

Alienation: What is it and how do we deal with it?

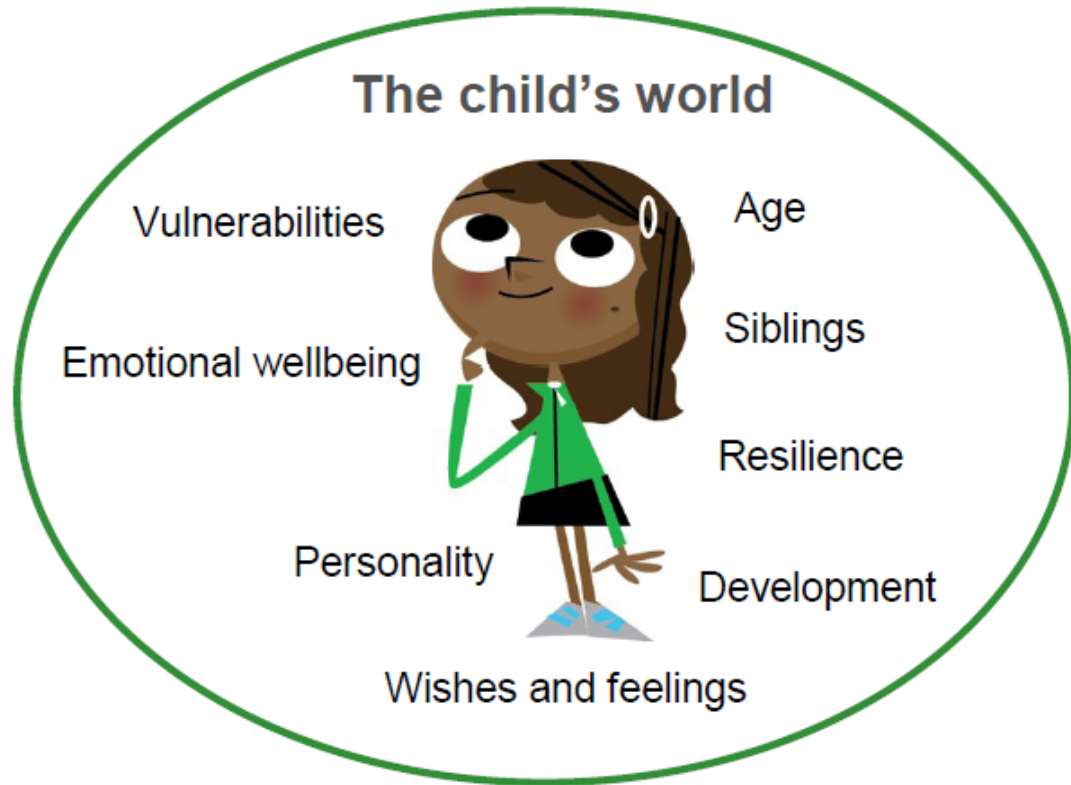
Anthony Douglas CBE

Headlines and key points

- ▶ I receive more enquiries about parental alienation than about any other issue.
- ▶ It is the most requested item from our library by our practitioners.
- ▶ It is at the top of the emotional Richter scale.
- ▶ We have developed an assessment toolkit to put parental alienation into context as a factor in relationship breakdown disputes.
- ▶ There are few generic solutions, including transfers of residence for the child, the evidence for which is mixed.







The **impact on the child** will vary according to factors in the child's world. Every child is unique. Active and persistent alienating behaviours are likely to be harmful, but the degree and type of harm will differ for each child as will the best course of action to reduce or overcome the harm.

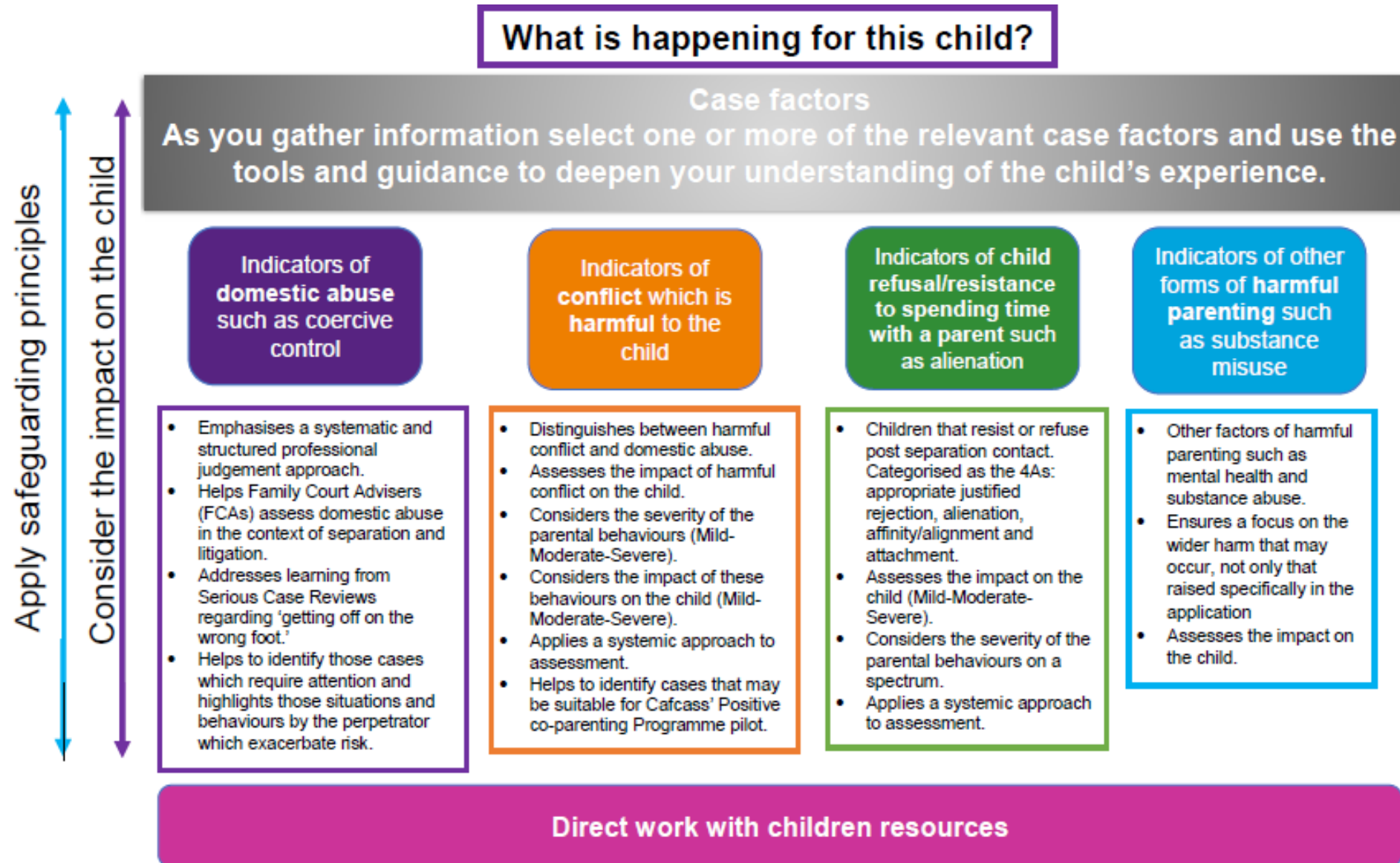


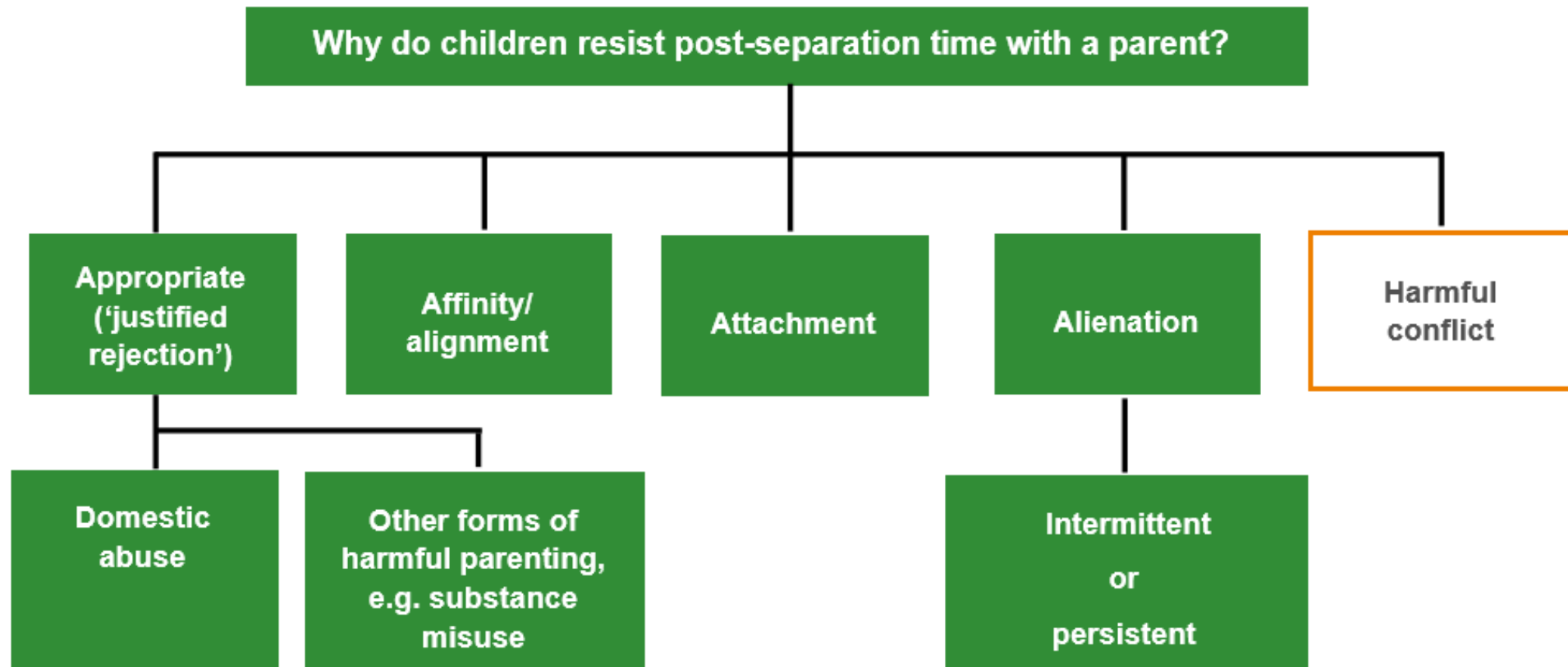
The impact on a child of living with harmful conflict at home

- Home can be a living hell
- The child is recruited as a child soldier or tries to be the peacemaker. Many such children are forced into the role of being young carers for one or both parents
- Re-traumatising becomes endemic
- Learning at school can be badly affected
- Relationships outside the home can also become distorted
- It can lead to the child feeling unattached and separate throughout their life

Child Impact Assessment Framework (CIAF)

The CIAF can be accessed here: <https://www.cafcass.gov.uk/grown-ups/professionals/ciaf>





Please note: The child may also refuse or resist a parent as a response to conflict. Kelly & Johnston (2001) identified that “**resistance can be rooted primarily in the high-conflict marriage and divorce (e.g. fear or inability to cope with the high-conflict transition).**” If this is identified as a factor at any point in the case refer to [the tools and guidance on harmful parental conflict](#), which includes information about interventions aimed at reducing parental conflict and the impact on children.

The reasons for child refusal/resistance can be categorised as the four As: **Appropriate Justified Rejection, Alignment/Affinity, Attachment, or Alienation (Fidler, Bala & Saini, 2013)**

Appropriate justified rejection: Justified rejection by the child to spending time with a parent or realistic estrangement because of harmful parenting including neglect or abuse or significant parenting limitations.

Affinity/alignment: where the child does not have negative feelings for the other parent but prefers spending time with one parent. Alignment between a parent and child may develop before, during, or after separation or because of naturally occurring preferences because of the other parent's non-existent, interrupted, or minimal involvement, inexperience, or poor parenting (which does not reach the level of abuse or neglect).

Attachment: age or gender appropriate reactions for resisting time with a parent for attachment reasons, including separation anxiety.

Alienation: The definition of parental alienation as a concept in family court cases, its surrounding terminology and its scale remain under debate, meaning there is no clear data as to its extent. While there is no one clear single definition, Cafcass recognises alienation as when a child's resistance/hostility towards one parent is not justified and is the result of psychological manipulation by the other parent.

Possible child impact of parental alienation

- The debate about parental alienation being a syndrome or a disorder is a sterile one. The main point is that alienating behaviours are common in many of our cases. Alienating behaviours include irrational contact denial - trying to make the ex-partner an ex-parent as well, and spreading fake news about the other parent.
- What matters most to us is the child impact of parental behaviour, including the development of distorted attachments and a distorted way of relating. The impact can be usefully classified as severe, moderate or mild.
- It is important to intervene early, before alienation becomes a way of life and the relationship between a parent and child breaks down irretrievably.
- We are skilled in assessing the indicators of alienating behaviours, supported by the [child impact assessment framework](#).
- The impact on children of parental alienation can be stress, attachment difficulties – being stuck in childhood. Whilst this is more widely true of an unresolved separation or divorce, alienating behaviour can intensify the emotional harm to children.
- Parental alienation can be part of separation or divorce weaponry. Usually all family members, including the child, feel that each other is a weapon against them – and they will usually see and experience the family court in the same way – as an extension of the battlefield.
- It is an insult to children's intelligence to simply say they have been put up to thinking in a certain way. They clearly can be unduly influenced and in a small number of cases, they take on the alienating completely and it becomes a false identity. But usually, family life is more nuanced and complex and children will have strong legitimate views and feelings of their own which must be respected.
- There are wholly wronged parents who become 'othered', a shadow of their former selves and lacking in confidence. We should recommend ways they can become part of the child's world again.
- Criminalising parents can backfire on them and drive their children further away, alienating them more and causing stress. Children often feel – wrongly – responsible. Responsibility lies fairly and squarely with parents.
- In enforcement proceedings, it may become necessary to consider a change of residence as the ultimate sanction, for a child to maintain a relationship with both parents. However, this must be subject to careful assessment and analysis of whether the child is able to make that transition, with support.

Child resistance/ refusal guidance and tools

Resource	Guidance on use
Assessing children's and young people's wishes and feelings guidance – (new guidance)	Private law: This guidance addresses best practice when listening to and analysing children and young people's wishes and feelings, to help practitioners consider what arrangements are in the child's best interests.
Typical behaviours exhibited where alienation may be a factor- (new guidance)	Private law: This is an analytical tool to be used by practitioners after they have completed interviews with parents and children and obtained a range of other information such as from the school, police and LA. Based on this information, FCAs can click on 'choose an item' to indicate the frequency of alienating behaviours.
Recommendations for the child when alienation is a factor guidance - (new guidance)	Private law: This guidance provides advice for recommendations on cases where the assessment indicates that the child is being harmed by alienating behaviour (or the court have found facts regarding this) and that this behaviour cannot be curbed.
Children's beliefs about parental divorce tool (existing tool)	Private law: To be used when working with children to understanding their beliefs about their parents' divorce.

Assessing the impact of alienation on children’s developmental outcomes

What does the research say?

Understanding the short and long-term effects of alienation on children and young people is crucial when considering if, when, and how there should be an intervention. The research demonstrates that alienated children are at risk for short-term emotional distress and long-term adjustment. Children that have been alienated by one or both parents are at high risk of developing emotional and behavioural difficulties, and relational difficulties that impact on their ability to develop and/or maintain secure intimate and peer relationships. Children that have been alienated report that the denigration of their parent led them to dislike traits they have inherited from their parent and to internalise the belief that they too must be ‘bad’ if they shared these traits with the denigrated parent. Many children report that they ultimately accepted the alienating parents campaign of assertions that the rejected parent did not love them and had abandoned them. Self-hatred and self-blame is common during late adolescents and adulthood, often feeling guilty for rejecting the parent and perhaps siblings. There are indications that many alienated children spontaneously reconcile with rejected parents in early adulthood, triggered by significant life events such as graduation, marriage, birth of a child, a rift in that relationship with the favoured parent, attending therapy, intervention of a significant other family member, or death or serious illness of a family member. Whether these relationships are maintained post-reconciliation is variable and more successful where therapy was available (Fidler et al, 2011:99-101).

The child’s experience of being parented	The child’s behaviours	The child’s internal world	Outcomes associated with having been alienated
<ul style="list-style-type: none"> <input type="checkbox"/> The child feels caught in the middle. <input type="checkbox"/> The child is exposed to high conflict between their parents (and possibly extended family members) <input type="checkbox"/> The child emotionally supports the parent(s) <input type="checkbox"/> The child experiences sporadic / intermittent effective parenting. <input type="checkbox"/> The child has experienced significant change as a result of the separation (ie new 	<ul style="list-style-type: none"> <input type="checkbox"/> The child demonstrates emotional and behavioural difficulties. <input type="checkbox"/> The child finds it difficult to self-regulate, throws tantrums, or acts out. <input type="checkbox"/> The child behaves differently one in the presence of each parent (adapts their behaviour). <input type="checkbox"/> The child acts out conflict and or / violence during play. 	<ul style="list-style-type: none"> <input type="checkbox"/> The child has learned to keep hidden any positive feelings and/or memories of the resident parent. <input type="checkbox"/> The child has ‘split off’ or ‘detached’ from those parts of the self that belongs to one of their parents. <input type="checkbox"/> The child has developed a poorly integrated picture of themselves because of the traits they have inherited from the denigrated parent. 	<ul style="list-style-type: none"> <input type="checkbox"/> The child has lost vital relationships as a result of the separation (ie non-resident parent, extended family, male / female role model, friends, pets). <p>The child is at risk of developing developmental issues as a result of exposure to high conflict and/or alienation, such as:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Emotional and behavioural issues <input type="checkbox"/> Poor self-esteem or inflated self confidence

Assess the Severity of the Alienating Behaviours

Where high conflict and alienating behaviours have been identified, the practitioner must assess the severity of these behaviours (***Mild – Moderate – Severe***) to a) ***determine the likely impact on the child’s development, b) to make recommendations about where the child lives, c) to make recommendations about who the child spends time with, and d) to make recommendations about intervention.***

The assessment should consider: *the parents conduct; protection versus probability of harm; rigidity of the child’s perceptions towards his/her parents; the frequency of parent-child contact; the duration of the strained relationship; the history of rigidity; the responsiveness of each parent to education and therapy as suggested; and the level of compliance to parenting plans court orders, and treatment plans.*

Assessment: Level of Severity <i>(dimensions for assessment)</i>	Mild	Moderate	Severe
<i>Parental Conduct</i>	<input type="checkbox"/> Minimal interference / denigration	<input type="checkbox"/> Episodic interference / denigration	<input type="checkbox"/> Psychologically abusive alienating behaviours related to mental health issues (ie paranoia, personality disorder).
<i>Protection versus the probability of harm;</i>	<input type="checkbox"/> Parent values child relationship with other parent but occasionally displays misguided protective behaviour.	<input type="checkbox"/> Parent’s overprotection unwittingly or intentionally undermines the child relationship with the other parent.	<input type="checkbox"/> Identifies actions as protecting (rights of) child, despite repeated investigations or evidence that demonstrates that the future risk of harm is improbable, or makes malicious allegations knowing they are unfounded.
<i>Rigidity of the child’s perceptions toward his/her parents;</i>	<input type="checkbox"/> Child values relationship with both parents but displays discomfort (not extending to extended family).	<input type="checkbox"/> Child displays more resistance than at mild level, although reactions are mixed, confused, or inconsistent (e.g. before or during	<input type="checkbox"/> Rigid / extreme child reaction to ‘rejected’ parent (ie threatens to

Types of Alienation

It is the role of the practitioner to assess the alienating behaviours to determine what impact these factors may have on the child's welfare and development, now and in the future. There are three different types of alienation: **Naïve, Active, Obsessed**.

Typology	Behaviours / Characteristics
Naïve Alienation	<ul style="list-style-type: none"> <input type="checkbox"/> The parent recognizes the value of the child's relationship with the other parent (and their extended family where applicable). <input type="checkbox"/> They genuinely strive to develop or maintain the parent-child relationship post-separation, <input type="checkbox"/> They occasionally they do or say something that communicates to the child that the other parent is flawed or has done something wrong.
Active Alienation	<ul style="list-style-type: none"> <input type="checkbox"/> The parent recognizes the value of the child's relationship with the non-resident parent (and their extended family where applicable). <input type="checkbox"/> The parent intermittently exhibits alienating behaviours or strategies as a result of their own emotional vulnerability or poor impulse control. <input type="checkbox"/> They know that what they are doing is wrong but their impulse control has been impaired by the hurt and anger associated with separation.
Obsessed Alienation	<ul style="list-style-type: none"> <input type="checkbox"/> Engages in an active and persistent campaign to undermine and destroy the non-resident parents' relationship with the child. <input type="checkbox"/> Does not meet the child's attachment or other needs, or penalises the child if they align or show interest in the other parent. <input type="checkbox"/> Unable to recognise or accept the child may have wishes and feelings as separate from their own. <input type="checkbox"/> Denies or undermines the value of the relationship between the parent and child (and extended family where applicable). <input type="checkbox"/> The resident parent may act as a 'gatekeeper' with the power to allow, restrict or exclude contact with the non-resident parent, and/or may agree contact as part of a transaction (ie for money or favour). <input type="checkbox"/> Rarely shows self-control or insight into any of their own contributions. <input type="checkbox"/> Lacks empathy, are unwilling to forgive, and have a strong need to be in control. <input type="checkbox"/> Has difficulty maintaining interpersonal boundaries (ie asks scrutinising and intrusive questions after contact, sends high volumes of emails and text messages (often critical and/or abusive), attempts to influence or end new relationships). <input type="checkbox"/> There is evidence that false allegations of abuse have been made against the other parent (ie domestic abuse, child sexual abuse, physical abuse, emotional abuse, compromised parenting, mental health issues, 'anger management issues', stalking, substance or alcohol misuse, breach of orders etc...). Following a risk assessment these allegations are unsubstantiated. <input type="checkbox"/> Where there are unsubstantiated allegations of abuse the parent cannot be convinced otherwise, even when there is evidence to the contrary; those, including professionals and the court, who do not agree with them are dismissed by them as wrong or biased. <input type="checkbox"/> Are not motivated to seek help to restore the child's relationship with the other parent (or extended family and friends where applicable). <input type="checkbox"/> The alienating behaviours are intentional, although their actions may be direct, indirect, or a result of protective behaviours based on genuine beliefs. <input type="checkbox"/> Mental illness or personality disorder may be contributing to the alienating behaviours or irrational thinking.

Re: D (A child - parental alienation) (Rev 1) [2018] EWFC B64 (19 October 2018)

This is a judgment from HHJ Bellamy following a finding of fact hearing. The case was not heard in the High Court so does not constitute a precedent but refers to the Child Impact Assessment Framework (CIAF). The central focus of the fact-finding hearing was whether the child's allegations against his father were accurate or whether the mother had colluded with the child to make false allegations against the father.

HHJ Bellamy acknowledged that the use of the term parental alienation can give rise to "criticism, profound scepticism and doubt". As part of his analysis HHJ Bellamy undertakes a comprehensive review of the relevant case law, judicial comment and research relating to the concept of parental alienation. He included detailed reference to the (CIAF) which had been launched only days previously, and specifically mentioned 'typical behaviours exhibited where alienation may be a factor'. HHJ Bellamy noted in his Judgement that "the list of 'typical behaviours' clearly resonates with the facts of this case".

Whilst he acknowledged that parental alienation can be a divisive term amongst professionals, he also highlights that there is a body of research evidence, and an increasing body of case law, which "accepts that in some cases children do become alienated from a parent and that sometimes that alienation is caused, deliberately or unwittingly, by the other parent ('parental alienation')". He also emphasises the importance of the court undertaking an investigation by way of a finding of fact hearing and making findings at an early stage, and that it is preferable that there is judicial determination of allegations before a s.7 report can advise the court on the child's welfare.

In this case HHJ Bellamy received evidence from a number of professional witnesses, the parents and the child. He found that none of the child's allegations against his father had been proven.

HHJ Bellamy considered D's behaviour and accounts he had given to professionals against Cafcass' 'list of typical behaviours' and found that "there is evidence of most, if not all, of those 'typical behaviours' in this case". HHJ Bellamy went on to find that the mother's behaviour had caused D to be alienated from his father, and that the mother had deliberately alienated D from his father.