**CHILD PARENT CONTACT FAILURE: CAUSES, DIAGNOSIS AND TREATMENT IN ISRAEL**

**A critical examination of a position paper *Contact Refusal and Parental Alienation* Rackman Center April 2020**,

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**Preface**

This position paper is presented after it became clear that the position paper of the Rackman Center of April 2020 *Contact Refusal and Parental Alienation: Theoretical Background, Diagnosis and Treatment Methods and The Child Welfare Principle* ignores the damage caused to a child when one parent unjustifiably causes the severance of contact between the child and the other parent, disregarding the needs of the child and his welfare.

The document produced by the Rackman Center for the Advancement of the Status of Women, like a previous document presented by several women organizations: *A New Look at the Tel-Aviv District Procedure for Dealing with Cases where there are Allegations of Contact Stoppage between the Parent and the Child* (19th November 2019) (hereinafter: the women's organizations document) purports to advance the needs of children; but no organization whose objects are the advancement of the interests of children was party to these documents. This is interesting.

In addition, both documents make use of a narrow and restricted interpretation of the term "child welfare", which deals with the desires of the child and his physical security only, and ignore the emotional and psychological needs of the child arising from psychological maltreatment which leaves no physical signs.

The Rackman Center devotes much space to a criticism of the term "parental alienation" which is indeed controversial, and the term " parental alienation syndrome" which has been abandoned by almost all those who deal with such material in all parts of the world. However, the suggestion in paragraph 14 of the position paper, that the origin of this phenomenon is found in the writings of Gardner in the 1980's, has no basis in reality. It is correct that Gardner initiated the term parental alienation, but since time immemorial there have been parents who acted to detach a child from the other parent. Description of provocation of children against a parent and separating the child from that parent are described in earlier articles from the 1940's[[1]](#footnote-1). In addition there is wide coverage of the situation in the last decades in writings which present the broadening of the definition given by Gardner and which propose multi-variant models for investigating this term[[2]](#footnote-2).

The Rackman Center also claims that a child is endangered when a parent alleges parental alienation because courts ignore allegations of family violence.

In addition, the Rackman Center claims that there is no specialist discipline in the field of parental alienation. In support of this claim the Rackman Center attached an expert opinion by a respected psychiatrist; but it is perfectly clear that this opinion contains legal arguments, as to the definition of the terms "expert" and "expertise", which are not in the professional knowledge of a psychiatrist. We should state immediately that it is not clear what conclusion the Rackman Center wishes to propose in making this claim.

These claims are not based on research or even judicial decisions given in Israel. The reason for this is clear: all of these allegations made by the Rackman Center have been dismissed by Israeli courts, and there is not even one academic or professional paper published in Israel supporting these allegations[[3]](#footnote-3).

The allegations are all based on articles, written by a very small group of specific writers from the USA, who have a gender-based agenda and which are not relevant in Israel.

These writers present an approach which assumes, wrongly:

* That only fathers claim that mothers alienate their children from them
* That this allegation is almost always untrue and is raised as a counter-argument when those fathers are accused of violent behavior against the child and/or the mother
* That attempts to return an alienated child to normal relations with the alienated parent are cruel and cause damage to the child
* That the term "the welfare of the child" requires the adoption of the decision of the child to cut off contact with one of his parents, as if no other consideration can be relevant.

The Rackman Center ignores the extensive literature of the last 30 years in many countries, which contradicts their claims, as if this literature does not exist[[4]](#footnote-4). Ignoring such literature is not by chance, and is motivated by a narrow and one-dimensional view of the Center regarding situations of parental alienation and the etiology of its development, and disregards the fact that it is not associated with any specific gender.

We will refer in brief to all these matters. The reader is invited to review the following articles by Philip Marcus:

Parental Alienation and Contact Refusal: How to Prevent Child-Parent Contact Failure(Medicine and Law, Issue 51, 121-136 (2018) (Hebrew)

Parental Alienation, Contact Refusal and Maladaptive Gatekeeping: a  Multidisciplinary Approach to Prevention of Contact FailureFamily Law and Family Realities, 16th International Society of Family Law World  Conference Book 349–366 (Carol Rogerson et al. eds., 2019).

Innovative Programs in Israel for Preventing and Responding to Parental  Alienation: Education, Early Identification and Timely, Effective  InterventionFamily Court Review, Vol 58 No. 2, 544-559 (April 2020)

**The term parental alienation**

A number of terms are used to describe a situation where a child ceases to have contact with a parent: contact failure, resist/refuse dynamic (RRD), contact refusal etc. They have in common a description of a situation in which there is no contact between a child and his parent in the context of separation and divorce. The are many reasons for the cessation of contact, which include, among others,

* adolescent rebellion,
* rejection of the child by the parent,
* the reaction of the child to abuse of the child or a relative by the rejected parent,
* irrational behavior of the parent because of mental illness or addiction to substances such as drugs or alcohol, and also
* the actions of a parent which influence the child to stop having contact with the other parent (where previously the child had normative contact with that parent) without any justification connected to the welfare of the child.

There may be more than one reason in any specific case.

There is, unfortunately, a tendency among lawyers and parents to make a broad and unjustified use of the term parental alienation in order to describe any problem with contact or cessation of contact. The mistaken use of this terminology, together with the ambiguity of the term itself (who alienated whom? did the child alienate the parent? did the parent alienate the child? Did one parent alienate the child against the other parent?) have caused dissatisfaction among many experts in the field and many researchers.

For this reason, and contrary to the simplistic approach of the Rackman Center, it a of great importance to distinguish between parental alienation and the other variations of cessation of contact, and to reflect justified situations of no contact as against situations in which a parent causes psychological and emotional damage to the child by causing a cessation of contact with the other parent without any justification connected to the welfare of the child. This last is psychological maltreatment of the child, which has serious effects in childhood and in adult life[[5]](#footnote-5).

We would add that no expert or academic today uses the phrase "parental alienation syndrome".[[6]](#footnote-6)

**The welfare of the child**

Nobody would deny that in a normal situation a child has contact with both parents. Both parents are the natural guardians of the child. Therefore, any situation in which a child is not in contact with one of his parents requires thorough investigation of the causes. The criteria for such an investigation, like any investigation in which there is a dispute between the parents about their carrying out of the tasks of guardianship, is based on an understanding of the welfare of the child.

Legal systems and welfare authorities are required to protect children whose parents are in a legal battle, and the primary task is to protect the child from parental strife and from long-running litigation. The second task is to protect the stability and security of the relations between and the parent and respecting the right of each parent to conduct his life as he sees fit. The third consideration is to respect the right of the child to have substantial contact with each of his parents, and the fourth consideration is to advance the welfare of child by ensuring that he has positive relationships with the couple who conduct joint parenting[[7]](#footnote-7).

In Israel this investigation is carried out by the competent authorities, the family courts or, according to the rules of jurisdiction, the religious courts. Investigation must be carried out seriously and the judicial instances receive help from various sources.

Unlike the situation in many states of the USA, judges of the family courts and of the religious courts in Israel are selected on the basis of their knowledge, abilities, integrity and not in public elections. In Israel the judges of these instances have an interest in serving in family matters and are appointed so as to sit in these matters for several years, and not for a brief rotation.

This, unlike the situation in many of the states in the US and also in Europe and many other places, where judges deal with a wide variety of topics, or they are sent by their superiors to deal with family matters despite having no experience in family matters nor desire to hear family cases, and for short periods of a year or two only so as to advance in the hierarchy. They are not assisted by independent experts such as the court social services and welfare officers in Israel: and there is no clear arrangement for the child's voice to be heard or for the child to be represented by a lawyer or guardian ad litem.

The results are clear. In US decisions made after many hearings or without any substantive hearing; many judges are entirely in the hands of lawyers who explain family law according to the instruction of the client, and not necessarily according to the law as it is; experts or those who purport to be experts, appear for each side and try to influence the judge, each according to his professional doctrine, using terminology which the judge may not understand; in many cases one of the parties is represented and the other is not, with all that entails. It is no wonder that decisions are frequently overturned by appeal courts who themselves have no expert knowledge of the family law field.

It is against this background that those who wrote the articles relied upon by the Rackman Center express harsh criticism of the American decisions and judgments, and they claim that there is a tendency to prefer a claim of parental alienation by a man, and to dismiss a claim of a woman of violence as being untrue.

The Rackman Center for the Advancement of the Status of Women claims, on the basis of the said writings, that in Israel too the welfare of the child is not taken into account or is not given sufficient weight.

This paper is not the appropriate place to describe the methodological defects of the articles upon which the Rackman Center relies. It is enough to point to the cases discussed in the articles were selected on the basis of criteria which support the conclusions which the writers wished to prove; to the source of information, by a public call designed to find situations in which the respondent feels that the court acted improperly; to choosing terms such as "loss of custody" or "losing the case" without referring to the result as regards the level of contact between the child and the parent according to the judgment; and in many cases, analysis of the information in the articles leads to conclusions which are opposite of those stated at the end of the articles[[8]](#footnote-8).

Alongside criticism of the courts, the articles upon which the Rackman Center relies are based on another assumption which, apart from the subjective feelings of the women who were interviewed for those articles, has no basis: that the claims of violence made by mothers are all truthful and that the claims by fathers of parental alienation are always lies. No evidence is brought to substantiate this one-dimensional assumption. Legal and clinical experience shows that there is no difference between the percentage of claims which were found by courts to be incorrect or without foundation of men and those of women. Claims of violence are not by their nature stronger than claims of psychological abuse.

There is another assumption which is also without foundation, that only fathers alienate their children. There is no significant difference between the numbers of mothers and the numbers of fathers who are found to have alienated their children against the other parent.

The Rackman Center deals with gender; but parental alienation is not a gender issue. Furthermore, to say that parental alienation does not exist or that it is always caused by the fathers is detached from reality no less than the claim that there is no such thing as violence against women. Violence in the family is an evil phenomenon which damages women men and children; it is complex and requires efforts to eradicate it so far as possible. So is psychological maltreatment of children by a parent.

By comparing the alleged defective treatment by the courts in the US with the treatment by their colleagues in the state of Israel, the Rackman Center expresses contempt for the Israeli judicial system. Without any reference to Israeli cases the Rackman Center claims that Israeli courts ignore claims by litigants of violence against adults and children. It is inconceivable to allege that social workers in the court social services and other experts, who are an integral part of the Israeli system, are all liars or incompetent, and are not professionals who understand about violence in the family. It is inconceivable that all judges dismiss claims of violence without investigation. Such an all-encompassing claim is dangerous, disturbing and contemptuous towards the Israeli judicial system.

Courts are empowered to decide that claims are unfounded or that there is insufficient evidence to prove violence. In cases where the courts decide that there was violence the courts are empowered to consider whether the violence proven and the circumstances, together with all with the other evidence, in order to decide whether, and if so, how much time a child will spend with a parent and under which conditions, including supervision. This is how it is done in Israel. To say otherwise is baseless.

 In addition, therapeutic intervention in the process of renewal of contact is an integral part of investigating the differential diagnosis between violence and parental alienation and leads to more precise basis for alternative explanations which may arise in the course of the court process (for more details see the decision tree)[[9]](#footnote-9).In the course of the intervention process the therapist becomes aware of interpersonal and family characteristics and dynamics which can support or disprove the initial suspicion that parental alienation is the cause of contact refusal. This process is caried out under close supervision and frequent review by the judicial system as represented by the court, and with its support. Thus, any findings of aggression or violence which may be found require reporting to the court, and are closely followed. In this way the risk of repeating violent acts or the danger of injury to children are substantially reduced, relative to a mistaken diagnosis of parental alienation where there is in fact violence[[10]](#footnote-10).

The Rackman Center would have us adopt an approach which limits the welfare of the child to prevention of physical harm and accepting the child's opinion as final. This disregards completely the emotional and psychological damage from the loss of one parent as a factor to be taken into account in assessing the welfare of the child. Their approach is dangerous and contrary to the welfare of the child, since it is all embracing and simplistic and takes no account of situations in which a parent abuses the dependency of the child upon him, exploits the parental status, and, by psychological control, imposes on the child the opinion, approach, and mental state of the parent. The all-encompassing approach presented by the Rackman Center, that the child's opinion decides his welfare, grants to the child a grandiose and dangerous power to make destructive decisions, which frequently conceal psychological enmeshment and pseudo-authentic opinion.

The position of the Rackman Center makes no distinction between situations in which a child has been alienated and other situations, and promotes automatic reliance on the will of the child without investigation. In this approach, where the will of a child is given automatic legitimation, empowers the child, for example, to refuse a life-saving medical procedure, to refuse to have sufficient hours of sleep, to drive without a license, or to refuse to learn to read and write, simply because he does not want to. If the will of the child is identified with his welfare these children might die of injury or illness, be illiterate and endanger themselves and others. This is not their welfare. Granting excessive power to children to make such dramatic decisions at a young age will in fact speed up the process of alienation and exacerbate it, and lead to role reversal, rejection of parental authority and to a feeling of intense loneliness which accompanies loss in faith in adults. This position, of blindly following the will of the child, without exploration of the issue of psychological control, including psychological capture in parent child relations, would expose many children to long term psychological abuse by a parent, authorized by the state and the judicial system. It is inconceivable that such a dangerous approach, which fails to protect children, can be accepted.

The Rackman Center ignores the professional consensus among almost all academics and practitioners who deal with child protection that:

* The child must be protected from physical harm, but not every case requires prevention of all contact between the child and the parent; that there are many cases in which the child can be protected from harm by supervised contact and in more serious cases contact can be maintained by electronic and other means.
* There are cases in which, because of conflicts of loyalty or the influence of one parent, or for other reasons, what the child says does not represent his true position and it is essential to investigate whether what he says is in fact in his best interests.
* Before the court decides the issue of resumption of contact it is necessary to conduct an investigation of the reasons, but continuation of the absence of contact causes damage to the child and the length of proceedings reduces the likelihood of resumption of contact.

In this matter, the approach of the Rackman Center and the small group of writers upon which they rely leads to sacrificing the psychological/emotional welfare of the child on altar of the child's wishes and his physical safety (if indeed there is physical danger, or the authentic will of the child). The court must take account of all the elements of the welfare of the child, including the length of the proceedings. Only when there is prima facie evidence of clear danger, at any meeting or any other contact between the child and parent who says he is alienated, may the court delay resumption of contact until determination of the allegation of immediate danger. Moreover, the process of contact renewal places protection of the child and his safety at the forefront[[11]](#footnote-11), such that in contact renewal situations the voice of the child and his wishes and feelings are heard and given full expression, under proper supervision and assistance in finding the true situation, undistorted by false claims. The objective is to restore healthy normal contact, giving due attention to protection and security.

The attempt to claim that the courts in Israel are defective in the same ways as the courts in the USA, contradicts the doctrine, accepted by all those who truly regard the welfare of the child as important

"Time is a major enemy in RRD cases. The dynamic becomes increasingly entrenched the longer it remains unaddressed and the longer the period of no contact between the rejected parent and the child. The excruciatingly slow pace at which the court system moves also delays efforts to resolve the problem and may be exacerbated by a prolonged evaluation, and as well as litigation over intervention. In fact, delay has often been employed as a legal tactic in such cases, especially in cases of older adolescents, as the court is less inclined to intervene as the adolescent gets older, and once the adolescent turns eighteen the court no longer has jurisdiction."[[12]](#footnote-12)

**Solutions**

The Rackman Center opposes solution techniques which require the child to stay with the alienated parent for several days while banning contact with the other parent. Indeed, these solutions are used when the child is exposed to the danger of psychological and emotional abuse such that staying with the alienating parent endangers him. The danger is that the child will understand that the actions of the parent who caused cessation of contact by lying to him about the personality and actions of the other parent, or who used the child so as to get revenge on the other parent who really loves him and is not dangerous, may cause the child to cease contact with the alienating parent.

In Israel use of these techniques is rare. The reason is that therapeutic agencies get involved right at the beginning of the legal proceedings, the court social services unite which is involved as soon as the case is filed in court according to the Family Disputes Resolution Arrangements Law 5780-2020, and specialist therapists are appointed by the court at an early stage in the proceedings. In this way the length of the lack of contact is substantially reduced, such that the family receives immediate therapeutic interventions which include direct therapy for the child and parental guidance, together with a gradual process of restoration of contact between the child and the parent who was rejected by him. The court social services units are not designed to provide therapy where restoration of contact is needed arising from parental alienation. They are a first responder who will identify cases in which there is a need for specialist, intensive and immediate interventions so as to prevent distorted thinking, grandiose power and psychological splitting among the child from becoming permanent.

It is true that restoration of contact is not easy for the child. However, simplistic thinking results in the conclusion that a child can refuse an inoculation and thereby endanger himself by sickness, disability or worse, or that a child should be allowed not to go to school simply because he prefers to stay at home. In light of the suffering of children who were cut off from a parent and the irreversible damage to their ability to form healthy couple and parental relationships, mental illnesses and other emotional disorders, addictions etc., every effort must be made for the restoration of normal contact except where the dangers of contact restoration are so serious as to make contact restoration impossible.

**Expertise in parental alienation**

There are 3 main parts to the claims made by the Rackman Center about experts:

* that there is no expert specialty in parental alienation;
* that appointing an expert using the words parental alienation dictate the result;
* and it is improper to appoint the expert who has given an opinion to the court as therapist for the child and the parents.

The first claim is based on the opinion of Dr. Aaron Flashman. The use of a document in the form of an expert opinion other than in the context of court proceedings is a novelty in the writing of a position paper. Writing a sentence in the form of an expert opinion does not add anything to the weight to attributed to it.

As we have already pointed out, the document authored by Dr, Flashman includes a legal opinion to the effect that a person who is not registered in the lists controlled by state or professional bodies as an expert is not an expert in a specific field. This claim is unacceptable. There are many areas of expertise in which there is no official requirement for registration and there are fields in which there is not even an academic program for qualification. There are fields even in medicine in which research in progress, including novel ideas and approaches in which the specific area is not designated as a specialty field. Take for example internal medicine; the internal medicine specialty is divided into many narrow specialist fields in accordance with the progress of medical knowledge: gastro-enterology, nephrology, pulmonology etc.

About 7 years ago regulations were published: The Public Health (Confirmation of Expert Degree in Nursing) Regulations 2013. For the first time a nurse could be registered as an expert in fields which had not previously been recognized in legislation. It is inconceivable that a nurse who had amassed many years of experience in a particular field should not be called as an expert witness merely because the field was not registered as a specialty in the relevant legislation. Of course, that person would have to prove his expertise in the field on the basis of registration as a nurse and experience and professional training in the field; but registration is not a condition of the evidence being admitted. Thus, for example there is no recognized official course of study for experts in abuse; there is no specific license, without which it is unlawful to treat violence in the family or in other contexts. There are no official areas of expertise for lawyers, which distinguish between criminal law and family law for example.

For this reason, the opinion of Dr. Flashman, on the issue of whether there are experts in the field of parental alienation, is valueless.

We hasten to point out that in light of the dissatisfaction with the term parental alienation, it may be better to frame the appointment of an expert using different terminology; but a specific term does not determine the content of the expert opinion requested. The court ordering an expert opinion sets out the matters about which the opinion is requested. Weight given to the expert opinion is attributed after investigation of the training and experience etc. of the person giving the opinion, the sources of his information, and the methods utilized by the expert, and in the light of cross-examination and with due regard to all the other evidence and submissions in the case.

The second suggestion, that using the term parental alienation in the decision ordering the experts opinion dictates the result, denigrates the probity of the expert. An expert in a specific field is qualified to identify the components of the phenomenon being investigated and also to find that the phenomena do not exist. A person who does not know the material is liable to make mistakes. And is it conceivable that a request from an expert in infectious diseases dictates the finding that the patient is suffering from an infectious disease?

Even if a psychologist or a social worker is appointed by the court as an expert to give an opinion, without specifying expertise in parental alienation, it will be clear to the person appointed, from the wording of the court order, or at least at the stage when the partents present themselves before the expert, that one of them alleges parental alienation. If at that point the expert realizes that he does not know enough about parental alienation, he should refuse the appointment.

The idea that it is necessary to form a group of experts in contact refusal or in child-parent contact failure was raised in the Assurance of Contact Between Parents and Children Bill 2018. Section 1 of the bill proposes a definition of a designated expert "a professional therapist who has undergone training in identification and treatment of contact refusal or child parent contact failure, who will be appointed by the court from a list of experts"; and sections 8-10 of the bill provide that a designated expert must be appointed and the opinion must be filed within 21 days of the appointment[[13]](#footnote-13). The Rackman Center does not explain how an expert can, in only 21 days, determine whether one of the parents coerces the child not to have contact with the other parent or that the contact refusal arises from other causes.

The undersigned Philip Marcus submitted a position paper on that bill in November 2018, including the following:

It is very doubtful if it is appropriate to ask to set up "a system of expert therapists in the field". This is for interconnected reasons, one practical and one budgetary, which are liable to prevent carrying out the proposal, or defer it for a very long time.

The practical reason is that there are many experts, around the country, who give opinions to the courts about matters involving children. Some of them are psychologists, some are psychiatrists, some are social workers, each in his area of expertise. The idea that only a designated expert, who has undergone special training, will be qualified to give an opinion and therapeutic recommendations in matters of contact failure will require the construction of an academic or professional course, with examinations and a registration or supervision system for each separate profession. Psychiatrists study medicine, psychologists study behavior; both of these receive licensing from the Ministry of Health but from two different departments. Clinical social workers are supervised by the Ministry of Welfare. Setting up the new system of experts and therapists will require a new administrative body within the Ministry of Welfare and the Ministry of Health and possibly also legislative amendments so as to specify the new areas of expertise. Naturally setting up such a structure will take a long time- in similar areas this took years and substantial costs.

The second reason is connected with the absence of any reference in the bill to its budgetary effects. The changes proposed, in procedures and rules of court, may require the addition of judges and administrative workers (and perhaps to court social services) so as to deal with the increasing number of cases coming before the court.

For this reason it is preferable to make use of the list of experts administered by court social services according to section 4 of the Family Courts (Opening of Court Social Services Operation and Procedure) Order 1996, and if there is a need to set up a new structure to refer to it in such a way that it can be put into effect immediately under the Expediting Proceedings Bill, perhaps by an Interim Order or in some other way.

In the third matter, appointment of an expert who prepared an opinion for the court to treat the family about which he gave the opinion, it is essential to distinguish two situations. The first, when the therapist has treated the child or a parent and is afterwards asked to give an opinion for the court, naturally raises issues of confidentiality and professional ethics. The reason is that when a person enters a therapeutic relationship he is aware that anything said in the course of the therapy will remain confidential and the therapist is forbidden to give any information in breach of the confidentiality without express permission. If that therapist is asked to give an opinion about the patient, with or without other family members he may disclose information and impressions which he received while conducting therapy.

This problem does not arise in the second situation, when the expert gives his opinion and thereafter is asked to act as a therapist. The therapy will be in accordance with instructions from the court and in most cases is intended to carry out the recommendations given in the expert's opinion; and who is more qualified to carry out the recommendations than the person who gave them?

In Israel, the courts appoint a relatively small number of therapists to give professional opinions to the court, since there are not many therapists who have the necessary competence, knowledge and experience.

The statements in paragraph 105 of the Rackman Center's position paper reflect, it seems, the situation in the USA, the source of all of the submissions made in that position paper. The claim which appears in the position paper that: "the desire to ensure restoration of contact at any price and the preference given to the right of a parent to have contact with his child and the expense of the minor in a situation, alongside appointment of a small handful of professionals who are directed by an agenda, leads today to many cases of mistaken diagnosis of incitement as the reason for contact failure and therefore contact refusal, and the use of extreme means for the restoration or renewal of contact which include elements of trauma and are liable to endanger the physical and mental health of children" is without any foundation in the professional literature or case law relating to Israel.

These claims are dangerous and misleading. The welfare of the child, which is carefully considered by the courts in Israel, includes all its components, physical, psychological and emotional while seeking the most appropriate solutions for the individual child.

**Conclusion**

From all the above, it is clear that none of the matters raised in the position paper of the Rackman Center for the Advancement of the Status of Women have no connection with the situation in Israel. The Rackman Center could find nothing, based on Israeli research or Israeli case law to support their claims.

The agenda (using the Rackman Center's own word) is not the welfare of the child but something completely different[[14]](#footnote-14). Furthermore, gender-based allegations, in the disguise of claims based on the welfare of the child, expose many children to the absence of protection. The State of Israel cannot agree to such situations.

September 2020

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1. Reich, W. (1949). *Character analysis* (3rd ed.1990). New York: Farrar, Straus and Giroux [↑](#footnote-ref-1)
2. [Warshak](https://onlinelibrary.wiley.com/action/doSearch?ContribAuthorStored=Warshak%2C+Richard+A), R.A. Risks and Realities of Working with Alienated Children. *Family Court Review, 58*(2), 432-455, (2020); Bernet, W. Introduction to Parental Alienation *in Parental Alienation: Science and Law*D.Lorandos, W. Bernet eds.(Thomas, 2020), 5 [↑](#footnote-ref-2)
3. More than one half of the articles referred to by the Rackman Center are to be found in a single issue of the Journal of Child Custody, which is devoted to the claims adopted by the Rackman Center in its position paper. These are countered by the articles in the special issues of Family Court review of July 2001, January 2010 and April 2020, and two books:

**Children who Resist Postseparation Parental Contact** B.Fidler, N.Bala, M.Saini eds. (Oxford, 2013)**, Parental Alienation: Science and Law** D.Lorandos, B. Bernet eds.(Thomas, 2020) which contain a wealth of articles by a wide range of authors. [↑](#footnote-ref-3)
4. Inbal Bar-On, together with Yoav Mazeh, published a Review of the Literature on Parental Alienation for the Ministry of Labour and Welfare, in December 2019, four months before the Rackman Center presented its position paper. The review of literature included a bibliographical list of several hundred books and articles, in Hebrew and English [↑](#footnote-ref-4)
5. Harman, J. J., Kruk, E., & Hines, D. A. (2018). Parental alienating behaviors: An unacknowledged form of family violence. *Psychological Bulletin,144*(12), 1275-1299 [↑](#footnote-ref-5)
6. Johnston, J. R., & Sullivan, M. J. (2020). Parental alienation: In search of common ground for a more differentiated theory. *Family Court Review*, *58*(2), 270-292 [↑](#footnote-ref-6)
7. Jaffe, P. G., Ashbourne, D., & Mamo, A. A. (2010). Early identification and prevention of parent–child alienation: A framework for balancing risks and benefits of intervention. *Family Court Review*, *48*(1), 136-152 [↑](#footnote-ref-7)
8. Since this position paper was presented, Jennifer Harman and Demosthenes Lorandos have written a comprehensive demolition of Meier's 2019 paper, on which the Rackman Center relies so heavily. They point out no less than thirty methodological defects, and evasion of providing original material, which makes impossible any replication, and thereby verification, of Meier's conclusions. Harman, J.J., Lorandos, D. (2020). Preprint of *Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes.* Psychology, Public Policy and Law. <https://osf.io/j9bh5/?view_only=16a930e450884e1281b75c5bc6ce93ef> (November 2020). [↑](#footnote-ref-8)
9. Drozd, L. M., & Olesen, N. W. (2004). Is it abuse, alienation, or estrangement? A Decision Tree. *Journal of Child Custody, 1*(3), 65–106 [↑](#footnote-ref-9)
10. Drozd, L. M., & Olesen, N. W. (2010). Abuse and alienation are each real: A response to a critique by Joan Meier. *Journal of Child Custody*, *7*(4), 253-265, Drozd, L. M., Olesen, N. W., & Saini, M. A. (2013). Parenting plan & child custody evaluations: Using decision trees to increase evaluator competence & avoid preventable errors. Sarasota, FL: Professional Resource Press [↑](#footnote-ref-10)
11. Drozd, L. M., Kuehnle, K., & Walker, L. E. A. (2004). Safety First: A model for understanding domestic violence in child custody and access disputes. *Journal of Child Custody, 1*(2), 75–103. [↑](#footnote-ref-11)
12. M.G. Walters & S. Friedlander, ‘When a Child Rejects a Parent: Working with the Intractable Resist/Refuse Dynamic’, *Family Court Review*, Vol. 54, No.3, 2016 [↑](#footnote-ref-12)
13. It seems that those who authored the Bill understood the need for speedy handling of cases in which contact refusal is alleged. See clause 5, which calls for a first hearing within 7 days of filing of such an application. [↑](#footnote-ref-13)
14. It is noteworthy that, unlike other documents issued by the Rackman Center, the following explanatory note was omitted from the position paper:

"The Rackman Center for the Advancement of the Status of Women, in the name of Ruth and Emmanuel Rackman which operates in the framework of the Law Faculty of Bar-Ilan University, was founded in 2001. The object of the Center is to eradicate discrimination against women in Israeli society, by translating academic knowledge and research into active and applied performance. The Center acts in accordance with the vision of Rabbi Emmanuel Rackman to advance the rights of women in Israel and improving the status of women in family law and Jewish halacha." (from *Position Paper: Statement by the Rackman Center for the Advancement of the Status of Women on the Family Disputes Resolution Arrangements Bill (Temporary Provisions )(No. 2) 5780-2020,* which was lodged with the Knesset Constitution Law and Justice Committee 20 June 2020. [↑](#footnote-ref-14)