

P-05-751 Parental Alienation - Correspondence from the Petitioner to the Committee, 03.05.17



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Mike Hedges AM

Chair, Petitions Committee

National Assembly for Wales

Cardiff Bay

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Dear Mr Hedges

P05-751 Parental Alienation

Thank you for the opportunity of responding to the correspondence from the Cabinet Secretary for Communities and Children. We note that the response is almost exactly the same as those shared with our service users who have raised the issue with him directly. We had assumed that in responding to a Committee of the Assembly that officials would have provided a more detailed and comprehensive response for the Cabinet Secretary.

We are shocked at the seemingly complacent response from Welsh Government. They recognize the harm that Parental Alienation can cause to children but do not believe that any consistent approach is required to identify and combat the abuse.

There are 2 key points in the Welsh Government's position. Firstly they assert that **'the Family Court already has sufficient range of powers to deal**

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with cases where alienating behaviours feature’. The Cabinet Secretary is no doubt relying on the fact that Family Justice is a non-devolved matter so that responsibility for preventing the abuse of Welsh children can be passed to Westminster.

Recognition and prevention of Parental Alienation is at best patchy in the Family Courts. This view is borne out by the words of the most senior judge in the Family Division, Sir James Munby speaking at a conference we attended in Bristol in March 2017:

‘...we have got to recognise openly and frankly the existence of parental alienation.’

Sir James followed this up by stating that the Family Justice system must:

‘...recognise its reality, identify it for what it is when it is, and take steps to ameliorate things’.

The Welsh Government has a legal responsibility under s35 (1) b of the Children Act 2004 in relation to Family proceedings to *‘give advice to any court about any application made to it in such proceedings’*. The Family Court cannot use the powers that Welsh Government asserts it has without clear and unequivocal advice that must be grounded in a consistent and transparent framework for assessment and action. The provision of advice to the Family Court- unlike almost every other front line delivery aspect of the devolved settlement - rests with Welsh Ministers directly.

The second key point is the Cabinet Secretary’s assertion that:

‘CAFCASS Cymru practitioners, as professionally qualified social workers, are trained to understand and recognise the potential for implacable hostility by a party in divorce or separation cases and its potential impact on the child’

We know of no requirement in social work training in Wales to comprehensively recognise ‘implacable hostility’ or any other form of Parental Alienation or alienating behaviour. We would be interested to see

evidence from Welsh Government that contradicts our view. We have no evidence that Cafcass Cymru or Local Authorities have any training to identify parental alienation or any form of alienating behaviour.

Training for professionals to identify and combat Parental Alienation is available in Wales, and has been approved by the British Psychological Society. More than 300 practitioners have undertaken this training in the UK so far. They are asked to rate their understanding of Parental Alienation at outset and at end of training and to state what they would do differently in their practice from what they have learned. A consistent theme in the responses is that practitioners felt that training on the subject should be more widely available.

Speaking in a recent debate on Parental Alienation in the House of Commons Simon Danczuk MP stated

*'According to the Children and Family Court Advisory and Support Service, parental alienation is responsible for some 80% of the most difficult cases that come before the family courts.'*ⁱ

Cafcass in England have various assessment tools and frameworks - that are available to the public to examine via their websiteⁱⁱ that is in stark contrast to the lack of any form of transparency by Welsh Government

The Chief Executive of Cafcass Sir Anthony Douglas was quoted in the Daily Telegraph in February of this year as saying about Parental Alienation that

"It's undoubtedly a form of neglect or child abuse in terms of the impact it can have.....I think the way you treat your children after a relationship has broken up is just as powerful a public health issue as smoking or drinking."

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In light of the above we are asking the Petitions Committee to press the Welsh Government for the following specific actions

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- To provide the Committee with the details of the training and assessment frameworks and materials that are currently in use by social workers in Local Authorities and Cafcass Cymru that specifically enable them to identify various forms of Parental Alienation and make recommendations to Courts as a result
- Provide to the committee the number of cases of Parental Alienation, alienating behaviour and 'implacable hostility' identified by Cafcass Cymru and Local Authorities in the most recent latest 12 month period
- To agree to a debate on the subject of Parental Alienation in Plenary in the Assembly.

We look forward to the consideration of our Petition by the Committee on the 9th May.

Regards

PAUL APREDA

National Manager, FNF Both Parents Matter Cymru

ⁱ <https://hansard.parliament.uk/commons/2017-03-15/debates/1920253C-C972-40A3-9A63-714220EDE50D/ParentalAlienation> column 496

ⁱⁱ https://www.cafcass.gov.uk/media/215246/impact_of_parental_conflict_tool.docx

ⁱⁱⁱ <http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>