



the part of the parents and may not want to cooperate, as a result of which their concerns are reinforced and as a result of which they decide to remove the child from the home. Please note: we do not claim that all relocations by the youth protection services are unjustified. We find that there are relocations that are unjustified. We advise you not to use the term 'parental alienation' for these situations but to choose a different one to avoid confusion. A term that many parents also use for this situation is, for example, 'child theft'.

### **Incorrect decisions about custody and dealing in a divorce context in which a parent commits domestic violence**

In a large part of the complex divorces (in which parents repeatedly and/or for a long time end up in a legal battle), there is a parent who commits domestic violence. Normally, parents will reach agreements together when they break up. Perhaps with some struggles (after all, they break up for a reason), they come to agreements about the finances and the care of the children. Particularly in the case of someone who is violent, controlling, and/or commits psychological abuse, there is a great risk that this will not succeed. The problem is that there are many stereotypical ideas about divorce and the behavior of mothers in a divorce situation, which leaves room for the theory of parental alienation. In our book "It doesn't stop until you protect the victims. Complex divorces and suspicions/accusations of domestic violence" and in the essays, you can read on our website, we discuss this in more detail.

When children and their protective parent (usually the mother, but sometimes also the father) are not believed about domestic violence (such as ex-partner violence, child abuse, and sexual abuse), wrong decisions can be made. It happens, for example, that a mother does not (fully) cooperate in a contact arrangement between the children and their father because she knows that the father abuses the children and she tries to protect the children against this. The child protection officer can advise the judge to place the children with the father because he is willing to cooperate and to allow contact with the mother. It even happens that the children in such a situation are (temporarily) not allowed to deal with their mother because it is thought that she is the one who feeds the children wrongly with bad ideas about their father. In other words: the theory of parental rejection is applied and this is wrong. It can be confusing if these mothers claim that child protection does 'parental alienation'. They are the victims of this theory! We advise them to use a different term for this. In English the term DARVO or DARVObyCourt is used. DARVO stands for Deny - Attack - Reverse Victim and Offender.

### **Literature**

We wrote this essay with the aim of clarifying misunderstandings or the term parental alienation and encouraging the use of clear terms. If you want to read more scientific literature on the topics mentioned in this essay, we recommend the following references:

### **Our book and website about complex divorces and domestic violence**

CSMS. (2019). It won't stop until you protect the victims. Complex divorces and suspicions/allegations of domestic violence. <https://tinyurl.com/protectthevictims>

CSMS website: <https://csmsgroep.wordpress.com>

### **Literature on the origin of the parental alienation theory and explanation of why there is a lobby for this theory**

Blizard, R.A. & Shaw, M. (2019): Lost-in-the-mall: False memory or false defense? *Journal of Child Custody*, 16, 20-41. <https://doi.org/10.1080/15379418.2019.1590285>

Boyd, S. B. (2006). Robbed of their families? Fathers' rights discourses in Canadian parenting law reform processes. In R. Collier & S. Sheldon (eds.). *Fathers' rights activism and law reform in comparative perspective*, 27-51. Oregon: Hart Publishing.

Crook, L. S., & McEwen, L. E. (2019). Deconstructing the lost in the mall study. *Journal of Child Custody*, 16(1), 7-19. <https://doi.org/10.1080/15379418.2019.1601603>

Crowley, J. E. (2009). Fathers' rights groups, domestic violence and political countermobilization. *Social forces*, 88(2), 723-755. <https://doi.org/10.1353/sof.0.0276>

Dragiewicz, M. (2008). Patriarchy reasserted: Fathers' rights and anti-VAWA activism. *Feminist Criminology*, 3(2), 121-144. <https://doi.org/10.1177/1557085108316731>

Meier, J. S. (2009). A historical perspective on parental alienation syndrome and parental alienation. *Journal of Child Custody*, 6(3-4), 232-257. <https://doi.org/10.1080/15379410903084681>

### **Literature on the harmful influence of the theory of parental alienation in family law**

Laing, L. (2017). Secondary victimization: Domestic violence survivors navigating the family law system. *Violence against women*, 23(11), 1314-1335. <https://doi.org/10.1177/1077801216659942>

Mackenzie, M., Herbert, R., & Robertson, N. (2020). 'It's Not OK', but 'It' never happened: parental alienation accusations undermine children's safety in the New Zealand Family Court. *Journal of Social Welfare and Family Law*. <https://doi.org/10.1080/09649069.2020.1701942>

Meier (2020). U.S. child custody outcomes in cases involving parental alienation and abuse allegations: what do the data show? *Journal of Social Welfare and Family Law*. <https://doi.org/10.1080/09649069.2020.1701941>

Meier, J. S., & Dickson, S. (2017). Mapping gender: shedding empirical light on family courts' treatment of cases involving abuse and alienation. *Law & Inequality; A Journal of Theory and Practice*, 35, 311-334. <https://tinyurl.com/y5tjprua>

Meier, J.S., Dickson, S., O'Sullivan, C., Rosen, L., & Hayes, J. (2019). Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (2019). *GWU Legal Studies Research Paper No. 2019-56*. <https://ssrn.com/abstract=3448062> / <http://dx.doi.org/10.2139/ssrn.3448062>

Rathus, Z., Jeffries, S., Menih, H., & Field, R. (2019). "It's Like Standing on a Beach, Holding Your Children's Hands, and Having a Tsunami Just Coming Towards You": Intimate Partner Violence and "Expert" Assessments in Australian Family Law. *Victims & Offenders*, 14(4), 408-440. <https://doi.org/10.1080/15564886.2019.1580646>

Saunders, D. G., & Oglesby, K. H. (2016). No way to turn: Traps encountered by many battered women with negative child custody experiences. *Journal of Child Custody*, 13(2-3), 154-177. <https://doi.org/10.1080/15379418.2016.1213114>

Silberg, J., & Dallam, S. (2019). Abusers gaining custody in family courts: A case series of over turned decisions. *Journal of Child Custody*, 16(2), 140-169. <https://doi.org/10.1080/15379418.2019.1613204>

### **Criticism of the parental alienation theory**

Bruch, C. S. (2001). Parental alienation syndrome and parental alienation: Getting it wrong in child custody cases. *Family Law Quarterly*, 35, 527- 552. <https://doi.org/10.2139/ssrn.298110>

Meier, J. (2009). Parental alienation syndrome and parental alienation: Research reviews. Harrisburg, PA: VAWnet, a project of the National Resource Center on Domestic Violence/Pennsylvania Coalition Against Domestic Violence. Applied Research Forum. [http://www.ncdsv.org/images/VAWnet\\_PAS\\_Meier\\_1-2009.pdf](http://www.ncdsv.org/images/VAWnet_PAS_Meier_1-2009.pdf)

Rowen, J., & Emery, R. (2018). Parental denigration: A form of conflict that typically backfires. *Family Court Review*, 56(2), 258-268. <https://doi.org/10.1111/fcre.12339>

Willis, B., & O'Donohue, W. (2018). Parental Alienation Syndrome: A critique. *Revista De Estudios E Investigación En Psicología Y Educación*, 5(2), 74-81. <https://doi.org/10.17979/reipe.2018.5.2.4364>