

'This will end

Warnings over €8k 'parental alienation' reports after children are placed in custody of abusive parent

EXCLUSIVE

By **Debbie McCann**

CRIME CORRESPONDENT

A FAMILY court expert is charging €8,000 to compile reports recommending that children in some custody battles are placed in the care of fathers accused of abusing them.

The revelation comes as an Irish Mail on Sunday investigation uncovered several cases in which women have lost custody of their children after they were accused of 'parental alienation' by family therapist Jim Sheehan.

The role of Mr Sheehan – who has been investigated for wrongly introducing himself as a 'social worker' – in the family courts has been raised in the Dáil on several occasions.

Fine Gael TD Bernard Durkan warned that if the 'activities of Mr Jim Sheehan in the courts are allowed to continue, there will be serious consequences'.

'Children are removed from mothers callously'

The MoS has spoken to several mothers who claim Mr Sheehan's evidence – in which he alleged they were 'alienating' their children from their father – resulted in them losing custody rights. They are now forced to pay significant sums of money to a private company for supervised access to their children.

The cases in which Mr Sheehan successfully argued that children should be removed from their mothers include:

- A mother was accused of parental alienation after she raised concerns about her former husband, who was later labelled a 'dangerous' abuser in another jurisdiction;
- A woman whose children alleged they were abused by their father was accused of parental alienation;
- Another woman was savagely assaulted by her former partner, who was then granted custody of their child.

In some cases, mothers were granted supervised access to their children, for which they then have to pay a private company hundreds of euro a week to facilitate.

Some women accused of parental alienation have had to pay extortionate legal fees to fight to be reunited with their children.

Mr Durkan said that he has come across 'up to 60 cases' where Mr

Sheehan has been involved.

He told the Irish Mail on Sunday: 'They're coming in at a rate now faster than ever...'

Jim Sheehan is one of a number

of experts used in family law cases, whose recommendations are given to the court when a Section 47 report have been ordered.

These reports are intended to

provide information relating to issues that affect the welfare of family members, usually the children, in a family court case.

Section 47 reports can be ordered

by the court directly or following an application by one of the parties to the case.

The solicitor or barrister for one of the parents may apply for a Sec-



WARNING: Reem Alsalem, left, with UN Human Rights officer Orlagh McCann at a convention in Turkey in 2022

By **Debbie McCann**

THE concept of parental alienation is highly contested and opinions are split on whether it exists at all, according to a recent Government policy paper.

Some argue it is a concept proposed by abusive parents to further abuse and control the other parent. A 2023 report by the UN's Special Rapporteur on violence against women, Reem Alsalem, said that the concept was 'unfounded and unscientific'. However, others insist parental alienation is a real and painful experience of estrangement from a child.

The Government policy paper notes that Jim Sheehan – who was director of family therapy training for the Mater/UCD MSc in Systemic Psychotherapy before he set up his own practice – recommends the transfer of custody to the 'targeted parent' in conjunction with therapy in cases of confirmed parental alienation.

Mr Sheehan was noted as saying 'awarding primary parental responsibility to the targeted parent and providing specialist family therapy is effective in ameliorating

Concept 'risks abusive parents getting custody'

parental alienation'. However, the policy paper also noted how other research found there is a 'real risk of custody of a child being granted to an abusive parent'.

A range of support groups, including Women's Aid and Survivors Informing Services and Institutions, have reportedly expressed concerns at the increasing use of parental alienation in disputes involving domestic abuse and coercive control.

The Rape Crisis Network has questioned if the concept results in the child victim being silenced, and the protective parent being punished by the State for

supporting their child's disclosure and safety.

However, the Family Therapists Association of Ireland (FTAI), of which Mr Sheehan is a registered member, argues parental alienation is a treatable mental disorder.

In a recent research paper, Mr Sheehan said that children who experienced parental alienation spoke of 'missing out on a childhood and their experience of an early loss of innocence'.

Mr Sheehan noted: 'Clinicians treating adults who were sexually abused as children will be aware of the similarity in such experiences

between the two groups.'

In a submission to the Department of Justice on behalf of the FTAI – which was later withdrawn – Mr Sheehan wrote that parental alienation can be perpetrated by fathers as well as mothers and is 'not a gendered issue'.

A statement on the FTAI website says it has withdrawn a submission to the Department of Justice on parental alienation.

It added it is 'aware that, as a concept, parental alienation is contested' and it has facilitated the establishment of a working group to 'examine the issues and complexities of the term'.

with tragedy'



COURT EXPERT:
Jim Sheehan
leaving his Dublin
home and, inset
below, at work

tion 47 report to be carried out. Significantly, however, there are no regulations setting out who can conduct Section 47 reports.

No minimum qualifications are required for the authors of the reports, who charge significant sums of money for their services.

In October 2022, Bernard Durkan told the Dáil Mr Sheehan's reports are hugely influential in family court cases.

The Kildare North TD said: 'I want to draw attention to something else that is equally ominous and worrying. This is use of Section 47 reports and the degree to which the courts take them into account.'

He added: 'A court messenger can, by virtue of his or her recommendation to the court, make it possible to take away children from a mother in order to ensure a particular outcome in a forthcoming case.'

'This is what it amounts to. I have dealt with cases in recent times where mothers have been separated from their children and subjected to appalling indifference and callousness by the system.'

'Their children are removed callously and put in a place determined by the court.'

'I finish by drawing attention to Section 47, which needs to be dealt with soon, because there will be a tragedy.'

'There is a level of emotion, trauma and coldness surrounding a mother when she is told that she does not matter in this business or that if she does matter, it is only in a way decided by somebody else. If the activities of Mr Jim Sheehan in the courts are allowed to continue, there will be serious consequences.'

In July 2023, Deputy Durkan again named Mr Sheehan in the Dáil and warned: 'Not everyone assigned by the courts under Section 47 is an expert.'

Outlining his concerns about the use of 'parental alienation' in family law cases, which he described as 'a concept that is not recognised or supported but is strongly contested, nationally and internationally, by various proponents and opponents.'

It concerns cases where mothers, and in some cases fathers, are forcibly separated from their children and allowed only under very special circumstances to speak to them over the telephone.

In some cases, they have been separated for a number of years, with consequential hardship and stress to the parent or parents and possibly creating serious mental health problems for the child.'

Mr Durkan said that, although it 'sounds unreal and few people would believe it happens... it happens under cover of the in-camera rule, where anything can happen and cannot be reported outside the court and [State child and family agency] Tusla cannot intervene because it is subject to the rule.'

The Fine Gael TD said arguments around parental alienation have



OMINOUS:
Fine Gael TD
Bernard
Durkan has
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questions last
week

'been used extensively by Mr Jim Sheehan... and a number of members of his cohort'.

He added: 'Every report costs about €8,000, and that is supposed to be an expert report, although it has transpired that not everyone who makes these reports is an expert or has any competence in the area.'

In June 2023, a UN human rights expert said family court systems worldwide are impacted by 'deeply embedded gender bias', leaving women and children vulnerable to violence and 'immense suffering'.

Reem Alsalem, UN Special Rapporteur on violence against women, wrote in a report to the Human Rights Council in Geneva: 'The tendency of family courts to dismiss the history of domestic vio-

lence and abuse in custody cases, especially where mothers and/or children have brought forward credible allegations of domestic abuse, including coercive control, physical or sexual abuse, is unacceptable.'

Ms Alsalem's report criticised the 'unfounded and unscientific concept of parental alienation'. It said: 'While it is invoked against both fathers and mothers, it is predominantly used against mothers.'

Around the same time, a Government policy paper on parental alienation was published, which noted how 'the issue of domestic violence and abuse repeatedly emerges in literature examining parental alienation'.

The document stated: 'It has been argued that a lack of understanding of domestic violence or child abuse can lead to abused parents and children being disbelieved and discredited'

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NO OVERVIEW:
Minister for
Justice
Helen

In a stark admission, the Minister claimed we have 'no way' of having overview of the system.

But Ms McEntee added her Department is 'progressing' recommendations identified in a new policy paper on parental alienation, which will 'make sure anybody who provides evidence to a court is adhering to strict criteria and is qualified, essentially, to do the job he or she has been asked to do'.

Meanwhile, the MoS has learned the regulatory body for social care professionals, CORU, has begun a preliminary investigation after Mr Sheehan introduced himself as a social worker despite not being registered with them.

Mr Sheehan worked as a social worker in Limerick and Dublin from the 1970s to the 90s, but is no longer registered. Asked this week about Deputy Durkan naming him in the Dáil over his work as a court expert compiling Section 47 reports Mr Sheehan replied:

'That's correct.' When asked about women who allege he accused them of parental alienation, he replied: 'Just a second, I don't want to talk to you about this right now because there are other things in motion, so unfortunately I cannot speak to you.'

'Thank you very much for your call.'

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