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The high-stakes deficit in family justice

By **Professor Nigel MacLennan** July 4, 2026



This is the third in a series of articles we are publishing in TCW designed to challenge one of the most powerful orthodoxies shaping family justice across the Western world, an orthodoxy that is harming children and parents alike. You can read the first two [here](#). Today's article highlights the lack of training provided to the psychologists, social workers and psychiatrists who assess cases.

IN THE landscape of the UK family justice system, few phenomena carry the profound emotional and psychological gravity of parental alienation. Far from being a mere domestic squabble or an inevitable byproduct of a difficult divorce, parental alienation is increasingly recognised by international experts as a severe, targeted form of child psychological abuse.

Defined broadly as the unjustifiable manipulation of a child by one parent to create hostility, fear, or rejection toward a loving, safe parent, this phenomenon inflicts vast and often irreparable damage. It destroys a child's emotional well-being and causes psychological damage that follows them straight into adulthood. Because the stakes are existential for the child's development, resolving these crises demands the highest level of diagnostic accuracy and forensic competence from courts and court-appointed experts.

Yet, independent critiques suggest that a dangerous deficit exists at the very centre of this problem. Observers point to a systemic, glaring lack of specialised, evidence-based training provided to the psychologists, social workers and psychiatrists who are tasked with evaluating these high-stakes cases.

When the state mandates unspecialised professionals to intervene in complex domestic trauma, it inherently risks putting the very children it aims to protect in jeopardy. To understand how the psychological profession arrived at this precarious juncture, one must look past individual practitioner error and critically examine the institutional structures responsible for setting professional standards.

An analysis of independent commentaries, notably those compiled via BPS Watch, strongly suggests that this educational shortfall is inextricably linked to a broader crisis of governance within the British Psychological Society (BPS). In the view of many reformers, the BPS has succumbed to a form of institutional capture, characterised by an apparent reluctance to engage in objective, evidence-based policy formation, leaving the profession vulnerable to a lack of robust oversight or independent external scrutiny.

The training deficit and its clinical consequences

When a court instructs a psychologist to assess a family experiencing suspected parental alienation, it does so under the assumption that the practitioner possesses the specialised diagnostic tools necessary to differentiate true alienation from justified estrangement, such as instances where a child withdraws due to genuine abuse or neglect. However, critics argue that the current training pathways mandated for psychologists, psychiatrists and social workers lack the granular, forensic depth required to navigate these intricate dynamics.

Without explicit, mandated training in family systems theory, coercive control dynamics and the psychological indicators of parental programming, practitioners are frequently forced to rely on generic inferences and basic intuitions.

This reliance on unspecialised frameworks creates an environment where subtle forms of psychological manipulation risk being routinely misdiagnosed or completely overlooked. Furthermore, the family court system frequently struggles to implement swift, decisive interventions, creating a perception that it is incapable of protecting children from this destruction.

By descending into procedural inertia, the legal apparatus permits the alienating parent to weaponise time, potentially cementing the child's programming while litigation drags on indefinitely. In the case of parental alienation, the ancient truth holds robust: justice delayed is justice denied.

Worse still, a lack of systemic understanding can lead to blunt interventions that inadvertently exacerbate the trauma of the child. This traps families in prolonged litigation while failing to address the root psychological pathology.

In the view of many family law professionals, the absence of a standardised, empirically validated training curriculum for court-appointed experts represents a fundamental, structural failure in the protection of vulnerable children.

The mechanics of apparent ideological capture within the BPS

This acute training deficit is viewed by many independent observers not as an accidental oversight, but as the consequence of shifting priorities within the state-recognised representative body of the profession. Documented analyses from independent observers and retired practitioners on platforms such as BPS Watch indicate that the British Psychological Society has increasingly prioritised sociopolitical and ideological agendas over its core mission of advancing psychological excellence.

In the view of critics, the causal chain of institutional failure operates through a distinct and all too predictable sequence:

1. INSTITUTIONAL DRIFT OF THE COMPROMISED INSTITUTION

(Prioritising sociopolitical agendas over empirical science)

2. EROSION OF EVIDENCE-BASED POLICY FORMATION

(Suppression of empirical data; reliance on generic models)

3. ACUTE SPECIALISED TRAINING DEFICITS

(Deficits in forensic parental alienation tools)

4. SYSTEMIC VULNERABILITY & LONG-TERM TRAUMA

(Risk of misdiagnoses and institutional failure in family courts)

This phenomenon of institutional capture occurs when a professional body becomes insulated from external critique and treats policy formation as an exercise in ideological conformity rather than empirical inquiry.

When an organisation becomes ideologically captured, it instinctively views niche, highly complex clinical challenges, such as parental alienation, through a generalised, oversimplified lens. Instead of investing in the development of rigorous, objective diagnostic training, the institution risks creating a corporate environment where the development of highly technical, specialised clinical guidelines is actively sidelined or ignored to preserve a performative box-ticking ideology.

The refusal to engage in evidence-based policy formation

A primary indicator of this institutional decline appears to be the BPS's approach to policy formulation. For a scientific society, policy must invariably serve as the downstream product of peer-reviewed data, replication studies, and robust, verified clinical consensus. Yet, based on the data and reports curated by BPS Watch, critics argue that the BPS has demonstrated a consistent resistance to engaging in evidence-based policy formation when empirical data conflicts with prevailing institutional ideology.

In the context of parental alienation, a substantial and growing body of international psycho-legal research outlines clear, behavioural codifications for assessing parental alienation dynamics. Despite this, the BPS has been slow, if not entirely resistant, to integrating these international empirical standards into its formal guidance for UK practitioners.

Critics argue that professional institutions have access to the research surrounding this severe safeguarding issue yet fail to act decisively. By failing to aggressively adopt and enforce rigorous, data-driven frameworks for family court experts, the society perpetuates an antiquated, unspecialised model of practice. This systematic resistance to evolving empirical evidence reflects an insular culture that prioritises internal administrative convenience over the requirements of frontline, science-based psychological practice.

The absence of independent scrutiny and external oversight

Perhaps the most concerning aspect of the current psychological landscape in the UK is the absence of independent external oversight over the professional society itself. While individual psychologists are regulated by the Health and Care Professions Council (HCPC), the BPS occupies a powerful position as the primary architect of the profession's cultural, ethical, and educational benchmarks.

An interrogation of the multiple governance failures highlighted on BPS Watch, and underscored by the public disclosures surrounding the landmark whistleblowing litigation, [MacLennan v the British Psychological Society \(2024, 166, EAT\)](#), indicates that the internal machinery of the BPS operates within a self-referential loop, largely insulated from the democratic input of its own membership and protected from rigorous independent auditing.

While the Employment Appeal Tribunal (EAT) ruling itself focused strictly on the legal status of volunteer trustees under whistleblowing law, the underlying case brought critical public attention to severe structural questions regarding how the institution handles internal governance, legitimate dissent, and transparency.

When an institution lacks robust independent scrutiny, its leadership is rarely held accountable for systemic failures in training or policy development. Complaints regarding governance anomalies, lack of transparency, and the dilution of scientific standards are frequently dismissed or ignored by internally insulated structures.

This lack of external accountability ensures that systemic deficits in specialised training can persist indefinitely, since there is currently no regulatory mechanism capable of forcing the institution to realign its curriculum with empirical reality.

Conclusion: The need for structural realignment

The intersection of Parental Alienation and institutional dysfunction reveals a profound systemic vulnerability within the UK's psychological architecture. When families entrust their futures to court-appointed psychological experts, they are entitled to practitioners who have been

forensically trained using the most rigorous, evidence-based methods available to modern science.

The current training deficit suggests that the British Psychological Society is failing to adequately equip its members for these high-stakes interventions. To remedy this crisis, the profession must undergo a rigorous structural realignment. The BPS must be subjected to independent external scrutiny, forcing the organisation to dismantle its insular governance models, reject ideological capture, and return to its foundational mandate: the advancement of pure, uncompromised, and evidence-based psychological science.

Until such institutional accountability is achieved, vulnerable children and fractured families will continue to bear the collateral cost, suffering the vast and lifetime damage caused by a compromised and dysfunctional regulatory landscape.

Editor's note: Professor Nigel MacLennan is a psychotherapist, executive coach, author of 22 books, and hundreds of articles on wellbeing. Awarded Fellowship of the British Psychological Society (BPS) for his original contributions to psychology, he was elected BPS President for 2021–2022 on a mandate of reform. Following his decision to make protected whistleblowing disclosures concerning institutional governance, he was removed from his position. He challenged the establishment and secured a historic victory at the Employment Appeal Tribunal.