

ALIENATION, ABDUCTION AND THE DOMESTIC ABUSE ACT 2021

The Baroness Meyer CBE, Founder of Action Against Abduction

Most children suffer greatly from their parents' separation, but when their parents start arguing about money and contact arrangements, the children find themselves in an impossible situation. Most children do not understand what is happening, or why. The only thing they realise is that there is a state of war between the two people they love and need most. Things are made even worse when children become involved in litigation between their parents. This is the moment when children will be most vulnerable to being used as pawns against the other parent.

Under the concept of the 'best interests of the child' and the concept of shared care, courts will tend to centre on evaluating parenting capacity. Where automatic residency to the mother no longer applies, fathers find themselves (rightly or wrongly) with greater opportunity to gain the status of the primary carer. As a result, in high-conflict cases, each parent will seek to provide compelling evidence of serious deficiencies in the other parent. As accusation and counter-accusations fly, court welfare officers, child-protection officers, psychologists, family mediators and social workers are brought in to evaluate the child's views and establish what is in his or her 'best interests.' This is the moment when it seems even more vital for the child to say the 'right thing' when interviewed.

Under normal circumstances, a child's opinion should be taken seriously, but in high-conflict cases, children, especially young ones, will find themselves caught in a loyalty conflict between their parents, often forced to choose between mother and father. Then, if one of their parents begins the process of denigrating the other parent, they are further confused, distressed and anxious. Children may be told that the other parent no longer loves them, or that they will not be able to take care of them. The child may be made to feel guilty, or, worse still, asked to support false allegations against a parent.

In some cases, the psychological pressure on the child is so severe that he/she will display an implacable hostility towards the other parent and refuse all forms of contact, often expressing only negative feelings towards that parent. This can happen in a matter of months.

I need not tell you how harrowing such an experience is for the victim-parent. Just imagine having your child rejecting you for no obvious reason; hearing your child telling you that he never wants to see you again; being physically rejected as if you had suddenly transformed into a monster. The heartbreak, the incomprehension and the feeling of injustice are all-consuming.

These parents are soon plunged into a bewildering world where helplessness, despair and disorientation compete as they realise that their child is being deployed

as a weapon of war. These parents are often disbelieved. They have been discarded by their child, but, instead of finding sympathy, they are faced with the need to justify why such an event has happened. They become caught in an impossible conflict.

But, if this is unbearable for a parent, imagine how it must be from a child's point of view. This is what happened to Sarah-Cecilie, who was told that her mother no longer loved her. Today, as an adult and a mother herself, she writes:

'I was separated from my mother for 14 long years when my father abducted me to the United States. My father convinced me that my mother did not deserve to be in my life and I believed him at the time.'

'Soon after being abducted I developed a deep fear of my mother, who became a stranger to me, in an alarmingly short period of time. Only months after leaving my mother, I began to have nightmares of being caught by lions and tigers. The words of my father, telling me that my mother was a bad person I needed to be saved from, set the stage for a childhood of deprivation and loss.'

'This fully manifested in my young adulthood, as the full impact hit me with the force of a thousand shards of broken glass. When I slowly began to recognise that my father's animosity towards my mother had led him to grossly exaggerate and lie about her personality, her values and her extended family, it left me bereft of trust and with massive amounts of guilt about the pain my mother had unnecessarily endured. It was all my fault, I told myself. And even though I knew rationally that I should not take on the burden of responsibility for all that had gone wrong, I did so anyway. After all, I was the child around whom all the drama revolved, so I felt that I was the source of so much pain. Children often take responsibility when their families fall apart, and it has taken me years to progress in recovering.'

'I have dedicated my life to preventing and mitigating this type of harm from befalling other children and their families, and my concern is that many do not understand or realise how easy it is to control a child's mind; how easy it is for one parent to use his or her child as a weapon against the other parent. Some may do it subconsciously, while others will do it systematically either out of revenge or ahead of court hearings. Yet, it is clear to me that both my mother and I were victims of my father's abuse.'

'I would never wish others to go through what I have been through.'

'It is often difficult to sort out truth from fiction in cases of parental conflict; however, it must be possible to provide a framework for identifying parents who are systematically indoctrinating their children to draw a child away

from the love, emotional support and protection of their other parent. I realise that some courts do not recognise alienation as a form of abuse and that they find it easier to rule that once a child is exhibiting such rejection toward one parent, it would be wrong to remove it from that parent's care and "force" the child to have contact with the targeted parent. But this is why action must be taken early. Losing contact with a parent, who has been wrongly demonised, is a devastating trauma that will leave irreparable long-term scars.'

'I have worked with adults who were alienated as children for over 20 years, and so many of them struggle with overwhelming guilt and a sense of loss that is devastating to witness. I have recently worked with a young woman who was abducted from Ireland to England by her mother and alienated from her father. She is very certain that the alienation was unwarranted. When she attempted to reconnect with her father in the past few years, it plunged both her and her father into deep emotional turmoil. About a year ago, her father committed suicide, leaving a note that he could not handle all that had happened. He had lost hope in being the father he had dreamt of being. This left his daughter emotionally shattered, and I have feared for her safety as she works to pick up the pieces after so much pain and loss.'

'There are several cases of children feeling suicidal. Some have even committed suicide. Children of alienation struggle to trust others and find it difficult or even impossible to move forward in their lives. They are too often placed in the awful position of having to make a choice between parents, siblings and entire families, as the burden of the family's history is placed on their shoulders to make sense of and heal from.'

'The sense of loss my mother faced on a daily basis for 14 years was devastating. Every day, she missed taking part in her only child's life. Every moment, she wondered if I still loved her, still cared, and even, if I was still alive. She had to search for me over continents and cultural boundaries, all the while doing her best to keep her head high amongst people who wondered about her, wondering what she had done wrong to deserve something so drastic as to lose her little girl. Over time, my sweet and sensitive mother, a trained kindergarten and special education teacher, internalised the idea that she was just not good enough, and by the time we reconnected, I met a broken-hearted mother and she met an anxious, withdrawn daughter so full of defensiveness that it took us years to break through and relax in one another's presence, all the while questioning and wondering why it had all happened, that there must have been a reason, must have been a lack of true love and dedication to one another, that had caused it to happen and last so very, very long.'

'There need to be safeguards in place to protect the vulnerable, while also building on our understanding of a child's behaviour; that when a child's rejection of one of its parents is so extreme, there may be more than meets the eye. Children are easily groomed to believe lies. Let us protect their innocence by not allowing them to assume the burden of guilt and loss.'

'Children do best with all members of their families in their lives. When children lose out on a loved one, they suffer a deep loss that sears itself into their hearts and souls forever. Imagine how much more devastating it is for them when it is not a necessary loss. That compounds the pain and grief in unimaginable ways.'

Thankfully, the recent Domestic Abuse Act 2021 has recognised that children can be victims of domestic abuse in their own right and that they too need to be protected from 'controlling or coercive control', or 'psychological, emotional or other abuse'. This is an enormous step forward, but while the Act identifies broad categories of abusive behaviour, the government's view has been that the legislation itself should not give specific examples. This, instead, should be reserved to the Statutory Guidance under section 84 of the Act, namely:

- a. *guidance as to particular kinds of behaviour that amount to domestic abuse;*
- b. *the effect of domestic abuse on children.*

The draft statutory guidance which was published last year expressly refers to parental alienation as an example of controlling or coercive behaviour. Cafcass has also developed guidance to help family courts identify children who have been alienated and can no longer express their own opinions.

My fear today is that some in government have allowed themselves to become unduly influenced by hard-line ideological groups, who vehemently deny the reality of parental alienation and wish any mention to be removed from the guidance. Yet, it is one of the most egregious forms of domestic abuse. These groups, led by two American academics, appear to claim that 'parental alienation', or even 'alienating behaviour', does not exist. They argue that 'parental alienation is a cunning stratagem used by fathers against victim mothers'. Yet the evidence shows that women can as easily make false allegations against men as men can against women; and that both women and men can demonstrate alienating behaviour by using children as weapons against the other parent. It is not a gender issue. It is an issue of adult conflict where children are the collateral casualties.

No one has put it better than the distinguished family court judge, His Honour Stephen Wildblood QC:

'The problem with Parental Alienation is that it's not about the child at all. It is about the adults. It's using children as an instrument of that parent's skewed emotions.'

In my almost 20 years of running a charity, I stepped through the wreckage of relationships destroyed by one parent poisoning the mind of a child against the other parent. Indoctrination of this kind is not just the poisoned fruit of a thirst for revenge. It is also deliberately intended to persuade the child to bear witness against the other parent in family court proceedings.

But, as Sarah-Cecilie's story so clearly highlights, the horrific irony is that all parties – the abused, the abuser and the child – end up victims in their different ways, lives wrecked, the psychological damage beyond measure. For some, the only way out is suicide. The charity I founded produced several documentaries based on interviews with adults who had been alienated from one of their parents when they were children. They all suffered from severe mental health issues: feelings of guilt; low self-esteem; depression; lack of trust; and fear of abandonment. Many never recover.

<http://www.actionagainstabduction.org/parental-child-abduction-2/>
<http://www.victimsofanotherwar.com>