

LearningNetwork

Mobilizing knowledge to end gender-based violence

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THE MISUSE OF PARENTAL ALIENATION IN FAMILY COURT PROCEEDINGS WITH ALLEGATIONS OF INTIMATE PARTNER VIOLENCE

Part 2: Impacts on Survivors and Children

This Issue is the second in a two-part series that examines the potential misuse of parental alienation (PA) claims with intimate partner violence (IPV) in family court proceedings in Canada. It examines the impacts of PA claims on mothers and children* and offers considerations to better support them. We recognize that a partner (e.g., female, male, nonbinary) within any type of intimate relationship (e.g., same sex, heterosexual) can be a victim of IPV and can be accused of alienation. However, we focus on mothers harmed by father figures in both Issues as they face a greater likelihood of serious injury and death from IPV and are most often accused of alienation in their efforts to protect children.¹

If you need support as you read through this Issue, [please reach out](#).

[Click here to read Part 1: Understanding the Issue](#)

It provides an overview of PA, how its use has evolved in the family court system, and the implications of PA claims in child custody cases involving IPV for mothers and children.

CONCERNS ABOUT THE MISUSE OF PA

After separation, the ideal situation is for children to have ongoing positive relationships with both parents and to be protected from continuing conflict between parents. Children do not benefit when one parent attempts to prevent or undermine a child's relationship with the other parent, often referred to as "alienating" behaviours that can vary in severity. Courts do not tolerate these actions either. However, when a parent is concerned about their child's safety due to a history of child maltreatment or IPV, their attempts to protect their children can be mislabeled as "parental alienation." Rather than focus on the impacts of the abuse and violence that has occurred in the past or continues in the present, court professionals (e.g., judges, lawyers, and mental health professionals) turn their attention to mothers who are accused of engaging in "alienating" behaviours.



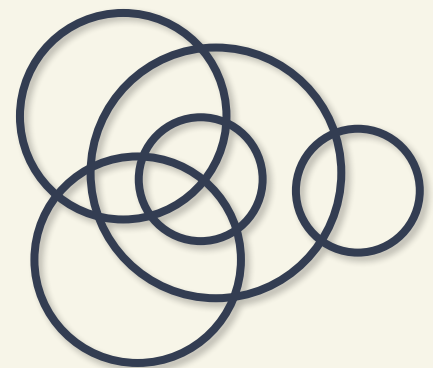
**We use the term 'children' in this Issue to refer to children and youth under the age of 18.*

FAMILY AND DOMESTIC VIOLENCE EXPERTS ARE CONCERNED WITH THE MISUSE OF PARENTAL ALIENATION FOR A NUMBER OF REASONS, INCLUDING:

- There is a lack of support for parental alienation theory in scientific evidence;²
- There are multiple, contributing factors that may explain why children refuse contact with a parent post-separation (e.g., developmental preference for one parent over the other, sibling relationships, violence in the home);³
- It diverts attention away from abuse allegations and other evidence pertinent to the best interests of the child;⁴
 - For instance, Sheehy & Boyd (2020) found that of **90** cases involving IPV & PA, IPV was deemed irrelevant to children's best interests in **40%** of cases
- There is a significant gender bias associated with PA theory⁵
 - For instance, Sheehy & Boyd (2020) found that of **90** cases involving IPV & PA, Women declared alienators suffered negative changes to their custody at a rate of **48%** compared to fathers declared alienators who suffered consequences at a rate of **31%**
- It ignores the realities of IPV, specifically, coercive control post-separation and long-term impacts of abuse and trauma on survivors and children; and
 - For instance, Sheehy & Boyd (2020) found that of **90** cases involving IPV & PA, Finding of IPV is "neutralized" or dismissed in **23%** of cases
 - For instance, Neilson (2018) found in a review of **142** cases involving IPV & PA, **2.8%** of cases were considered for expert examination, such as by a domestic or family violence expert
- There is an increase in allegations of PA in the Canadian family court system and its misuse can endanger survivors and their children.⁶

LACK OF INTERSECTIONALITY IN PA RESEARCH

Much of the research on PA provides little demographic information about parties involved and there is little literature on how PA claims in IPV cases impact women and children of different identities and who face intersecting systems of oppression. This gap in research is critical to address since marginalized individuals often face challenges in the family law system that contribute to "reinforcing rather than alleviating [people's] vulnerability."⁷





IMPACTS OF IPV ON SURVIVORS AND CHILDREN

There is extensive literature on the negative physical and health outcomes for survivors of IPV. For adult survivors, experiencing IPV has been linked to outcomes including physical health conditions (e.g., chronic pain, migraines, and gastrointestinal problems), as well as low self-esteem, depression, anxiety, post-traumatic stress disorder (PTSD), self-harm, and suicidality.⁸

IPV also has significant [impacts on children](#). Even if children have not witnessed a violent incident in their home, they are usually aware of the violence that exists. They may hear the sounds of violence and/or experience its aftermath in the form of damaged objects, injuries to a parent, a parent's fear, or the tension between parents. Children interpret, predict, assess their roles in causing the violence, worry about what will happen, and engage in problem solving.

Adverse outcomes of childhood exposure to IPV include an increased risk of psychological, social, emotional and behavioural problems, including mood and anxiety problems, traumatic stress, substance use, and school-related difficulties.⁹ When this exposure is ongoing (e.g., across developmental stages), there can be a cumulative effect which increases the emotional, physical, and social toll on children.¹⁰ Current research also tells us that the influence of abuse can persist long after the violence, or exposure to violence, has stopped. For instance, exposure to IPV as a child or youth increases the probability that boys will cause harm to their future intimate partners and that girls will experience IPV later in life.¹¹

Read these two reports from the Learning Network to learn more:

[Links between the Maltreatment of Girls and Later Victimization or Use of Violence](#)

[The Link between Boys' Victimization & Adult Perpetration of Intimate Partner Violence: Opportunities for Prevention across the Life Course](#)

THE ROLE OF TRAUMA IN CHILDREN INVOLVED IN CUSTODY CASES WITH PA & IPV

Children benefit from maximum contact with both parents unless this contact exposes children to high levels of stress (e.g., parental conflict or violence in the home).¹² Domestic and family violence experts are concerned that application of parental alienation theories can undermine children's access to the factors that can support their resilience following trauma such as parental warmth, positive parenting, and warm, safe, and stable bonds with non-abusive caregivers.¹³

In addition, recent research points to the failure of courts to recognize or consider the lasting effects of trauma on survivors and children in cases involving IPV and PA.¹⁴ Judges may dismiss the continuing fear of a child or their protective parent in the absence of recent violent incidents and view it as "irrational, manipulative, or at minimum, had no basis."¹⁵ The science tells us otherwise: children's fears associated with toxic levels of stress in the home can result in potentially long-term developmental harm to children.¹⁶ At the same time, the effects of IPV on adult survivors do not cease when the violence ceases. Rather, IPV can produce long-term psychological trauma and fear responses in adults, as well as children.¹⁷

Thus, the role of trauma should be considered in any strained parent-child relationship and a comprehensive assessment is needed to determine a range of factors that may contribute to these relationships.¹⁸ This screening should precede any intervention and treatment and should be required in all cases. Screening should also be completed for each member of the family where parent-child contact problems are suspected or found.



Read this report to learn more:

[What You Don't Know Can Hurt You: The importance of family violence screening tools for family law practitioners](#) by Luke's Place

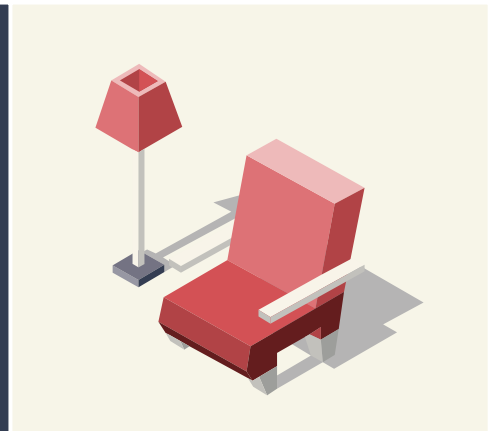
IMPLICATIONS OF PA ALLEGATIONS FOR SURVIVORS AND CHILDREN

Parental alienation claims in child custody cases involving allegations of IPV can have detrimental impacts on survivors and children and can jeopardize their safety and well-being. For instance:

>	Women and children may be silenced so that evidence of violence and of negative parenting is not presented. ¹⁹
>	Survivors who are accused of, or threatened to be accused of PA, do not feel believed, protected, or supported through family court and child protection proceedings. This can further exacerbate experiences of helplessness, stress, and anger. ²⁰
>	There may be an imposition of equal time, joint custody presumptions, or equal shared parenting responsibility in unsafe conditions.
>	Little attention paid to scrutiny of child risk and safety factors in family violence cases.
>	Re-traumatization of children and survivors during court-mandated contact or visits.
>	Interventions that may recommend a change of custody to a supposed “rejected” parent, or prolonged temporary custody with the parent a child fears during reunification programs. Both interventions result in a separation of children from the parent they associate with providing emotional and physical security.

REUNIFICATION THERAPY

In extreme cases, judges may remove the children from the custody of the parent accused of alienating if they give the claims of PA more weight than the claims of IPV by the other parent. In these cases, judges may order the children to attend a reunification program against their will to treat their rejection of a parent. There is no evidence that these programs work as an involuntary program and they may do more harm than good.²¹



THE STRUGGLE TO BE HEARD

In family court cases involving IPV and PA, there is considerable onus placed on the survivor to prove a history of violence while playing the role of a “perfect victim”. Often times, survivors lack the financial and emotional resources to prove that violence occurred. Although police, child protection workers, doctors, and other professionals can testify about their knowledge of the violence, it is important to note that many women do not report IPV or seek help for many reasons including: shame; lack of appropriate services; lack of secure, safe, accessible, and affordable housing; concern for safety of children; economic instability; and immigration status. In many family court proceedings involving allegations of IPV, the absence of an independent source of evidence can lead to a “credibility contest” between the parents.²² For some women, this means a constant struggle to be believed. For instance, Black women who are often seen as “tough, strong, and psychologically dominant” face the additional hurdle of overcoming negative stereotypes in order to be perceived as an ideal victim: “sweet, blameless, scared, and helpless.”²³ Indigenous and racialized women also face systemic discrimination and racism, and are often not taken “seriously” with allegations of violence.²⁴

Access to justice is also a significant problem for many survivors. For instance, over half of family court litigants can’t afford lawyers or enough legal representation for complex cases.²⁵ Family court proceedings for survivors with legal representation is already

overwhelming and daunting. For those who are “un-represented”, it can be particularly exhausting since such cases often take longer to adjudicate and require more court resources.²⁶ In addition, survivors may sometimes have to face their former partners, who have chosen to “self-represent” by choice in order to use the court proceedings to continue to terrify and harass them.

Read this report to learn more:

[Why Can't Everyone Just Get Along? How BC's Family Law System Puts Survivors in Danger](#) by Rise Women's Legal Centre

ENSURING CHILDREN'S SAFETY

When child maltreatment is alleged, child safety is the first priority followed by child stability and wellbeing.²⁷ In situations of partner abuse, survivor safety is the overarching priority, and children's safety is inextricably linked to the safety of adult victims, usually their mothers.²⁸ These same safety standards should be applied in cases of marital/relationship dissolution involving IPV and/or child maltreatment.

An in-depth assessment of the violence is required in order to develop an appropriate parenting plan that recognizes the violence and the impact on adult survivors and children exposed to violence.²⁹ Potential ongoing impacts of abuse on survivors and children should always be considerations in parenting plans. The abuse may have ended but its impacts often continue because of the severity, duration, and nature of the violence and trauma experienced, and for reasons that include the following factors:

IPV does not always end with separation of partners.

In most cases, the incidence and risk of violence decreases once partners separate. However, in a small proportion of cases, especially abusive relationships, the intensity and lethality of IPV may escalate after the survivor leaves the relationship. Children may continue to experience the emotional harms of exposure to this violence.³⁰

Perpetrators of IPV are more likely to be abusive as parents.

Those who demonstrate abuse and coercive control of their intimate partners may behave similarly with their children. Children whose mothers have experienced IPV by their male partners are more likely to be directly abused.³¹

Individuals who exhibit patterns of abuse with their partners and who use physical force to resolve conflicts are negative role models for children.

Exposure to IPV creates an emotional and psychological threat to children's wellbeing, security, and safety. In addition to this exposure, there may be harmful role modeling even after parental separation, whether or not parents mistreat their children directly. Children may continue to be exposed to abuse and poor modeling in the abusive parent's subsequent intimate relationships.

Abusive ex-partners are likely to undermine the survivor's parenting role.

Abusive ex-partners are likely to attempt to alienate the children from the other parent's affection, disrupt family plans, and undermine parental authority by explicitly instructing the children to not listen or obey. Abusive ex-spouses may also use family court litigations as a new way to continue their coercive controlling behaviour and to harass their former partner.³²

Children may be killed in the context of IPV and ongoing custody disputes.

Although child homicides are relatively rare events, findings from various international death review processes (e.g., Canada, U.S., Europe, Australia, and New Zealand) have revealed that many of these deaths appear predictable and preventable with hindsight. For instance, some professionals and agencies overlook warning signs that may suggest direct harm to children, even in cases where the dangers to adult survivors are clear.³³

Close coordination and communication among family and criminal courts and professionals is critical to ensure children are included in safety planning for adult survivors.³⁴

BETTER SUPPORTS FOR WOMEN AND CHILDREN

Allegations of PA in IPV cases continue to increase across Canada with potentially serious implications for women and children. Though a comprehensive review of the family court system and opportunities for growth and change falls outside of the scope of this Issue, we highlight several key considerations to better support women and children as they navigate the family court system and seek safety and protection.



1. Providing Mandatory Training and Education on Family Violence

Mental health and social service professionals must be qualified to identify patterns of abuse as well as the risks of post-separation violence. As they provide a range of support to courts, these professionals must have training in IPV, child maltreatment, child development, and trauma. Such professional education opportunities must also be extended to judges, lawyers, and all court-related professionals.

Most importantly, in situations of marital/relationship breakdown, allegations of IPV need to be addressed before issues of custody and visitation can be determined. Professionals involved in child-custody decision-making (e.g., parenting coordinators) need special training to recognize, understand, and properly evaluate evidence of IPV and/or child maltreatment and claims of alienation. This comprehensive training could lead to a decrease in widely held misconceptions surrounding “high-conflict” cases involving allegations of IPV and ensure that they are truly acting in the best interests of the child or children involved.³⁵ Proper screening for abuse and trauma is essential to prevent children from continued exposure to violence and to promote safety for survivors and risk management and accountability with partners who use abusive behaviours.



2. Creating Trauma- and Violence-Informed Courts

The term alienation has been used for decades to blame IPV victims for being protective of children in the face of abuse. The misuse of this label needs to end and be replaced with a **trauma- and violence- informed approach** to avoid re-traumatizing mothers and children who have experienced IPV and are involved in custody and divorce litigation. Such approaches will ensure that court professionals are aware of and understand the potential impacts of current and past trauma and violence on parties in court proceedings, minimize harm and enhance safety, respect boundaries, provide culturally appropriate responses, and use language and behaviours that encourage agency and resilience.



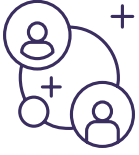
3. Developing and Utilizing a Structured Framework and Tools to Screen and Assess the Impact of IPV for Parenting Decisions

Judges and court-related professionals, such as custody evaluators, have to consider multiple sources of information and factors to develop a parenting plan that promotes safety for survivors and children. The **Battered Women’s Justice Project** in the United States has developed excellent tools that outline how to identify IPV in order to promote safe and informed disclosures of abuse. A key step is defining the nature and context of the abuse and who is doing what to whom, why and to what effect. The second step is to evaluate the implications of the abuse. The third step is taking informed action by accounting for abuse. The last stage of the framework focuses on making informed decisions and taking informed actions that fully account for the nature, context and implications of abuse. The framework is intended to directly address the underlying conditions that would otherwise allow the abuse – and its implications – to persist long after the family court case is officially closed.

A Framework for Identifying, Understanding, and Accounting for Abuse*



*Adapted from: Davis, G., Frederick, L., & Ver Steegh, N. (2015). *Practice Guides for Family Court Decision-Making in Domestic Abuse-Related Child Custody Matters*. Battered Women’s Justice Project. Available at: <https://www.bwjp.org/assets/documents/pdfs/practice-guides-for-family-court-decision-making-ind.pdf>



4. Improving Coordination Between Agencies Involved in Multiple Legal Processes

It is important to consider that for parents involved in “high-conflict” separations and who are survivors of IPV, the lack of coordination between agencies, professionals, and court proceedings can be overwhelming and time-consuming. Parents and children may need to navigate multiple legal processes (e.g., child protection, criminal, family, immigration), recount their stories numerous times, and receive conflicting orders and outcomes from different proceedings.³⁶ Consider a potential scenario where “there is an acquittal of the alleged abuser in the criminal proceedings, a finding that the children are in need of protection resulting from exposure to violence in the child protection proceedings, and an order for joint custody in the family proceedings.”³⁷ There is clearly a need to improve communication and coordination among agencies, professionals, and judges in criminal and family law proceedings to ensure the safety and well-being of survivors and children as well as risk management and accountability with perpetrators.



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- ¹ 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>
- ² Milchman, M. S., Geffner, R., & Meier, J. S. (2020). Ideology and rhetoric replace science and reason in some parental alienation literature and advocacy: A critique. *Family Court Review*, 58(2), 340-361. <https://doi.org/10.1111/fcre.12476>
- ³ Fidler, B. J., & Bala, N. (2020). Concepts, Controversies and Conundrums Of “Alienation:” Lessons Learned In A Decade And Reflections On Challenges Ahead. *Family Court Review*, 58(2), p. 579. <https://doi.org/10.1111/fcre.12488>
- ⁴ 352 Concerned Family Law Academics, Family Violence Experts, Family Violence Research Institutes, Child Development and Child Abuse Experts, Children’s Rights Networks and Associations and 764 concerned individuals. (2019). *Collective Memo of Concern to: World Health Organization RE: Inclusion of “Parental Alienation” as a “Caregiver-child relationship problem” Code QE52.0 in the International Classification of Diseases 11th Revision (ICD-11)*. Available at <http://www.learningtoendabuse.ca/docs/WHO-September-24-2019.pdf>
- ⁵ Neilson, L. (2018). *Parental alienation empirical analysis: Child best interests or parental rights?* Vancouver: The FREDA Centre for Research on Violence Against Women and Children. Available at <https://www.fredacentre.com/report-parental-alienation-empirical-analysis-neilson-2018/>; Sheehy, E., & Boyd, S.B. (2020). Penalizing women’s fear: intimate partner violence and parental alienation in Canadian child custody cases. *Journal of Social Welfare and Family Law*, 42(1), 80–91. <https://doi.org/10.1080/09649069.2020.1701940>
- ⁶ Sheehy, E., & Boyd, S.B. (2020). Penalizing women’s fear: intimate partner violence and parental alienation in Canadian child custody cases. *Journal of Social Welfare and Family Law*, 42(1), 80–91. <https://doi.org/10.1080/09649069.2020.1701940>; Neilson, L. (2018). *Parental alienation empirical analysis: Child best interests or parental rights?* Vancouver: The FREDA Centre for Research on Violence Against Women and Children. Available at <https://www.fredacentre.com/report-parental-alienation-empirical-analysis-neilson-2018/>; Zaccour, S. (2018). Parental alienation in Quebec custody litigation. *Cahiers de droit*, 59(4), 1073-1111. <https://doi.org/10.7202/1055264ar>; Lapierre, S., & Côté, I. (2016). Abused women and the threat of parental alienation: Shelter workers’ perspectives. *Children and Youth Services Review*, 65, 120-6. <https://doi.org/10.1016/j.childyouth.2016.03.022>
- ⁷ Treloar, R. (2018). High-conflict divorce involving children: parents’ meaning-making and agency. *Journal of Social Welfare and Family Law*, 40(3), p. 343. <https://doi.org/10.1080/09649069.2018.1493652>
- ⁸ Macy, R.J., Ferron, J., & Crosby, C. (2009). Partner violence and survivors’ chronic health problems: informing social work practice. *Social Work*, 54(1), 29-43. <https://doi.org/10.1093/sw/54.1.29>; DeJonghe, E.S., Bogat, G.A., Levendosky, A.A., von Eye, A. (2008). Women survivors of intimate partner violence and post-traumatic stress disorder: Prediction and prevention. *Symposium: Violence Against Children and Women*, 54(4), 394-300. Available at <https://www.jpgmonline.com/article.asp?issn=0022-3859;year=2008;volume=54;issue=4;spage=294;epage=300;aulast=DeJonghe>; Garcia-Moreno, C., & Pallitto, C. (2013). *Global and regional estimate of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*. World Health Organization. Available at https://books.google.ca/books?hl=en&lr=&id=ZLMXDAQAQBAJ&oi=fnd&pg=PP1&ots=e_9bN4Sbkt&sig=5hZzaTseTZDzaVr9EJ48OIZLRMQ&redir_esc=y#v=onepage&q&f=false; Iverson, K.M., Shenk, C., & Fruzzetti, A.E. (2009). Dialectical Behaviour Therapy for Women Victims of Domestic Abuse: A Pilot Study. *Professional Psychology: Research and Practice*, 40(3), 242-248. <https://doi.org/10.1037/a0013476>
- ⁹ Osofsky, J.D. (2003). Prevalence of children’s exposure to domestic violence and child maltreatment: Implications for prevention and intervention. *Clinical Child and Family Psychology Review*, 6, 161–70. Available at <https://link.springer.com/article/10.1023/A:1024958332093>; Levendosky, A.A., Bogat G.A., & Martinez – Torteya, C. (2013). PTSD symptoms in young children exposed to intimate partner violence. *Violence Against Women*, 19(2), 187-201. <https://doi.org/10.1177/1077801213476458>
- ¹⁰ Graham-Bermann, S., & Perkins, S. (2010). Effects of early exposure and lifetime exposure to intimate partner violence (IPV) on child adjustment. *Violence and Victims*, 25(4), 427–439. <https://doi.org/10.1891/0886-6708.25.4.427>; Schnurr, M. P., & Lohman, B. J. (2013). Longitudinal impact of toddlers’ exposure to domestic violence. *Journal of Aggression, Maltreatment, & Trauma*, 22(9), 1015–1031. <https://doi.org/10.1080/10926771.2013.834019>
- ¹¹ Abramsky, T., Watts, C.H., Garcia-Moreno, C., Devries, K., Kiss, L., et al. (2011). What factors are associated with recent intimate partner violence? Findings from the WHO multi-country study on women’s health and domestic violence. *BioMed Central Public Health*, 11(109), 1-17. Available at <https://bmcpublichealth.biomedcentral.com/articles/10.1186/1471-2458-11-109>; Etherington,

Nicole A. & Baker, Linda L. (2017). *Links between the Maltreatment of Girls and Later Victimization or Use of Violence*. London, Ontario: Centre for Research & Education on Violence Against Women & Children. ISBN 978-1-988412-02-3. Available at http://www.vawlearningnetwork.ca/our-work/reports/report_2017_2.html; Etherington, Nicole A. & Baker, Linda L. (2016). *The Link between Boys' Victimization and Adult Perpetration of Intimate Partner Violence: Opportunities for Prevention across the Life Course*. London, Ontario: Centre for Research & Education on Violence Against Women & Children. ISBN 978-0-9688655-4-5. http://www.vawlearningnetwork.ca/our-work/reports/report_2016_4.html

¹² Neilson, L. (1999). Spousal Abuse, Children and the Courts: The Case for Social Rather than Legal Change. *Canadian Journal of Law and Society*, 12(1), 101-146. Available at <https://heinonline.org/HOL/Page?handle=hein.journals/cjls12&id=105&collection=journals&index=>

¹³ Martinez- Torteya, C., Bogat, G.A., Von Eye, A., Levendosky, A.A. (2009). Resilience Among Children Exposed to Domestic Violence: The Role of Risk and Protective Factors. *Child Development*, 80(2), 562-577. <https://doi.org/10.1111/j.1467-8624.2009.01279.x>; Graham – Bermann, S., Gruber, G., Howell, K.H., & Girz, L. (2009). Factors discriminating among profiles of resilience and psychopathology in children exposed to intimate partner violence (IPV). *Child Abuse & Neglect*, 33(9), 648-660. <https://doi.org/10.1016/j.chiabu.2009.01.002>

¹⁴ Neilson, L. (2018). *Parental alienation empirical analysis: Child best interests or parental rights?* Vancouver: The FREDA Centre for Research on Violence Against Women and Children. Available at <https://www.fredacentre.com/report-parental-alienation-empirical-analysis-neilson-2018/>

¹⁵ Ibid, pg. 39.

¹⁶ Center on the Developing Child. (n.d.). *Toxic Stress*. Available at <https://developingchild.harvard.edu/science/key-concepts/toxic-stress/>

¹⁷ Ponic, P., Varcoe, C., & Smutylo, T. (2016). Trauma- (and violence-) informed approaches to supporting victims of violence: policy and practice considerations. *Victims of Crime Research Digest No. 9*. Ottawa, ON: Department of Justice. Available at <https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rd9-rr9/p2.html>; Herman, J. (2015). *Trauma and recovery: The aftermath of violence—from domestic abuse to political terror*. Basic Books.

¹⁸ Deutsch, R., Drozd, L., & Ajoku, C. (2020). Trauma-Informed Interventions in Parent-Child Contact Cases. *Family Court Review*, 58(2), 470-487. <https://doi.org/10.1111/fcre.12483>

¹⁹ Hrymak, H., & Hawkins, K. (2021). Why Can't Everyone Just Get Along? How BC's Family Law System Puts Survivors in Danger. *Rise Women's Legal Centre*, pg. 40. Available at <https://womenslegalcentre.ca/wp-content/uploads/2021/01/Why-Cant-Everyone-Just-Get-Along-Rise-Womens-Legal-January2021.pdf?fbclid=IwAR3e2OUTIQ-Pq2XOa5JRjv4Tt6BA33-liU0jTsl9c9g0UoUZLVFPj3-9kY>

²⁰ Lapierre, S., & Coté, I. (2016). Abused women and the threat of parental alienation: Shelter workers' perspectives. *Children and Youth Services Review*, 65, 120-126. <https://doi.org/10.1016/j.childyouth.2016.03.022>

²¹ Johnston, J. R. (2017). Conclusion. In A. Judge & R. Deutsch (Eds.), *Family-based interventions for children's resistance, rejection, alienation: Overcoming barriers and other clinical approaches*. (pp. 307-324). New York: Oxford Press.

²² Bala, N., & Kehoe, K. (2013). Concurrent Legal Proceedings in Cases of Family Violence: The Child Protection Perspective. *Justice Canada*, pg. 16. Available at <https://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/fv-vf/index.html>

²³ Mindthoff, A., Goldfarb, D., & Behre, K.A. (2019). How Social Science Can Help Us Understand Why Family Courts May Discount Women's Testimony in Intimate Partner Violence Cases. *Family Law Quarterly*, 53(3), pg. 254. Available at https://www.researchgate.net/profile/Amelia-Mindthoff-2/publication/342247787_How_Social_Science_Can_Help_Us_Understand_Why_Family_Courts_May_Discount_Women%27s_Testimony_in_Intimate_Partner_Violence_Cases/links/5eea88bea6fdcc73be84e0f3/How-Social-Science-Can-Help-Us-Understand-Why-Family-Courts-May-Discount-Womens-Testimony-in-Intimate-Partner-Violence-Cases.pdf; Kohn, L.S. (2003). Barriers to Reliable Credibility Assessments: Domestic Violence Victim-Witnesses. *University Journal of Gender, Social Policy, and the Law*, 11(2), 733-748. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2182769; MacDowell, E.L. (2013). Theorizing from Particularity: Perpetrators and Intersectional Theory on Domestic Violence. *Scholarly Works*. Available at <https://scholars.law.unlv.edu/cgi/viewcontent.cgi?article=1791&context=facpub>; Ammons, L.L. (1995). Mules, Madonna, Babies, Bathwater, Racial Imagery and Stereotypes: The African-American Woman and the Battered Woman Syndrome. *Wisconsin Law Review*, 5, 1032– 33. Available at <https://heinonline.org/HOL/Page?handle=hein.journals/wlr1995&id=1019&collection=journals&index=>

- ²⁴ Hrymak, H., & Hawkins, K. (2021). Why Can't Everyone Just Get Along? How BC's Family Law System Puts Survivors in Danger. *Rise Women's Legal Centre*, pg. 40. Available at <https://womenslegalcentre.ca/wp-content/uploads/2021/01/Why-Cant-Everyone-Just-Get-Along-Rise-Womens-Legal-January2021.pdf?fbclid=IwAR3e2OUTIQ-Pq2XOa5JRjv4Tt6BA33-liU0jTsl9c9g0UoUZLVFPj3-9kY>
- ²⁵ Birnbaum, R., & Bala, N. (2017). *Why Do So Many Family Litigants Not Have Lawyers?* Association of Professional Family Mediators. Available at <https://apfmnet.org/many-family-litigants-not-lawyers/>
- ²⁶ Just Facts. (2016). *Self-Represented Litigants in Family Law*. Justice Canada. Available at <https://www.justice.gc.ca/eng/rp-pr/fl-lf/divorce/jf-pf/srl-pnr.html>
- ²⁷ Child Welfare Information Gateway. (2013). *Preventing child maltreatment and promoting well-being: A network for action*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau. Available at <https://www.childwelfare.gov/pubpdfs/2013guide.pdf>
- ²⁸ Jaffe, P.G., Campbell, M., Olszowy, L., & Hamilton, L.H.A. (2014). Paternal filicide in the context of domestic violence: Challenges in risk assessment and risk management for community and justice professionals. *Child Abuse Review*, 23(2) 142-153. <https://doi.org/10.1002/car.2315>; David, R., Olszowy, L., Reif, K., Saxton, M., Campbell, M., Dubé, M., Dawson, M., & Jaffe, P. (2017). Children and Domestic Homicide: Understanding the Risks. *Domestic Homicide Brief (3)*. London, ON: Canadian Domestic Homicide Prevention Initiative. ISBN: 978-1-988412-11-5. Available at <http://cdhpi.ca/children-and-domestic-homicide-understanding-risks>
- ²⁹ Jaffe, P.G., Johnston, J. R., Crooks, C. V., & Bala, N. (2008). Custody disputes involving allegations of domestic violence: The need for differentiated approaches to parenting plan. *Family Court Review*, 46(3), 500-522. <https://doi.org/10.1111/j.1744-1617.2008.00216.x>
- ³⁰ Jaffe, P.G., Lemon, N., & Poisson, S. (2003). *Child custody & Domestic Violence: A call for safety and accountability*. Thousand Oaks, CA: Sage Publications.
- ³¹ Jaffe, P.G., Johnston, J. R., Crooks, C. V., & Bala, N. (2008). Custody disputes involving allegations of domestic violence: The need for differentiated approaches to parenting plan. *Family Court Review*, 46(3), 500-522. <https://doi.org/10.1111/j.1744-1617.2008.00216.x>; Hamby, S., Finkelhor, D., Turner, H., & Ormrod, R. (2010). The overlap of witnessing partner violence with child maltreatment and other victimizations in a nationally representative survey of youth. *Child abuse & neglect*, 34(10), 734-741. <https://doi.org/10.1016/j.chiabu.2010.03.001>
- ³² Bancroft, L., Silverman, J. G., & Ritchie, D. (2011). *The batterer as parent: Addressing the impact of domestic violence on family dynamics*. Sage Publications.; Campbell, E. (2017). How domestic violence batterers use custody proceedings in family courts to abuse victims, and how courts can put a stop to it. *UCLA Women's Law Journal*, 24, 41-66. Available at https://heinonline.org/HOL/Page?collection=journals&handle=hein.journals/uclawo24&id=46&men_tab=srchresults
- ³³ Jaffe, P.G., Campbell, M., Olszowy, L., & Hamilton, L.H.A. (2014). Paternal filicide in the context of domestic violence: Challenges in risk assessment and risk management for community and justice professionals. *Child Abuse Review*, 23(2) 142-153. <https://doi.org/10.1002/car.2315>
- ³⁴ Reif, K., & Jaffe, P. (2019). Remembering the forgotten victims: child-related themes in domestic violence fatality reviews. *Child Abuse & Neglect*, 98, 104223. <https://doi.org/10.1016/j.chiabu.2019.104223>; Olszowy, L., Jaffe, P., & Saxton, M. (2020). Examining the Role of Child Protection Services in Domestic Violence Cases: Lessons Learned from Tragedies. *Journal of Family Violence*, 1-13. Available at <https://link.springer.com/article/10.1007/s10896-020-00171-3>
- ³⁵ Shaw, M. (2017). Commentary regarding parenting coordination in cases of high conflict disputes. *Journal of Child Custody*, 14(1), 73-76. <https://doi.org/10.1080/15379418.2017.1286961>
- ³⁶ Bala, N., & Kehoe, K. (2013). Concurrent Legal Proceedings in Cases of Family Violence: The Child Protection Perspective. *Justice Canada*, pg. 16. Available at <https://www.justice.gc.ca/eng/rp-pr/fl-lf/famil/fv-vf/index.html>
- ³⁷ Ibid, pg. 3.