

# Men & Families 2023

## Proving a Parental Alienation Case in 15 Minutes or Less

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October 12-13, 2023

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**International Families Alliance Conference Toronto**

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## ***THEMES***

- Failure is not an option social science literature on emotional and psychological damage [and indeed neurological damage] from impaired relations in childhood with a parent
- There is zero science supporting the aspirational statement that backing off and letting the child decide will solve the issue over time
- Parent child relationships are built to last a lifetime and don't expire at any particular legal or psychological age
- It is the duty of the family law system to create solutions and give children two parents and extended families for a lifetime

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## *DIAGNOSTIC*

- What does “parental alienation” mean?
- What does “gatekeeping” mean?
- What is a “pathological alliance” or a “loyalty bind”
- How do we get past the extensive mis-information about pa on social media and even in allegedly peer reviewed journals
- Children’s suggestibility and lack of reliability
- The Law of Memory Science

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## ***CAN YOU MAKE THE CASE WITHOUT LABELS?***

- Wiggins v. Fiorito 2011 [anchor on “emotional abuse/emotional harm”]
- A. M. v. C.H. 2018 – 2019 [PA and its remedies are simply factual inquiries that do not require expert evidence]
- D. v. T. [2021] [judicial notice]
- Compile lists of helpful behaviour, unhelpful behaviour and requests that are ignored in relation to both

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## ***REMEDIES***

- The stark dilemma
- The failure of unstructured therapy
- By the time you get the trial what's left?
- Since protective separation is an inherently interim remedy [wiggins 2015] why not try it? It has a long track record of success [formal and informal studies and experience]

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## *IF IT WERE ONLY SO SIMPLE*

- Can you stay the course in terms of emotional, time and financial resilience?
- Courts lament that remedies with force need to be implemented earlier, but then fail to do so
- The therapeutic community needs education and standards on family therapy in conflictual situations
- All domains and forums worldwide need education, actual scientific study and advocacy
- A plea for a rebuttable presumption of equal shared parenting

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