

*Come in closer  
because the more you think you see  
the easier it will be to fool you.*

*Morgan Freeman*

# Hypnosis as a means of committing a crime

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## Abstract

The aim of this article is to develop in detail the concept of criminal hypnosis, analysing its application in the legal context and proposing the formal recognition of hypnosis as a possible way of committing a crime. The work in question can be divided into six parts. The first part presents the genesis of hypnosis and defines its concept. The second part consists of a description of experimental studies aimed at demonstrating the possibility of committing crimes under the influence of hypnosis. The third part focuses on real cases that were the subject of the proceedings. The fourth part moves on to considerations on the recognition of hypnosis as a circumstance excluding guilt by analyzing the issue of mental coercion and insanity. Then, the classification of crimes committed under the influence of hypnosis was made depending on the sovereignty of the will of the hypnotized person, thus analyzing the possibility of assigning criminal liability to the hypnotist and the person who committed socially dangerous acts under the influence of hypnosis. The fifth part details the problem of non-experts dealing with hypnosis and proposes to designate a group of people authorized to use hypnosis, including the need to obtain an appropriate license. The last part presents conclusions and postulates resulting from the analysis.

**Keywords:** hypnosis, criminal hypnosis, hypnosis in criminalistics

## 1. Introduction

With the development of civilisation, public awareness of techniques and methods of personality management has increased. The positive aspect of this is personal development, a combination of psychology and psychotherapy that aims to better understand, control and develop personality traits. The market offers a wide range of courses and specialised centres offer appropriate training. Literature on the subject is also part of the educational offer. However, progress always implies a negative effect in the form of a new type of crime, which is often more complex and therefore more difficult to detect. Personality management can be modified to the form of personality control

and an attempt to manipulate the individual, which has the characteristics of unethical actions. One of such techniques is hypnosis, which can be used to manipulate and results in the perpetration of various types of crime and even suicide. It should be noted that the lack of legislation regulating the use of hypnosis and protection from its influence means that law enforcement authorities often question the existence of such method, which can result in errors in the qualification of criminal acts committed under its influence. The acts of a hypnotised person can be treated as crimes committed based on free will, and the manipulated person is held criminally liable, although in reality he or she is innocent; the hypnotist, on the other hand, remains unpunished. The purpose of this article

is to develop the concept of criminal hypnosis in detail by analysing its application in a legal context and to propose a formal recognition of hypnosis as a mean of committing a crime. The article provides an in-depth analysis of hypnosis with a discussion of the most common practical problems. At the same time, it contains proposals for their solution and arguments in favour the validity of the recommended position supported by Polish and foreign literature.

## 2. History of hypnosis: from antiquity to modern psychology

Hypnosis has been known to mankind for thousands of years and has always been associated with mysticism and magic, and has been used in various cultures around the world. Egyptian priests are believed to have used trance-inducing methods for the purpose of healing. Hypnotic techniques were used in Greek temples, where they were called 'sacred sleep', and Hippocrates described phenomena similar to hypnosis: relaxation and suggestion (Reeves, 2024). In the Middle Ages, hypnosis was less popular due to the considerable axiological influence of the Catholic Church, in which such practices were associated with witchcraft and heresy. Hypnosis had its renaissance at the turn of the 18th century, helped by physician Franz Mesmer, who excelled in the use of suggestion. He claimed that there was an invisible natural force, which he called 'animal magnetism', that could have healing properties. The theory, also known as mesmerism, was based on the idea that this force could be directed or manipulated to treat various ailments by moving the hands and staring into the eyes of patients to put them into a trance-like state, which was supposed to help rebalance the magnetic field in their bodies. Although the theory was later disproved, Franz Mesmer's methods were the basis for the modern practice of hypnosis (Grudnik, 2018).

The definition of hypnosis did not emerge until 1843, when English physician James Braid studied the phenomenon itself and used the term hypnosis, in honour of the Greek god of sleep Hypnos (Gantet, 2021). He used this term to describe a kind of nervous sleep induced by fatigue resulting from intense concentration when the gaze is fixed on a shiny, inanimate object. Subsequently, hypnosis achieved great scientific popularity in France in the 19th century, with a contribution of two schools: the 'Nancy School' and the 'Paris School'. The Nancy School, founded by Hippolyte Bernheim, assumed that suggestion was a key element of hypnosis. Hypnosis represents a natural state that can be induced in any healthy person. The Paris School, represented by Jean-Martin Charcot, considered hypnosis to be a pathological condition, mainly associated with hysteria, which can only be induced in people with certain neurological or psychic predispositions (Bachner-Melman & Lichtenberg 2001). This is how the complicated dispute was born, in which Bernheim argued that hypnosis should not be linked to hysteria and that

there were examples of murders suggested under hypnosis. Charcot, on the other hand, equated susceptibility to hypnosis with hysteria and indicated that the only crime associated with hypnosis was rape, with hypnotised person as the victim (Bogousslavsky et al., 2009). Despite the misunderstandings, the long-standing debate between the two schools has contributed to a deeper understanding of hypnosis and its mechanisms, and to the development of a variety of hypnotic techniques and applications that are still used today.

In the twentieth century, hypnosis was mainly the work of Sigmund Freud, who developed hypnosis as a therapeutic tool, and Milton Erickson, who revolutionised hypnotherapy with his so-called "Ericksonian hypnosis", a hypnosis that can be used without the patient's knowledge, without his or her awareness, by means of covert suggestion (Bachner-Melman & Lichtenberg 2001, Gifford, 2023).

### 2.1. Development of hypnosis in Poland

The origins of hypnosis in Poland are difficult to specify precisely, because early references to hypnosis-like techniques often occur in the context of folk medicine. However, in the 19th and 20th centuries, hypnosis began to gain importance in Poland. Hypnosis was introduced into medical practice by Julian Ochorowicz (Dobroczyński, 2005). It was also used as a therapeutic tool by Stefan Borowiecki and Ludwik Jekels, who worked with Sigmund Freud (Dembińska & Rutkowski 2016). Nowadays in Poland, hypnosis is recognised as an effective therapeutic tool used in various fields of medicine and psychology, mainly thanks to prof. Jerzy Aleksandrowicz<sup>2</sup>. In 1999 the Polish Society for Therapeutic Hypnosis and Hypnosis Research was established. This organisation promotes research, education and the practice of hypnotherapy.

Hypnosis has come a long way from ancient healing practices to modern psychology and medicine, becoming an important therapeutic tool and an object of intense scientific research. It is currently used to treat pain, anxiety, sleep disorders and addiction. Hypnosis in forensics helps retrieve memories hidden in the subconscious, making it possible to reconstruct details such as vehicle number plates, facial features or the appearance of sites. It is used not only to find clues leading to perpetrators of crime, but also to help victims of trauma events overcome dissociative amnesia (Wojcieszak, 2016). However, hypnosis can also take the form of criminal hypnosis, which is used to commit various types of crime.

## 3. Definition of hypnosis

As defined by the American Psychological Association, hypnosis is 'a state of consciousness involving focused attention and reduced peripheral awareness, characterised by an increased ability to respond to suggestion'<sup>3</sup>. In this state, the hypnotised person is susceptible to suggestion, his or her volitional processes are impaired and his or her ability to control his or her own actions is limited. Hypnosis is not subject to

a medical criterion, it is not a chronic mental disorder or psychiatric condition, it is a psychophysical state. This is because such a state is not a pathology, but merely an inherent feature of healthy people (Pawlicki, 2017). In everyday life a state similar to hypnosis is the well-known situation occurring when driving a car. In a monotonous landscape, a straight road and trees regularly flashing outside the window. This can result similarly to the actions of an experienced hypnotist. In addition, human eyes follow the white line dividing the lanes and the sound of the engine puts the senses in a state of fatigue. With all these factors, the brain emits alpha waves, which also occur in the hypnotic state, putting the driver in a different state of consciousness. It is suggested that someone has fallen asleep at the steering wheel, but in medicine this phenomenon is referred to as 'road hypnosis' (Brożyna, 2017). Another example is 'flow'. Psychologist Mihaly Csikszentmihalyi, inspired by artists who became so engaged in their work that they ignored the basic needs of eating, drinking and sleeping, described a state of flow as a state in which individuals are so absorbed in an activity that nothing else seems to matter. The sheer pleasure of such experience is so highly rewarding that people continue it, even if it requires huge sacrifices, just for it (Steimer, 2021). Meditation and relaxation can also put us into a state similar to hypnosis, when we are more open to inner experiences (Lemig, 2023).

Although the above examples as not induced intentionally do not constitute formal hypnosis, they share some mechanisms with hypnosis. These are natural states in which we function, like in formal hypnosis our attention is highly focused, we are less aware of our surroundings, we ignore external stimuli and concert ourselves with internal ones, and we are more susceptible to suggestions and changes in perception. We cannot consider hypnosis as a mental illness or mental impairment - it must be understood as a physiological state which, as will be shown later in this article, can also constitute a circumstance excluding guilt.

#### **4. Committing a crime under the influence of hypnosis - an experimental study**

This brings us to the extremely controversial issue of the effect of hypnosis on its object, and whether it is possible to compel a person with a strong moral compass to commit a crime under hypnosis. Most scholars take the position that a hypnotist cannot force an anti-social action that contradicts the ethics of the hypnotised person, and that if such a suggestion is made, the hypnotised person will disobey the command or stop the actions (Siuta & Wójcikiewicz 1999). Probably most people are reassured by this statement as this is something that everyone would like to hear. However, it is true that such an action is possible, which does not mean that it is easy to carry out, as there are many factors involved.

The fact that a crime is committed under the influence of hypnotic suggestion is confirmed by experiments conducted as early as the 19th century. Jules Liegeois4

performed an experiment that involved passing a gun loaded with blanks and giving the command to shoot a man. The hypnotised person obeyed the command and, upon waking up, admitted the crime, but denied having been suggested the thought of murder, arguing that the intention was self-induced. Another case describes handing a white powder to the hypnotised person with the suggestion that it was arsenic. The hypnotised person was supposed to give the powder at a ball to a designated person, and this command was also carried out (Orłowski, 1902).

Another Swiss psychiatrist, August Forel, conducted experiments to investigate how far a hypnotist can impose his or her will on a person with a somnambulistic type of disorder. He hypnotised a man, to whom he announced that there was a beggar in the room, then handed him a piece of chalk saying it was a knife and told him to stab the poor man in the stomach. The hypnotised man followed the order without hesitation (Wolffram, 2017).

Another case involves an experimenter who first showed a participant the effects of nitric acid: he dropped a coin into it, which dissolved, and then hypnotised the participant. An assistant replaced the vessel with acid with a vessel with water coloured so as to resemble nitric acid, and the experimenter asked the hypnotised person to pour the contents of the vessel onto the assistant's face. Six of the subjects followed this suggestion, and one time the assistant mistakenly failed to change the vessels and was doused with real acid (Eysenck, 1965).

It is worth noting that adherence to high ethical values is assumed a priori in research, which implies that a responsible clinical researcher will not undertake an experiment in which the life or health of the participant would actually be at risk. This is also the fundamental assumptions made in experiments involving, for example, dousing with nitric acid under controlled conditions, as described above, which can only be carried out if ethical principles are respected throughout the experiment.

Another case involves a soldier to whom it was suggested, during a hypnosis procedure, that he was looking at Japanese soldier in front of him who wanted to kill him unless he is killed first. The person taking part in the experiment, after opening his eyes, threw himself at his commander and started choking him. He calmed down only after being put back into hypnotic sleep (Eysenck, 1965).

The most accurate thesis relating to the possibility of committing a crime under the influence of hypnosis was put forward by English psychologist Hans Eysenck. He argued that a person will not, independently of his or her consciousness, carry out the hypnotist's instructions that contradict his or her value system, but the hypnotist by his or her suggestions can create a different situational context in the mind of the hypnotised person. By handing a glass of water with soap and saying 'drink the champagne', the hypnotist will lead to a situation where the person actually drinks the liquid with satisfaction, or by creating the pretence that some-

one wants to kill the hypnotised person and he need to defend himself, the hypnotist will lead to the successful implementation of the suggestion, thus causing an attack (Eysenck, 1965). Undoubtedly, one has to agree with this statement.

In summary, several important conclusions can be drawn. The first and most important factor affecting the possibility of a hypnotised person committing a crime is, of course, the morality of that person. One could assume that hypnotising a person with a strong moral code would be more difficult than hypnotising a person who may have a predisposition and potential to commit a crime. Another person would be one who has a deep, unconscious desire to commit a crime, but denies it in a state of consciousness. In this case, hypnosis can influence the urge and transform it into action. The last person susceptible to suggestion, who is at the same time the most susceptible, is a person suffering from the somnambulism disorder<sup>5</sup>.

The second factor is the creation of a fictional reality in the mind of the person undergoing hypnosis. This manipulated reality makes the order to commit a crime morally acceptable and important. The hypnotist can create the belief that the subject owns a store and must transport the products so as to protect them. This conviction can result in an inducement to steal. A person subjected to hypnosis without knowing that the goods do not belong to him/her will commit a crime. Of course, it is more difficult to get someone to commit murder rather than theft, but people have an innate need for self-protection. Putting a person with a stable set of moral principles in an extreme situation, such as when he or she is convinced of the need to kill someone for self-defence, can be a motivation to take illegal action.

However, the simplest argument to justify that hypnosis can be a tool to commit a crime is the theory that hypnosis is very close to persuasion. If a person can be persuaded to do something, surely he or she can also be hypnotised. An example of non-hypnotic persuasion is the effect of spending large sums of money on media campaigns or sales training, during which a susceptibility is created to the suggestion of needing to buy something against the consumer's real will and need. Another example is membership in a sect. The ideologies instilled in sect members create belief systems that can lead them to voluntarily commit crimes or become suicide bombers. At this point, it is important to recall a well-known event - the murder of Sharon Tate by Charles Manson's sect. It was one of the most tragic events in the history of Hollywood. Sharon Tate was an actress and wife of director Roman Polański. She was murdered in Los Angeles in 1969, while being in an advanced stage of pregnancy. Charles Manson, the leader of the sect known as 'family', manipulated and controlled his followers using psychological techniques. He was a master in the use of suggestion, which enabled him to persuade members of the sect to commit violent crimes. One of those people was Susan Atkins. Her behaviour during the murder of Sharon Tate and her subsequent testimony indicate a mental state that can be likened to being under hypnotic influence, with

the result that her actions and decisions were largely the result of psychological manipulation (Lu, 1979).

The examples cited above lead to the conclusion that a person can be persuaded to commit a crime even without the use of hypnosis. After all, Article 18 (2) of the Criminal Code contains a definition of incitement - inducement to commit a criminal act<sup>6</sup>. It is therefore justified to say that a person can be hypnotised in order to commit a crime. However, in order to further investigate and analyse the possibility that post-hypnotic suggestion may have an impact on the perpetration of a criminal act, it is necessary to study actual cases that have been the subject of criminal proceedings.

## 5. Committing a crime under the influence of hypnosis - a case study

### I. Assassination of Alexandre-Toussaint Gouffé

Murder committed in July 1889 by Michel Eyraud and his mistress Gabrielle Bompard, who had previously claimed to have been the victim of a hypnotic seduction, and Eyraud had used post-hypnotic suggestion to ensure her involvement in the crime. The trial became the scene of a clash between experts representing different positions in the French scientific community divided with regards to hypnosis. Ultimately, Gabrielle Bompard was found guilty of murder but sentenced to 20 years in prison instead of the death penalty, and Eyraud was sentenced to death and executed on 3 February 1891 (Lippard, 2009).

### II. The State of Kansas v. Anderson Gray (39 P.1050,55 Kan.135)

In 1894, Anderson Gray - a Kansas farmer - wanted to retain possession of his neighbour's land. The only witness to this transaction was Thomas Patton. Anderson Gray hypnotised Thomas Patton into taking a broken revolver and threatening his cousin David Patton because he knew David Patton would fire at the slightest provocation. This is precisely what happened, but David Patton missed. Gray then hypnotised a farm labourer - Thomas McDonald - so that he would shoot Thomas Patton, which he did. By the verdict of the court, Thomas McDonald was acquitted on the grounds that he believed his life was in danger and acted in self-defence, while Anderson Gray was found guilty and sentenced to death (Lippard, 2009).

### III. Trial of Czesław Czyński in 1894

In 1894, in Munich, Czesław Czyński was charged with a number of crimes, including the use of post-hypnotic suggestion in relation to Baroness Hedwig von Zedlitz in order to arouse love, which allowed him to marry her later. As part of the investigation in the case, six experts were appointed to report on the impact of hypnosis and suggestion. The interest in the case was caused by the fact that, for the first time, a scientific theory on the criminal consequences of hypnosis was to be tested by a court. However, the discrepancies

between the experts' testimony during the trial demonstrated that the issue was not well established to make its judicial debut. Some experts believed that hypnosis was powerful, while others thought it was not real. By the verdict of the court, Czyński was convicted of fraud and forgery, and the offence committed with the use of hypnosis was completely ignored. Nevertheless, this case has become an important example in the field of medicine, law and forensics. Important questions were raised before the court: how much does hypnotic suggestion affect a person's free will?, does it lead to a complete loss of will?, and what is the role of provisions of law in relation to hypnosis? Answers to these questions could not be found during the trial, the experts' testimony was ignored, no legal precedent was established and a consensus within the scientific community in relation to the criminal efficacy of hypnosis was not achieved. What has undoubtedly been achieved is drawing attention to the dangers of use of hypnosis by amateurs, which has contributed to the restriction on its use to people with medical training (Wolffram, 2017).

#### IV. Heidelberg trial, 1936

In 1927, Alice E. met Franz Xaver Walter on a train. When she mentioned that she was suffering from abdominal pain, Walter stated that he was able to cure her with naturopathy. On getting off the train, he invited her for coffee, then grabbed her hand, which made her, as she noted years later, feel unable to use her own will. Subsequently, over the years, Alice met with Walter, who allegedly treated her, although she had no recollection of therapy sessions. The woman also established an intimate relationship with him and his partner Karl Bodner. She attempted to kill her husband on several occasions as well as to commit suicide. In 1934, Alice's husband reported the case to the police. Walter and Bodner were accused of abusing her sexually<sup>7</sup> and of inciting crimes that the woman did not commit, after all, despite her attempts. The case was based almost exclusively on the opinion of neurologist Ludwig Mayer. The main argument in the opinion was the statement that it is possible to commit a crime under the influence of hypnosis. In the case of Alice E., Ludwig Mayer identified two levels of consciousness. She had completely separate wills that existed side by side, so that she behaved differently in the conscious state and differently in the unconscious state. Mayer claimed that the specific nature of a person increases his or her susceptibility to hypnotic suggestion, but it is not enough to obstruct suggestion. If a suggestion were chosen that would mandate the concealment of true intentions, then forcing people to commit crimes in a state of post-hypnotic suggestion could not be ruled out.

The 1936 trial in Heidelberg was groundbreaking, as a German court ruled for the first time that hypnosis changed a person's beliefs and led to the perpetration of crimes (Kauders, 2017).

#### V. Hypnotic murders in Copenhagen

This case involves the hypnotic murders that took

place on 29 March 1951 and were the result of a failed bank robbery during which a double homicide took place. After detailed police investigations and psychiatric and psychological consultations, it was established that Bjørn Schouw Nielsen hypnotised Palle Wichmann Hardrup to carry out the robbery and murders. The most important evidence came from the opinion of psychiatrist Paul Reiter, which was the culmination of Hardrup's 15-months long observation. During the trial, Paul Reiter additionally stated that Paul Hardrup had a mental disorder resembling madness, but in a conscious state was deprived of his own free will by a hypnotic, suggestive influence. The motivation for committing crimes was the result of external influences. Paul Reiter's opinion was supported by state psychiatrist Max Schmidt. As a result of the trial, Hardrup was placed in a mental institution and Bjørn Schouw Nielsen was sentenced to life imprisonment (White, 1954).

The trial was so important that Paul Reiter was asked if he thought it was possible to force a person to perform any action through hypnosis. The doctor stated that despite the absence of criminal tendencies in a person, it is important to remember that such an assessment can only be superficial, as many murderers have no previous criminal history. He added that during particularly deep hypnosis, a person may be in an unnatural state of mind, and if the hypnotist leads him or her into believing that he or she is performing doing other than in reality, he or she will do it with ease. The differences between criminal and lawful actions, and between social and anti-social attitudes, are unrelated to the true biological nature of human beings (White, 1954).

The hypnotic murders in Copenhagen were the inspiration for the director of the 2018 psychological thriller 'Murderous Trance' ('The Guardian Angel'). Its première once again sparked discussions among psychiatrists about the possibility of hypnotising people to act against their own morals. The most prestigious newspaper in Finland, Helsingin Sanomat, published a detailed article on the subject, in which Hannu Lauerma, professor of psychiatry at the University of Turku, stated that prolonged suggestion can make things seem different than they really are. In such a state, the individual does not perceive his or her actions as wrong and is convinced that what he or she is doing is right and inevitable (Kivipelto, 2018).

#### VI. United States v. Ronald Springston (CR 81-50007-01)

In 1981, Ronald Springston visited a hypnotist hoping that he would help him to lose weight. During one session, the hypnotist said that he had a lot of strength in him and was capable of accomplishing anything he set his mind to, even robbing a bank. Springston did not think he had been hypnotised and discussed the remark with his wife, who worked as a cashier at a bank. He also claimed that the suggestion of a bank robbery continually popped up in his thoughts, resulting in Springston robbing the bank six weeks later, which gave him a huge sense of relief and a sense that a weight was lifted off his shoulders. During the trial, he pleaded not guilty. Forensic expert Paul Deyoub testified that Spring-

gston's social isolation and feelings of worthlessness were exacerbated by his unemployment, which left him with an unconscious need to avoid responsibility. He regularly experienced dissociative states, so it was possible that he had a schizoid personality. The relief he felt after the robbery helped reduce his anxiety. In his view, Springston's difficult mental state did not prove that hypnosis could compel an act against his will, but it did show how potentially dangerous hypnosis can be due to its effectiveness. Springston was sentenced by the court to a six-month stay in a psychiatric hospital (Lippard, 2009).

## 6. Legal and criminal liability

### 6.1. Hypnosis as a form of mental coercion

In the Polish criminal system, there is no norm regarding the responsibility of persons who have committed illegal acts under the influence of hypnosis. These issues may relate to the problem of hypnosis as a form of mental coercion. This is a situation where, as a result of coercion, a motivation is imposed that results in the recipient deciding to perform a criminal act. The concept of mental coercion has a normative origin, but lacks a normative basis. It is important to analyse the strength of such influence in order to make a relevant criminal-law assessment and to determine how mental coercion, as an extra-normative category, affects the scope of criminal liability (Romańczuk-Grącka, 2020).

Despite its intrinsic nature, mental coercion, referred to in criminal law as *vis compulsiva*, is considered a non-statutory circumstance excluding guilt, which is invoked by the judicature. This is because it influences the application of institutions of criminal law by shaping the content of statutory elements (Kowalewska-Łukuć, 2019). An element of mental coercion in hypnosis is psychomanipulation, implemented using a dependency relationship. Its occurrence requires a subjective attitude of the coercer and the coerced. Behaviour resulting from mental coercion does not mean that the person's will is completely switched off. Because of the strong motivational pressure, it results in switching off the freedom to decide, which may be sufficient grounds to exclude guilt. Mental coercion can vary in intensity. Depending on how it affects the offender's perception of the situation, it may provide a basis for reducing guilt, or even for deciding to exclude it altogether.

Another important issue is the effectiveness of mental coercion, when the potential perpetrator does not perform any action, although he or she can resist, he or she does not yet make his own decisions. The use of force is then expected to be sufficient to overcome his or her resistance (Romańczuk-Grącka, 2020).

### 6.2. Mental coercion as an element of ordering a crime

Mental coercion is a key element of ordering a crime. The type of relationship between the actors or the form of the order is not relevant. The timing of the order is important in order to demonstrate a cause and effect relationship between the order and its execution. It is

accepted in the doctrine that ordering the perpetration of a criminal act is to be distinguished from inducement. An order includes strong pressure that results in a lack of autonomous decision, which constitutes a subjective element of mental coercion (Romańczuk-Grącka, 2020). When the order to commit the criminal act is strong, a relationship of dependence is established and it becomes psychological coercion. As a result, the coerced person is not held criminally liable for the unlawful act due to the exclusion of his or her guilt. This does not apply to the ordering perpetrator. It should be kept in mind that the sovereignty of the will of the perpetrator committing the act is gradable and depends on the strength of the dependency relationship and the issuance of an order, so his or her will does not have to be abolished but may be significantly limited (Kowalewska-Łukuć, 2019).

### 6.3. Mental coercion as an element of insanity

As outlined above, the category of mental coercion is non-statutory and cannot constitute by itself a circumstance that excludes guilt. However, it can take on a normative character through the application of institutions of criminal law and, under these conditions, can provide a basis for concluding that the behaviour in question is not required in a particular situation. It is important to determine how hypnosis, which is a form of mental coercion, falls within the elements indicated in Article 31 (1) of the Criminal Code and whether it can be considered as a circumstance excluding or limiting the sanity of the perpetrator of a criminal act.

As hypnosis is neither a mental illness nor a mental impairment, and when considering insanity it is necessary to address another issue, i.e., 'other disturbances of mental functions'. The term has a broad and vague scope. Mental disorders include mental illnesses and mental impairment. The difference between these terms and the third category boils down to the additional word 'other'. The definition of 'other disturbances of mental functions' is explained as 'disorders which do not originate from congenital defects or disease processes, but which are the result, as a rule, of brief and transient reactions of the organism to certain external or internal stimuli (e.g. intoxication with alcohol, medications, poisons, strong affects, menstruation, pregnancy, childbirth, puberty and menopause, hypnosis, etc.)' (Filar, 2008). In addition, 'other disturbances of mental functions' can be pathological states (meningitis) as well as physiological states (hypnotic sleep) (Marek, 1999). This concept refers to any situation in which an individual's personality does not fulfil its regulatory functions. This approach is particularly interesting from the perspective of the occurrence of mental coercion. The subjective element of 'other disturbances of mental functions' is a profound disturbance of consciousness, caused by a profound intervention through the body's response to a stimulus such as mental coercion, occurring as a result of hypnosis, which causes a restriction of behaviour that is beyond the individual's control. Therefore, such a condition can be considered

to fall into this category of 'other disturbances of mental functions', which makes it coincide with *vis compulsiva*.

The broad concept of 'other disturbances to mental functions' is also reflected in case law. In accordance with the judgement of the Supreme Court of 7 May 2019, file ref no.V KK 74/198:

*It should be noted that the other disturbance of mental functions referred to in Article 31 (1) of the Criminal Code is sometimes physiological in nature or is the result of disorders of the central nervous system that are not mental disorders. The term is therefore understood to include not only mental disorders in the strict sense, but also, among other things, strong emotions, extreme fatigue of the body, pathological alcohol intoxication, intoxication, hypnosis, as well as disturbances resulting from organic diseases. Indeed, in such situations, there is no rational basis for applying the most severe protective measure to persons whose insanity was due to such causes, especially since these causes will not be susceptible to psychiatric treatment.*

However, in order to declare a perpetrator insane as a result of the use of hypnosis, the requirements set out in the psychological criteria for insanity must be met. It is necessary to establish that the perpetrator lacked the capacity to recognise the meaning of the act or to control his or her conduct at the time of the act. An important element of the assessment is the loss of a sense of self and a lack of control over actions. It is worth remembering that instances of hypnosis can vary in terms of their effect on a person's consciousness, so each case should be considered individually. Demonstrating that the offender was in a state of hypnosis when perpetrating the crime may provide grounds for concluding that he or she acted in a state of insanity or had his or her sanity reduced to a significant degree.

#### 6.4. Mental coercion as an element of incitement

Incitement, as defined in Article 18 (2) of the Criminal Code, is defined as inducement to commit a criminal act when the instigator imposes motives on another person. Incitement can take many forms, such as requests, promises, suggestions, orders or threats. The intensity of these forms can vary greatly. Thus, mental coercion cannot be excluded as one of the possible methods of inducement that influences the decisions of the perpetrator committing the act (Romańczuk-Grącka, 2020).

### 7. Classification of crimes committed under the influence of hypnosis

The guarantee function of criminal law is fulfilled, among other things, by the principle of *nullum crimen sine culpa*, as expressed in Article 1 (3) of the Criminal Code. This principle provides the foundation in a situation where the perpetrator cannot be held criminally liable because no guilt can be attributed to him or her at the time of the act. The condition of culpability is sanity, defined as a person's ability to assign blame for the crime committed (Golonka, 2012).

In the case of crimes committed under the influence of hypnosis, we can argue that hypnosis is a form of mental coercion. However, the limitation of the hypnotised person's sovereignty is gradable, which is undoubtedly an important factor in the assessment of the behaviour resulting in the attribution of the elements of a specific type of criminal act. Thus, the hypnotist's contribution to the fulfilment of the elements of a given type of criminal act can be considered through the following situational arrangements.

In a situation where the will of the hypnotised person is completely restricted:

1. If the hypnotised person was under the complete control of the hypnotist, he or she was deprived of freedom of expression and control over his or her actions. The hypnotist is the ordering perpetrator and the hypnotised person is not criminally liable due to the exclusion of guilt.

In a situation where the will of the hypnotised person is significantly restricted:

1. Hypnosis may not be deep enough and the hypnotised person retains the ability to control his or her actions. The hypnotist's act should be classified as a perpetration by ordering (attempted mental coercion), if there are actions of the hypnotised *corpus delicti*, then he or she is the perpetrator.
2. The hypnotist inspires the person not with the order to do something, but with the desire or motives to commit the crime. The hypnotist is an instigator; through mental violence he or she induces a person to commit a crime. The person who carries out the plan is the perpetrator, although, despite his or her 'artificial' desires and motives, he or she has free will and can control his or her actions.
3. A person under the influence of hypnosis has committed an unlawful act, but may have known or suspected that he or she was hypnotised for a criminal purpose and did not attempt to resist the process of inducing hypnosis. In such a case, the person should be held liable because he or she had free will and could have control his or her actions despite the lack of awareness at the time of the offence. The hypnotist's actions must be classified as incitement to a crime and the perpetrator is liable according to the general rules.

In the absence of restrictions on the will of the hypnotised person:

4. The person knew about hypnosis but wanted to be hypnotised in order to commit a crime to avoid criminal responsibility in the future. The hypnotised person is a living instrument for committing a crime and expresses a desire to be such an instrument. The acts of the hypnotist should be classified as aiding and abetting, and the hypnotised person is liable according to the general rules.

The hypnotist can be held criminally liable under:

- Article 18 (1) in fine of the Criminal Code as the ordering perpetrator, when the performing perpetrator is only an instrument and his or her sovereignty of will is significantly reduced or abolished;
- Article 18 (2) of the Criminal Code for incitement, i.e.

inducement by means of a suggestion addressed to the hypnotised person motivating him or her to commit a criminal act by arousing an intention to commit a crime; however, the decision of the performing perpetrator is made under conditions of free choice. Unlike in perpetration by ordering, in the case of instigation the person does not take advantage of a dependence relationship;

- Article 18 (3) of the Criminal Code for aiding and abetting, i.e. facilitating the perpetration of the crime to the perpetrator. In this case, reasserting another person's intention to commit a criminal act previously conceived by that person constitutes 'suggestive aiding and abetting', which is a form of mental aiding and abetting. By influencing the psyche of the perpetrator through mental support, the hypnotist facilitates the decision and execution of a criminal act. By behaving in this way, he or she creates an atmosphere in which the perpetrator's intention matures and solidifies (Kulesza, 2013).

In the case of incitement or aiding and abetting, the punishment is applied within the limits provided for perpetration, but in the case of aiding and abetting, pursuant to Article 19 (2) of the Criminal Code, the court may apply extraordinary leniency.

The criminal liability of the person undergoing hypnosis, depending on the preservation of consciousness, can be:

- ruled out on the basis of guilt (mental coercion, 'other disturbances of mental functions');
- in cases of diminished sanity, the court may grant extraordinary leniency;
- may be liable according to the general rules, up to the limit of the penalty prescribed for the crime in question.

To sum up, the criminal-law aspects of the assessment of behaviour indicated in the above cases do not allow the construction of co-perpetration to be adopted, as it covers behaviour where the accomplices participate together in the perpetration of a criminal act at the time it is committed. This does not include behaviour that facilitates or enables its perpetration before or after the criminal act - these are actions characteristic of an accomplice in the form of aiding and abetting. For this reason, co-perpetration is excluded, and this is reflected in the construction of Article 18 (1) of the Criminal Code, since in order for co-perpetration to exist, it is necessary to demonstrate the objective element, i.e. the joint fulfilment of the elements of the criminal act, and the subjective element, i.e. the establishment of an agreement between two persons (Sokolowska, 2018).

In each case, the assessment of criminal liability requires a detailed analysis, the opinions of expert psychiatrists and psychologists, who assess to what extent the hypnosis affected the person's mental state at the time the act was committed; how deep the state of hypnosis was; what suggestions were given and to what extent the person was susceptible to these suggestions. It is crucial to assess the state of consciousness and intention of the person acting under the influence of hypnosis who committed a criminal act.

## 8. Qualifications of the hypnotist

As shown above, in a state of hypnosis, a person's consciousness is reduced, perception to external stimuli is limited and critical thinking is impaired. Such a condition leads to many dangers. The most important thing is to ensure the safety of the hypnotised person, so the use of hypnosis requires the observance of certain rules. Hypnosis should only be practised by doctors and psychologists within the limits of their professional competence. In 1999, a group of clinical psychologists and psychotherapists affiliated with prof. Jerzy Aleksandrowicz established the Society for Therapeutic Hypnosis and Hypnosis Research. It is worth noting that in the following years due to the changes in the society's methods of operation and orientation towards irrationalism, prof. Aleksandrowicz withdrew from supporting the activities and functioning of that society, this was in contradiction with the professor's previous scientific output and clinical approach. However, in accordance with the Society's Code of Ethics, which is modelled on the Code of the International Society of Hypnosis<sup>9</sup>:

*4.1 A member of the Society shall not support the clinical or experimental practice or teaching of hypnosis by persons without training in hypnosis that meets the Society's standards.*

*4.2 A member of the Society should not run courses involving the teaching of techniques to non-professionals who lack professional knowledge. Lectures informing non-professionals about hypnosis are, of course, acceptable - as long as they do not include demonstrations and teaching material on how to conduct hypnosis.*

In 1920, the Polish Psychiatric Society was founded, an organisation of Polish psychiatric doctors whose main aim was to establish the principles of psychiatric legislation, the organisation of psychiatric care and the representation of Polish psychiatry at international forums. The structure of the Society includes the Committee for Clinical Hypnosis, established on the initiative of prof. Jerzy Aleksandrowicz, who oversaw the theoretical and clinical output in the field of hypnosis. According to the Code of Ethics of the Committee for Clinical Hypnosis of the Polish Psychiatric Society: 10

*5. A member of the Society should prevent the practice of hypnosis by non-professionals.*

*5.1 A non-professional is deemed to be anyone who is not qualified as a clinician, in particular does not have a degree in medicine, dentistry, psychology or any other scientific or clinical field of study as a basis for the use of hypnosis techniques in a clinical setting.*

*5.2 A member of the Society shall not run hypnosis courses involving the teaching of non-professionals who lack appropriate training. Lectures to non-professionals on hypnosis are, of course, acceptable - provided, however, that they do not include demonstrations and teaching material on the details of conducting hypnosis procedures and induction methods.*

Despite the attempt to prevent non-professionals from practising hypnosis, the guidelines described above apply only to members of the society and are not le-

gal rules. Violations of ethical rules cannot be punished in the strict sense, and the only sanction is exclusion from the society. This is a huge problem because a person can continue to practice hypnosis despite breaking ethical rules, which can result in harm to the hypnotised person. Hypnosis as a method is not dangerous, but the lack of competence of the person undertaking hypnosis can lead to harmful consequences. This phenomenon is aptly described by prof. Jerzy Aleksandrowicz: *Leaving aside the issue of honesty, which is important in view of the possibility of misleading the hypnotised person, the issue of the hypnotist's qualification requirements is very controversial. It seems that, just as in the case of prescribing medicines, when it comes to hypnosis too, the rights should be restricted to those professional groups that have the appropriate knowledge of human beings. The use of hypnosis by non-professionals, journalists, chemists, etc., even if they have received the highest training in the field, is highly questionable. Technical hypnotic skills alone do not constitute competence, because even with the best intentions and integrity, amateur hypnotists do not have sufficient knowledge of when their influence can help and when it can harm. And it does not matter whether the subjects of their treatments are healthy or sick people, they can cause irreparable damage.* (Augustynek, 2005).

It is necessary to ensure exclusive rights to use hypnosis in order to avoid unethical treatment or exploitation of 'unconscious' patients. In order to prevent damage to physical and mental health through the unskillful use of hypnosis, it is recommended that a licence to practise as a hypnotist be introduced. Thus, psychiatrists and clinical psychologists are the most predisposed to practise hypnosis.

## 9. Conclusions

After analysing the origins of hypnosis, through experiments and real cases, up to the liability of those who commit a crime under the influence of post-hypnotic suggestion, the following questions arise: Can hypnosis be an ideal criminal tool? Can a hypnotised person be used to commit a crime or be induced to commit suicide? Is a hypnotised person aware of his or her actions?

After this analysis, the following conclusions emerge:

1. A person in a state of hypnosis can also commit a crime when his or her actions are contrary to moral norms.
2. Criminal hypnosis can constitute a form of mental coercion and lead to the occurrence of 'other mental disturbances', when the hypnotised person is unable to control his or her behaviour and his or her free will is restricted.
3. A person without the appropriate qualifications may, as a result of the use of hypnosis, act to the detriment of the person under hypnosis.

The possibility of influencing people through hypnosis against their will is real. There are, after all, manipulation techniques that can make people act in ways

contrary to their pre-existing beliefs and attitudes. There are also court cases confirming that hypnotists have used hypnosis to make people commit murder or to manipulate their behaviour during attacks. Controlling people in a way that does not comply with the ethics of hypnotherapy provides the basis for classifying such actions as crimes.

At present, sufficient standards and rules have not yet been developed to define and clarify the scope of permissible use of hypnosis and to establish liability for offences committed using it. In order to prevent crimes committed using hypnosis understood as a type of mental coercion, it is recommended to create a legislative definition of criminal hypnosis, to define the set of persons authorised to use hypnosis and to indicate the rules for obtaining a licence to conduct and teach hypnosis. A person who commits an offence under the influence of a post-hypnotic suggestion should not be criminally liable if, prior to the hypnosis, he or she was unaware of the suggestion being made and, during the hypnosis, was unable to resist it or control his or her actions.

It is worth to notice the German model for determining insanity, according to sec. 20 of the StGB (Deutsche Strafgesetzbuch - German Criminal Code):

*Without guilt acts is the one who, at the time of committing the criminal act, due to mental illness, profound disturbance of consciousness, or mental impairment, or any other severe mental disorder, is incapable of recognising the unlawfulness of his or her conduct or of control his or her conduct according to this recognition.* (Golonka, 2012).

Hypnosis used for criminal purposes should be defined as an altered state of consciousness created by deliberate and unlawful influence on the psyche of the hypnotised person. This is to be understood as a diverse influence on a person's psyche, inducing in him or her a state that suppresses his or her will, restricts his or her ability to act freely and is used as a tool to commit a crime.

Given that hypnosis is a specific type of mental coercion, constituting 'other disturbances of mental functions', the recognition that the perpetrator acted under the influence of hypnosis or not is of vital importance in determining his or her guilt and possible criminal liability. It should be noted that the current wording of Article 31 of the Criminal Code defines insanity as mental illness, mental impairment and 'other disturbances of mental functions'. However, hypnosis is not subject to a medical criterion, it is not a chronic mental disorder, but rather a special psychophysical state. The third category of sources of insanity suggests that 'other disturbances to mental functions' should have a pathological basis, which, unlike mental disorders, are of short duration, occur suddenly, and are not chronic (Golonka, 2011). It is worth considering the legislator's use of the terminology of insanity used in German criminal law, which refers to the assumption of a profound disturbance of consciousness as a premise of insanity. To that extent, it allows for a more precise definition of the type of states to be taken into account in the con-

text of the exclusion of sanity other than the concept of 'other disturbances to mental functions'. A physiological disorder such as hypnosis is in German law qualified as a source of insanity, as it leads to profound disturbances of consciousness. For this reason, it seems reasonable to amend Article 31 of the Criminal Code in order to exempt persons undergoing hypnosis for criminal purposes from criminal liability. The proposed solution could provide an alternative to the vague de-

inition of the regulation regarding "other disturbances of mental functions". The ambiguous concept is controversial, and at the borderline between different fields of science, and as such can lead to discrepancies in its understanding. The proposed change will contribute to resolve existing conflicts regarding the incurring of criminal liability by persons with as a result of hypnosis completely excluded sanity.

## Bibliography

1. Augustynek A. (2005). *Prawno-etyczne aspekty stosowania hipnozy*. <http://www.psychologia.net.pl/artukul.php?level=205>, (dostęp: 10.10.2024).
2. Bachner-Melman R., & Lichtenberg P. (2001). Freud's Relevance to Hypnosis: A Reevaluation. *American Journal of Clinical Hypnosis*, 44 (1). <https://doi.org/10.1080/00029157.2001.10403454>.
3. Bogousslavsky J., Walusinski O., & Veyrunes D. (2009). Crime, Hysteria and Belle Époque Hypnotism: The Path Traced by Jean-Martin Charcot and Georges Gilles de la Tourette. *European Neurology*, 62(4), 196. <https://doi.org/10.1159/000228252>.
4. Brożyna E. (2017). Czynniki ludzki a bezpieczeństwo w ruchu drogowym. *Autobusy: technika, eksploatacja, systemy transportowe*, 18 (7-8), 51. Instytut Naukowo-Wydawniczy „SPATIUM”. sp. z o.o..
5. Dembińska E., & Rutkowski K. (2016). Rozwój psychoterapii jako metody leczenia zaburzeń psychicznych na Uniwersytecie Jagiellońskim i w Krakowie do wybuchu I wojny światowej. *Psychiatria Polska*, 50(1), 249-253. <https://doi.org/10.12740/PP/OnlineFirst/39950>.
6. Dobroczyński B. (2005). *Idea nieświadomości w polskiej myśli psychologicznej przed Freudem. Towarzystwo Autorów i Wydawców Prac Naukowych „Universitas”*.
7. Eysenck H. J. (1965). *Sens i nonsens w psychologii*. Wydawnictwo PWN.
8. Filar M. (2008). *Kodeks karny. Komentarz*. Wydawnictwo Prawnicze Lexis Nexis.
9. Gantet C. (2021). The dissemination of mesmerism in Germany (1784–1815): Some patterns of the circulation of knowledge. *Centaurus*, 63(4), 763-764. <https://doi.org/10.1111/1600-0498.12396>.
10. Gifford B. (2023). Ericksonian hypnosis, *Hypnotherapy Directory*. <https://www.hypnotherapy-directory.org.uk/approach/ericksonian.html>, (dostęp: 10.10.2024).
11. Golonka A. (2012). PSYCHOLOGICZNE KRYTERIA OCENY POCZYTALNOŚCI SPRAWCY CZYNU ZABRONIONEGO, *Wojskowy Przegląd Prawniczy* 3, 1-3. <https://www.gov.pl/web/prokuratura-krajowa/wpp-numer-3-2012>.
12. Golonka A. (2011). Zaburzenia preferencji seksualnych a „inne zakłócenia czynności psychicznych”. *Czasopismo Prawa Karnego i Nauk Penalnych*, 3, 95-96. <https://www.czpk.pl/artykuly/zaburzenia-preferencji-seksualnych-a-inne-zaklolenia-czynnosci-psychicznych>.
13. Grudnik K. (2018). FASCYNUJĄCA HISTORIA BŁĘDU (KATA-RZYNA CZECZOT: „MAGNETYZM”), *ArtPapier*, 2 (338). <http://artpapier.com/index.php?page=artykul&wydanie=340&artykul=6588>.
14. Kauders A. D. (2017). NEGOTIATING FREE WILL: HYPNOSIS AND CRIME IN EARLY TWENTIETH-CENTURY GERMANY. *The Historical Journal*, 60(4), 18-19. <https://doi.org/10.1017/S0018246X16000601>.
15. Kivipelto A. (2018). Hypnoosi on väärissä käsissä vaarallinen ase, eikä sitä saisi opettaa kenelle tahansa – Tanskalaisen ryöstömurhan tarina osoittaa, että taitava hypnotisoija saa ihmisen tekemään mitä vain [Hypnosis is a dangerous weapon in the wrong hands, and it should not be taught to anyone - the story of the Danish robbery shows that a skilled hypnotist makes a person do anything]. *Helsingin Sanomat*. <https://www.hs.fi/tiede/art-2000005641179.html>, (dostęp: 10.10.2024).
16. Kowalewska-Lukuć M. (2019). Sprawstwo polecające a przymus psychiczny. *Przegląd Sądowy*, 5, 51-54. Wydawnictwo Wolters Kluwer Polska.
17. Kulesza J. (2013). Głosa do wyroku z 8 XII 2011, II KK 162/11. *Państwo i Prawo*, 9.
18. Lemig C. (2023). Meditation Vs. Self-Hypnosis: Understanding the Difference. *Choosing Therapy*. <https://www.choosingtherapy.com/meditation-vs-self-hypnosis/>, (dostęp: 10.10.2024).
19. Lippard J.J. (2009). Hypnosis, Voluntary Action, and the Law. *SSRN Electronic Journal*. <http://dx.doi.org/10.2139/ssrn.1867824>.
20. Lu C. (1979). Hypnosis As A Defense. *University of Baltimore Law Forum*, 10 (1), 14. <http://scholarworks.law.ubalt.edu/lflvol10/iss1/6>, (dostęp: 10.10.2024).
21. Marek A. (1999). *Komentarz do kodeksu karnego. Część ogólna*. Wydawnictwo Prawnicze.
22. Orłowski S. (1902). *Sugestyja i hipnotyzm. Według odczytów wygłoszonych w sali ratuszowej w dniu 5 i 8 marca 1902 na dochód Towarzystwa osad rolnych*. Wydawca Franciszek Jul. Granowski.
23. Pawlicki M. (2017). Hipnoza-możliwe i niemożliwe-problem definiowania pojęcia. *The Peculiarity of Man*, 2, 169-175. <https://czasopisma.marszalek.com.pl/images/pliki/tpom/26/tpom2611.pdf>.
24. Reeves D. (2024). *Hypnosis in History: How Ancient Civilizations Used Hypnosis*, Cuyamungue The Felicitas D. Goodman Institute. <https://www.cuyamungueinstitute.com/articles-and-news/hypnosis-in-ancient-civilizations/>, (dostęp: 10.10.2024).
25. Romańczuk-Grącka M. (2020). Pojęcie i funkcje przymusu psychicznego w prawie karnym. Wydawnictwo C.H.Beck.
26. Siuta J., & Wójcikiewicz J. (1999). *Hipnoza kryminalna*. Wydawnictwo Instytutu Ekspertyz Sądowych.
27. Steimer S. (2021). Mihaly Csikszentmihalyi, pioneering psychologist and 'father of flow,' 1934–2021. *UChicago news*. <https://news.uchicago.edu/story/mihaly-csikszentmihalyi-pioneering-psychologist-and-father-flow-1934-2021>, (dostęp: 10.10.2024).
28. Sokółowska D. (2018). Subiektywny i obiektywny komponent współsprawstwa jako przyczynki do rozważań nad problemem rozgraniczania współsprawstwa i pomocnictwa. *Palestra*, 12. <https://palestra.pl/pl/czasopismo/wydanie/12-2018/artukul/subiektywny-i-obiektywny-komponent-wspolprawstwa-jako-przyczynki-do-rozwazan-nad-problemem-rozgraniczania-wspolprawstwa-i-pomocnictwa>.
29. White J. R. (1954). Hypnotist's sentence in murder viewed as a legal precedent, *The Miami News*, 3, 8. <https://www.news-papers.com/article/the-miami-news-hypnotists-sentence-in-m/117349413/The%20Miami%20News,%202008/1954%20Page%208/>.
30. Wojcieszak A. (2016). *Hipnoza kryminalna [Artykuł stanowi część publikacji książkowej zawierającej referaty wygłoszone przez uczestników konferencji „III Dni Kryminalistyki Wydziału Prawa i Administracji Uniwersytetu Rzeszowskiego”, zorganizowanej przez Koło Naukowe Prawa Karnego Studentów UR „Iustitia” w dniach 27–29.4. 2009 r. w Rzeszowie]*. [http://www.edukacja.prawnicza.pl/index.php?mod=m\\_aktualnosc&id=69&id=932&p=1](http://www.edukacja.prawnicza.pl/index.php?mod=m_aktualnosc&id=69&id=932&p=1), (dostęp: 10.10.2024). Wolfram H. (2017). Crime and hypnosis in Fin-De-Siecle Germany: The Czynski case. *The Royal Society*. 71(2), 215-222. <https://doi.org/10.1098/rsnr.2017.0005>.

## Endnotes

1. *Podejść bliżej, bo im bardziej myślisz, że widzisz więcej, tym łatwiej będzie Cię oszukać.* (tłum. własne).
2. Wybitny lekarz psychiatra i psychoterapeuta, nauczyciel psychoanalizy, jeden z pionierów psychoterapii w Polsce, związany z Uniwersytetem Jagiellońskim.
3. Oficjalna strona internetowa Amerykańskiego Towarzystwa Psychologicznego. <https://www.apadivisions.org/division-30/about>, (dostęp: 8.08.2025).

4. Francuski prawnik, członek „szkoły w Nancy” znany ze swojej pracy nad hipnozą i sugestiami kryminalnymi.
5. Inaczej lunatyk, to osoba cierpiąca na zaburzenie snu, kiedy to wykonuje różne czynności, nie będąc tego świadomą.
6. Ustawa z 6.06.1997 r. - Kodeks karny (Dz.U. z 2024 r. poz. 17).
7. Objaw kliniczny w formie zaburzenia aktywności, charakteryzujący się patologicznym brakiem lub niedostatkami woli, który skutkuje niemożnością podejmowania decyzji i działań.
8. Wyrok Sądu Najwyższego z 7 maja 2019 r., sygn. akt V KK 74/19. LEX nr 2685535.
9. Oficjalna strona internetowa Towarzystwa Hipnozy Terapeutycznej i Badań nad Hipnozą. <https://www.hipnoza.org.pl/>, (dostęp: 10.10.2024).
10. Oficjalna strona internetowa Polskiego Towarzystwa Psychiatrycznego. <https://psychiatria.org.pl/>, (dostęp: 10.10.2024).