

The Emerging Problem of Parental Alienation

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We are all used to the parent who is implacably opposed to contact, and both advocates and judges have learned to deal with such a hostile parent. The courts are increasingly aware of the control over contact proceedings that may be attempted by an implacably hostile parent (usually the mother, and will be referred to as such throughout this article....As recent authorities show (see *Re P (Minors) (Contact)* (1996) *The Times*, May 15), a judge these days is much less likely be persuaded that contact is not in the interests of the child, and an order for contact is usually made.....

To set the scene, the case will be one where the parent appears to espouse contact wholeheartedly in principle - yet the child is expressing anxiety or even fear at the idea of contact. Although the court welfare officer talking to this child may suspect that the mother is the real obstacle to contact and that she has coached the child, nevertheless it appears that the child is expressing genuine views;.....

How can lawyers recognise the symptoms of an alienating parent? We consider that the signs to look for are as follows:

- (1) where the views expressed by the child (for example, 'I'm frightened of Daddy', or 'I hate Daddy') are not in any way borne out by the child's behaviour when observed with his father;
- (2) where the mother 'enmeshes' others (who may become her witnesses) who then echo the child's fear or allegations and support the mother's view that contact can only begin very gradually. These others may express admiration that the mother is trying to promote contact;
- (3) where the mother or others on her behalf hide the child from the father and pretend that it is a game 'to hide from Daddy';
- (4) where the mother is reluctant to allow the child to be seen by independent psychologists although she may have enlisted the support of her general practitioner, health visitor, etc as part of the enmeshment process;
- (5) where the mother agrees to arrangements for contact and at the last moment 'pulls the plug', often citing a real or imagined incident whereby the father has upset the child in some way;
- (6) where the mother is monitoring or trying to interrupt telephone contact between the child and his father;
- (7) where the child checks with his mother (which may merely be by using body language) that it is all right to answer questions asked by social workers or experts in the mother's presence;
- (8) where the child does not answer questions naturally, but appears instead to give pre-programmed answers, or responds to a question by giving a wholly unrelated answer;
- (9) where the child uses age-inappropriate language which suggests that he has either

picked up adult conversation or has been coached by the mother.

(10) where the mother insists on being present at all contact sessions, citing the child's need to feel secure, or the mother may say that the child has told her that he is too frightened to have contact unless she stays with him;

(11) where 'it is said that' letters and cards from the father mysteriously fail to arrive, although the mother encourages the child to write so as to demonstrate his commitment to contact;

(12) where 'it is said that', immediately after contact, the mother inquires of the child how he is feeling (for example 'have you still got that nasty tummy ache?'), implying that contact has been a painful experience for the child;

(13) where the mother alleges that the father has abused the child in some way, and that the father has abused the child in some way, and she continues to insist on this even in the face of all expert evidence to the contrary. None the less, the mother may assure everyone that she does not want to promote contact but insists that it will have to be re-established on a very gradual step-by-step basis and that continued supervision of the father whilst contact takes place is essential to prevent further abuse. The child himself may echo the allegations of the mother, appearing to believe that he has been abused.

The damage to a child of a mother adopting a strategy of alienation is both insidious and long term.....

Cases of severe alienation come from a personality disorder or psychopathy, and in a recent UK case (Re W (1996) August (unreported)) a leading American psychologist held the view that the alienation itself often becomes the carer's 'job'. Whilst the experts agree that it is difficult to be specific, it is thought that a child raised by a parent of this type is more likely to have a disturbed personality himself.

If there is a finding of fact that there has been alienation, how does the judge decide where the child's best interest lie? Some American psychiatrists, who have had wide experience in this field, advocate immediate removal of the child from the alienating parent and placement with the other parent where possible. They contend that empirical studies have shown that this approach is best for the child's psychological welfare. Further, in cases where there has been severe alienation, the child should have no contact with the alienating parent for as long as it takes to re-establish the relationship with the child and the previously absent parent. Contact with the alienating parent should then restart gradually and be monitored closely to ensure that the damaging behaviour does not recur.....

The difficulty is that if the child remains with this parent during the process of treatment, it may be some time before contact with the absent parent is reestablished. It is for this reason that immediate removal of the child is advocated by experts. This is a Draconian solution and one which a judge may be reluctant to adopt, but it may be in the child's best interests in the long term to be removed from the insidious influence of an alienating parent.