



Our ref: DC HID 203 18

David J Rowlands
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

16 May 2018

Dear David

Petition P-05-0751 - Recognition of Parental Alienation

Thank you for inviting me to appear at the Petitions Committee on 1 May to discuss the above petition. Following my attendance, I thought it would be helpful to set out how Welsh Government is addressing each of the four points raised within the petition about parental alienation.

1. Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice

Welsh Government recognises that some parents can behave in a way that alienates the other parent from their child's life and that these behaviours in extreme form can have a significant, adverse impact on the emotional well being of the child. There are a number of ways to describe Parental Alienation. We prefer to refer to parental alienation not as a syndrome or a classification but as alienating behaviours. The most important issue for us is that these behaviours when they occur are appropriately dealt with using the existing regulatory and legal framework.

The Family Justice Network for Wales, which includes key stakeholders in the family justice system in Wales, reviewed its position on parental alienation in March 2017. The Network recognises the behaviours described and the significant impact they can have on the emotional well being of the child. Network members agreed that under existing legislation, the Family Court already has a sufficient range of powers to deal with cases where alienating behaviours feature and where appropriate, cases can and have been considered by Welsh local authorities under child protection procedures. On that basis, the Network's view remains unchanged in that when children are impacted by parental alienating behaviours the current legal provisions are more than sufficient to safeguard the emotional well being of children. The Family Court's primary concern when making decisions is always focussed on the welfare of the child.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2. Commission and fund mandatory training for professionals including but not exclusively Social Work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm

Safeguarding and the protection of children are fundamental features of social workers' training and the Continuing Professional Education and Learning Framework equips practitioners with the knowledge and skills they need to work in complex situations.

Social work professionals are well versed in working with families where there is a breakdown in relationships and in particular where behaviours are emotionally abusive. Private law cases often involve disputes between parents over child arrangements. Social workers and Cafcass Cymru practitioners, as professionals, are experienced in handling disputes of varying levels of severity. Social workers are supervised by senior staff in their organisations, this provides an additional level of scrutiny to support safe and robust practice.

In recognition of the importance of this issue within Cafcass Cymru, 'implacable hostility' and alienation as a practice area together with the associated learning and development of practitioner staff is being actively refined in the light of the literature review by Cardiff University which has recently been completed (attached at annex 1.) The learning and development plan for 2018-19 will reflect the priority given to working with 'implacable hostility' and alienating behaviours in a child centred and evidenced based manner.

Cafcass Cymru employs experienced and highly competent Family Court Advisors / Children's Guardians who work on some of the most complex cases before the Family Court. At a case level these officers provide independent advice to courts and families centred on the rights, welfare and best interests of the child.

Aside from their professional skills and judgement, Cafcass Cymru Family Court Advisers (FCAs) have at their disposal a suite of assessment tools to assist and support them in their work. One of those tools is the Child and Adolescent Welfare Assessment Checklist (CAWAC). This is an academically validated tool in which all relevant Cafcass Cymru practitioner staff receive accredited training.

The CAWAC helps to assess the psychological impact on the child of living with inter-parental conflict. The CAWAC also helps to identify situations where a child has been negatively influenced against a parent. The CAWAC is used in conjunction with the application of professional social work assessment and judgement in identifying safeguarding issues (including emotional harm) and in assessing the quality of relationships between the child and parents.

As a result practitioners provide evidence-based analyses focused on the experience of and impact upon the child. It is from this perspective that Cafcass Cymru considers the issue of alienating behaviours.

3. Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.

Whilst I recognise the severe impact alienating behaviours can have on the emotional well being of the child the key issue is that these behaviours when they occur are appropriately dealt with using the existing regulatory and legal framework.

Whilst highlighting the impact of such behaviours is a valid concern, our focus is on tackling these alienating behaviours rather than on treating parental alienation as a syndrome or a classification in its own right.

More widely, Welsh Government has placed a firm focus on positive parenting and has supported a range of parenting support services through its Families First and Flying Start programmes. It is important that families are provided with support when parental separation occurs to help ensure a positive approach to parenting is maintained.

4. Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified

Welsh Ministers already have a duty to protect children from abuse and harm in all instances. Welsh Ministers must have due regard to the substantive rights and obligations within the United Nations Convention on the Rights of the Child (UNCRC) and its optional protocols when considering proposed new legislation, proposed new policies and a review of, or change to an existing policy and/or legislation.

Wales was the first country in the UK to make the UNCRC part of its domestic law. This is reflected in our Social Services and Well-being (Wales) Act which places a focus on prevention and early intervention in supporting families, particularly those with complex needs. It also introduced safeguarding reforms including a strengthened legal framework for safeguarding children and vulnerable adults.

Yours sincerely



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