



Family Justice Council  
Royal Courts of Justice  
Strand  
London  
WC2A 2LL

20 March 2025

**Response to letter on collective concerns about research representation in Family Justice Council Guidance (December 2024)**

Sir Andrew McFarlane, in his capacity as the Chair of the Family Justice Council, has referred to us your letter of 29 January 2025, regarding the Family Justice Council Guidance on responding to a child's unexplained reluctance, resistance or refusal to spend time with a parent and allegations of alienating behaviour.

Thank you for sharing your concerns. This response has been prepared in consultation with the Chair of the FJC Working Group on Responding to allegations of alienating behaviour, Jenny Beck KC (Hon).

We would like to clarify that the Guidance does not reference the Lost Dads study (Hine & Roy, 2023). The Guidance references *Alienating behaviours in separated mothers and fathers in the UK* by Professor Hine and others, which posits 'Across the entire sample, the average rating for children's manifestation of alienating behaviour across all questions was 2.04 (2 = 'Rarely')'. The reference to 'relatively rare' in the guidance is consistent with the reported research findings.

The guidance makes clear that the court's concern should not be with parental behaviour in isolation but rather with the impact on the children. The guidance does not suggest children are not impacted by alienation, it clearly acknowledges that where children are impacted by alienating behaviours it can be 'significant and enduring, akin to other forms of emotional/psychological child abuse'. All allegations of child abuse are matters for determination by the court.

The Council considered almost 100 responses to the proposed guidance. It drew upon academic research both from the UK and internationally. This is a complex area of family law and the purpose of the guidance was to provide clarity and consistency across the Family Justice System.

Yours Sincerely,

**Mrs Bee Ezete**

Secretary to the Family Justice Council and Private Secretary to the President of the Family Division

**Royal Courts of Justice**, Strand, London, WC2A 2LL

**Email:** [fjc@justice.gov.uk](mailto:fjc@justice.gov.uk)

**Website:** [www.judiciary.uk/related-offices-and-bodies/advisory-bodies/family-justice-council/](http://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/family-justice-council/)