

Parental alienation a tool for domestic abuse?

08 September 2023  Naomi De Silva

CAFCASS defines parental alienation as, “the unjustified resistance or hostility from a child towards one parent as a result of psychological manipulation by the other parent.”

A [BBC investigation](#) has highlighted what can happen when contact has been promoted, in fear of parental alienation but failing to consider the aspect of abuse perpetrated by one parent. In several cases, the parent without care of the child has manipulated the concept of “parental alienation” to force through contact and to exercise control and abuse over the other parent and even the child. Sadly, this has also led to some cases resulting in devastating outcomes, including death, for the parent who has sought to escape the abuser and shield their child from harm.

It is a complex issue within Family Law proceedings and one which requires expert assessment. Generally, the approach should be to promote a healthy relationship between a child and their parents and attempts will be made to promote contact, but should this be at all costs? The Government is investigating what further action is required in respect of understanding and protecting against parental alienation. The [Judiciary have also issued draft guidelines](#) on responding to parental alienation in domestic abuse cases which a number of experts in domestic abuse cases have said do not go far enough to protect victims.

It is not just an issue in the UK however, in December 2022, the United Nations said that they would be examining how Family Courts around the world dealt with an increase in parental alienation cases when used to counter domestic abuse claims.

Local Authorities are often tasked with undertaking assessments of children and their parents in Family Law cases concerning contact. The Judiciary’s draft guidance on responding to parental alienation is a good starting point in cases concerning parental alienation. But it is also important to also consider whether the parent citing parental alienation may be manipulating the Court system to continue to exert control and abuse over the other parent and the child. Sometimes abuse may be obvious, there are criminal convictions or protective measures in place. Consider also other signs of manipulation for instance, repetitive applications for contact proceedings, continually seeking to adjourn proceedings and relying on evidence that is unsubstantiated. It is an incredibly difficult balancing exercise but ultimately, any decisions should ensure that the cycle of abuse is not perpetuated, that victims are duly protected and that children are heard, and their best interests prioritised.

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