



Asking the court to instruct the  
**Family Separation Clinic**

[www.familyseparationclinic.com](http://www.familyseparationclinic.com)

## General information

Parental alienation is an attachment disturbance, that typically occurs in the context of a divorce or separation, in which a child suppresses their attachment response to, and vehemently rejects their relationship with, one parent and becomes reflexively and unequivocally aligned to the other. This rejection is often accompanied by allegations that the rejected parent has harmed the child.

The Family Separation Clinic is able to provide a number of court-based services, under court instruction, including expert assessment and recommendation for treatment. In many cases, we may also be able to deliver a treatment programme once the court has accepted and ordered it.

Please note that the Clinic does not carry out psychological assessments.

All treatment recommendations are planned and presented as part of the assessment process. The cost of any recommended treatment route is provided to the court after the assessment has been completed.

Exceptional costs associated with either assessment or treatment are agreed in advance.

*It should be noted that our rates exceed LAA legal aid hourly rates and we are, therefore, unable to carry out work fully funded by legal aid.*

The Clinic uses a differential approach to understanding the problem of a child's rejection of a parent and all assessments and recommended treatment routes are based on international research and established frameworks.

Occasionally, we carry out an initial paper-based assessment as a precursor to a full assessment.

We currently offer the court three different interventions:

- Standard Assessment
- Assessment and Therapeutic Trial Programme (ATT)
- Alternative Dispute Resolution and Review

**PLEASE NOTE: You should not ask a court to instruct the Family Separation Clinic to carry out an assessment or undertake any other work unless you have the express written permission from us to do so. Please contact the Clinic if you would like to ask the court to instruct the Clinic to carry out an assessment or other court-based intervention.**

# Standard Assessment

The Family Separation Clinic specialises in working with families where children are, or are at risk of, rejecting a relationship with one of their parents. Our assessment services provide expert opinion to courts to help them understand the dynamics that have created a child's rejecting position together with recommendations for treatment.

Assessment of referrals begins with a comprehensive analysis of the case to establish the root cause of the rejection, using a differentiation process to determine whether the child's rejection may be described as justified, whether the child is responding to a conflicted dynamic within the family or whether the child is in the care of an implacably hostile or *alienating* parent.

Our assessment work analyses the history of the child's rejecting position through an examination of the court paperwork and interviews with both parents and the child. Projective testing is utilised to understand the child's responses to their parental relationships and to determine whether or not psychological splitting is present.

The assessment process usually consists of:

- a review of the paperwork
- individual face-to-face meetings with the parents
- individual face-to-face meeting with each child (combined or separate, as appropriate, if more than one child)
- individual Skype sessions with the parents (if deemed appropriate)

This list is indicative and each assessment may vary.

## Costs

The cost of an assessment will be notified separately (indicative cost: between £3,500 and £4,200).

It should be noted that our rates exceed LAA legal aid hourly rates.

## Timescales

Subject to the availability of the parties (including children) we aim to report to court within six to eight weeks of instruction.

# Assessment and therapeutic trial programme (ATT)

The ATT Programme is a therapeutically based intervention which utilises a team approach to supporting the family affected by parental alienation. Based on the work of Davanloo<sup>1</sup>, in which those in therapy are actively confronted with situations which bring the internalised dynamics to the surface, this intervention is designed to assist families to confront the dynamics which have caused the child's resistance to a relationship with one parent.

The ATT Programme runs over a period of twelve weeks and is a behaviourally contracted intervention in which parents are initially assessed and then informed about the dynamics which have caused the child's rejection. Following assessment, parents are invited to work alone with a therapist using psycho-educational materials and then together with the other parent to confront and change the dynamics which cause the child to use rejection of a parent as a coping mechanism.

This programme is suitable for families where there are high levels of blame and where it appears that there is high conflict. The programme is designed to produce a comprehensive analysis of the capacity of each parent to recognise and change behaviours in a therapeutic setting.

Each programme is tailored to suit the individual family after assessment of the paperwork. Intake of the family is based upon the analysis of dynamics to date and the willingness of parents to agree to the requirement to enter the programme under strict conditions of non-confidentiality between the treating team. This is a different approach to therapeutic work to that of generic therapy where confidentiality between therapist and client is almost always guaranteed. In the ATT Programme, parents agree that their individual therapist may share information gathered in the course of the programme, with the treatment team. The purpose of this is to reduce behaviours seen in such cases such as triangulation, where one parent will use another team member or outside person such as a Guardian or Social Worker, to uphold their views about the other.

The ATT Programme is a useful intervention where children are recently withdrawn from a parent or where they are still able to make the transition back and forth but are showing signs of rejection in varying different ways. The programme enables immediate depth assessment and treatment by enabling the family to replicate the problematic dynamic in a clinical setting. As part of the process, children are routinely observed with the parent they are rejecting and this is a condition of the family being accepted into the programme for treatment.

## Legal Framework for Delivery

Legal advisors should note that in proposing the ATT Programme for a family, the requirement that children are made available for clinical supervision with the parent they are rejecting should be part of the court order made. Additionally, there is a requirement for permission for the case to be returned to court should one parent not comply with the order. The ATT Programme can produce remarkable results in a short space of time in families where the alienation reaction in a child is mild to moderate. It can also produce significant clinical information about one or both parent's capacity to respond to therapeutic support, thereby triaging those cases which are likely to need a stronger intervention from those capable of healthy responses.

The programme will, for example, indicate where a parent is unlikely to be able to respond to therapeutic intervention due to personality disorder, thereby dramatically reducing the period of time a family has to be in therapy in order to determine the capacity of the family system to respond to change. At the Family Separation Clinic, the use of the ATT Programme is part of the differentiation route between hybrid and pure alienation.

### **Costs**

The cost of the Assessment and Therapeutic Trial Programme (ATT) is £5,000 (plus VAT). Any exceptional costs are agreed on a case-by-case basis.

### **Timescales**

Subject to the availability of the parties (including children) we aim to complete the Assessment and Therapeutic Trial Programme (ATT) and report to court within 12 weeks from instruction.

### **Legal Requirements**

There are a number of legal requirements attached to the Assessment and Therapeutic Trial Programme (ATT) and these should be explicitly included in any court order and instruction:

- the case must remain in court for at least the first twelve weeks of the programme delivery;
- the Clinic must have permission to return the case to court for guidance at any point that it considered necessary;
- the court must give permission for the Clinic to see the children in clinical observation with each parent as required.

<sup>1</sup> Davaloo, H. (1980). *Short Term Dynamic Psychotherapy* (Ed). New Jersey: Aronson.

# Alternative dispute resolution and review

Where the court believes that it may be possible for parents to be guided to work together to resolve the issues that may lie behind the problem, the Clinic offers an Alternative Dispute Resolution (ADR) approach, combined with a review of the court paperwork, as a way of progressing such cases. This is offered as an alternative to traditional family therapy.

We begin by reading the court paperwork to understand the background to the children's rejecting position. We then employ an ADR approach, based around a combined programme of therapeutic conciliation (ADR), psychoeducation and parenting co-ordination, to assist the family to co-parent more successfully and resolve any differences between them that are causing the children to reject.

At the end of the programme, we provide the court and the parties with a report that details any progress made. Where the problem has not been resolved, we identify the issues we believe are contributing to the children's rejecting position and offer the court a view on what further action may be required. The court may order certain questions to be addressed in the report.

## Structure

The structure of this programme is:

- a full review of the paperwork by the Clinic
- an individual face-to-face meeting, of up to two hours, between each parent and the Clinic, and the children and the Clinic, to take place at the parent's home or other suitable venue, followed by
- four 60 minute individual Skype sessions between each parent and the Clinic to run sequentially with the other parent, with the potential to offer joint meetings where the Clinic feels that these would be beneficial
- report to court.

## Costs

The cost of delivering this programme of work is £2,750.00 (plus VAT) plus travel at 41ppm or standard class public transport. This cost may be shared between both parents, or otherwise, as decided. This provides for:

- 1 x review of the paperwork
- 2 x individual face-to-face meetings with the parents
- 1 x individual face-to-face meeting with each child (combined or separate, as appropriate, if more than one child)
- 8 x individual Skype sessions (combined as appropriate)
- 1 x report

Where additional and exceptional costs are identified, these are discussed and agreed in advance.

## **Timescales**

Subject to the availability of the parties (including children) we aim to report to court within six weeks of instruction. Timescales must be agreed with the Family Separation Clinic in advance of instruction.

## **More information**

This process is not counselling or systemic family therapy and it is not mediation. It is a combination of therapeutic conciliation, psychoeducation and parenting co-ordination, to assist the family to co-parent more successfully and resolve any differences between them that are causing the children to reject. The process is therapeutic in that it explores each participant's personal experiences of events and disputes and, in doing so, pays attention to the emotional and psychological impact these may have had on each of the parties.

The dispute resolution model used is conciliation rather than mediation. We offer impartial input to assist the parties by driving their negotiations and directing them towards a satisfactory agreement. We work towards seeking to identify both the problems and the optimal solutions. The conciliator may advise the parties on certain solutions by making proposals for settlement and may develop and propose the terms of settlement. The conciliation model we use is not confidential and discussions may be revealed in the final report to court.

The psychoeducation component of the intervention seeks to provide the parties with a greater understanding of the psychological and emotional dynamics that they and their children may be experiencing. In particular, it provides the parties with clear insights into what happens to children who are caught up in complex family separation situations and the emotional and psychological pressures that they experience.

Parenting co-ordination is a non-confidential, directive, child centered process for conflicted divorced and divorcing parents. Through instruction and case management, the family is helped to meet the child's needs and progress is monitored to ensure that parents are fulfilling their obligations to their child while complying with any recommendations of the court. Parenting co-ordination aims to assist parents to establish and maintain a healthy co-parenting relationship by reducing parental conflict and the risk factors that influence a child's post-divorce adjustment.

Since our ADR and Review service is non-confidential, parenting behaviours and attitudes are included in our report to court. We may also share our concerns regarding each parent, make recommendations regarding unresolved issues, identify the issues we believe are contributing to the children's rejecting position and offer the court a view on what further action may be required.

Children are not involved in the process at any point other than a single face-to-face meeting, of up to two hours (though, more typically, the meeting is about thirty minutes in length). This typically takes place early in the process and is an individual meeting between each child and the Clinic, although these may be joint meetings if we believe this will be beneficial. The purpose of the meeting is simply to understand the perspective of the child and explore their relationship with each parent. The court is asked to direct that the parent with whom the child or children live makes each of the children available for the meeting. Should the children not be made available, this does not prevent the process from continuing, however the issue is then explored in interview with the parent and it is analysed as part of the overall assessment and report to court.



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