



Parental Alienation
Study Group



GARI-PA

Global Action for Research
Integrity in Parental Alienation

**Response to United Nations Special Rapporteur regarding:
“Custody cases, violence against women and violence against children”**

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The Special Rapporteur on violence against women and girls, its causes and consequences posted this “Call for inputs.” Although we are happy to provide this response, we are dismayed and very concerned that blatant misinformation regarding parental alienation pervades the message from the Special Rapporteur. The words *alienation* or *alienating* were used ten times in the “Call for inputs” issued by the Special Rapporteur; on each occasion those words were embedded in statements that were misleading or blatantly false.

In this response, we will quote passages from the message of the Special Rapporteur in **bold font**, and will then explain how each passage constitutes false information regarding parental alienation.

Purpose: To inform the Special Rapporteur on violence against women and girls’ report on the nexus between custody and guardianship cases, violence against women and violence against children, with a focus on the abuse of the concept of “parental alienation” and related or similar concepts.

This introduction from the Special Rapporteur makes it clear that the purpose of this activity is to show that parental alienation theory is typically used to “abuse” women and children, i.e., the idea that abusive fathers may fabricate allegations of parental alienation in order to explain the children’s reluctance to have a relationship with them. This document totally ignores the possibility that some fathers may abuse mothers by alienating them from their children, i.e., that parental alienation is a serious problem that injures both mothers and fathers.

This supposed effort by a parent alleging abuse is often termed “parental alienation.” The term generally refers to the *presumption* that a child’s fear or rejection of one parent, typically the noncustodial parent, stems from the malevolent influence of the preferred, typically the custodial parent [emphasis added].

This description of parental alienation is a purposeful misrepresentation of parental alienation theory. No proponent of parental alienation theory “presumes” that a child’s contact refusal is always the result of indoctrination by the favored parent. Proponents of parental alienation theory know that there are many possible causes of a child’s contact refusal, and that a careful evaluation must be conducted to determine the cause in a particular case. This misinformation regarding parental alienation theory has been falsely stated many times by parental alienation critics, most often by Ms. Joan Meier. (See Bernet, W. [2021], Recurrent Misinformation Regarding Parental Alienation Theory. *American Journal of Family Therapy*. DOI: 10.1080/01926187.2021.1972494.)

Although these concepts lack a universal clinical or scientific definition, emerging patterns across various jurisdictions of the world indicate courts worldwide are using the concept of “parental alienation” or similar concepts explicitly or are allowing for its instrumentalization.

It is untrue that there is no generally accepted definition for parental alienation. The following generally accepted definition has been published in peer-reviewed articles in the *Journal of Forensic Sciences*, the *Journal of the American Academy of Child and Adolescent Psychiatry*, and *Family Court Review*: “This term may be used when a child—usually one whose parents are engaged in a high-conflict separation or divorce—allies strongly with one parent and rejects a relationship with the other parent without a good reason.” This false information regarding parental alienation theory has also been repeatedly stated by Ms. Joan Meier. (For example, see Meier, J. S. [2020], U.S. Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations. *Journal of Social Welfare and Family Law*, 42[1], 92–105).

The vast majority of those accused of ‘alienating’ their child while alleging abuse are women. Consequently, many women victims of violence and abuse face double victimization as they are punished for alleging abuse, including by losing custody or at times being imprisoned.

The authors of this document are apparently assuming that women who allege domestic violence may be falsely accused of alienating the child against the rejected parent. However, the authors of this document have no way of knowing (1) whether the allegations of domestic violence are true or false and (2) whether the allegations of parental alienation are true or false. The authors are simply interpreting ambiguous data in a way that criticizes parental alienation theory.

The Special Rapporteur cited the case of *Gonzalez Carreño versus Spain*, which had been reviewed by the Committee on the Elimination of Discrimination against Women. The Special Rapporteur then stated:

Since then, the CEDAW Committee has issued a number of Concluding Observations in which it directed States Parties to abolish the use of the concept of parental alienation in court cases, and conduct compulsory judicial training on domestic violence, including on the effect that exposure to domestic violence has on children. Regional monitoring bodies such as GREVIO, which monitors the Istanbul Convention, and MESECVI, which follows up on the implementation of the Belem do Paro Convention, have also made similar requests.

The citation of the *Gonzalez Carreño* case is an extreme example of the rhetorical device of the straw man argument, since the Special Rapporteur is using that case to criticize parental alienation theory. However, the *Gonzalez Carreño* case had absolutely nothing to do with parental alienation. The document prepared by CEDAW (Communication No. 47/2012) describes in detail how a father with a history of domestic violence was given unsupervised visitation with his daughter, over the protests of the child and the mother. Sadly, the father killed the child and also himself. But there is no mention of parental alienation in the 18-page discussion of the case provided by CEDAW. It is extremely misleading for the Special Rapporteur to cite this tragic case and immediately relate that information to a criticism of parental alienation.

In general, domestic violence is widespread and harms many families; but sometimes there are false allegations of domestic violence. Parental alienation is widespread and harms many families; but sometimes there are false allegations of parental alienation. It does not make sense for the Special Rapporteur and other agencies to ignore a psychosocial problem that injures millions of children and families. Instead, these agencies should put their time and energy into sponsoring research on how to distinguish true and false allegations of domestic violence and also true and false allegations of parental alienation.

Despite a strong indication that the parental alienation concept has become a tool for denial of domestic and child abuse, leading to further discrimination and harm to women and children, data on the treatment of the history of intimate partner violence and other forms of domestic violence and abuse when family courts assess custody cases continues to be limited. Data is also limited regarding the degree to which family courts use a gender analysis in their decisions.

It is a mistake to think of parental alienation as a gendered issue. Both mothers and fathers engage in alienating behaviors; both mothers and fathers are victims of alienating behaviors and are wrongly rejected by their children.

Given the correlation between the resort to the concept of parental alienation and the persistence of gender-based violence against women, the topic requires urgent attention. A holistic and coordinated approach based on the existing international and regional standards is required in such cases at the national level, not only to uphold the principle of the best interest of the child but also the principle of non-discrimination against women and equality between women and men.

Yes, of course “urgent attention”—including “a holistic and coordinated approach”—is needed to address the widespread problem of domestic violence and also the widespread problem of parental alienation.

Objectives: The aim of this report is to examine the ways in which family courts in different world regions refer to parental alienation, or similar concepts, in custody cases and how this may lead to double victimisation of victims of domestic violence of abuse.

Obviously, the underlying premise of this statement is that there is something evil about parental alienation theory. It is obvious that the personnel in the office of the Special Rapporteur are strongly biased against the concept of parental alienation, which damages millions of children and families throughout the world.

The Special Rapporteur kindly seeks the support of States, National Human Rights Institutions, civil society actors, international organizations, academics, and other stakeholders to provide updated information on: The different manifestations or specific types of domestic and intimate partner violence experienced by women and children, including the use of “parental alienation” and related concepts in child custody and access cases.

It would make sense for the various stakeholders to provide updated information on the manifestations of domestic and intimate partner violence and also on the manifestations of parental alienation in child custody and access cases.

The Special Rapporteur also seeks updated information regarding: The factors behind the increased number of allegations of parental alienation cases in custody battles and/or disputes involving allegations of domestic violence and abuse against women, and its differentiated impact on specific groups of women and children.

Yes, there definitely has been an increased number of allegations of parental alienation in child custody cases. Yes, it would be helpful to understand the factors behind this phenomenon.

In summary, it is obvious that the staff of the office of the Special Rapporteur have strongly held, preconceived negative opinions regarding parental alienation theory. They will no doubt collect a great deal of confirming negative information as a result of this "Call for inputs." However, any research report or policy recommendation based on this process will be worthless because of the underlying bias that is the foundation for this activity.

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