

Committee for Justice
Domestic Abuse and Family Proceedings Bill – Committee Stage
Record of Discussions with Individuals at Informal Meetings
Informal Meeting 2 – Reverend Stephen Jones

Members present: Paul Givan MLA, Chairperson
Jemma Dolan MLA
Gordon Dunne MLA

In Attendance: Kathy O'Hanlon, Senior Assistant Clerk
Allison Mealey, Clerical Officer

Introduction

The Chairperson, Mr Givan MLA, Ms Dolan MLA and Mr Dunne MLA met with Rev. Stephen Jones to discuss issues relating to parental alienation and contact denial in relation to the Domestic Abuse and Family Proceedings Bill.

Rev. Jones explained that he does not normally become involved in matters at a political level but works at a practical level through his Ministry. During the course of his work he has worked with people on a range of issues related to parental alienation and contact denial and his experiences led him to contact the Committee on this occasion.

Rev. Jones stressed that parental alienation is not a gender issue. While the majority of cases involve fathers, mothers can also be affected by it.

Key issues raised:

- This issue impacts on a range of practical matters, such as birth certificates, child support, child benefit, child tax credits, enforcement of court orders etc.
- Courts frequently do not take a 50/50 approach to parental responsibility. While both parents have equal parental responsibility, this is not what happens in practice. The parent that the child normally resides with is able to dictate to the other parent what access they may have.
- Cases that have gone to court are generally not amicable and parents tend not to work together sensibly.
- The Minister of Health's advice during the Covid-19 pandemic is that it is important for children to maintain their usual routine and spending time with both parents in line with a contact order, unless to do so would put the child or others at risk with regard to Government or Public Health Authority Guidance. However, it is for parents to come to a sensible decision but it is the parent

who has the child who will determine whether they move. This is also the case even without the public health crisis.

- In 2018 a BBC report found a 30% rise in accusations of coercive control or domestic abuse which the report concluded had been made in order to access legal aid.
- There can be allegations of coercive control on both sides. The parent who has the child often raises issues of coercive control against the other parent. The parent without the child may allege coercive control in terms of parental alienation.
- Children of a young age should not be asked if they want to see the other parent or not. One parent may put pressure on a child not to see the other parent, which is a form of coercive control. The way the system currently works reinforces this type of behaviour. Unless there are safeguarding issues then contact should be mandatory.
- A parent can make whatever allegation they want against the other parent for which there are no repercussions even when the allegations are proven to be false. Although the letter of the law allows for fines or imprisonment, Rev. Jones has only heard of one occasion where any such action has been taken.
- The parent who is being alienated/separated from their child often has to deal with one allegation after the next as each is proven in turn to have no validity. While allegations have to be investigated, those investigations can sometimes take up to a year. This is therefore often used as a delaying tactic and another year passes where a parent has been unable to spend time with their child.

How can issues be resolved?

- First step is key – from the start 50/50 is not presumed when it should be and power is given to one parent; this applies even to birth certificates. The starting point for courts must be equal parental responsibility where neither parent has power over the other.
- Consideration also needs to be given to how matters such as child support, child benefit and child tax credit are managed in cases where custody is shared 50/50.
- Parental alienation should be viewed as a form of coercive control.

- Enforcement of existing penalties may prevent accusations being made without any proof or evidence.

Rev. Jones suggested that the Committee may wish to consider research undertaken by Linda Neilson, Professor Emeritas, on parental alienation.

Chairperson's comments

The Chairperson advised that consideration needs to be given to what the current laws and procedures are and why they are not being implemented. Laws are not required again where they already exist.

The Chairperson also advised he is keen to look at the issue of involving children in coercive control. This type of behaviour can cause harm not only to the recipient of the abuse but also to the child(ren) involved.

From: Stephen Jones [REDACTED]

Sent: 11 September 2020 12:53

To: +Domestic Abuse and Family <domesticabusebill@niassembly.gov.uk>; O'Hanlon, Kathy
[REDACTED] Givan, Paul CO [REDACTED]

Subject: Re: Committee for Justice - Parental Alienation

Dear Paul/Kathy,

I hope you are keeping well. Further to our previous conversations, I wanted to keep in touch to see if there had been any developments around Parental Alienation as a whole and also around some of the more specific areas I had mentioned, namely;

- Child Benefits and its imbalance
- The wording and emphasis of, specifically, a Father being added to a birth certificate
- Parental Alienation being classed as Child Abuse and being added to a Domestic Abuse Bill.

I'm not sure if you are aware or not but there has been a recent study released which would be beneficial for the discussion

- <https://www.canva.com/design/DAEAF75oOd0/view#48> or <https://parentalalienationuk.info/our-report/> - it is a fact based look into the cause and affect of Parental Alienation and I believe is the biggest survey to date on the impacts of this practice and behaviour.

I look forward to hearing from you.

Thank you,

Rev. Stephen Jones