

Wann gefährdet Psychotherapie die Glaubhaftigkeit in Strafverfahren (und wann nicht)?

Erläuterungen und Handlungsempfehlungen für Psychotherapeut*innen

Jonas Schemmel

Literatur

- Aleksic, M., Reineck, A., Ehring, T., & Wolkenstein, L. (2024). When does imagery rescripting become a double-edged sword?- Investigating the risk of memory distortion through imagery rescripting in an online Trauma film study. *Behaviour Research and Therapy*, 174, 104495. <https://doi.org/10.1016/J.BRAT.2024.104495>
- Anthony, K., & Janssen, S. M. J. (2023). A Brief Overview of Research into the Forgot-It-All-Along Effect. *Topics in Cognitive Science*. <https://doi.org/10.1111/TOPS.12670>
- Ask, K., & Landström, S. (2010). Why emotions matter: Expectancy violation and affective response mediate the emotional victim effect. *Law and Human Behavior*, 34 (5), 392–401. <https://doi.org/10.1007/S10979-009-9208-6>
- Bernstein, D. M., Scoboria, A., Desjarlais, L., & Soucie, K. (2018). “False memory” is a linguistic convenience. *Psychology of Consciousness: Theory Research, and Practice*, 5 (2), 161–179. <https://doi.org/10.1037/cns0000148>
- Baldwin, J. R., Wang, B., Karwatowska, L., Schoeler, T., Tsaligopoulou, A., Munafò, M. R., & Pingault, J. B. (2023). Childhood Maltreatment and Mental Health Problems: A Systematic Review and Meta-Analysis of Quasi-Experimental Studies. *American Journal of Psychiatry*, 180(2), 117–126. <https://doi.org/10.1176/APPI.AJP.20220174>
- Brainerd, C. J., & Reyna, V. F. (2005). *The science of false memory*. Oxford University Press.
- Branaman, T. F., & Gottlieb, M. C. (2013). Ethical and legal considerations for treatment of alleged victims: When does it become witness tampering? *Professional Psychology: Research and Practice*, 44(5), 299–306. <https://doi.org/10.1037/A0033020>
- Brewin, C. R., & Andrews, B. (2017). Creating Memories for False Autobiographical Events in Childhood: A Systematic Review. *Applied Cognitive Psychology*, 31(1), 2–23. <https://doi.org/10.1002/acp.3220>
- Bublitz, C. (2019). Gesundheit oder Glaubhaftigkeit? Auswege aus dem traumatherapeutischen Dilemma. *Ethik in Der Medizin*, 8(4), 429–438. <https://doi.org/10.1007/s00481-019-00560-3>
- Calvillo, D. P., & Emami, A. S. (2019). Do lateral eye movements increase susceptibility to misinformation? A registered replication. *Psychonomic Bulletin and Review*, 26(6), 1905–1910. <https://doi.org/10.3758/S13423-019-01641-6/TABLES/2>

- Calvillo, D. P., & Parong, J. A. (2016). The misinformation effect is unrelated to the DRM effect with and without a DRM warning. *Memory*, 24(3), 324–333. <https://doi.org/10.1080/09658211.2015.1005633>
- Campbell Swiecicki, C., & Hollingsworth, J. (2015). A response to Branaman and Gottlieb's "Ethical and legal considerations for treatment of alleged victims: When does it become witness tampering?": *Professional Psychology: Research and Practice*, 46(3), 197–201 | 10.1037/pro0000012. *Professional Psychology: Research and Practice*, 46(3), 197–201. <https://doi.org/https://doi.org/10.1037/pro0000012>
- Clancy, S. A., & McNally, R. J. (2005). Who needs repression? Normal memory processes can explain forgetting of childhood sexual abuse. *The Scientific Review of Mental Health Practice: Objective Investigations of Controversial and Unorthodox Claims in Clinical Psychology, Psychiatry, and Social Work*, 4(2), 66–73. <https://psycnet.apa.org/record/2008-00021-009>
- Danielsdóttir, H. B., Aspelund, T., Shen, Q., Halldorsdottir, T., Jakobsdóttir, J., Song, H., Lu, D., Kuja-Halkola, R., Larsson, H., Fall, K., Magnusson, P. K. E., Fang, F., Bergstedt, J., & Valdimarsdóttir, U. A. (2024). Adverse Childhood Experiences and Adult Mental Health Outcomes. *JAMA Psychiatry*. <https://doi.org/10.1001/JAMAPSYCHIATRY.2024.0039>
- Dodier, O., Barzykowski, K., & Souchay, C. (2023). Recovered memories of trauma as a special (or not so special) form of involuntary autobiographical memories. *Frontiers in Psychology*, 14, 1268757. <https://doi.org/10.3389/FPSYG.2023.1268757>
- Dodier, O., & Patihis, L. (2021). Recovered memories of child abuse outside of therapy. *Applied Cognitive Psychology*, 35(2), 538–547. <https://doi.org/10.1002/ACP.3783>
- Dodier, O., Patihis, L., & Payoux, M. (2019). Reports of recovered memories of childhood abuse in therapy in France. *Memory*, 27(9), 1283–1298. <https://doi.org/10.1080/09658211.2019.1652654>
- Ehlers, A., Ehling, T., & Kleim, B. (2012). Information Processing in Posttraumatic Stress Disorder. In J. G. Beck & D. M. Sloan (Eds.), *The Oxford Handbook of Traumatic Stress Disorders* (pp. 191–218). Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780195399066.013.0014>
- Falzarano, F., & Siedlecki, K. L. (2019). Investigating the relations among different measures of false memory. *Advances in Cognitive Psychology*, 15(4), 290–300. <https://doi.org/10.5709/acp-0276-0>
- Fouché, A., & Fouché, D. F. (2017). Pre-trial therapy for child witnesses in cases of sexual abuse: A scoping literature review. *Journal of Psychology in Africa*, 27(5), 462–471. <https://doi.org/10.1080/14330237.2017.1375201>
- Fouché, A., & le Roux, L. (M P.). (2018). Social workers' views on pre-trial therapy in cases of child sexual abuse in South Africa. *Child Abuse & Neglect*, 76, 23–33. <https://doi.org/10.1016/J.CHIABU.2017.09.008>
- Gallo, D. A. (2010). False memories and fantastic beliefs: 15 years of the DRM illusion. In *Memory and Cognition* (Vol. 38, Issue 7, pp. 833–848). <https://doi.org/10.3758/MC.38.7.833>
- Ganslmeier, M., Ehling, T., & Wolkenstein, L. (2023). Effects of imagery rescripting and imaginal exposure on voluntary memory. *Behaviour Research and Therapy*, 170, 104409. <https://doi.org/10.1016/J.BRAT.2023.104409>

- Ganslmeier, M., Kunze, A. E., Ehring, T., & Wolkenstein, L. (2023). The dilemma of trauma-focused therapy: effects of imagery rescripting on voluntary memory. *Psychological Research*, 87(5), 1616–1631. <https://doi.org/10.1007/S00426-022-01746-Z/TABLES/5>
- Goodman, G. S., Gonzalves, L., & Wolpe, S. (2019). False Memories and True Memories of Childhood Trauma: Balancing the Risks. *Clinical Psychological Science*, 7(1), 29–31. <https://doi.org/10.1177/2167702618797106>
- Gropp, S., & Stahlmann-Liebelt, U. (2021). Umsetzung der Opferrechte in der Praxis – Sachstand und neue Ansätze. In R. P. Anders, K. Graalman-Scheerer, & J. H. Schady (Eds.), *Innovative Entwicklungen in den deutschen Staatsanwaltschaften* (pp. 193–233). Springer. https://doi.org/10.1007/978-3-658-34219-7_10
- Hailes, H. P., Yu, R., Danese, A., & Fazel, S. (2019). Long-term outcomes of childhood sexual abuse: an umbrella review. *The Lancet. Psychiatry*, 6(10), 830–839. [https://doi.org/10.1016/S2215-0366\(19\)30286-X](https://doi.org/10.1016/S2215-0366(19)30286-X)
- Hogg, B., Gardoki-Souto, I., Valiente-Gómez, A., Rosa, A. R., Fortea, L., Radua, J., Amann, B. L., & Moreno-Alcázar, A. (2023). Psychological trauma as a transdiagnostic risk factor for mental disorder: an umbrella meta-analysis. *European Archives of Psychiatry and Clinical Neuroscience*, 273(2), 397–410. <https://doi.org/10.1007/S00406-022-01495-5/>
- Hohoff, U. (2021). Aktuelle Fragen der aussagepsychologischen Begutachtung von Opferzeugen in Strafverfahren. *Praxis Der Rechtspsychologie*, 31(1), 151–160.
- Houben, S. T. L., Otgaar, H., Roelofs, J., & Merckelbach, H. (2018). Lateral Eye Movements Increase False Memory Rates. *Clinical Psychological Science*, 6(4), 610–616. <https://doi.org/10.1177/2167702618757658>
- Houben, S. T. L., Otgaar, H., Roelofs, J., Smeets, T., & Merckelbach, H. (2020). Increases of correct memories and spontaneous false memories due to eye movements when memories are retrieved after a time delay. *Behaviour Research and Therapy*, 125, 103546. <https://doi.org/10.1016/J.BRAT.2019.103546>
- Howe, M. L. (2022). Early Childhood Memories Are not Repressed: Either They Were Never Formed or Were Quickly Forgotten. *Topics in Cognitive Science*, 0, 1–11. <https://doi.org/10.1111/TOPS.12636>
- Hyman, I. E., & Loftus, E. F. (1998). Errors in Autobiographical Memory. *Clinical Psychology Review*, 18(8), 933–947.
- Kenchel, J. M., Domagalski, K., Butler, B. J., & Loftus, E. F. (2022). The messy landscape of eye movements and false memories. *Memory*, 30(6), 678–685. <https://doi.org/10.1080/09658211.2020.1862234>
- Kessler, R. C., Aguilar-Gaxiola, S., Alonso, J., Benjet, C., Bromet, E. J., Cardoso, G., Degenhardt, L., de Girolamo, G., Dinolova, R. V., Ferry, F., Florescu, S., Gureje, O., Haro, J. M., Huang, Y., Karam, E. G., Kawakami, N., Lee, S., Lepine, J. P., Levinson, D., ... Koenen, K. C. (2017). Trauma and PTSD in the WHO World Mental Health Surveys. *European Journal of Psychotraumatology*, 8. <https://doi.org/10.1080/20008198.2017.1353383>

- Leer, A., & Engelhard, I. M. (2020). Side effects of induced lateral eye movements during aversive ideation. *Journal of Behavior Therapy and Experimental Psychiatry*, 68, 101566. <https://doi.org/10.1016/J.JBTEP.2020.101566>
- Lindsay, D. S., & Read, J. D. (1994). Psychotherapy and memories of childhood sexual abuse: A cognitive perspective. *Applied Cognitive Psychology*, 8(4), 281–338. <https://doi.org/10.1002/acp.2350080403>
- Loftus, E. F. (2005). Planting misinformation in the human mind: a 30-year investigation of the malleability of memory. *Learning & Memory*, 12(4), 361–366. <https://doi.org/10.1101/LM.94705>
- Loftus, E. F., & Davis, D. (2006). Recovered Memories. *Annual Review of Clinical Psychology*, 2, 469–498. <https://doi.org/10.1146/annurev.clinpsy.2.022305.095315>
- Loftus, E. F., & Klemfuss, J. Z. (2023). Misinformation – past, present, and future. *Psychology, Crime & Law*. <https://doi.org/10.1080/1068316X.2023.2219813>
- Lynn, S. J., Krackow, E., Loftus, E. F., Locke, T. G., & Lilienfeld, S. O. (2015). Constructing the past: Problematic memory recovery techniques in psychotherapy. In S. O. Lilienfeld, S. J. Lynn, & J. M. Lohr (Eds.), *Science and Pseudoscience in Clinical Psychology* (pp. 210–244). The Guilford Press.
- Maercker, A., Forstmeier, S., Wagner, B., Glaesmer, H., & Brähler, E. (2008). Posttraumatische Belastungsstörungen in Deutschland. Ergebnisse einer gesamtdeutschen epidemiologischen Untersuchung. *Nervenarzt*, 79(5), 577–586. <https://doi.org/10.1007/s00115-008-2467-5>
- Mauritz, M. W., Goossens, P. J. J., Draijer, N., & van Achterberg, T. (2013). Prevalence of interpersonal trauma exposure and trauma-related disorders in severe mental illness. *European Journal of Psychotraumatology*, 4(SUPPL.). <https://doi.org/10.3402/EJPT.V4I0.19985>
- McKay, M. T., Kilmartin, L., Meagher, A., Cannon, M., Healy, C., & Clarke, M. C. (2022). A revised and extended systematic review and meta-analysis of the relationship between childhood adversity and adult psychiatric disorder. *Journal of Psychiatric Research*, 156, 268–283. <https://doi.org/10.1016/J.JPSYCHIRES.2022.10.015>
- McLaughlin, K. A., Koenen, K. C., Hill, E. D., Petukhova, M., Sampson, N. A., Zaslavsky, A. M., & Kessler, R. C. (2013). Trauma exposure and posttraumatic stress disorder in a national sample of adolescents. *Journal of the American Academy of Child and Adolescent Psychiatry*, 52(8), 815–830.e14. <https://doi.org/10.1016/j.jaac.2013.05.011>
- McNally, R. J. (2003). *Remembering trauma*. Belknap Press/Harvard University Press.
- McNally, R. J. (2005). Debunking Myths about Trauma and Memory. *The Canadian Journal of Psychiatry*, 50(13), 817–822. <https://doi.org/10.1177/070674370505001302>
- McNally, R. J. (2023). The Return of Repression? Evidence From Cognitive Psychology. *Topics in Cognitive Science*, 00, 1–14. <https://doi.org/10.1111/TOPS.12638>
- McNally, R. J., & Geraerts, E. (2009). A New Solution to the Recovered Memory Debate. *Perspectives on Psychological Science*, 4(2).

- Meckling, H. I., Nauta, M. H., van Hout, W. J. P. J., & Wessel, I. (2024). The effects of eye movements on the content and characteristics of unpleasant autobiographical memories: an extended replication study. *Memory*. <https://doi.org/10.1080/09658211.2024.2307925>
- Meyersburg, C. A. (2015). Recovered Memories. *The Encyclopedia of Clinical Psychology*, 1–3. <https://doi.org/10.1002/9781118625392.WBCEP191>
- Nitschke, F.T., McKimmie, B. M., & Vanman, E. J. (2019). A meta-analysis of the emotional victim effect for female adult rape complainants: Does complainant distress influence credibility? *Psychological Bulletin*, 145(10), 953–979. <https://doi.org/10.1037/BUL0000206>
- Otgaar, H., Houben, S. T. L., Rassin, E., & Merckelbach, H. (2021). Memory and eye movement desensitization and reprocessing therapy: a potentially risky combination in the courtroom. *Memory*, 29(9), 1254–1262. <https://doi.org/10.1080/09658211.2021.1966043>
- Otgaar, H., Howe, M. L., Patihis, L., Merckelbach, H., Lynn, S. J., Lilienfeld, S. O., & Loftus, E. F. (2019). The Return of the Repressed: The Persistent and Problematic Claims of Long-Forgotten Trauma. *Perspectives on Psychological Science*, 14(6), 1072–1095. <https://doi.org/10.1177/1745691619862306>
- Patihis, L., & Pendergrast, M. H. (2019). Reports of Recovered Memories of Abuse in Therapy in a Large Age-Representative U.S. National Sample: Therapy Type and Decade Comparisons. *Clinical Psychological Science*, 7(1), 3–21. <https://doi.org/10.1177/2167702618773315>
- Pohl, R. (2007). *Das autobiografische Gedächtnis - Die Psychologie unserer Lebensgeschichte*. Kohlhammer.
- Schacter, D. L. (2012). Constructive memory: past and future. *Dialogues in Clinical Neuroscience*, 14(1), 7–18. <https://doi.org/10.31887/DCNS.2012.14.1/DSCHACTER>
- Schäfer, I., Gast, U., Hofmann, A., Knaevelsrud, C., Lampe, A., Liebermann, P., Lotzin, A., Maercker, A., Rosner, R., & Wöller, W. (2019). *S3-Leitlinie Posttraumatische Belastungsstörung*. Springer.
- Schemmel, J., Datschewski-Verch, L., & Volbert, R. (2024). Recovered memories in psychotherapy: a survey of practicing psychotherapists in Germany. *Memory*. <https://doi.org/10.1080/09658211.2024.2305870>
- Schemmel, J., & Volbert, R. (2021). Therapie oder Glaubhaftigkeit? – Psychotherapeutische Behandlung bei laufenden Strafverfahren [Therapy or Credibility? - Psychotherapy during ongoing criminal proceedings]. *Report Psychologie*, 46(10), 14–24.
- Schooler, J. W., Bendiksen, M., & Ambadar, Z. (1997). Taking the middle line: Can we accommodate both fabricated and recovered memories of sexual abuse? In M. A. Conway (Ed.), *Recovered memories and false memories* (pp. 251–292). Oxford University Press.
- Scoboria, A., Jackson, D. L., Talarico, J., Hanczakowski, M., Wysman, L., & Mazzoni, G. (2014). The role of belief in occurrence within autobiographical memory. *Journal of Experimental Psychology: General*, 143(3), 1242–1258. <https://doi.org/10.1037/a0034110>
- Scoboria, A., Lynn, S. J., Hessen, J., & Fisico, S. (2007). So that's why I don't remember: Normalising forgetting of childhood events influences false autobiographical beliefs but not memories. *Memory*, 15(8), 801–813. <https://doi.org/10.1080/09658210701685266>

- Scoboria, A., Mazzoni, G., & Kirsch, I. (2002). Immediate and Persisting Effects of Misleading Questions and Hypnosis on Memory Reports. *Journal of Experimental Psychology Applied*, 8(1), 26–32. <https://doi.org/10.1037/1076-898X.8.1.26>
- Scoboria, A., Wade, K. A., Lindsay, D. S., Azad, T., Strange, D., Ost, J., & Hyman, I. E. (2017). A mega-analysis of memory reports from eight peer-reviewed false memory implantation studies. *Memory*, 25(2), 146–163. <https://doi.org/10.1080/09658211.2016.1260747>
- Shobe, K. K., & Schooler, J. W. (2001). Discovering fact and fiction: Case-based analyses of authentic and fabricated discovered memories of abuse. In G. M. Davies & T. Dalgleish (Eds.), *Recovered memories. Seeking the middle ground* (pp. 95–151). Wiley.
- Sommer, T., & Gamer, M. (2018). Einfluss traumatischer Ereignisse auf das Gedächtnis. *Praxis Der Rechtspsychologie*, 28(1), 97–122.
- Stang, K., & Sachsse, U. (2014). *Trauma und Justiz* (2nd ed.). Schattauer.
- van Schie, K., & Leer, A. (2019). Lateral Eye Movements Do Not Increase False-Memory Rates: A Failed Direct-Replication Study. *Clinical Psychological Science*, 7(5), 1159–1167. https://doi.org/10.1177/2167702619859335/ASSET/IMAGES/LARGE/10.1177_2167702619859335-FIG2.JPEG
- Volbert, R. (2011). Aussagen über traumatische Erlebnisse. *Forensische Psychiatrie, Psychologie, Kriminologie*, 5(1), 18–31. <https://doi.org/10.1007/s11757-010-0090-3>
- Volbert, R. (2018). Scheinerinnerungen von Erwachsenen an traumatische Erlebnisse und deren Prüfung im Rahmen der Glaubhaftigkeitsbegutachtung. *Praxis Der Rechtspsychologie*, 28(1), 61–96.
- Volbert, R., Schemmel, J., & Tamm, A. (2019). Die aussagepsychologische Begutachtung: Eine verengte Perspektive? [Statement Validity Assessment- A Narrowed Perspective?]. *Forensische Psychiatrie, Psychologie, Kriminologie*, 13(2), 108–124. <https://doi.org/https://doi.org/10.1007/s11757-019-00528-5>