



David J Rowlands AM
Chair
National Assembly for Wales
Petitions Committee

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Sent via email to: SeneddPetitions@assembly.wales

4 April 2018

Dear Mr Rowlands

I am replying to your letter dated 15 March 2018, setting out the Cafcass position on parental alienation as requested. I have attached our work in progress about this. We are carrying out further work internally within Cafcass on our proposed parental alienation pathway, prior to discussions with stakeholders and then an invitation for general comment via our website before going live, starting in the early autumn.

Recognition of parental alienation

We recognise parental alienation. I have publicly stated that in my view it has a serious child impact which can properly be called emotional abuse. It can take the form of a systematic removal or downgrading of one parent by the other parent. It can also take place between other family members such as siblings or grandparents.

We prefer to refer to parental alienation not as a syndrome or a classification but as alienating behaviours. Our primary focus is the child impact of these alienating behaviours. Whilst in some of our cases, alienating behaviours are the main or only feature, it is more common for us to see alienating behaviour and impact operating alongside other damaging factors or risk factors within a family. Our role is to understand the precise toxic mix or cocktail of problems affecting a child and to seek to persuade those responsible for the problems to cease what they are doing and to in future protect the child from harm.

Whilst we focus on children, others in a family network can be affected or victimised through the alienation process. All of our practitioners are provided with guidance and training on how to recognise alienating behaviours and we also cover some of the features in our Operating Framework, which I have attached for reference (see p64).

The new Cafcass private law assessment pathways

In recognition of the complexity of alienating behaviours, we decided to develop new private law assessment pathways including a high conflict pathway and a parental alienation pathway. These will sit alongside our award-winning domestic abuse pathway, as the pathways need to

Baroness Tyler of Enfield Chair
Anthony Douglas CBE Chief Executive



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be considered as a whole rather than in isolation from one another. We will train our staff in these pathways when they are operational later in the year. Any practitioner trained will start using the pathways straight away. Our plan is to ensure that all practitioners are trained before we publish the final version and designate it as mandatory, probably in April 2019. This will allow us to refine the pathways in the light of early experience before they become mandatory.

Our work is aligned with the Ministry of Justice position on parental alienation which you make reference to. We work closely with them on this and all related developments.

In closing, my view is that the child impact of high conflict separation and divorce is a major public health issue, which would benefit from publicity and awareness raising, with a view to deterring parents from behaving like this. A different way of framing this would be to promote the benefits of low conflict lives. Programmes like this need Government support but in my view a change in legislation is not required at this stage, especially as the issues are complex and legislation is in my experience a blunt tool for regulating private family life. A stronger evidence base will help to move the debate forward. In Cafcass we intend to do that through the work on our new practice pathways I have summarised in an attachment to this letter.

Below are details of our Positive Parenting Programme Pilot, which you asked about.

The Cafcass Positive Parenting Programme Pilot

The High Conflict Pathway supports practitioners to identify cases suitable for the Cafcass Positive Parenting Programme Intervention. Our Positive Parenting Programme pilot is a 12-week programme for families which provides structured sessions to high conflict parents aimed at promoting change, improving communication between parents and reducing the emotional harm experienced by the child. It encourages parents to place themselves in their children's shoes so as to understand the impact of their behaviour. We use restorative practice principles to help the child recover with the support, where possible, of both parents.

A number of Cafcass practitioners have been trained to deliver the programme and it is being piloted across the country in 50 [Rule 16.4 cases](#) assessed to be suitable. Cafcass identifies those cases which might benefit from the programme. This is then discussed with the judge for each case and if agreed, the case is allocated to one of the practitioners trained in the programme.

We are currently undertaking further development work to refine the design and implementation of the pilot and will undertake an impact evaluation once a sufficient number of cases have completed the programme.

Yours sincerely

Anthony Douglas CBE
Chief Executive

cc. Nigel Brown, Chief Executive, Cafcass Cymru