

# Divorce bill will put kids in jeopardy

## Liberals plan changes to family law

National Post · 21 Feb 2026 · A17 · Barbara kay kaybarb@gmail.com X: @Barbararkay

IT SEEMS TO HAVE BECOME A FAD IN YOUNG, REFLEXIVE, YOUTHFUL REJECTIONIST CIRCLES TO GIVE LIP SERVICE TO ANTISEMITIC SNIDERIES. — BLACK



Now in its second reading, Bill C-223, an Act to amend the Divorce Act, also known as the “Keeping Children Safe Act,” is a private member’s bill tabled by Liberal MP Lisa Hepfner. Endorsed by a slew of feminist organizations, C-223 seeks to end “parental alienation” as a legal consideration in family court. Far from keeping children safe, the bill, if passed, will put many children in jeopardy, while keeping their alienating parents safe.

Parental alienation (PA) is a brutal form of child abuse. The International Parental Alienation Study Group defines it as “a mental condition in which a child — usually one whose parents are engaged in a high-conflict separation or divorce — allies himself or herself strongly with the preferred parent (the alienating parent) and rejects a relationship with the other parent (the targeted parent) without legitimate justification.” The cognitive element of the syndrome is “the false belief that the rejected parent is evil, dangerous or not worthy of love.” The behavioural component of parental alienation is “the firm, persistent rejection of a relationship with the targeted parent.”

PA is too common to ignore or to pass off as a “pseudo-theory,” as many supporters of C-223 do. A 2016 study by Colorado State University and High Point University scientists found over 22 million adults in the U.S. are targets of parental alienation, with 10 million experiencing “severe alienation from their children.”

A positive connection with both parents is a child’s human right, based in a profound, universal yearning so inherent in children, it normally triumphs over neglect, abuse and even abandonment. Implacable and lasting rejection by a child of a loving parent who seeks to keep the relationship alive, without adult influence, is rare. Alienation from one parent by the other, grafted onto a child in youth, requires sustained, purposeful indoctrination. Without intervention, it can and does last a lifetime.

It is therefore imperative that in such cases family court judges maintain their hold on the necessary remedial tools to compel immediate harm reduction and pathways to long-term family healing.

Bill C-223 seeks to rob judges of several of these crucial tools. Most alarmingly, section 4(4) of the bill states that a court “shall not take into consideration” any allegation that a parent has deliberately manipulated a child into estrangement from the other parent. If PA is thus legally “disap-

peared,” it follows that the judge may not order a “remedy” for alienation involving more custody time with the targeted parent, or in extreme cases reversal of custody to the non-alienating parent.

Brian Ludmer is a Toronto-based lawyer with extensive experience in family law and parental alienation in particular. Brian sits on the advisory board of the Parental Alienation Awareness Organization and the International Support Network for Alienated Families. One of the drafters of Canada’s proposed equal shared parenting legislation, Bill C-560, Ludmer believes, as I do, that in conflicted custody cases, children’s post-separation interests are — in the absence of abuse — best served by a default presumption of equal time for both parents.

In an interview, he explained his deep concerns about C-223. For example, even if the Crown has not found evidence sufficient for a charge, the bill wants allegations of intimate partner or child abuse entered for consideration in family court. Such a thumb on the scale could prejudice the court against custody time allotment and would likely encourage false allegations of abuse. On the other hand, Ludmer explained, if the falsely abuse-alleging parent is not successful, the bill does not permit the parent victimized by the false allegation to use in his or her own family law case the fact that a third-party investigation did not validate the allegations.

Ludmer calls this “gaming the result” and creating an unlevel playing field in family court. With regard to the bill’s curtailment of a judge’s power to reverse custody in order to protect a child from PA, he says the framers might as well call the bill the “Can’t touch me Act of 2026,” because under its rubric, the offending spouse can merely claim to be the “protecting parent” to cover for their alienation, and they won’t get their time cut. He envisions “a flood of alienators wearing the mantra of “protective parent.”

C-223 was conceived by feminists who see adversarial custody cases through a binary lens of controlling men and vulnerable women. Any suggestion that women can be a danger to their children runs counter to their belief system. There is no peer-reviewed evidence to support that claim. But there is peer-reviewed evidence to rebut it: namely an in-depth 2023 study of 500 Canadian family law cases over 16 years that reviewed judicial decisions of abuse and parental alienation. (Ludmer was one of the study authors.) It found, amongst other things, that PA is a gender-neutral phenomenon, and so are judicial decisions.

Ludmer told me, “Half my clients are women being alienated and this bill would deny me the tools needed to protect the mothers (and sometimes the grandmothers and aunts) from false allegations.”

And if C-223 passes? I asked. Ludmer replied, “This will destroy family law.”