

From: Ministers Office <no-reply@cloud.gov.ie>

Sent: Wednesday 27 January 2021 09:06

To: info <info@kilkennycoco.ie>

Subject: DJE-MO-07425-2020

info@kilkennycoco.ie

Minister's Reference: DJE-MO-07425-2020

Dear Ms. Walsh,

Thank you for your correspondence of 2 November 2020 on behalf of the Members of Kilkenny County Council, to the Minister for Justice, Ms. Helen McEntee T.D. regarding parental alienation. The Minister has asked me to reply on her behalf. I would like to sincerely apologise for the delay in issuing this reply.

The Minister is aware of the concerns that have been raised in relation to parental alienation as an issue. The issue is complex and it is important to note that parental alienation's appearance in the ICD-11 currently does not indicate that the WHO endorses the concept of parental alienation as a clinical condition. The ICD-11 clearly states that 'incorporation of this description does not indicate WHO endorsement or any sort of formal recognition. It has been added for the purposes of translation only.'

In consequence, the ICD-11 does not provide any endorsement of a definition or concept of parental alienation and there continues to be a lack of empirical evidence on which to base solid policy or legislation.

Insofar as engagement with clinical issues is concerned, these would be matters, in the first instance, for the Department of Health, the HSE and Tusla.

Given the complexity of this issue and in order to better inform further discussion, the Minister intends to arrange for research to be carried out by the Department next year.

In the meantime, there have been a number of recent actions by the Department across the area of family justice.

A Family Justice Oversight Group has been established by the Department, and this group will agree a high-level vision and key medium and longer-term objectives for the development of a national family justice system in parallel with the establishment of a dedicated Family Court structure as envisaged by the forthcoming Family Court Bill.

A Family Court Bill is currently being drafted following approval of the General Scheme of the Bill by Government. The Family Court Bill, the enactment of which is a commitment in the Programme for Government, will be a key element in the development of a more efficient and user-friendly family court system that puts families at the centre of its activities, provides access to specialist supports and encourages the use of alternative dispute resolution in family law proceedings.

The development of sensible, comprehensive and sensitive family law procedures, particularly for vulnerable families, will be central to the new system. In the preparation of the General Scheme of the Family Court Bill, account has been taken of the Report of the Joint Oireachtas Committee on Justice and Equality which published its Report on Reform of the Family Law System just a year ago.

On behalf of the Minister, I would like to thank you and the Members of Kilkenny County Council for your communication in relation to this matter.

I hope this response is of some assistance.

Yours sincerely,

Patrick McCabe
Private Secretary to the
Minister for Justice

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