

Mind, Memory and Justice

INTRODUCTION

How good is your memory? If you had seen a crime being committed, would you make a good witness in trial?

Explain to students that for many people, the best kind of evidence is that which you have 'seen for yourself'. But can you believe your own eyes?

ACTIVITY

Show students the TEDx talk by Elizabeth Loftus, 'How reliable is your memory?' at https://www.ted.com/talks/elizabeth_loftus_the_fiction_of_memory You can show the whole talk if you have time or just from 0'11" to 5'30" and from 14'00" to the end.

Ask the students to respond to such questions as:

- *What do you think should have happened in the trial of Steve Titus?*
- *Does Elizabeth Loftus' talk mean that all eye-witness accounts are untrustworthy? Why / why not?*

ACTIVITY

Show students <https://www.youtube.com/watch?v=vJG698U2Mvo> and stop the film after 56 seconds when the information about the gorilla is revealed. Then ask the students:

- *Did you see the gorilla?*
- *What colour was the curtain in the film?*
- *How many players in black shirts were there at the end?*

Then play the rest of the film.

Ask the students to respond to such questions as:

- *What surprised you about the film?*
- *Do you think you may have already gathered some 'false memories'?*
- *Can you think of some examples where false memories lead to a lot of trouble?*

CONCLUSION

Suggest to students that they try keeping a diary in the coming week. Can they write down observations in an honest, unbiased way? Advise them to try to record the actual emotions they were feeling at the time of events that occur, no matter how positive or negative. Challenge them to do this before the passing of time allows the subconscious to 'tweak' those feelings.

At the start of the next session, ask students how successful they think they have been in this exercise and to offer some reflections on the experience.