

# **DISPARATE VIEWS ABOUT CHILDREN'S RESISTANCE AND REFUSAL OF CONTACT WITH A PARENT: MOVING TOWARD COMMON GROUND**

## **A JOINT STATEMENT FROM AFCC AND NCJFCJ**

The purpose of this statement is to promote transparent, informed, and deliberate family justice dialogue and response to address children's resistance and refusal to have contact with a parent following separation and divorce. While multiple factors may influence children's resistance and refusal to contact a parent, the increasingly widespread, controversial, and consequential usage of parental alienation (PA) concepts necessitates a closer examination and guidance for family law professionals.

The polarized debate over PA undermines the work of family court professionals, obfuscates critical issues, and detracts from trust and confidence in judicial decisions. This has had a major impact on the delivery of family court-related services, case management, and case resolution. Most importantly, this polarization adversely impacts the health, safety, and wellbeing of families, especially children.

There is emerging consensus among stakeholders that the dilemmas about PA involve definitional confusion, dissemination of misinformation about different perspectives, use of overly simplified models, and false or untested assumptions to explain and intervene with a child's resistance/refusal of contact. Social science research is frequently misused, and tends to be embraced or rejected uncritically, or selectively cited in support of partisan positions that either PA exists and is the single most dominant factor or that it is no more than a strategic ploy in custody litigation. While there are instances in which both assertions are true, we encourage family justice professionals to avoid focusing on the false binary debate and instead embrace the complexity of the majority of these cases.

AFCC and NCJFCJ call upon family court professionals to support:

- A compassionate inquiry with the aim of improving children's strained relationships with their parents to build safe and healthier family bonds;
- The use of screening/assessments and early prevention approaches to guide intervention and educate parents about the negative impact of strained parent-child relationships and to reduce parental conflict before it becomes entrenched;
- Ongoing professional education to better understand emerging child-centered practice and research;
- The promotion of interdisciplinary, collaborative alternatives, to the more adversarial processes, when appropriate, in the courts to address a child's resist and refusal of contact with a parent;
- The focus on a child-centered, family systems "whole family" approach for assessment and intervention;
- The attention towards the multiple factors that may influence a child's resistance or refusal to contact a parent;
- Careful consideration of the child's expressed views in all matters that affect them;
- The avoidance of assumptions that assign exclusive culpability and burden of repair to one parent;
- The avoidance of falling into the trap of false binaries (e.g., PA or intimate partner violence);
- The critical consideration of the strengths and limitations of existing research and furtherance of research in this area;
- Proportional legal and mental health responses, especially when interventions are court mandated;
- Access to appropriate public and private services for those at all socioeconomic levels; and,
- The professional restraint needed to avoid the polarization and delegitimization of opposing views and instead work towards collaboration, understanding and collegiality.