - so while she didn't act on these problems before a couple of years ago, it is likely the case that these problems have been present since the abuse ended.

P: Are there any other symptoms present in Ms. Harris that are consistent with post-traumatic stress disorder?

T: Yes, there most certainly are. Jill has great difficulty in concentrating on every-day tasks because of the intrusive memories that she now has about the abuse. No matter how hard she tries, she simply cannot forget the horrible acts that were perpetrated on her. The difficulties in concentration brought on by these intrusive memories also results in outbursts of anger in Jill. She often has temper tantrums at the slightest provocation which further hampers her ability to establish and maintain normal interpersonal relationships.

P: And for how long has she experienced these problems?

T: The intrusive memories have only been a problems since the recovery of her memories of the abuse began over the last year. Jill says that she has been prone to temper tantrums for several years but this problem seems to have been exacerbated by the intrusive memories of the abuse in the last year.

P: For the record, Ms. Barr, what is the minimum amount of time that these symptoms have to be present before a diagnosis of post-traumatic stress disorder can be made?

T: Symptoms such as the ones that Jill is presenting must continue to be present for more than one month before a diagnosis of PTSD can be made. Some of Jill's symptoms, including the recurrent nightmares and intrusive memories of abuse, have been particularly pronounced for several months while the rest of her symptoms have existed for close to ten years.

Pro: So, in your professional opinion, Ms. Barr, what diagnosis would you make concerning Ms. Jill Harris?

T: I would diagnose Jill as having post-traumatic stress disorder.

Pro: So, in your professional opinion, do you consider Ms. Harris to be telling the truth concerning her alleged sexual abuse at the hands of her father?

T: Yes I do.

Pro: Thank you very much Ms. Barr. No further questions.

Cross-Examination of Therapist - Mild Symptoms (Ritual Abuse Dialogue in Bold)

Def: Ms. Barr, what percentage of your clients have histories of abuse?

T: Oh, I don't know, about 70 percent.

Def: And what percentage of those clients had repressed their memories of abuse?

T: I guess 40 to 50 percent. But it's important to keep in mind that repression of memories of sexual abuse is very common.

Def: And of those individuals Ms. Barr, what percentage have recalled incidents involving ritual satanic abuse.

T: Less than half of them - probably about 20 to 30 percent.

Def: Of these women who have repressed memories of sexual abuse, have any of them been able to provide objective evidence verifying their claims of sexual abuse?

T: Not necessarily, but it is difficult, if not impossible to verify many claims of child sexual abuse - particularly when the events occurred years before.

Def: And how about evidence supporting ritual satanic abuse. Have any of your clients been able to provide objective evidence verifying these claims?

T: No, it would be almost impossible. The high degree of secrecy involved would make it difficult, if not impossible to obtain concrete proof.

Def: Is it correct to state that Jill had absolutely no memory involving sexual abuse prior to her therapy?

T: Yes, however her life was showing the symptoms - the anxiety, depression, sexual intimacy problems and having gaps in memory.

Def: So every individual displaying these symptoms were likely abused **at the hands of a ritual satanic cult** as a child?

T: No.

Def.: And do all individuals who were sexually abused as children display these symptoms?

T: No, not necessarily, sexual abuse affects people differently.

Def: And yet you were convinced that Jill must have been abused as a child?

T: In my own opinion, and based on my experience, I thought that may have been a possibility - unfortunately child sexual abuse **and satanic abuse** is a lot more widespread than most people want to admit to - but I did not at any time suggest that to Jill.

Def: Do you not think Ms. Barr that perhaps you may have, though unwillingly, led Jill to believe that she was abused?

T: No, certainly not.

Def: You stated that you had met individually with Jill for a one year period - how many of these sessions involved discussions surrounding her flashbacks?

T: I don't know.....

Def: Half of them perhaps?

T: Yes I guess so, but it was important for Jill to explore her flashbacks in order to recover her memories

Def: Did you at any point question the reliability of Jill's memories?

T: No of course not...it's very important for the therapeutic process that as a therapist I have the trust and confidence of my clients - that they can feel safe when disclosing their painful memories.

Def: Did you have any reason to suspect the credibility of Jill's memories?

T: No, she was obviously very upset when she would relay her memories. Nobody would lie or fantasize about something so painful.

Def: You stated earlier that you oversee a group for adult survivors of incest, correct Ms. Barr?

T: Yes

Def: During the group sessions, were individuals sharing their experiences of abuse?

T: Yes - it's part of the healing process to realize that you are not alone.

Def: Could it not be the case Ms. Barr that Jill was incorporating other people's

memories into her own?

T: No. Her memories were different from the other people in the group. And again, being sexually abused **as part of a ritual satanic cult** is not something that someone would make up.

Def: Ms. Barr, with regard to the individuals in your group therapy sessions, have any of their memories become more clear?

T: Well, sometimes yes.

Def: Could it not be the case that these individuals are just piecing together their memories based upon bits that they have picked up from others in the group?

T: No - people who have been abused often do not want to remember the details - its too painful to deal with. When people do remember more details it's based on their own memories of what happened - bits and pieces of their abuse begin to fall into place and for once they are in a safe environment that they can share their pain.

Def: You said that you didn't encourage Jill to pursue legal action against her father - correct Ms. Barr?

T: Yes.

Def: But you are however supporting Jill's decision to pursue legal action?

T: Yes - confronting an abuser in court can be very beneficial for the healing process - for once it puts the blame where it belongs.

Def: No further questions your honour.

Cross-Examination of Therapist - PTSD Symptoms without the Diagnosis (**Ritual Abuse Dialogue in Bold**)

Def: Ms. Barr, what percentage of your clients have histories of abuse?

T: Oh, I don't know, about 70 percent.

Def: And what percentage of those clients had repressed their memories of abuse?

T: I guess 40 to 50 percent. But it's important to keep in mind that repression of memories of sexual abuse is very common.

Def: And of those individuals, Ms. Barr, what percentage have recalled incidents involving ritual satanic abuse?

T: Less than half of them - probably about 20 to 30 percent.

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T: No, it would be almost impossible. The high degree of secrecy involved would make it difficult, if not impossible to obtain concrete proof.

Def: Is it correct to state that Jill had absolutely no memory involving sexual abuse prior to her therapy?

T: Yes, however her life was showing the symptoms - the anxiety, depression, sexual intimacy problems, nightmares, difficulty in concentrating and having gaps in memory.

Def: So every individual displaying these symptoms were likely abused as children?

T: No.

Def.: And do all individuals who were sexually abused as children display these symptoms?

T: No, not necessarily, sexual abuse affects people differently.

Def: And yet you were convinced that Jill must have been abused **at the hands of a ritual satanic cult** as a child?

T: In my own opinion, and based on my experience, I thought that may have been a possibility - unfortunately child sexual abuse **and satanic abuse** is a lot more widespread than most people want to admit to - but I did not at any time suggest that to Jill.

Def: Do you not think Ms. Barr that perhaps you may have, though unwillingly, led Jill to believe that she was abused?

T: No, certainly not.

Def: You stated that you had met individually with Jill for a one year period - how many of these sessions involved discussions surrounding her flashbacks?

T: I don't know.....

Def: Half of them perhaps?

T: Yes I guess so, but it was important for Jill to explore her flashbacks in order to recover her memories

Def: Did you at any point question the reliability of Jill's memories?

T: No of course not...it's very important for the therapeutic process that as a therapist I have the trust and confidence of my clients - that they can feel safe when disclosing their painful memories.

Def: Did you have any reason to suspect the credibility of Jill's memories?

T: No, she was obviously very upset when she would relay her memories. Nobody would lie or fantasize about something so painful.

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T: Yes

Def: During the group sessions, were individuals sharing their experiences of abuse?

T: Yes - it's part of the healing process to realize that you are not alone.

Def: Could it not be the case Ms. Barr that Jill was incorporating other people's memories into her own?

T: No. Her memories were different from the other people in the group. And again, being sexually abused **as part of a ritual satanic cult** is not something that someone would make up.

Def: Ms. Barr, with regard to the individuals in your group therapy sessions, have any of their memories become more clear?

T: Well, sometimes yes.

Def: Could it not be the case that these individuals are just piecing together their memories based upon bits that they have picked up from others in the group?

T: No - people who have been abused often do not want to remember the details - its too painful to deal with. When people do remember more details it's based on their own memories of what happened - bits and pieces of their abuse begin to fall into place and for once they are in a safe environment that they can share their pain.

D. Ms. Barr, you testified that Jill now suffers from and is tormented by recurrent nightmares and intrusive thoughts about this alleged sexual abuse, is this correct?

T. Yes, that's true.

D. Did she suffer from these problems before she became a client of yours?

T. Well she was having nightmares prior to meeting with me, but yes I suppose its technically correct to state that they didn't directly involve aspects of her sexual abuse.

D. Let's get this straight. Jill was suffering from depression, anxiety and sexual intimacy problems before she started seeing you and now, since her therapy began, she is also suffering from recurrent nightmares and intrusive thoughts about sexual abuse that allegedly occurred many years ago but that she has suddenly only recently remembered. It seems to me that Jill has only become worse since she began seeing you Ms. Barr.

T. That's not true at all. Jill is on the road to recovery because she now remembers what happened to her during her childhood. The nightmares and memories that are bothering her now aren't a result of therapy but rather of the sexual abuse that she

suffered. Jill now understands the feelings that she has had for these many years because she took part in therapy.

Def: You said that you didn't encourage Jill to pursue legal action against her father - correct Ms. Barr?

T: Yes.

Def: But you are however supporting Jill's decision to pursue legal action?

T: Yes - confronting an abuser in court can be very beneficial for the healing process - for once it puts the blame where it belongs.

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bothering her now aren't a result of therapy but rather of the sexual abuse that she suffered. Jill has suffered from post-traumatic stress disorder since she was abused by her father. It is not something that magically appeared. Jill now understands the feelings that she has had for these many years because she took part in therapy.

Def: You said that you didn't encourage Jill to pursue legal action against her father - correct Ms. Barr?

T: Yes.

Def: But you are however supporting Jill's decision to pursue legal action?

T: Yes - confronting an abuser in court can be very beneficial for the healing process - for once it puts the blame where it belongs.

Def: No further questions your honour.

Jill's Testimony - Mild Symptoms (Ritual Abuse Dialogue in Bold)

Pro: Please state your name and your age for the court.

J: My name is Jill Harris and I'm 22 years old.

Pro: And at what age were you when your father first began to have sexual relations with you?

J: I was 10 years old when it started.

Pro: And how long did your father continue having sexual relations with you?

J: Until I was about 12 years old - so almost two years.

Pro: Can you please describe the incidents that led you to recall what your father did to you.

J: Well, I was 20 years old and I was feeling depressed and anxious. I wasn't doing well at work - and it was even hard to get out of bed some mornings. I was also feeling awkward with my husband, you know...sexually - I was just starting to feel really uncomfortable with him. I had always been self-conscious about my sexuality, but after a year or so of being married, it was becoming increasingly difficult to be intimate with my husband. It seemed like things were getting worse for me. When I discussed how I was feeling with my co-worker she suggested that I go see a therapist.

Pro: And so you did?

J: Yes, I knew something was wrong with me, but I couldn't put my finger on it. For a number of months I just wasn't able to keep up with my responsibilities.

Pro: Please describe your first few sessions with Ms. Barr your therapist.

J: Well, we just talked in general terms - you know - about my depression, anxiety and the problems with my husband.

Pro: And how would you feel afterwards?

J: I was happy that I had someone to share my feelings with...Ms. Barr was very nice and supportive - she made me feel comfortable...safe..

Pro: And when did you have your first recollection about what your father had done to you?

Jill: Well, I guess it was around the third or fourth month that I had met with Ms. Barr. Up until that session we had just been discussing my situation - my work, my husband, and how my problems were affecting me. Ms. Barr started asking me about my childhood. We discussed my friends that I had and my school...and then she asked me about my family.

Pro: And how did you feel when she asked you about your family Jill?

J: Well, up until that time I was feeling O.K. As I was an only child, my parents and I, from what I could remember, had a pretty good relationship. So I started talking about my mother and our close relationship...but when Ms. Barr asked me about my father, it was weird - all of a sudden I felt uncomfortable...anxious. I don't know why, but these feelings just overwhelmed me.

Pro: And what happened at that point?

J: I told Ms. Barr that I was feeling sick and that I had to go. It was that night though that I had a horrible nightmare.

Pro: And it was at that point that you remembered what had happened to you?

J: Not really. But when I woke up, I couldn't remember my nightmare, but I had this strong feeling that something bad had happened to me- I couldn't shake it.

Pro: Did you discuss these feelings with your therapist?

J: Yes - she recommended that we look at my childhood in more detail than we had previously. So I started telling her things that I could remember when I was younger but I had difficulty in remembering things.

Pro: Was there any time period in particular that you were having difficulty remembering?

J: Yes, from when I was about 10 to 12 years old...Even though I could remember some things when I was younger than 10 and when I was older than 12, it seemed like that time period was most difficult to recall...there were bits and pieces, but there were big gaps in what I could remember. Like I could remember my mother being sick - she had suffered a stroke when I was 10...I remembered her being in a wheelchair for a while - I couldn't remember how long, and I could remember having to help out around the house - cleaning, helping cook, things like that. But other than that I couldn't recall much else.

Pro: I presume that you discussed this memory gap with your therapist?

J: Yes, she told me about how memory works, and we discussed the notion of memory retrieval. She told me not to force or dig for any memories, and suggested that I may find it helpful to look at family pictures taken when I was 10. She thought perhaps seeing pictures of myself and my family at that age might help to jog my memory.

Pro: So you did that?

J: Yes.

Pro: And did it help you recall anything?

J: No, when I was looking through the pictures I noticed that I wasn't smiling a lot - I looked pretty sad - but it didn't help jog my memory - I still seemed to have gaps in what I could recall. That night though, after having looked at all these pictures I woke up twice after having violent and disturbing nightmares.

Pro: The next time you saw your therapist, did you discuss these nightmares?

J: No, I mean I didn't see their relevance - I wasn't even in them...they were just bizarre...all I could remember from them was that there was a dark room.

Pro: And so what did you discuss with your therapist?

J: Well, we started going over the memories that I could remember when I was 10, and that's the first time it happened...

Pro: What happened Jill?

J: Well, all of a sudden I had this flash appear in front of me. The closest way I can describe it is that it was much like viewing slides in a slide show, when the slides go by too fast, but slow enough to give you some of the images. I could see myself when I was 10 sitting on the bathroom floor in our house and having someone, I didn't know who, wiping blood from between my legs with a towel. I was confused, I was aware that it was something that had happened to me - I even had a recollection of pain.

Pro: When did you come to recognize who this person was?

J: It was about a month later...I was in the bathroom cleaning and I had knocked over this old bottle of Old Spice Cologne that my husband had received years ago - that smell seemed familiar somehow - the images I had started to become more clear - less fragmented. It was almost like a film running through my mind.

Pro: And what did you see?

J: I had this flash in my mind and saw the same thing as before -me on the bathroom floor - only this time I saw the face of the person wiping the blood from me and could smell him - it was that cologne. Enough of the feelings came sneaking in that I knew it couldn't be a fantasy.

Pro: And who was that person Jill?

J: My father.

Pro: What else did you recall about that incident?

J: At that point, after having seen my father's face, I couldn't recall anything else. All of a sudden my mind just went black.

Pro: How did you feel at that point?

J: I've never felt so frightened in my life...I began shaking and crying uncontrollably - I felt like I was drained emotionally.

Pro: Were you able to recall the rest of that incident with your therapist?

J: No. Even though I felt safe with Ms. Barr, and she had encouraged me to share my feelings, I could only fill in bits and pieces. I told my therapist about what I had seen, and told her how confused I was because everything was still so vague - I just didn't know what was happening to me. She told me that it was likely flashbacks of memories and told me to relax, close my eyes and to focus on the images that I had previously seen. I began getting images that were more clear. I could remember seeing yellow flowers on the shower curtain that hung in the bathroom & I could see this picture that hung over the toilet...but that was about it. It wasn't until later that I recalled the entire incident.

Pro: Could you please describe to the court when you first recalled the entire incident and the events that had taken place.

J: Yes, it was right before I went to bed that night after meeting with Ms. Barr. I saw the image again of me on the bathroom floor and my father wiping blood from me...only this time I could remember what had happened prior to me being on the floor. I got a very clear image of my bedroom -it was late at night - I could see the moon from my bedroom window and my father came into my bedroom and came towards my bed. He leaned over me and kissed me. He took down my bed sheets and put his hand up my pajama top and started rubbing me. I remember him whispering in my ear telling me to be quiet because my mom was asleep. He then took off my pajama bottoms, stood up and took off his work pants. He was still standing above me and he put his penis in my mouth. I remember gagging so he took it out and laid down beside me. He laid on top of me and

I remember having difficulty breathing because there was so much weight. He was kissing me all over my face and then he forced me to open my legs and he stuck his penis inside me. I was crying because it hurt so much - I could feel pain piercing throughout my body. He then carried me into the bathroom and I was bleeding and he was wiping the blood away with this old green towel we had. I remembered looking up away from my father and seeing the yellow flowers on the shower curtain and this picture of a woman in a field of flowers hanging over the toilet.

Pro: When you discussed this memory with your therapist what happened?

J: She suggested that I join a group that she was running for incest survivors and thought that I would find it helpful so I started to attend.

Pro: And what took place during these meetings?

J: Well, the first few times I went I didn't participate much...I didn't feel comfortable at that point telling other people about these memories I was having. Mostly I just listened. People were discussing what had happened to them and some even had experienced what I was going through - the flashbacks, memories flooding back that were never there before. This made me feel a lot better about myself - I didn't feel like I was losing my mind anymore. We also discussed how the abuse had affected our lives and ways of coping with the abuse that had happened to us.

Pro: And were you able to recall anything else that your father had done to you?

J: I was still getting flashes or images of things.

Pro: Such as?

J: Well, its sort of hard to say - it would be like a quick flash you know,...um, there was one where I could see myself in my bed crying and my father was looking down at me. Or I would see my father rubbing and touching me.

Pro: And when would you have these flashbacks?

J: Anyplace really, before I went to bed, in the shower, in group...they were uncontrollable.

Pro: And were you only getting these flashbacks since you joined group therapy?

J: Oh no - I had been getting some of them before I joined.

Pro: Was your recollection of the events that happened to you becoming more clear?

J: Well sort of- flashes that I would have would become more clear and vivid - I was beginning to get some memories back. I would get these clear images where I would be performing oral sex on him or he was doing it to me. I remember gagging at times and having this horrible taste in my mouth. I remembered that all this was going on mostly at night when my mom was asleep. Some images were still vague while others were crystal clear - My therapist assured me that what I was going through was normal.

Pro: So these memories you were having represented more than one occasion?

J: Yes -some of them I could remember happening when I was 10 - and others when I was older -around 12 years old.

Pro: And were there any other memories you had of your father sexually molesting you?

J: Yes, there was one in particular that was really vivid. For days I had been having images of myself in a dark room. Then I would see my father on top of me. I could only remember bits and pieces but I knew something bad had happened - I just couldn't remember all of it.

Pro: When were you able to recall everything?

J: Well, group had just started one evening - and all of a sudden everything started flooding back - I could still see myself in this dark room and saw my father standing over top of me - only this time I could completely remember what happened - the images were so clear.

Pro: Please describe that event for the court Jill.

J: Well, it was night time and I was in bed sleeping when my father came in. He came over to me and kissed me and I pretended to be asleep hoping he would go away. I remember feeling scared. He picked me up and carried me into the basement. I remember the basement was cold, damp and dark. There was this horrible musty odor and there were boards covering the windows. I was wanting go back upstairs and I started walking away from him but he pushed me down to the ground and started to try to take off my nightgown. He was having problems getting it off - finally he just lifted it up over my head. I remember laying there on the cold basement floor. He stuck his penis in my mouth and when I shook my head he put his hands around my throat. He then raped me...I felt the same pain that I had before. When he was done, he got off of me like nothing happened and told me to get dressed...he went back upstairs. When I was dressing I was crying and trying to clean myself up and then I went back to my bedroom and just laid there in bed feeling scared and confused.

Pro: Do you recall your father doing anything else to you at this time?

J. Yes, it was at this time that he began taking me with him to meetings with a group of other people.

P. Where and when would these meetings take place?

J. The meetings took place after dark in the basement of our house.

P. How frequently did these meetings occur?

J. I'm not sure but I remember many such meetings now - perhaps once or twice per week.

P. Who were the people who attended these meetings?

J. There were adults and children, males and females. I really don't know the names of the people involved. I only remember that everyone wore black cloaks and hoods, so they all looked alike. I do however remember my father greeting these friends of his at the door and then taking everyone downstairs to the basement. He would force me to go downstairs with him.

P. What did you do at these meetings?

J. We would sit down in a circle. Then one of the adults - it would be a different one every time - would get up and start talking about a power that is greater than ourselves and how we must worship this power.

P. Was your father one of the adults that would preach about this higher power?

J. Yes, he would take his turn preaching like all the others.

P. What did the adults call this higher power?

J. They called this power "Lucifer" and "Satan".

P. What else did they do at these meetings?

J. After the adult gave their sermon about Satan, they would call for a sacrifice to be made to him.

P. What kind of objects were sacrificed to Satan?

J. Well, it wasn't so much an object as a living thing. Sometimes it would be a live animal, most often a chicken or cat. Other times, it would be a baby.

P. You mean a baby animal like a baby chicken or cat?

J. No, I mean a human baby.

P. Where did they get these human babies from?

J. They got them from the older female children who were forced to take part. They would have sex with the adult males and become pregnant. Once they gave birth to the babies, the babies were sacrificed to Satan.

P. Could you elaborate further on what would happen at a typical meeting?

J. At these meetings, after the sacrifice occurred and everyone drank the blood and urine of the creature that had been sacrificed, the children were forced to engage in sex acts with the adults. We were told that these acts would show our devotion to the higher power of Satan.

P. Let's go back for a minute. I want to make sure that I have everything straight. You're saying that you were forced to drink the blood and urine of the animal or human baby that was sacrificed?

J. Yes, I was.

P. And then you were told to engage in sex acts with the adult members of the group?

J. Yes.

P. I am sorry to have to do this to you, Jill, but could you please explain exactly what you were told to do?

J. (sobbing) All the children, including myself were told to touch the adults on their genitals and perform oral sex on them. We had to let the adults touch us and perform oral sex on us, too.

P. What was your father doing in all of this?

J. He was doing the same as the other adults. He was performing sex acts with all of the children.

P. Were you forced to engage in sex acts with your father?

J. Yes, I was. At first, I was forced to perform oral sex on him and he did the same to me.

P. I know that this is difficult for you, Jill, but please carry on. What else was demanded of you by these adults?

J. At first, we were forced to watch the adults, including my father, have intercourse with the older children. We were told that these older children were making the supreme sacrifice to Lucifer and that we would be required to do the same some day so we had to watch and learn.

P. Did your role eventually change in the meetings?

J. Yes, it did.

P. What exactly did you have to do?

J. Eventually, I and the other children of the same age were told that it was time for us to make the supreme sacrifice. I was forced to have sexual intercourse with all of the men in the group, including my father.

P. Did you protest having to do this?

J. Yes, I did. I begged my father and the other adults not to make me do this because they were hurting me but they wouldn't listen.

P. What was their response?

J. They just said that I had to do this or else Lucifer would punish me. They just kept talking about how I had to make this supreme sacrifice to Lucifer.

P. Your father said all these things also?

J. Yes, he did. It was like he and the others were all robots. He would repeat the same things that the others were saying and vice versa. I begged him to stop but he wouldn't listen. He would only repeat what the others were saying - about doing this as an act of devotion to Lucifer.

P. Did you ever have to bear any babies for sacrifice to Satan?

J. No, I didn't. My father stopped holding these meetings and forcing me to go shortly before my twelfth birthday and up to that point, I hadn't begun menstruating. Some of the other girls were not so lucky though.

Pro: And where was your mother at this time?

J: She was asleep - she was taking a lot of medication because of her stroke and it would knock her out all night. Since she was upstairs she wasn't able to come down on her own because she was in a wheelchair.

Pro: Jill, how do you feel towards your father now?

J: Well, at first I hated him for what he had done to me. It may sound weird but I still do love him...now that I've begun my healing I just want him to be able to acknowledge what he's done to me.

Pro: Jill, I would like you to give the jury some idea as to how what your father did to you continues to affect your life to this day.

J: Well, like I said, I've been feeling depressed and anxious and I've been having problems being intimate with my husband and I just feel so uncomfortable.

Pro: Your father has caused you a lot of pain, hasn't he?

J: Yes he has. His actions haunt me all the time ... I just can't get close to anyone because I'm afraid to be hurt again. After my father betrayed my trust, it is hard to trust anyone.

Pro: And again Jill, you are certain that what you are recalling are indeed real memories?

J: Yes - everything is so clear and vivid.

Pro: And Jill, are you certain the person that you allege perpetrated these acts against you was your father?

J: Yes.

Pro: Thank you Jill. No further questions your honour.

Jill's Testimony - PTSD Symptoms without and with the Diagnosis (**Ritual Abuse Dialogue in Bold**)

Pro: Please state your name and your age for the court.

J: My name is Jill Harris and I'm 22 years old.

Pro: And at what age were you when your father first began to have sexual relations with you?

J: I was 10 years old when it started.

Pro: And how long did your father continue having sexual relations with you?

J: Until I was about 12 years old - so almost two years.

Pro: Can you please describe the incidents that led you to recall what your father did to you.

J: Well, I was 20 years old and I was feeling depressed and anxious. I wasn't doing well at work - and it was even hard to get out of bed some mornings. I was also feeling awkward with my husband, you know...sexually - I was just starting to feel really uncomfortable with him. I had always been self-conscious about my sexuality, but after a year or so of being married, it was becoming increasingly difficult to be intimate with my husband. It seemed like things were getting worse for me. I couldn't concentrate and I'd wake up sweating in the middle of the night from nightmares. When I discussed how I was feeling with my co-worker she suggested that I go see a therapist.

Pro: And so you did?

J: Yes, I knew something was wrong with me, but I couldn't put my finger on it. For a number of months I just wasn't able to keep up with my responsibilities.

Pro: Please describe your first few sessions with Ms. Barr your therapist.

J: Well, we just talked in general terms - you know - about my depression, anxiety, nightmares and the problems with my husband.

Pro: And how would you feel afterwards?

J: I was happy that I had someone to share my feelings with...Ms. Barr was very nice and supportive - she made me feel comfortable...safe..

Pro: And when did you have your first recollection about what your father had done to you?

Jill: Well, I guess it was around the third or fourth month that I had met with Ms. Barr. Up until that session we had just been discussing my situation - my work, my husband, and how my problems were affecting me. Ms. Barr started asking me about my childhood. We discussed my friends that I had and my school...and then she asked me about my family.

Pro: And how did you feel when she asked you about your family Jill?

J: Well, up until that time I was feeling O.K. As I was an only child, my parents and I, from what I could remember, had a pretty good relationship. So I started talking about my mother and our close relationship...but when Ms. Barr asked me about my father, it was weird - all of a sudden I felt uncomfortable...anxious. I don't know why, but these feelings just overwhelmed me.

Pro: And what happened at that point?

J: I told Ms. Barr that I was feeling sick and that I had to go. It was that night though that I had a horrible nightmare.

Pro: And it was at that point that you remembered what had happened to you?

J: Not really. But when I woke up, I couldn't remember my nightmare, but I had this strong feeling that something bad had happened to me- I couldn't shake it.

Pro: Did you discuss these feelings with your therapist?

J: Yes - she recommended that we look at my childhood in more detail than we had previously. So I started telling her things that I could remember when I was younger but I had difficulty in remembering things.

Pro: Was there any time period in particular that you were having difficulty remembering?

J: Yes, from when I was about 10 to 12 years old...Even though I could remember some things when I was younger than 10 and when I was older than 12, it seemed like that time period was most difficult to recall...there were bits and pieces, but there were big gaps in what I could remember. Like I could remember my mother being sick - she had suffered a stroke when I was 10...I remembered her being in a wheelchair for a while - I couldn't remember how long, and I could remember having to help out around the house - cleaning, helping cook, things like that. But other than that I couldn't recall much else.

Pro: I presume that you discussed this memory gap with your therapist?

J: Yes, she told me about how memory works, and we discussed the notion of memory retrieval. She told me not to force or dig for any memories, and suggested that I may find it helpful to look at family pictures taken when I was 10. She thought perhaps seeing pictures of myself and my family at that age might help to jog my memory.

Pro: So you did that?

J: Yes.

Pro: And did it help you recall anything?

J: No, when I was looking through the pictures I noticed that I wasn't smiling a lot - I looked pretty sad - but it didn't help jog my memory - I still seemed to have gaps in what I could recall. That night though, after having looked at all these pictures I woke up twice after having violent and disturbing nightmares.

Pro: The next time you saw your therapist, did you discuss these nightmares?

J: No, I mean I didn't see their relevance - I wasn't even in them...they were just bizarre...all I could remember from them was that there was a dark room.

Pro: And so what did you discuss with your therapist?

J: Well, we started going over the memories that I could remember when I was 10, and that's the first time it happened...

Pro: What happened Jill?

J: Well, all of a sudden I had this flash appear in front of me. The closest way I can describe it is that it was much like viewing slides in a slide show, when the slides go by too fast, but slow enough to give you some of the images. I could see myself when I was 10 sitting on the bathroom floor in our house and having someone, I didn't know who, wiping blood from between my legs with a towel. I was confused, I was aware that it was something that had happened to me - I even had a recollection of pain.

Pro: When did you come to recognize who this person was?

J: It was about a month later...I was in the bathroom cleaning and I had knocked over this old bottle of Old Spice Cologne that my husband had received years ago - that smell seemed familiar somehow - the images I had started to become more clear - less fragmented. It was almost like a film running through my mind.

Pro: And what did you see?

J: I had this flash in my mind and saw the same thing as before -me on the bathroom floor - only this time I saw the face of the person wiping the blood from me and could smell him - it was that cologne. Enough of the feelings came sneaking in that I knew it couldn't be a fantasy.

Pro: And who was that person Jill?

J: My father.

Pro: What else did you recall about that incident?

J: At that point, after having seen my father's face, I couldn't recall anything else. All of a sudden my mind just went black.

Pro: How did you feel at that point?

J: I've never felt so frightened in my life...I began shaking and crying uncontrollably - I felt like I was drained emotionally.

Pro: Were you able to recall the rest of that incident with your therapist?

J: No. Even though I felt safe with Ms. Barr, and she had encouraged me to share my feelings, I could only fill in bits and pieces. I told my therapist about what I had seen, and told her how confused I was because everything was still so vague - I just didn't know what was happening to me. She told me that it was likely flashbacks of memories and told me to relax, close my eyes and to focus on the images that I had previously seen. I began getting images that were more clear. I could remember seeing yellow flowers on the shower curtain that hung in the bathroom & I could see this picture that hung over the toilet...but that was about it. It wasn't until later that I recalled the entire incident.

Pro: Could you please describe to the court when you first recalled the entire incident and the events that had taken place.

J: Yes, it was right before I went to bed that night after meeting with Ms. Barr. I saw the image again of me on the bathroom floor and my father wiping blood from me...only this time I could remember what had happened prior to me being on the floor. I got a very clear image of my bedroom -it was late at night - I could see the moon from my bedroom window and my father came into my bedroom and came towards my bed. He leaned over me and kissed me. He took down my bed sheets and put his hand up my pajama top and started rubbing me. I remember him whispering in my ear telling me to be quiet because my mom was asleep. He then took off my pajama bottoms, stood up and took off his work

pants. He was still standing above me and he put his penis in my mouth. I remember gagging so he took it out and laid down beside me. He laid on top of me and I remember having difficulty breathing because there was so much weight. He was kissing me all over my face and then he forced me to open my legs and he stuck his penis inside me. I was crying because it hurt so much - I could feel pain piercing throughout my body. He then carried me into the bathroom and I was bleeding and he was wiping the blood away with this old green towel we had. I remembered looking up away from my father and seeing the yellow flowers on the shower curtain and this picture of a woman in a field of flowers hanging over the toilet.

Pro: When you discussed this memory with your therapist what happened?

J: She suggested that I join a group that she was running for incest survivors and thought that I would find it helpful so I started to attend.

Pro: And what took place during these meetings?

J: Well, the first few times I went I didn't participate much...I didn't feel comfortable at that point telling other people about these memories I was having. Mostly I just listened. People were discussing what had happened to them and some even had experienced what I was going through - the flashbacks, memories flooding back that were never there before. This made me feel a lot better about myself - I didn't feel like I was losing my mind anymore. We also discussed how the abuse had affected our lives and ways of coping with the abuse that had happened to us.

Pro: And were you able to recall anything else that your father had done to you?

J: I was still getting flashes or images of things.

Pro: Such as?

J: Well, its sort of hard to say - it would be like a quick flash you know,...um, there was one where I could see myself in my bed crying and my father was looking down at me. Or I would see my father rubbing and touching me.

Pro: And when would you have these flashbacks?

J: Anyplace really, before I went to bed, in the shower, in group...they were uncontrollable.

Pro: And were you only getting these flashbacks since you joined group therapy?

J: Oh no - I had been getting some of them before I joined.

Pro: Was your recollection of the events that happened to you becoming more clear?

J: Well sort of - flashes that I would have would become more clear and vivid - I was beginning to get some memories back. I would get these clear images where I would be performing oral sex on him or he was doing it to me. I remember gagging at times and having this horrible taste in my mouth. I remembered that all this was going on mostly at night when my mom was asleep. Some images were still vague while others were crystal clear - My therapist assured me that what I was going through was normal.

Pro: So these memories you were having represented more than one occasion?

J: Yes - some of them I could remember happening when I was 10 - and others when I was older - around 12 years old.

Pro: And were there any other memories you had of your father sexually molesting you?

J: Yes, there was one in particular that was really vivid. For days I had been having images of myself in a dark room. Then I would see my father on top of me. I could only remember bits and pieces but I knew something bad had happened - I just couldn't remember all of it.

Pro: When were you able to recall everything?

J: Well, group had just started one evening - and all of a sudden everything started flooding back - I could still see myself in this dark room and saw my father standing over top of me - only this time I could completely remember what happened - the images were so clear.

Pro: Please describe that event for the court Jill.

J: Well, it was night time and I was in bed sleeping when my father came in. He came over to me and kissed me and I pretended to be asleep hoping he would go away. I remember feeling scared. He picked me up and carried me into the basement. I remember the basement was cold, damp and dark. There was this horrible musty odor and there were boards covering the windows. I was wanting go back upstairs and I started walking away from him but he pushed me down to the ground and started to try to take off my nightgown. He was having problems getting it off - finally he just lifted it up over my head. I remember laying there on the cold basement floor. He stuck his penis in my mouth and when I shook my head he put his hands around my throat. He then raped me...I felt the same pain that I had before. When he was done, he got off of me like nothing happened and told me to get dressed...he went back upstairs. When I was dressing I was crying and trying to clean myself up and then I went back to my bedroom and just laid there in bed feeling scared and confused.

Pro: Do you recall your father doing anything else to you at this time?

J. Yes, it was at this time that he began taking me with him to meetings with a group of other people.

P. Where and when would these meetings take place?

J. The meetings took place after dark in the basement of our house.

P. How frequently did these meetings occur?

J. I'm not sure but I remember many such meetings now - perhaps once or twice per week.

P. Who were the people who attended these meetings?

J. There were adults and children, males and females. I really don't know the names of the people involved. I only remember that everyone wore black cloaks and hoods, so they all looked alike. I do however remember my father greeting these friends of his at the door and then taking everyone downstairs to the basement. He would force me to go downstairs with him.

P. What did you do at these meetings?

J. We would sit down in a circle. Then one of the adults - it would be a different one every time - would get up and start talking about a power that is greater than ourselves and how we must worship this power.

P. Was your father one of the adults that would preach about this higher power?

J. Yes, he would take his turn preaching like all the others.

P. What did the adults call this higher power?

J. They called this power "Lucifer" and "Satan".

P. What else did they do at these meetings?

J. After the adult gave their sermon about Satan, they would call for a sacrifice to be made to him.

P. What kind of objects were sacrificed to Satan?

J. Well, it wasn't so much an object as a living thing. Sometimes it would be a live

animal, most often a chicken or cat. Other times, it would be a baby.

P. You mean a baby animal like a baby chicken or cat?

J. No, I mean a human baby.

P. Where did they get these human babies from?

J. They got them from the older female children who were forced to take part. They would have sex with the adult males and become pregnant. Once they gave birth to the babies, the babies were sacrificed to Satan.

P. Could you elaborate further on what would happen at a typical meeting?

J. At these meetings, after the sacrifice occurred and everyone drank the blood and urine of the creature that had been sacrificed, the children were forced to engage in sex acts with the adults. We were told that these acts would show our devotion to the higher power of Satan.

P. Let's go back for a minute. I want to make sure that I have everything straight. You're saying that you were forced to drink the blood and urine of the animal or human baby that was sacrificed?

J. Yes, I was.

P. And then you were told to engage in sex acts with the adult members of the group?

J. Yes.

P. I am sorry to have to do this to you, Jill, but could you please explain exactly what you were told to do?

J. (sobbing) All the children, including myself were told to touch the adults on their genitals and perform oral sex on them. We had to let the adults touch us and perform oral sex on us, too.

P. What was your father doing in all of this?

J. He was doing the same as the other adults. He was performing sex acts with all of the children.

P. Were you forced to engage in sex acts with your father?

J. Yes, I was. At first, I was forced to perform oral sex on him and he did the same to me.

P. I know that this is difficult for you, Jill, but please carry on. What else was demanded of you by these adults?

J. At first, we were forced to watch the adults, including my father, have intercourse with the older children. We were told that these older children were making the supreme sacrifice to Lucifer and that we would be required to do the same some day so we had to watch and learn.

P. Did your role eventually change in the meetings?

J. Yes, it did.

P. What exactly did you have to do?

J. Eventually, I and the other children of the same age were told that it was time for us to make the supreme sacrifice. I was forced to have sexual intercourse with all of the men in the group, including my father.

P. Did you protest having to do this?

J. Yes, I did. I begged my father and the other adults not to make me do this because they were hurting me but they wouldn't listen.

P. What was their response?

J. They just said that I had to do this or else Lucifer would punish me. They just kept talking about how I had to make this supreme sacrifice to Lucifer.

P. Your father said all these things also?

J. Yes, he did. It was like he and the others were all robots. He would repeat the same things that the others were saying and vice versa. I begged him to stop but he wouldn't listen. He would only repeat what the others were saying - about doing this as an act of devotion to Lucifer.

P. Did you ever have to bear any babies for sacrifice to Satan?

J. No, I didn't. My father stopped holding these meetings and forcing me to go shortly before my twelfth birthday and up to that point, I hadn't begun menstruating. Some of the other girls were not so lucky though.

Pro: And where was your mother at this time?

J: She was asleep - she was taking a lot of medication because of her stroke and it would knock her out all night. Since she was upstairs she wasn't able to come down on her own because she was in a wheelchair.

Pro: Jill, how do you feel towards your father now?

J: Well, at first I hated him for what he had done to me. It may sound weird but I still do love him...now that I've begun my healing I just want him to be able to acknowledge what he's done to me.

Pro: Jill, I would like you to give the jury some idea as to how what your father did to you continues to affect your life to this day.

J: (sobbing) Well, like I said, I've been feeling depressed and anxious and I've been having problems being intimate with my husband and I just feel so uncomfortable. I also have a lot of difficulty concentrating on everyday tasks. It seems that even when I'm doing something as simple as taking a bath I scrub and scrub and I just can't stop thinking about him doing those things to me and making me feel dirty. I can't make it through one night without having nightmares about my father abusing me. As I said before he would come to my bed at night and carry me down to the basement where he would hurt me. Now, I am constantly having nightmares about him getting into my apartment and coming into my bedroom to hurt me again. I wake up soaked with perspiration after these nightmares and usually can't fall asleep for the rest of the night afterwards. There are many nights when I don't sleep at all now because I'm afraid of having one of these nightmares.

Pro: Your father has caused you a lot of pain, hasn't he?

J: Yes, he has. His actions haunt me all the time. I fly off the handle at others so easily now and I just can't get close to anyone because I'm afraid to be hurt again. After my father betrayed my trust, it is hard to trust anyone.

Pro: And again Jill, you are certain that what you are recalling are indeed real memories?

J: Yes - everything is so clear and vivid.

Pro: And Jill, are you certain the person that you allege perpetrated these acts against you was your father?

J: Yes.

Pro: Thank you Jill. I have no further questions.

Cross-Examination of Jill Harris - Mild Symptoms (**Ritual Abuse Dialogue in Bold**)

Def: Jill, 12 years ago is quite a long time ago isn't it?

J: Yes, I guess so.

Def: But still, you have had pretty clear memories of what your father did to you?

J: Well, it was hard at first to get back those memories - they were so horrible. But once the memories for that time were triggered they just started to flow back into my mind.

Def: You were 10 years old 12 years ago correct Jill?

J: Yes.

Def: Do you recall what grade you were in at school?

J: Um, grade 5 I guess.

Def: Do you remember who your teacher was?

J: No, not really...

Def: Jill, when your mother suffered a stroke that must have been a pretty traumatic experience for a young girl of 10 years of age- having to see her mother in a wheelchair, being responsible for more chores around the house?

J: Yes, it was.

Def: Do you recall where you were when you first heard that your mother had a stroke?

J: No...not really - in school likely.

Def: Now Jill, you stated that your father sexually abused you for about two years is that correct?

J: Yes.

Def: You also stated that he had intercourse with you is that correct?

J: Yes.

Def: In fact you stated you also had flashbacks where you would see your father fondling

you.

J: Yes.

Def: And where was your mother at these times?

J: She was in bed sleeping or out of the house.

Def: So, despite these memories of your father sexually abusing you in the house your mother was never aware of this occurring?

J: No, I guess not...

Def: You say that you can remember your father touching and rubbing you, is that correct Jill?

J: Yes.

Def: Could it not be the case Jill that your father was just rubbing your back?

J: No, I can tell the difference between a back rub and fondling.

Def: You also claimed that your father wiped blood from your genital area after having intercourse with you .

J: Yes.

Def: And so there must have been blood stains on the towel?

J: Yes - the towel was spotted with blood.

Def: What happened to this blood stained towel Jill?

J: I don't know - I guess my father got rid of it.

Def: Getting back to the incident that occurred in the basement of your house. Despite having been allegedly raped, isn't it the case that there is no physical evidence supporting your claim?

J: Well, no, I guess not, but that doesn't mean that it didn't happen.

Def: Now Jill, you claim that for a period of 10 long years you had absolutely no idea what your father had done to you.

J: Yes.

Def: Isn't it the case Jill that it wasn't until after you started your therapy sessions that you started recalling these memories?

J: Yes - well I mean I had been depressed and anxious for awhile - and then my problems with my husband...I wasn't sure at that time why I was feeling the way I was - I just knew that something must've happened to me.

Def: How do you know that these memories are in fact correct Jill?

J: I felt like something bad had happened to me. When I recalled my first memories they were so emotional for me - later they became so vivid and clear - I know what I remember. I wouldn't make something so terrible up. Every time I would remember something I felt drained and upset.

Def: Daydreams and imaginations can seem just as real and vivid Jill - how do you know that these images that you've been seeing aren't just a figment of your imagination.

J: Well, I just am sure that they are a real memory - why would I want to imagine my father doing this to me.

Def: Could it also not be the case Jill, assuming for a moment that these images weren't part of your imagination but in fact you had been abused, that this shadowy figure you described in your first flashback was not your father at all but someone else?

J: No.

Def: But Jill, you only began to put a face to this figure after your therapist started discussing your family with you and asking you to focus and discuss the images that you were seeing, is that not correct?

J: Yes, but it was necessary that I start to fill in the blanks so I could get on with my life. The last person that I would want to remember molesting me would be my own father.

Def: And is it also not the case Jill that details of your flashbacks were surfacing when you were in the company of your therapist or in group therapy?

J: Yes.

Def: So perhaps the details of your memories, for instance seeing your father's face, performing oral sex on him, was not a real memory at all, but rather was a memory not only motivated but created by listening to other women describe their incestuous

backgrounds?

J: No, I really don't think so - their stories were different from mine - some weren't even molested by their fathers, but by uncles or brothers.

D. Jill, did you not state earlier that you couldn't identify the members of the group that allegedly committed the heinous acts against you and the other children in the basement of your house?

J. Yes, I did. They wore black cloaks and hoods, so I didn't get to see their faces very clearly.

D. But you seem to remember your father as being involved with this group, do you not?

J. Yes, I remember him being there and doing those horrible things to me and letting the others do terrible things to me.

D. How do you know that your father was one of the group when you can't identify any of the other members?

J. I remember him holding the meetings in our basement and forcing me to go down there with him.

D. You previously said during direct examination that everyone looked alike in their black cloaks and hoods. So how could you recognize him and distinguish him from all the others in the basement then?

J. (angrily) I knew the way my father walked and talked. I recognized his voice. I knew that it was him in that basement. Besides, why else would he hold the meetings there if he wasn't also going to stay and participate?

D. I'll ask the questions, Jill. (Pause) You said that chickens, cats and human babies were sacrificed at these meetings in your basement, didn't you?

J. Yes.

D. What did the group members do with the carcasses of the animals and the bodies of the babies when they were done with them?

J. I'm not sure. I never saw what they did with them.

D. So, you don't remember everything that happened then, do you Jill?

J. I guess that I'm only able to remember what I saw and I never saw what they did with the dead animals and babies.

D. Or maybe your memory is very selective, Jill.

No further questions your honour.

Cross-Examination of Jill Harris - PTSD Symptoms without and with the Diagnosis
(Ritual Abuse Dialogue in Bold)

Def: Jill, 12 years ago is quite a long time ago isn't it?

J: Yes, I guess so.

Def: But still, you have had pretty clear memories of what your father did to you?

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J: Yes, it was.

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J: No...not really - in school likely.

Def: Now Jill, you stated that your father sexually abused you for about two years is that correct?

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Def: In fact you stated you also had flashbacks where you would see your father fondling you.

J: Yes.

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J: She was in bed sleeping or out of the house.

Def: So, despite these memories of your father sexually abusing you in the house your mother was never aware of this occurring?

J: No, I guess not...

Def: You say that you can remember your father touching and rubbing you, is that correct Jill?

J: Yes.

Def: Could it not be the case Jill that your father was just rubbing your back?

J: No, I can tell the difference between a back rub and fondling.

Def: You also claimed that your father wiped blood from your genital area after having intercourse with you .

J: Yes.

Def: And so there must have been blood stains on the towel?

J: Yes - the towel was spotted with blood.

Def: What happened to this blood stained towel Jill?

J: I don't know - I guess my father got rid of it.

Def: Getting back to the incident that occurred in the basement of your house. Despite having been allegedly raped, isn't it the case that there is no physical evidence supporting your claim?

J: Well, no, I guess not, but that doesn't mean that it didn't happen.

Def: Now Jill, you claim that for a period of 10 long years you had absolutely no idea

what your father had done to you.

J: Yes.

Def: Isn't it the case Jill that it wasn't until after you started your therapy sessions that you started recalling these memories?

J: Yes - well I mean I had been depressed and anxious for awhile - and then my problems with my husband...I wasn't sure at that time why I was feeling the way I was - I just knew that something must've happened to me.

Def: How do you know that these memories are in fact correct Jill?

J: I felt like something bad had happened to me. When I recalled my first memories they were so emotional for me - later they became so vivid and clear - I know what I remember. I wouldn't make something so terrible up. Every time I would remember something I felt drained and upset.

Def: Daydreams and imaginations can seem just as real and vivid Jill -how do you know that these images that you've been seeing aren't just a figment of your imagination.

J: Well, I just am sure that they are a real memory - why would I want to imagine my father doing this to me.

Def: Could it also not be the case Jill, assuming for a moment that these images weren't part of your imagination but in fact you had been abused, that this shadowy figure you described in your first flashback was not your father at all but someone else?

J: No.

Def: But Jill, you only began to put a face to this figure after your therapist started discussing your family with you and asking you to focus and discuss the images that you were seeing, is that not correct?

J: Yes, but it was necessary that I start to fill in the blanks so I could get on with my life. The last person that I would want to remember molesting me would be my own father.

Def: And is it also not the case Jill that details of your flashbacks were surfacing when you were in the company of your therapist or in group therapy?

J: Yes.

Def: So perhaps the details of your memories, for instance seeing your father's face,

performing oral sex on him, was not a real memory at all, but rather was a memory not only motivated but created by listening to other women describe their incestuous backgrounds?

J: No, I really don't think so - their stories were different from mine - some weren't even molested by their fathers, but by uncles or brothers.

D. Jill, did you not state earlier that you couldn't identify the members of the group that allegedly committed the heinous acts against you and the other children in the basement of your house?

J. Yes, I did. They wore black cloaks and hoods, so I didn't get to see their faces very clearly.

D. But you seem to remember your father as being involved with this group, do you not?

J. Yes, I remember him being there and doing those horrible things to me and letting the others do terrible things to me.

D. How do you know that your father was one of the group when you can't identify any of the other members?

J. I remember him holding the meetings in our basement and forcing me to go down there with him.

D. You previously said during direct examination that everyone looked alike in their black cloaks and hoods. So how could you recognize him and distinguish him from all the others in the basement then?

J. (angrily) I knew the way my father walked and talked. I recognized his voice. I knew that it was him in that basement. Besides, why else would he hold the meetings there if he wasn't also going to stay and participate?

D. I'll ask the questions, Jill. (Pause) You said that chickens, cats and human babies were sacrificed at these meetings in your basement, didn't you?

J. Yes.

D. What did the group members do with the carcasses of the animals and the bodies of the babies when they were done with them?

J. I'm not sure. I never saw what they did with them.

D. So, you don't remember everything that happened then, do you Jill?

J. I guess that I'm only able to remember what I saw and I never saw what they did with the dead animals and babies.

D. Or maybe your memory is very selective, Jill. You testified that you are now troubled by nightmares about this alleged abuse, is this correct Jill?

J: Yes.

Def: When did these nightmare begin?

J: Well, I've been having nightmares for years.

Def: Is it not true that you only began having nightmares specifically dealing with your alleged abuse and seeing your father in them after you miraculously regained your memory of this alleged abuse?

J: Yes, since I've been dealing with these issues and having to remember what really happened that I started to have these nightmares.

Def: Isn't that interesting? No further questions your honour.

Prosecution Expert - All Conditions (Ritual Abuse Dialogue in Bold)

P. Could you please state your name and occupation for the court please?

Dr. Yes, my name is Dr. Philip Morgan, I have a PhD in clinical psychology. Currently, I have my own clinical practice where I specialize in dealing with people who have been traumatized.

P. Dr. Morgan, can you please define for the court what is meant by trauma?

Dr. Yes, psychological trauma, as defined by the American Psychiatric Association is an experience beyond the range of usual human experience that would be markedly distressing to almost anyone, and is usually experienced with intense fear, terror and helplessness.

P. And would sexual activity with an adult be considered a traumatic experience for a child?

Dr. Most definitely.

P. Dr. Morgan, what are the effects of severe trauma on memory?

Dr. The human mind is something like a videotape recorder. Almost everything that we experience is stored away in the brain. The problem is that we are not always able to retrieve the information that we have stored in memory. Sometimes we are unable to remember because the information is so frightening - beyond our normal realm of experience. The human mind has a natural tendency to try and avoid traumatic thoughts and memories. One of the most effective ways people cope with trauma is to repress such thoughts and to avoid conscious awareness of the trauma ever having taken place.

P. And Dr., are there any other variables associated with childhood sexual abuse that may increase the likelihood of such memories being repressed?

Dr. Yes, there are a number of variables associated with the repression of memories for sexual abuse. For instance, the age of the victim at the time the event occurred. Generally, the younger the victim, the more likely that the individual may not be able to recall the abuse later on. Another variable is the relationship between the victim and offender. The closer the relationship, the greater the likelihood of repression. Moreover, case studies show that traumatic events in which there was pressure towards secrecy are more likely to induce memory impairment.

P. So for example Doctor, would a girl of say 10 years old who was abused by her father more likely repress memories than a 10 year old who was abused by a teacher?

Dr. In general, yes.

P. And doctor, would a 10 year old girl abused by her father be more likely to repress the memories than a 15 year old girl who was as well abused by her father?

Dr. In general, yes. Of course there are other factors to consider such as the nature of the abuse itself, but everything else being equal, I would have to say that it is more likely that the 10 year old would repress her memories.

P. Why would an individual have difficulty in remembering or recalling an experience of childhood sexual abuse?

Dr. When a person makes a conscious effort to recall a traumatic scene she is likely to have great difficulty and to get only a partial and sketchy picture of what happened. When a person consciously tries to remember a traumatic situation, the frightening memories may begin to come back, but these memories create so much anxiety that the person is unable to maintain their train of thought. The anxiety disrupts their attention processes and causes their mind to refocus on the present as an automatic way of avoiding any more of the traumatic memories.

P. Dr., how common are recovered memories of traumatic events such as sexual abuse?

Dr. Clinical evidence indicates that it is not uncommon for traumatic experiences to be repressed. Indeed, repression of sexual abuse in order to cope is quite common. Some studies have shown that at least half of all incest survivors do not remember that the abuse occurred.

P. Dr., how common are repressed memories for sexual abuse that took place within a satanic ritual?

Dr. Very common. Added to the trauma that a child would experience when they were sexually abused, satanic rituals often contain elements that would be especially horrifying and traumatic. Consequently, these memories often become repressed.

P. Dr., suppose an individual who was abused as a child gives only a sketchy and fragmentary description of the abuser or the events at first? Does this mean that the victim is making up the story?

Dr. No, certainly not. One would expect a traumatized individual to initially give a very incomplete and fragmented description. When a patient, addressing issues from her past begins to access memories that have previously been closed off, these memories often come back in bits and pieces - known as flashbacks. The flashbacks serve as a way for the repressed memory to come back into the conscious memory. The flashbacks can be

very confusing and frightening to the individual and are uncontrollable. At this stage, therapy can be very helpful in understanding what the process of flashback is all about. Flashbacks are often the beginning of memory retrieval and revival. If the individual is in a supportive environment, the flashback will develop into actual memory events.

P. Dr., why is therapy so important in the recall of these traumatic sexual abuse memories?

Dr. For some segments of memory that involve a frightening or traumatic event, special intervention such as therapy is needed. While uncovering memories is only one step in the process of healing from trauma, it is important that these memories come to surface for the individual to function normally. Therapy, becomes important as a means by which a woman can deal with the reality of their situation. Indeed, these repressed memories, denied entry into consciousness lie at the heart of many cases of depression and anxiety disorders seen in the large majority of women who were abused as children. Only by bringing these memories to light can other problems that the woman may be having be dealt with. Once that memory is triggered, all that is involved at that point is playback.

P. And when these recovered memories of abuse are brought to light, how is the role of a therapist important?

Dr. The role of a therapist at that point is crucial. The tremendous emotional intensity and pain experienced by their clients when recovering these memories requires a secure therapist-client relationship so that the individual can feel that they are in a safe environment. Revealing painful memories to a neutral detached therapist can be reminiscent of the earlier unresponsive family environment where the abuse first took place.

P. Could a therapist implant or create in a client the false belief of having been sexually abused?

Dr. No, there is no basis to suggest that anyone could be led to falsely believe in such a traumatic experience.

P. Why is group therapy so important for survivors of abuse?

Dr. Group therapy offers a number of benefits for incest survivors. All too often in our society, sexual abuse is ignored. Group therapy can serve not only as a catalyst to explore painful memories of abuse which have been repressed, but it also provides a safe environment where disclosure of abuse can be encouraged rather than ignored and downplayed.

P. So Dr., it is your opinion that memories can be repressed for as long as a period of 10 years and can in fact be accurate?

Dr. Most definitely.

P. Thank you Dr. Morgan. No further questions.

Cross-Examination of Expert Witness for the Prosecution - All Conditions (Ritual Abuse Dialogue in Bold)

D. Dr., do all women who were sexually abused as children repress their memories?

Dr. No, not necessarily.

D. Do all women who were sexually abused as children exhibit psychological problems?

Dr. No.

D. And are all women who exhibit psychological problems **that have allegedly occurred as part of a satanic ritual** abused as children?

Dr. No.

D. Are you aware Dr. of cases involving women who have claimed to repress memories of childhood sexual abuse **that have allegedly occurred as part of a satanic ritual** and have later denied their claims?

Dr. I'm aware of a few such cases - but it may also be the case that they were pressured into recanting their claims.

D. And are you aware Dr. of any objective evidence supporting claims of satanic ritual abuse?

Dr. Satanic ritual abuse occurs in very tight-knit groups where there is a lot of secrecy involved - it would be difficult to secure any evidence to verify satanic activities.

D. Again Dr., a simple yes or no answer will suffice. Are you aware of any objective evidence supporting claims of satanic ritual abuse?

Dr. No.

D. Dr., are you aware of any way to definitively prove that a memory, particularly one for events long past, is in fact a real memory when there is no corroborating evidence?

Dr. No.

D. And Doctor, has the existence of this mechanism by which traumatic memories can be completely wiped out from the conscious mind called repression, been proved to exist?

Dr. No.

D. No further questions your honour.

Mother - Witness for Defence - All Conditions (**Ritual Abuse Dialogue in Bold**)

D. Mrs. Harris, please tell the court how long you have been married to Mr. Harris.

M. 25 years.

D. And please describe the kind of man Mr. Harris is as both a husband and father.

M. He's a kind and gentle man. All of the years that we've been married he has supported Jill and myself in every way possible.

D. You've heard your daughter's allegations against your husband Mrs. Harris - was there ever a time you had reason to suspect that there was any sexual abuse going on?

M. No - of course not.

D. Have you ever had any reason to suspect that there were satanic rituals being performed in the basement of your house by your husband and that your daughter was being coerced into participating in these rituals?

M. No, nothing of the type has ever gone on in my house. It's ridiculous to even suggest such a thing.

D. Thank you Mrs. Harris. No further questions your honour.

Cross-Examination of Mother - All Conditions (Ritual Abuse Dialogue in Bold)

P. Mrs. Harris, remembering back to the time period in question, about what time would you usually go to bed?

M. Well, I usually go to bed after the 10:00 news - so about 11:00.

P. Your husband was working in a paper mill plant at the time - what time did he usually get home at?

M. Well, he often worked the night shift - so I guess he didn't get home until midnight - sometimes later.

P. Isn't it the case therefore Mrs. Harris that you were likely asleep when your husband was abusing your daughter?

M. Of course not - surely I would've woke up - I'm a very light sleeper.

P. When you suffered a stroke you were taking a lot of prescription medication, correct?

M. Yes.

P. And your medication would make you drowsy and even cause you to fall asleep?

M. Yes, but I can't imagine that I wouldn't wake up if something was going on.

P. Isn't it the case Mrs. Harris that you were unable to go down a flight of stairs on your own because you were confined to a wheelchair?

M. Yes, but if I had reason to, I would have found a way.

P. And were you always in the presence of your daughter when your husband was around?

M. No, I wasn't.

P. Do you recall your husband ever being alone with your daughter in the basement?

M. Yes, but our laundry room was down there - he'd often help Jill out doing the wash.

P. And about friends of your husband - were they ever in the basement?

M. Well, he has his workshop down there so yes, on occasion he'd bring his friends

down there.

P. How was your relationship with your husband during the time that you had suffered from a stroke?

M. Fine.

P. What about your sexual relations with your husband?

M. Well, I was partially paralysed for almost a year, so I wasn't able to have intercourse if that's what you mean - but we were still intimate.

P. No further questions your honour.

Examination of Mr. Harris - All Conditions (**Ritual Abuse Dialogue in Bold**)

D. Now that you have been sworn in Mr. Harris, could you please tell the court your full name and address?

W. My name is John R. Harris. I live at 32 Calter Street.

D. What is your occupation Mr. Harris?

W. I'm in charge of quality control at the paper mill.

D. How long have you been at your present job?

W. 20 years.

D. Have you ever been fired from a job?

W. No.

D. Have you ever been charged with or convicted of a sexual offence?

W. No, never.

D. Have you ever been charged with or convicted of any type of criminal offence, Mr. Harris?

W. No sir.

D. How long have you been living at your present address?

W. 25 years.

D. Mr. Harris, can you please describe your relationship with your daughter previous to the allegations she has made?

W. We've always been a pretty close knit family. As our only daughter, Jill, my wife and I spent a lot of time together - especially when Jill was younger. We all got along very well, had few arguments and were very happy.

D. And how was your relationship in the past 5 years?

W. It was still strong. When Jill got married, she and her husband would regularly come over and visit my wife and I. In the past 2 years however Jill's visits became less

frequent - and she finally stopped coming around. She even started refusing our phone calls.

D. And did she tell you why she didn't want to see you?

W. No, all of a sudden for no reason that my wife and I could see, Jill just came out and told my wife that she needed time away from us.

D. And how did you and your wife feel about this Mr. Harris?

W. We were devastated - we love our daughter and want to be together again like we used to be.

D. Mr. Harris, the day you received the news about your wife suffering a stroke must have been a pretty traumatic time in your life?

W. Yes, very much so.

D. Do you remember where you were when you heard the news?

W. Yes, very clearly - it's not something that you can easily forget - I was at work.

D. And what about your daughter, where was she?

W. She was at her grandparents. I remember that I had to go pick her up to go to the hospital.

D. Mr. Harris, have you ever touched Jill in a sexual manner?

W. No, of course not.

D. Have you ever made Jill touch you in a sexual manner?

W. No.

D. Have you ever forced your daughter to have oral sex with you?

W. No.

D. Have you ever had sexual intercourse with your daughter?

W. No.

D. Have you ever been involved in a satanic cult, Mr. Harris?

W. No, of course not.

D. Have you ever participated in any animal or human sacrifices?

W. No.

D. Have you ever participated in any rituals whatsoever that involved the worship of Satan?

W. No, never.

D. Have you ever forced your daughter to participate in any satanic cult or rituals that involved the worship of Satan?

W. No.

D. Have you ever forced your daughter to perform sexual acts with other adults?

W. No, absolutely not.

D. In short Mr. Harris, have you ever, in any way sexually assaulted your daughter?

W. No, I have not.

D. Mr. Harris, do you recall the colour of your shower curtain in your house?

W. Yes, it's yellow with flowers on it.

D. And how is it Mr. Harris that you have such a clear description of that shower curtain?

W. Well, my wife and I bought it pretty soon after we married - it's been in the bathroom for almost as long as we've lived there.

D. Can you please describe the basement in your house?

W. Yes - it's like most basements - a gloomy looking place I guess. It's pretty dark because we boarded up the basement window when we moved in.

D. Would you describe it as being damp or cold?

W. Yes - I suppose so.

D. Would Jill as a young girl ever go into the basement?

W. Oh certainly. She'd play down there sometimes and our laundry room was down there, so when she was helping out around the house she'd go into the basement a number of times to do the laundry.

D. Was there ever a time you were down there alone with Jill?

W. Yes - I'd help her with the laundry and I had a workshop down there.

D. And what about during the evening - would you ever go down to the basement at night with Jill?

W. No - not that I could remember.

D. And did any of your friends ever go down to your basement?

W. Yes - I had my workshop down there. Sometimes me and the guys would hang out down there.

D. Did you at any point and in any way sexually assault your daughter in the basement?

W. No.

D. Do you believe that Jill could lie about something as serious as this?

W. I would never have thought it, but, yes, obviously she can.

D. Thank you. No further questions.

Cross-Examination of Mr. Harris - All Conditions (**Ritual Abuse Dialogue in Bold**)

P. Mr. Harris, you testified that you and your daughter were close. Is this correct?

W. Yes.

P. I imagine that you often spent time with her.

W. Yes.

P. Was Mrs. Harris always present?

W. No, of course not.

P. Did you ever rub or massage your daughter's back Mr. Harris?

W. On occasion. She used to be in gymnastics and come home with a sore back.

P. And how old would she have been when she was taking gymnastics?

W. Oh I don't know...9..10...

P. And did you ever remove her shirt to rub her back?

W. No.

P. And did you ever touch Jill's breasts when giving her back rubs?

W. Her breasts - of course not...Anyway she wouldn't have had any at that age!

P. You stated, Mr. Harris, that you worked at a paper mill - did you frequently do shift work?

W. Yes.

P. So often times you would get home late - after your wife and daughter were asleep?

W. Yes.

P. Did you ever enter Jill's bedroom during these late hours?

W. Yes.

P. And did you ever approach Jill's bed when she was asleep?

W. Yes - but only to give her a good night kiss.

P. When your wife suffered a stroke, she was partially paralysed for a period spanning almost an entire year, is that correct Mr. Harris?

W. Yes.

P. And is it not correct to state Mr. Harris that she was unable to perform sexually?

W. Yes, I guess so.

P. And would you get frustrated over the lack of sexual intimacy?

W. Well, I guess maybe sometimes but we were very happily married

P. Is it not true that you participated in satanic rituals and forced your daughter to do the same as a way to overcome the loneliness and emptiness that you were experiencing in your life due to your wife's illness?

W. No, of course not! That is the silliest thing I have ever heard.

P. Are you a religious man, Mr. Harris?

W. Well, I don't go to church if that's what you mean but I wouldn't say that I'm not religious.

P. How many levels does your house have Mr. Harris?

W. Three levels.

P. And the basement was on the bottom level with the bedrooms at the top level, correct?

W. Yes.

P. No further questions your honour.

Defence Closing Statement - Mild Symptoms (**Ritual Abuse Dialogue in Bold**)

Members of the jury, in our system of justice a person is presumed innocent until he is proven guilty beyond a reasonable doubt. What this means is that Mr. Harris does not have to prove to you or to the court that he is innocent. Mr. Harris does not have to prove anything at all. Instead, it is up to the Crown to prove beyond a reasonable doubt that Mr. Harris is guilty. Members of the jury, this, the Crown has been unable to do. It has been unable to do it for a very simple and very basic reason. The reason is that Mr. Harris is not guilty of sexual assault. This horrible accusation is false. It is the product of a therapy which led a psychologically troubled woman to misidentify the root of her problems as having been the result of sexual abuse perpetrated by her father 10 years ago.

Members of the jury, Jill is not to be blamed for constructing these memories out of spite or hatred. No, rather Jill came, in all honesty to believe in the reality of these false misguided memories. While it is only right that our hearts go out to Jill because of her suffering, it would be an even greater tragedy if we were to believe her memories and convict an innocent man on the basis of memories which have absolutely no basis in reality.

Members of the jury, when we look carefully at the prosecution's case, then, piece by piece it begins to collapse like a house of cards.

Jill started therapy in order to overcome some problems that she was having. Based upon nothing more than a feeling that something bad had happened to her, Jill's therapist relentlessly pursued Jill's childhood background. It is no coincidence members of the

jury that more than half of Jill's therapist's clients who have a background of sexual abuse had so-called repressed memories. Jill's memories began to take shape only under the guidance of a biased therapist. Having ideas of her own as to what was responsible for Jill's current problems and a memory gap which could have been the result of normal forgetfulness, Jill's therapist helped guide and create memories which Jill holds to be real. These memories however are completely false. Only after having seen her therapist did Jill begin to have feelings that something bad had happened to her. Only under her therapist's guidance did Jill begin to have flashbacks. Only under her therapist's guidance did Jill's flashbacks take on the quality of a real memory. Only under the guidance of her therapist did Jill come to identify a shadowy figure as her perpetrator. And members of the jury, only after having been subjected to the stories of other survivors of incest did Jill come to recall the alleged activities that took place in the basement of her home.

While therapy and group therapy are crucial aspects of an incest survivor's healing, the consequences for those not abused, are, as evidenced in Jill's case, hazardous.

Faced with a therapist who believed Jill's depression and anxiety to be symptoms of sexual abuse, Jill filled in the gaps of her memory based upon what she was led to believe must have happened to her. Placed within the confines of a group meant for survivors of incest, where she heard the traumatic and painful stories of incest being told, Jill further came to embellish her memories. Cutting herself off from family, Jill had no one to question the authenticity of her memories. No - rather Jill's recovery of her so-called memories were not only encouraged but accepted uncritically - Jill's mind was free to imagine what it wanted to.

Members of the jury, we all know how bad our memory can be for an event that occurred 12 years ago. Moreover, the existence of repression, the mechanism by which we are being told is responsible for Jill's unawareness of her alleged abuse has never even been proven to exist.

Members of the jury, does it make sense to convict an upstanding and honourable man of a serious crime on the basis of a memory that is not real? No, to do that obviously makes no sense at all.

What about the corroborating evidence in this case? Does that evidence prove Jill was sexually assaulted? Let us look carefully at that evidence. Jill has absolutely no physical evidence corroborating her claims. Her mother testified that she had never had any reason to suspect that her husband was abusing her **or taking part in any satanic rituals**. How could Jill's mother not know that her husband was abusing her daughter in the same home which she shared with them? The simple answer to this question is that there was no abuse. At no point during the alleged sexual activities did Jill tell anyone what was happening - not even her best friend. **Also, how can one believe that Jill's memories of satanic ritual abuse in the basement of her house are valid when there is absolutely no physical evidence that any such events occurred there? Where are the remains of all of these animal and human bodies that Jill claims were sacrificed in her home?** And what of the depression and anxiety that Jill was suffering? A number of individuals suffer from these same problems and have never been sexually abused. To focus on sexual abuse as the root of such problems can, as we have seen, have devastating effects.

Members of the jury, Jill is the product of a loving family who still care and love her very much. Yes, it may be true that Jill had difficulty remembering certain aspects of her childhood, but to suggest that Jill's inability to recall details concerning her childhood was due to repression and not just normal forgetfulness is simply unfounded. It is also true that Jill took on many of the household responsibilities while her mother suffered the effects of a stroke, but to suggest that Jill was expected to fulfil other duties is ludicrous. No, rather Jill's acts of help around the house when her mother was sick was nothing more than the generous acts performed by a daughter who loved and respected her father and wanted to help in a time of need.

Members of the jury, to convict my client for a crime that he did not commit would be a horrible miscarriage of justice. To convict him on the basis of memories for events that allegedly occurred 10 years ago would be truly obscene. For these reasons, members of the jury, I ask you to find Mr. Harris not guilty of sexual assault.

Thank you for your attention and your patience.

Defence Closing Statement - PTSD Symptoms without the Diagnosis (Ritual Abuse Dialogue in Bold)

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While therapy and group therapy are crucial aspects of an incest survivor's healing, the consequences for those not abused, are, as evidenced in Jill's case, hazardous.

Faced with a therapist who believed Jill's depression and anxiety to be symptoms of sexual abuse, Jill filled in the gaps of her memory based upon what she was led to believe must have happened to her. Placed within the confines of a group meant for survivors of incest, where she heard the traumatic and painful stories of incest being told, Jill further came to embellish her memories. Cutting herself off from family, Jill had no

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Members of the jury, we all know how bad our memory can be for an event that occurred 12 years ago. Moreover, the existence of repression, the mechanism by which we are being told is responsible for Jill's unawareness of her alleged abuse has never even been proven to exist.

Members of the jury, does it make sense to convict an upstanding and honourable man of a serious crime on the basis of a memory that is not real? No, to do that obviously makes no sense at all.

What about the corroborating evidence in this case? Does that evidence prove Jill was sexually assaulted? Let us look carefully at that evidence. Jill has absolutely no physical evidence corroborating her claims. Her mother testified that she had never had any reason to suspect that her husband was abusing her **or taking part in any satanic rituals**. How could Jill's mother not know that her husband was abusing her daughter in the same home which she shared with them? The simple answer to this question is that there was no abuse. At no point during the alleged sexual activities did Jill tell anyone what was happening - not even her best friend. **Also, how can one believe that Jill's memories of satanic ritual abuse in the basement of her house are valid when there is absolutely no physical evidence that any such events occurred there? Where are the remains of all of these animal and human bodies that Jill claims were sacrificed in her home?** And what of the *psychological problems* that Jill was suffering? A

number of individuals suffer from these same problems and have never been sexually abused. To focus on sexual abuse as the root of such problems can, as we have seen, have devastating effects.

Members of the jury, Jill is the product of a loving family who still care and love her very much. Yes, it may be true that Jill had difficulty remembering certain aspects of her childhood, but to suggest that Jill's inability to recall details concerning her childhood was due to repression and not just normal forgetfulness is simply unfounded. It is also true that Jill took on many of the household responsibilities while her mother suffered the effects of a stroke, but to suggest that Jill was expected to fulfil other duties is ludicrous. No, rather Jill's acts of help around the house when her mother was sick was nothing more than the generous acts performed by a daughter who loved and respected her father and wanted to help in a time of need.

Members of the jury, to convict my client for a crime that he did not commit would be a horrible miscarriage of justice. To convict him on the basis of memories for events that allegedly occurred 10 years ago would be truly obscene. For these reasons, members of the jury, I ask you to find Mr. Harris not guilty of sexual assault.

Thank you for your attention and your patience.

Defence Closing Statement - PTSD Symptoms with Diagnosis (**Ritual Abuse Dialogue in Bold**)

Members of the jury, in our system of justice a person is presumed innocent until he is proven guilty beyond a reasonable doubt. What this means is that Mr. Harris does not have to prove to you or to the court that he is innocent. Mr. Harris does not have to prove anything at all. Instead, it is up to the Crown to prove beyond a reasonable doubt that Mr. Harris is guilty. Members of the jury, this, the Crown has been unable to do. It has been unable to do it for a very simple and very basic reason. The reason is that Mr. Harris is not guilty of sexual assault. This horrible accusation is false. It is the product of a therapy which led a psychologically troubled woman to misidentify the root of her problems as having been the result of sexual abuse perpetrated by her father 10 years ago.

Members of the jury, Jill is not to be blamed for constructing these memories out of spite or hatred. No, rather Jill came, in all honesty to believe in the reality of these false misguided memories. While it is only right that our hearts go out to Jill because of her suffering, it would be an even greater tragedy if we were to believe her memories and convict an innocent man on the basis of memories which have absolutely no basis in reality.

Members of the jury, when we look carefully at the prosecution's case, then, piece by piece it begins to collapse like a house of cards.

Jill started therapy in order to overcome some problems that she was having. Based upon nothing more than a feeling that something bad had happened to her, Jill's therapist

relentlessly pursued Jill's childhood background. It is no coincidence members of the jury that more than half of Jill's therapist's clients who have a background of sexual abuse had so-called repressed memories. Jill's memories began to take shape only under the guidance of a biased therapist. Having ideas of her own as to what was responsible for Jill's current problems and a memory gap which could have been the result of normal forgetfulness, Jill's therapist helped guide and create memories which Jill holds to be real. These memories however are completely false. Only after having seen her therapist did Jill begin to have feelings that something bad had happened to her. Only under her therapist's guidance did Jill begin to have flashbacks. Only under her therapist's guidance did Jill's flashbacks take on the quality of a real memory. Only under the guidance of her therapist did Jill come to identify a shadowy figure as her perpetrator. And members of the jury, only after having been subjected to the stories of other survivors of incest did Jill come to recall the alleged activities that took place in the basement of her home. Even subsequent recurrent nightmares and intrusive thoughts, which Jill's therapist construes as symptoms of post-traumatic stress disorder, only occurred after therapy commenced and these so-called memories miraculously came flooding back.

While therapy and group therapy are crucial aspects of an incest survivor's healing, the consequences for those not abused, are, as evidenced in Jill's case, hazardous.

Faced with a therapist who believed Jill's depression and anxiety to be symptoms of sexual abuse, Jill filled in the gaps of her memory based upon what she was led to believe must have happened to her. Placed within the confines of a group meant for survivors of incest, where she heard the traumatic and painful stories of incest being told,

Jill further came to embellish her memories. Cutting herself off from family, Jill had no one to question the authenticity of her memories. No - rather Jill's recovery of her so-called memories were not only encouraged but accepted uncritically - Jill's mind was free to imagine what it wanted to.

Members of the jury, we all know how bad our memory can be for an event that occurred 12 years ago. Moreover, the existence of repression, the mechanism by which we are being told is responsible for Jill's unawareness of her alleged abuse has never even been proven to exist.

Members of the jury, does it make sense to convict an upstanding and honourable man of a serious crime on the basis of a memory that is not real? No, to do that obviously makes no sense at all.

What about the corroborating evidence in this case? Does that evidence prove Jill was sexually assaulted? Let us look carefully at that evidence. Jill has absolutely no physical evidence corroborating her claims. Her mother testified that she had never had any reason to suspect that her husband was abusing her **or taking part in any satanic rituals**. How could Jill's mother not know that her husband was abusing her daughter in the same home which she shared with them? The simple answer to this question is that there was no abuse. At no point during the alleged sexual activities did Jill tell anyone what was happening - not even her best friend. **Also, how can one believe that Jill's memories of satanic ritual abuse in the basement of her house are valid when there is absolutely no physical evidence that any such events occurred there? Where are the remains of all of these animal and human bodies that Jill claims were sacrificed**

in her home? And what of the psychological problems that Jill was suffering? A number of individuals suffer from these same problems and have never been sexually abused. To focus on sexual abuse as the root of such problems can, as we have seen, have devastating effects.

Members of the jury, Jill is the product of a loving family who still care and love her very much. Yes, it may be true that Jill had difficulty remembering certain aspects of her childhood, but to suggest that Jill's inability to recall details concerning her childhood was due to repression and not just normal forgetfulness is simply unfounded. It is also true that Jill took on many of the household responsibilities while her mother suffered the effects of a stroke, but to suggest that Jill was expected to fulfil other duties is ludicrous. No, rather Jill's acts of help around the house when her mother was sick was nothing more than the generous acts performed by a daughter who loved and respected her father and wanted to help in a time of need.

Members of the jury, to convict my client for a crime that he did not commit would be a horrible miscarriage of justice. To convict him on the basis of memories for events that allegedly occurred 10 years ago would be truly obscene. For these reasons, members of the jury, I ask you to find Mr. Harris not guilty of sexual assault.

Thank you for your attention and your patience.

Prosecution Closing Statement - Mild Symptoms (Ritual Abuse Dialogue in Bold)

Members of the jury, Jill Harris was the victim of a terrible crime. She was sexually assaulted on repeated occasions by her own father. My esteemed colleague has attempted to muddy up this case by trying his best to shift the blame from the real criminal, Mr. Harris. The defence would have you believe that Jill would falsely accuse her own father of horrible sexual activities based on, memories that the defence contends are false. Members of the jury, the story concocted by the defence is simply, to say the least, absurd.

The defence would like you to believe that Ms. Barr, Jill's therapist, put the idea of sexual abuse into Jill's mind and then pressured Jill into concocting the whole horrible and sordid story. The defence further wants you to believe that Jill's therapist pressured Jill into believing in the reality of these memories. So now we have another villain to blame. Not only is Jill to blame but so is her therapist. How terrible, all of these people conspiring to accuse poor, innocent Mr. Harris of sexual abuse.

Was Jill not suffering from psychological problems to begin with? As we have heard, these problems are consistently indicated in adult survivors of incest. Did Jill not begin to recover memories in a way consistent with what the expert described as consistent with other incest survivors? Do any of these things indicate that Jill was lying or making up stories when she accused her father of sexual abuse? No, of course they don't.

Members of the jury, place yourself for a moment in Jill's place. You are 22 years old and suffering from bouts of depression and anxiety - you know something is wrong with you but you don't know why. You seek the help of a therapist. You begin having

frightening and confusing flashbacks. You see your father's face as the perpetrator committing unspeakable sexual acts on you. He's your father and you love him, and for all the world you don't want to hurt him unnecessarily. But what he did to you was terrible. What are you to do? Ignore the memories you're having - try to put them out of your mind again - repress them for another 10 years and hope everything will continue like normal? Yes, Jill could have done just that. However, frightened and confused, Jill, for perhaps the only time in her life felt safe enough with someone to explore the terrifying reality of what happened to her when she was between 10 and 12 years of age.

Ms. Barr, Jill's therapist was confronted with a very confused and frightened woman. Having been a mental health therapist for over 10 years, Ms. Barr was more than qualified to act as Jill's therapist. Having worked with incest survivors previously, Ms. Barr recognized Jill's symptoms - the memory gaps, flashbacks, depression and anxiety - which was particularly evident in discussions surrounding Jill's father - as being consistent with other survivors she had worked with. Ms. Barr is adamant that she at no time suggested abuse as a probable occurrence in Jill's childhood. No. You have heard in Ms. Barr's own words that she would never suggest to anyone what they had lived through or how they should be feeling. Ms. Barr was again a very qualified therapist. To suggest that she was over-zealous in her attempts to have Jill recover memories of abuse as the defence would suggest is absurd. Ms. Barr had more than ample experience dealing with incest survivors and knew that in dealing with potential repressed memories of abuse not to force or dig for memories.

Members of the jury, Ms. Barr didn't pressure Jill into making up obscene stories.

Instead she simply provided a frightened and confused woman with the emotional support she needed to uncover memories that were so tragic that they were repressed from Jill's conscious mind.

Members of the jury, the events that Jill did describe were as highly explicit as they were revolting. She described how her father touched her genitals, how he forced her to put his penis into her mouth and how he forced his penis into her vagina. **She also described the horrific acts that she was forced by her father to participate in during her father's perverted satanic ritual meetings which took place in the same basement in which her father molested her.** Members of the jury, does it really make sense to believe that a woman would make up all of these explicit sexual details out of thin air? No, of course it doesn't. Jill was able to provide these horrible details for one reason and one reason only. The horrible events were actually forced on her by her father. These events are not the fantasies or false memories of a woman. Jill was able to describe the obscene events because her father forced her, starting when she was only 10 years old, to experience each of them for a period covering two years.

Members of the jury, you heard expert testimony which indicated that repression of events as traumatic as those experienced by Jill is common. Imagine how, as a child of 10 years of age, Jill must have felt while her father was perpetrating these disgusting acts upon her. In order to try to deal with the trauma of the situation, Jill's mind pushes down those memories - pushing them out of her consciousness. According to the expert's testimony, Jill was telling the truth about what was happening to her. The flashbacks, the fragmented nature of her recall, are all consistent with the recovery of repressed

memories. Jill also exhibited the psychological reactions typical of someone who had been sexually abused. Once again, the defence has attempted to cloud the issues. For instance, the defence points out that women who have not been sexually abused have also experienced depression and anxiety. And this is in fact true. However, when taken together with her other symptoms of memory loss and flashbacks, we have a woman who, unbeknownst to her at the time, was behaving in a manner consistent with what we now know about recovered memories and sexual abuse. The defence also has pointed out that there is no evidence to support the existence of repression. Members of the jury, I want you to think about that for one moment. The acts Jill has described are so horrible that her mind pushed them out of her consciousness. What is so ludicrous about that? We have heard how numerous women have dealt with traumatic sexual abuse memories in the same way. When the mind is exposed to a traumatic event it has a natural tendency to try and avoid these thoughts.

Members of the jury, the defence has tried to suggest that Jill's therapist implanted these horrific memories - but why would a therapist want to do that? Why would a therapist, aware of the emotional trauma involved in recovering these memories want to subject someone to this pain if their memories were not in fact real? The answer is obvious - Jill's memories were real. The pain Jill faced when recovering these memories was real. Why would Jill lie about something so horrific? The answer, members of the jury, is that she wouldn't lie about something so horrible. It is important to keep in mind that there is no proof that something as traumatic as sexual abuse could be implanted in someone's mind.

Members of the jury, Jill Harris told you the truth about what her father did to her. It is a horrible truth, but the truth nonetheless. For that reason, I ask that you find Mr. John Harris guilty of sexual abuse.

Members of the jury, thank you for your attention.

Prosecution Closing Statement - PTSD Symptoms without the Diagnosis (Ritual Abuse Dialogue in Bold)

Members of the jury, Jill Harris was the victim of a terrible crime. She was sexually assaulted on repeated occasions by her own father. My esteemed colleague has attempted to muddy up this case by trying his best to shift the blame from the real criminal, Mr. Harris. The defence would have you believe that Jill would falsely accuse her own father of horrible sexual activities based on, memories that the defence contends are false. Members of the jury, the story concocted by the defence is simply, to say the least, absurd.

The defence would like you to believe that Ms. Barr, Jill's therapist, put the idea of sexual abuse into Jill's mind and then pressured Jill into concocting the whole horrible and sordid story. The defence further wants you to believe that Jill's therapist pressured Jill into believing in the reality of these memories. So now we have another villain to blame. Not only is Jill to blame but so is her therapist. How terrible, all of these people conspiring to accuse poor, innocent Mr. Harris of sexual abuse.

Was Jill not suffering from psychological problems to begin with? As we have heard, these problems are consistently indicated in adult survivors of incest. Did Jill not begin to recover memories in a way consistent with what the expert described as consistent with other incest survivors? Do any of these things indicate that Jill was lying or making up stories when she accused her father of sexual abuse? No, of course they don't.

Members of the jury, place yourself for a moment in Jill's place. You are 22 years old and suffering from bouts of depression and anxiety - you know something is wrong with

you but you don't know why. You seek the help of a therapist. You begin having frightening and confusing flashbacks. You see your father's face as the perpetrator committing unspeakable sexual acts on you. He's your father and you love him, and for all the world you don't want to hurt him unnecessarily. But what he did to you was terrible. What are you to do? Ignore the memories you're having - try to put them out of your mind again - repress them for another 10 years and hope everything will continue like normal? Yes, Jill could have done just that. However, frightened and confused, Jill, for perhaps the only time in her life felt safe enough with someone to explore the terrifying reality of what happened to her when she was between 10 and 12 years of age.

Ms. Barr, Jill's therapist was confronted with a very confused and frightened woman. Having been a mental health therapist for over 10 years, Ms. Barr was more than qualified to act as Jill's therapist. Having worked with incest survivors previously, Ms. Barr recognized Jill's symptoms - the memory gaps, flashbacks, depression and anxiety, *sexual intimacy problems, the inability to experience the normal range of emotions, detachment from others, no hope for the future, violent temper tantrums, difficulty concentrating or completing tasks* - which was particularly evident in discussions surrounding Jill's father - as being consistent with other survivors she had worked with. Ms. Barr is adamant that she at no time suggested abuse as a probable occurrence in Jill's childhood. No. You have heard in Ms. Barr's own words that she would never suggest to anyone what they had lived through or how they should be feeling. Ms. Barr was again a very qualified therapist. To suggest that she was over-zealous in her attempts to have Jill recover memories of abuse as the defence would suggest is absurd. Ms. Barr had more

than ample experience dealing with incest survivors and knew that in dealing with potential repressed memories of abuse not to force or dig for memories.

Members of the jury, Ms. Barr didn't pressure Jill into making up obscene stories. Instead she simply provided a frightened and confused woman with the emotional support she needed to uncover memories that were so tragic that they were repressed from Jill's conscious mind.

Members of the jury, the events that Jill did describe were as highly explicit as they were revolting. She described how her father touched her genitals, how he forced her to put his penis into her mouth and how he forced his penis into her vagina. **She also described the horrific acts that she was forced by her father to participate in during her father's perverted satanic ritual meetings which took place in the same basement in which her father molested her.** Members of the jury, does it really make sense to believe that a woman would make up all of these explicit sexual details out of thin air? No, of course it doesn't. Jill was able to provide these horrible details for one reason and one reason only. The horrible events were actually forced on her by her father. These events are not the fantasies or false memories of a woman. Jill was able to describe the obscene events because her father forced her, starting when she was only 10 years old, to experience each of them for a period covering two years.

Members of the jury, you heard expert testimony which indicated that repression of events as traumatic as those experienced by Jill is common. Imagine how, as a child of 10 years of age, Jill must have felt while her father was perpetrating these disgusting acts upon her. In order to try to deal with the trauma of the situation, Jill's mind pushes down

those memories - pushing them out of her consciousness. According to the expert's testimony, Jill was telling the truth about what was happening to her. The flashbacks, the fragmented nature of her recall, are all consistent with the recovery of repressed memories. Jill also exhibited the psychological reactions typical of someone who had been sexually abused. Once again, the defence has attempted to cloud the issues. For instance, the defence points out that women who have not been sexually abused have also experienced *psychological problems, such as anxiety and depression*. And this is in fact true. However, when taken together with her other symptoms of memory loss and flashbacks, we have a woman who, unbeknownst to her at the time, was behaving in a manner consistent with what we now know about recovered memories and sexual abuse. The defence also has pointed out that there is no evidence to support the existence of repression. Members of the jury, I want you to think about that for one moment. The acts Jill has described are so horrible that her mind pushed them out of her consciousness. What is so ludicrous about that? We have heard how numerous women have dealt with traumatic sexual abuse memories in the same way. When the mind is exposed to a traumatic event it has a natural tendency to try and avoid these thoughts. *As for the recurrent nightmares and intrusive thoughts which now haunt Jill, the defence would like you to believe that they are only a result of false memories planted in her head. However, when put into the proper context, is it any wonder why Jill is now haunted by these memories? As these horrible memories have come back into Jill's consciousness, it is only understandable that she will have bothersome thoughts and nightmares. And Ms. Barr has pointed out that such problems are characteristic of*

victims of childhood sexual abuse.

Members of the jury, the defence has tried to suggest that Jill's therapist implanted these horrific memories - but why would a therapist want to do that? Why would a therapist, aware of the emotional trauma involved in recovering these memories want to subject someone to this pain if their memories were not in fact real? The answer is obvious - Jill's memories were real. The pain Jill faced when recovering these memories was real. Why would Jill lie about something so horrific? The answer, members of the jury, is that she wouldn't lie about something so horrible. It is important to keep in mind that there is no proof that something as traumatic as sexual abuse could be implanted in someone's mind.

Members of the jury, Jill Harris told you the truth about what her father did to her. It is a horrible truth, but the truth nonetheless. For that reason, I ask that you find Mr. John Harris guilty of sexual abuse.

Members of the jury, thank you for your attention.

Prosecution Closing Statement - PTSD Symptoms with the Diagnosis (**Ritual Abuse**

Dialogue in Bold)

Members of the jury, Jill Harris was the victim of a terrible crime. She was sexually assaulted on repeated occasions by her own father. My esteemed colleague has attempted to muddy up this case by trying his best to shift the blame from the real criminal, Mr. Harris. The defence would have you believe that Jill would falsely accuse her own father of horrible sexual activities based on, memories that the defence contends are false. Members of the jury, the story concocted by the defence is simply, to say the least, absurd.

The defence would like you to believe that Ms. Barr, Jill's therapist, put the idea of sexual abuse into Jill's mind and then pressured Jill into concocting the whole horrible and sordid story. The defence further wants you to believe that Jill's therapist pressured Jill into believing in the reality of these memories. So now we have another villain to blame. Not only is Jill to blame but so is her therapist. How terrible, all of these people conspiring to accuse poor, innocent Mr. Harris of sexual abuse.

Was Jill not suffering from psychological problems to begin with? As we have heard, these problems are consistently indicated in adult survivors of incest. Did Jill not begin to recover memories in a way consistent with what the expert described as consistent with other incest survivors? Do any of these things indicate that Jill was lying or making up stories when she accused her father of sexual abuse? No, of course they don't.

Members of the jury, place yourself for a moment in Jill's place. You are 22 years old and suffering from bouts of depression and anxiety - you know something is wrong with

you but you don't know why. You seek the help of a therapist. You begin having frightening and confusing flashbacks. You see your father's face as the perpetrator committing unspeakable sexual acts on you. He's your father and you love him, and for all the world you don't want to hurt him unnecessarily. But what he did to you was terrible. What are you to do? Ignore the memories you're having - try to put them out of your mind again - repress them for another 10 years and hope everything will continue like normal? Yes, Jill could have done just that. However, frightened and confused, Jill, for perhaps the only time in her life felt safe enough with someone to explore the terrifying reality of what happened to her when she was between 10 and 12 years of age.

Ms. Barr, Jill's therapist was confronted with a very confused and frightened woman. Having been a mental health therapist for over 10 years, Ms. Barr was more than qualified to act as Jill's therapist. Having worked with incest survivors previously, Ms. Barr recognized Jill's symptoms - the memory gaps, flashbacks, depression and anxiety, *sexual intimacy problems, the inability to experience the normal range of emotions, detachment from others, no hope for the future, violent temper tantrums, difficulty concentrating or completing tasks, all symptoms of post-traumatic stress disorder* - which was particularly evident in discussions surrounding Jill's father - as being consistent with other survivors she had worked with. Ms. Barr is adamant that she at no time suggested abuse as a probable occurrence in Jill's childhood. No. You have heard in Ms. Barr's own words that she would never suggest to anyone what they had lived through or how they should be feeling. Ms. Barr was again a very qualified therapist. To suggest that she was over-zealous in her attempts to have Jill recover memories of abuse

as the defence would suggest is absurd. Ms. Barr had more than ample experience dealing with incest survivors and knew that in dealing with potential repressed memories of abuse not to force or dig for memories.

Members of the jury, Ms. Barr didn't pressure Jill into making up obscene stories. Instead she simply provided a frightened and confused woman with the emotional support she needed to uncover memories that were so tragic that they were repressed from Jill's conscious mind.

Members of the jury, the events that Jill did describe were as highly explicit as they were revolting. She described how her father touched her genitals, how he forced her to put his penis into her mouth and how he forced his penis into her vagina. **She also described the horrific acts that she was forced by her father to participate in during her father's perverted satanic ritual meetings which took place in the same basement in which her father molested her.** Members of the jury, does it really make sense to believe that a woman would make up all of these explicit sexual details out of thin air? No, of course it doesn't. Jill was able to provide these horrible details for one reason and one reason only. The horrible events were actually forced on her by her father. These events are not the fantasies or false memories of a woman. Jill was able to describe the obscene events because her father forced her, starting when she was only 10 years old, to experience each of them for a period covering two years.

Members of the jury, you heard expert testimony which indicated that repression of events as traumatic as those experienced by Jill is common. Imagine how, as a child of 10 years of age, Jill must have felt while her father was perpetrating these disgusting acts

upon her. In order to try to deal with the trauma of the situation, Jill's mind pushes down those memories - pushing them out of her consciousness. According to the expert's testimony, Jill was telling the truth about what was happening to her. The flashbacks, the fragmented nature of her recall, are all consistent with the recovery of repressed memories. Jill also exhibited the psychological reactions typical of someone who had been sexually abused. Once again, the defence has attempted to cloud the issues. For instance, the defence points out that women who have not been sexually abused have also experienced *psychological problems, such as anxiety and depression*. And this is in fact true. However, when taken together with her other symptoms of memory loss and flashbacks, we have a woman who, unbeknownst to her at the time, was behaving in a manner consistent with what we now know about recovered memories and sexual abuse. The defence also has pointed out that there is no evidence to support the existence of repression. Members of the jury, I want you to think about that for one moment. The acts Jill has described are so horrible that her mind pushed them out of her consciousness. What is so ludicrous about that? We have heard how numerous women have dealt with traumatic sexual abuse memories in the same way. When the mind is exposed to a traumatic event it has a natural tendency to try and avoid these thoughts. *As for the recurrent nightmares and intrusive thoughts which now haunt Jill, the defence would like you to believe that they are only a result of false memories planted in her head. However, when put into the proper context, is it any wonder why Jill is now haunted by these memories? As these horrible memories have come back into Jill's consciousness, it is only understandable that she will have bothersome thoughts and*

nightmares. And Ms. Barr has pointed out that such problems are characteristic of victims of childhood sexual abuse. These are also symptoms of post-traumatic stress disorder which many sexual abuse victims suffer from and from which Jill herself suffers.

Members of the jury, the defence has tried to suggest that Jill's therapist implanted these horrific memories - but why would a therapist want to do that? Why would a therapist, aware of the emotional trauma involved in recovering these memories want to subject someone to this pain if their memories were not in fact real? The answer is obvious - Jill's memories were real. The pain Jill faced when recovering these memories was real. Why would Jill lie about something so horrific? The answer, members of the jury, is that she wouldn't lie about something so horrible. It is important to keep in mind that there is no proof that something as traumatic as sexual abuse could be implanted in someone's mind.

Members of the jury, Jill Harris told you the truth about what her father did to her. It is a horrible truth, but the truth nonetheless. For that reason, I ask that you find Mr. John Harris guilty of sexual abuse.

Members of the jury, thank you for your attention.

Judge's Charge - All Conditions (Ritual Abuse Dialogue in Bold)

Members of the jury. You have heard the evidence in this case and you must now deliberate to a unanimous verdict.

Mr. Harris is being charged with sexually assaulting his daughter Jill Harris. No consent to sexual assault occurs when a complainant submits by reason of the exercise of authority or when the complainant is under the age of 14 years. Because the alleged activity occurred when Jill was under the age of 14, the consent or non-consent of Jill Harris is not an issue. The issue to be determined is whether the conduct complained of actually occurred.

At the time of the alleged incident, Jill Harris was living at home with her parents, John and Barbara Harris. On June 8th of this year, Jill went to the police regarding the events that she recalled having occurred 10 to 12 years previous and charges were laid.

It is the contention of the Crown that Mr. Harris sexually assaulted his daughter, Jill Harris. You have heard Jill Harris testify under oath that her father, Mr. Harris, on a number of occasions fondled and touched Jill's genitals. She further testified that her father repeatedly engaged in various sexual activities with her over a period of approximately 2 years **and forced her to engage in satanic ritual acts, including sex, with other adults and children.** Jill also testified that her father had sexual intercourse with her on at least two separate occasions. You have also heard the testimony of other witnesses called by the Crown to corroborate Ms. Harris's testimony. The Crown called witnesses to testify that recall of the incidents of the abuse and the psychological symptoms were consistent with abuse having had occurred. You also heard an expert

witness testify as to the validity of repressed memories for traumatic events.

You have heard the defence contend that Jill Harris was not sexually assaulted by Mr. Harris, but instead, her memories of the events that took place are false. You have heard Mr. Harris testify under oath that he has never had sexual relations with his daughter. According to the defence, Jill Harris, a depressed anxiety-ridden woman sought the help of a therapist. Moreover, the defence maintains that Jill's reconstruction of her memory was false and guided by a therapist who presumed the existence of sexual abuse, and participation in a group for survivors of incest.

Members of the jury, in your deliberations it is important that you review very carefully all of the evidence that has been presented. You should think carefully about the testimony you have heard, and, where there was conflicting testimony, you must make judgments about the credibility of the witnesses involved. It is up to you to evaluate the conflicting testimony and determine which is the truth.

If, after careful deliberation, you conclude that the evidence presented before you proves beyond a reasonable doubt that Mr. Harris had sexual contact with his daughter, Jill Harris, then you should find Mr. Harris guilty of sexual assault. On the other hand, if, after careful evaluation of the evidence, you believe that a reasonable doubt remains concerning Mr. Harris's guilt then you should acquit him of the charges against him.

Now, a reasonable doubt concerning guilt is not merely the possibility of innocence. A reasonable doubt is a doubt that would cause a reasonable and prudent person in the graver and more important affairs of life to pause and to hesitate to act upon the truth of the matter charged.

Proof beyond a reasonable doubt is not proof beyond all possible or imaginary doubt. Instead, it is proof that precludes every reasonable hypothesis except the hypothesis that it tends to support. Proof beyond a reasonable doubt is proof to a moral certainty. Proof beyond a reasonable doubt is proof strong enough to convince reasonable people who have examined the evidence before them that the crime the defendant is charged with has been committed by the defendant. Proof beyond a reasonable doubt is proof that convinces reasonable people that no other reasonable conclusion is possible.

Members of the jury, you may now retire and begin your deliberations.