

Voices of Women Organizing Project
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Parental Alienation Syndrome (PAS) Fact Sheet

PAS is an unproven theory developed by a discredited psychiatrist Dr. Richard Gardner that claims that in high-conflict custody cases one parent can indoctrinate the child or children to emotionally reject and "turn against" the other parent.¹ In simple terms, PAS is when one parent tries to turn the child(ren) against the other parent.

Gardner argues that PAS can translate into a variety of behaviors ranging from distrust and anger towards the other parent to false allegations of physical and sexual abuse. Gardner asserts that the vindictive parent will essentially alienate their children from the other parent so extremely that they will either convince the child that they have been abused or that the children will "develop" memories of abuse on their own.

Accusations of PAS are increasingly being used in custody trials with the attempt to undermine a mother's credibility when she accuses the father of domestic abuse or sexual abuse of their child(ren). **When a mother is accused of PAS it can often lead to the mother losing custody of her children. Fathers who batter are twice as likely to seek sole physical custody of their children as non-violent fathers are.**² And when **fathers** choose to fight for custody (regardless of accusations of abuse) they are **awarded custody 79% of the time.**³ By removing the child from their non-abusive parent, we are putting countless children at risk of suffering more abuse. Furthermore, successful accusations of PAS which lead to paternal custody encourage mothers *not* to disclose abuse in custody proceedings. *In a recent study 65% of women reported that they were advised by attorneys, mediators, advocates and others not to report abuse due to the risk of losing custody.*⁴

¹ Dunne & Hendrick, (1994). The parental alienation syndrome: analysis of sixteen cases. *Journal of Divorce & Remarriage*, (21) 21-38.

² Report of the American Psychological Associations Presidential Task Force: Violence and the Family

³ California Center for Protective Parents, www.protectiveparents.com.

⁴ Stahly, 2003, www.protectiveparents.com/research

VOW does not deny that division within families occurs. In fact, we believe divisions and estrangement can occur in families that are deemed functional and considered “intact.” However, our concern is that it is overwhelmingly being used as a legal strategy against protective mothers in cases involving domestic violence, child sexual abuse and child abuse. In addition to PAS being used as a deterrent in NYC Family Courts, survivors are reporting that they are victims of alienation on a more intimate turf: in the homes of their children.

A substantial amount of our membership is forced to live on the outskirts of their children’s lives. They have been relegated to being passive participants; being forced to ask permission to contact their children, given specific time slots and amounts of time to speak and denied any participation in common events such as PTA meetings. The most egregious act of alienation is denying the mother any contact with her child for months on end with no intervention from NYC Family Court.

The emotional consequences of a finding of PAS on families are unfathomable. PAS has the power to silence protective mothers from disclosing a history of abuse in fear that she will lose custody of her child(ren). Protective mothers know if they lose custody, there will be no one to protect their kids. Consequently, because of the destructive use of PAS some mothers will opt to remain silent and try to manage the abuse. Silence is never the answer.

VOW firmly believes that our hostile climate toward women and children demands that we address systemic failures. The abuse of children are on a rise in NYC, homicides of intimate partners are skyrocketing and child sexual abuse has risen to epidemic levels nationally, we need commit ourselves to eliminating all obstacle that stand in the way of justice for children and abused mothers starting with PAS.

VOW will continue to organize to ensure that PAS is banned from NYC Family Courts. We ask that you support this effort by forwarding this position paper to your city councilmember and state legislatures.