



## **Scientific and Professional Rejections of Parental Alienation Syndrome**

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## Scientific and Professional Rejections of Parental Alienation Syndrome (PAS)

Although long rejected by numerous experts, the concept of a "parental alienation syndrome" (PAS) continues to be invoked in custody or visitation litigation. Indeed, "alienation" claims are ubiquitous in custody cases where domestic violence or child abuse is alleged. PAS and/or alienation labels are often used successfully to re-cast parents alleging the other parent is abusive as "alienators" or bad parents themselves. The following summary shows that PAS has been rejected by numerous scientific and legal authorities. While "alienation" is often used in identical manners to PAS, some courts and evaluators treat the two labels as distinct. This document contains explicit rejections of PAS only, but it appears that much of the critique of PAS could also be applied to the way the label "alienation" is improperly used to deny abuse claims.<sup>1</sup>

- “Although there are no data to support the phenomenon called parental alienation syndrome, in which mothers are blamed for interfering with their children’s attachment to their fathers, the term is still used by some evaluators and courts to discount children’s fears in hostile and psychologically abusive situations.” [American Psychological Association]<sup>2</sup> (emphasis added)
- "Family courts often do not consider the history of violence between the parents in making custody and visitation decisions. . . . Psychological evaluators not trained in domestic violence may contribute to this process by ignoring or minimizing the violence and by giving inappropriate pathological labels to women's responses to chronic victimization. Terms such as "parental alienation" may be used to blame the women for the children's reasonable fear of or anger toward their violent father." (emphasis added) [American Psychological Association]<sup>3</sup>
- “PAS as a scientific theory has been excoriated by legitimate researchers across the nation. Judged solely on his merits, Dr. Gardner should be a rather pathetic footnote or an example of poor scientific standards.” [Dr. Paul J. Fink, past President of the American Psychiatric Association]<sup>4</sup>
- “PAS has not been recognized by the American Psychiatric Association, the American Medical Association, or the American Psychological Association as a legitimately researched, evidence-based condition.” [Dr. Paul J. Fink]<sup>5</sup>

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<sup>1</sup> For a more in-depth critical analysis of alienation, please see Joan Meier, *Parental Alienation Syndrome and Parental Alienation: Research Reviews*, published by VAWnet, a project of the National Resource Center on Domestic Violence/Pennsylvania Coalition Against Domestic Violence (January, 2009), [http://new.vawnet.org/Assoc\\_Files\\_VAWnet/AR\\_PAS.pdf](http://new.vawnet.org/Assoc_Files_VAWnet/AR_PAS.pdf).

<sup>2</sup> American PSYCHOLOGICAL ASSOCIATION PRESIDENTIAL TASK FORCE ON VIOLENCE IN THE FAMILY, *VIOLENCE AND THE FAMILY* (1996).

<sup>3</sup> *Id.* at 100.

<sup>4</sup> Carol S. Bruch, *Parental Alienation Syndrome and Parental Alienation: Getting It Wrong in Child Custody Cases*, 35 *Fam. L. Q.* 527, 539 (2001) (quoting Dr. Fink from Pasadena-Star News, April 24, 2000, at [www.canow.org/NOWintheNews/familylaw\\_new\\_text.html](http://www.canow.org/NOWintheNews/familylaw_new_text.html)).

<sup>5</sup> Paul Fink, *Parental Alienation Syndrome*, in *DOMESTIC VIOLENCE, ABUSE, AND CHILD CUSTODY 12-2* (M. Hannah & B. Goldstein eds., 2010).

- “The scientific status of PAS is, to be blunt, nil.” [Emery, Otto & O’Donohue]<sup>6</sup>
- “Gardner’s Sexual Abuse Legitimacy Scale (‘SALS’), which PAS draws heavily upon, is “[p]robably the most unscientific piece of garbage I’ve seen in the field in all my time. To base social policy on something as flimsy as this is exceedingly dangerous...” [Professor Jon Conte, a leading expert on child sexual abuse]<sup>7</sup>
- “The American Psychiatric Association has refused to include PAS in the DSM – the diagnostic directory for psychiatric disorders - despite concerted campaigns by Gardner and his followers to have it included, presumably because it is not an actual proven syndrome.” [National Center for Prosecution of Child Abuse]<sup>8</sup>
- “The theory positing the existence of ‘PAS’ has been discredited by the scientific community.” [National Council on Juvenile and Family Court Judges Custody Evaluation Guidelines]<sup>9</sup>
- “Although PAS may be hailed as a “syndrome” . . . in fact it is the product of anecdotal evidence gathered from Dr. Gardner’s own practice. . . PAS is based primarily upon two notions, neither of which has a foundation in empirical research.” [National Center for Prosecution of Child Abuse/American Prosecutors Research Institute/National District Attorneys Association]<sup>10</sup>
- “PAS is not recognized by any professional associations, including the American Psychiatric Association.” [National Center for Prosecution of Child Abuse/American Prosecutors Research Institute/National District Attorneys Association]<sup>11</sup>
- “PAS is an unproven theory that can threaten the integrity of the criminal justice system and the safety of abused children.” [National Center for Prosecution of Child Abuse/American Prosecutors Research Institute/National District Attorneys Association]<sup>12</sup>

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<sup>6</sup> R.E. Emery, R.K. Otto R.K. & W.T. O’Donohue, *A Critical Assessment of Child Custody Evaluations: Limited Science and a Flawed System*, PSYCHOLOGICAL SCIENCE IN THE PUBLIC INTEREST, July 2005, at 1, 1-29.

<sup>7</sup> Bruch, *supra* note 4, at 539, citing Debra Cassens Moss, *Abuse Scale*, A.B.A. J., Dec. 1, 1998, at 26 (quoting expert Jon Conte criticizing SALS).

<sup>8</sup> Erika Rivera Ragland and Hope Fields, *Parental Alienation Syndrome: What Professionals Need to Know*, NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE (NCPCA) UPDATE NEWSLETTER (American Prosecutors Research Institute and National District Attorneys Association), Vol. 16, No. 6, 2003, at 2, *available at* [http://www.ndaa.org/publications/newsletters/update\\_volume\\_16\\_number\\_6\\_2003.html](http://www.ndaa.org/publications/newsletters/update_volume_16_number_6_2003.html). *See also Good News: APA Rejects Parental Alienation Disorder*, 16 DOMESTIC VIOLENCE REPORT, 88, 88 (2011).

<sup>9</sup> STATE JUSTICE INSTITUTE AND NATIONAL COUNCIL OF JUVENILE & FAMILY COURT JUDGES, NAVIGATING CUSTODY & VISITATION EVALUATIONS IN CASES WITH DOMESTIC VIOLENCE: A JUDGE’S GUIDE 24 (2006).

<sup>10</sup> Erika Rivera Ragland and Hope Fields, *supra* note 8, at 1.

<sup>11</sup> *Id.* at 2.

<sup>12</sup> Erika Rivera Ragland and Hope Fields, *Parental Alienation Syndrome: What Professionals Need to Know*, NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE (NCPCA) UPDATE NEWSLETTER (American Prosecutors Research Institute and National District Attorneys Association), Vol. 16, No. 7, 2003, at 4, *available at* [http://www.ndaa.org/publications/newsletters/update\\_volume\\_16\\_number\\_7\\_2003.html](http://www.ndaa.org/publications/newsletters/update_volume_16_number_7_2003.html).

- “On balance, the search for truth about abuse would be better served if parental alienation syndrome went the way of the dinosaur.” [The American Professional Society on the Abuse of Children]<sup>13</sup>

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<sup>13</sup> THE APSAC HANDBOOK ON CHILD MALTREATMENT 396 (J.E.B. Myers, L. Berliner, J. Briere, C.T. Hendrix, C. Jenny, & T.A. Reid eds., 2<sup>nd</sup> ed. 2002).