

A Response to: The Child Support Maintenance Calculation Regulations 2012

Issued by: Child Maintenance and Enforcement Commission

February 2012

Introduction

- 1.1. The Women's Support Network (WSN) welcomes the opportunity to respond to this consultation issued by OFMDFM.
- 1.2. The Women's Support Network (WSN), established in 1989, is a regional organisation that works across all areas of Northern Ireland. It includes in its membership community based women's centres, groups and organisations, with a concentration in disadvantaged areas. WSN is a charitable and feminist organisation, which adopts a community development approach. We provide a range of support and services to 63 community based women's centres, projects and infrastructure groups and 26 associate members drawn from across the community and voluntary sector who support women, families and communities. (see Appendix 1).
- 1.2. Our members provide a wide range of women-centred front line services across Northern Ireland, including:
 - Specialist Advice
 - Childcare and Family Support
 - Counselling, Support and Advocacy
 - Complementary Therapies
 - Training & Education
 - Health & Wellbeing Programmes
 - Personal Development & Employment Support
 - Volunteering, Leadership & Empowerment
- 1.3. WSN aims to achieve social, political and economic justice through the promotion of the autonomous organisation of women. The Network aims to strengthen the collective voice of women's groups and to promote and develop networking opportunities, to enable collective action and to impact upon policy and decision making processes. WSN provides an accessible, feminist, relevant and high quality support service and resource for its member groups. The Network is also an important information resource on issues relevant to community based women's organisations and for other infrastructure groups, nationally and internationally.

- 1.4. Over the past 30+ years, the community based women's sector has developed a range of front-line services such as childcare, support, advice, and education & training services in response to the needs they identified at a grass roots level. Women's groups continue to meet the particular needs of women and their children living in areas considered to be some of most affected by the conflict, and recognised as some of the most disadvantaged areas across Northern Ireland today.

- 1.5. Network members are actively engaged with their local communities, cross-community initiatives and regional structures throughout Northern Ireland.

General comments:

We reiterate the comments made in our response to the Green Paper. WSN is extremely concerned with the proposals to place an application charge when applying to the Child Maintenance and Enforcement Commission. The effects of Welfare Reform are yet to be realised however it is accepted that Northern Ireland will be hit hardest. In a report commissioned by the Law Centre NI, the Institute of Fiscal Studies established that after London, the tax and benefits changes planned up to 2014-2015 will have a disproportionate impact on NI. This is for two reasons: the high numbers of those in receipt of Disability Living Allowance, especially for mental health disorders, and the high number of families with children who will be adversely affected by cuts to social security.¹ It is wrong therefore to use charges which would discourage families and place a financial burden on those who are in low income households. These changes, along with the spending cuts already in place, will have a disproportionate impact on women and lone parents (90% of whom are female). Pressure on low income families have already increased, many of whom are struggling to manage their household budgets at present. WSN call on the government to offer this service free of charge to those on low incomes as charging for a system will only exclude children and parents from low income families.

WSN are supportive of the continuing need for families to receive help and intervention with negotiation. However, we are concerned for those parents who are unable to form or maintain a private relationship agreement. There are risks and limitations to this approach, for example some parents may be able to establish their own financial arrangements while others need help. This move towards private arrangements may see a shift in the balance of power between parents. We have particular concerns for women in this as it is predominately women who are the carers for children while the non-resident parent is mostly men. WSN does not see any safeguards contained within the calculation regulations that will ensure women receive a fair deal.

¹ James Browne, The Impact of tax and benefit reforms to be introduced between 2010-11 and 2014-15 in Northern Ireland, IFS Briefing Note 114, December 2010

There is a real fear that women could accept a lower monetary or even sporadic contribution for child maintenance for an easier relationship with an ex-partner. This has serious implications in relation to gender equality and the fact that less money would be going to the child. This will do little to reduce child poverty. Child poverty figures within Northern Ireland are stark; with figures for 2009-10 showing a 14,000 increase in the number of children in poverty. Northern Ireland has 28% of children growing up in poverty, with the figure for the whole of the UK standing at 20%. The Child Poverty Act 2010 is meant to ensure that action to end child poverty will be a priority for the current administration. The legislation highlights education, childcare, health, family support, financial assistance, employment, skills and housing as crucial elements in the battle to end child poverty. WSN would like the government to set out how it will monitor and evaluate private agreements in order to safeguard women and to ensure they do not settle for less money than they are entitled to.

Specific Comments:

Our comments below are based only on the questions asked within the consultation document.

Question One

Do you agree with the proposal to remove students from the nil rate cases and calculate liability on their gross weekly income?

We believe that if students are earning an income then they still have a financial responsibility to their child/children. However, we are assuming the same limits will apply as those in part-time / full-time work?

Question Two

Is making an assumption about shared care the right approach to avoid some of the current practical difficulties regarding shared care calculations?

We are not in favour of CMEC making 'assumptions' about shared care. We believe this would provide the non resident parent with an easy option of reducing how much they pay. We strongly believe the shared care calculations should be based on evidence.

Changing a calculation

Question Three

Do you think the periodic income check adds value to the review process?

Checking income regularly ensures that the maintenance payable is accurate, as long as prove of income is also received.

Variations

Question Four

What do you think of the proposal to remove assets and lifestyle inconsistent with declared income grounds given the new approach to unearned income?

Removing 'lifestyle inconsistent' and basing this on actual earnings is probably more accurate.

Question Five

What are your views on the new grounds which aim to make the scheme easier to navigate, understand and administer and to ensure that where the non-resident parent has significant unearned income that this can be taken into account?

Unearned income is a term used by the HMRC, and refers to dividends, income from assets and properties, and should definitely be used for assessment purposes.

Other matters to note

Question Six

Do you agree that the percentage rates applied for relevant other children should be reduced to produce a more equal treatment of children in first and second families?

We believe that reducing the percentage due to a relevant child is fair - currently the system favours the child living in the non resident parent household, and the new proposal brings these closer in line.

Question Seven

Do you agree with the proposal to increase the flat rate?

The current flat rate is £5 per week which has been the same for 8 years. We believe this is too low and should be increased further.

Question Eight

Do you agree with the proposal to compel non-resident parents who have a maintenance liability based on current income to report further upward changes?

We strongly advocate for non-resident parents to be compelled to report any increase in income or if they receive any kind of gift or inheritance.

Conclusion

WSN welcomes the opportunity to respond to this consultation document. We have serious concerns over the implementation of this new system. It will exclude those in society who need the most help and who are at a vulnerable time in their life. We have offered some constructive recommendations as to how it could be improved. We are happy to further discuss this response if required.

For further information, contact:

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MEMBERSHIP 2012

| | <u>Member Group</u> |
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| 1 | All Ireland Mother's Union |
| 2 | An Munia Tober (Travellers) |
| 3 | Antrim & Ballymena Women's Aid |
| 4 | Ardmonagh Women's Group |
| 5 | Ardoyne Women's Group |
| 6 | ATLAS Women's Centre |
| 7 | Al Nisa Women's Group |
| 8 | Ballybeen Women's Centre |
| 9 | Ballymurphy Women's Group |
| 10 | Belfast & Lisburn Women's Aid |
| 11 | Belvoir Women's Improvement Group |
| 12 | Carrickfergus Women's Forum |
| 13 | Carew II |
| 14 | Causeway Women's Aid |
| 15 | Chrysalis Women's Centre |
| 16 | Clan Mor Women's Group (Sure Start) |
| 17 | Derry Well Woman |
| 18 | Derry Women's Centre |
| 19 | Falls Women's Centre |
| 20 | First Steps Women's Group |
| 21 | Footprints Women's Centre |
| 22 | Foyle Women's Aid |
| 23 | Foyle Women's Information Network |
| 24 | Granaghant District Women's Group |
| 25 | Greenway Women's Centre |
| 26 | Kilcooley Women's Centre |
| 27 | Lesbian Advocacy Services Initiative |
| 28 | Lesbian Line |
| 29 | Lenadoon Women's Group |
| 30 | Ligoneil Family Centre |
| 31 | Link Women's Group |
| 32 | Manor Women's Group |
| 33 | Markets Women's Group |
| 34 | NI Women's Aid Federation |
| 35 | NI Women's European Platform |
| 36 | Fermanagh Women's Network |
| 37 | Newry & Mourne Women |
| 38 | Newtownabbey Women's Group |
| 39 | Older Women's Network NI |
| 40 | Omagh Women's Aid |
| 41 | Rape Crisis Centre |
| 42 | Rasharkin Women's Group |
| 43 | Shankill Women's Centre |
| 44 | Strabane & Lifford Women's Centre |
| 45 | Strathfoyle Women's Centre |
| 46 | The Learning Lodge |

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| 47 | Voices Women's Group |
| 48 | Waterside Women's Centre |
| 49 | Windsor Women's Centre |
| 50 | Women Connect Project |
| 51 | Women into Politics |
| 52 | Women's Information Group |
| 53 | Women's News |
| 54 | Women's TEC |
| 55 | Women 2 Gather |
| 56 | Women's Resource & Development Agency |
| 57 | WISPA (Women in Sport & Physical Activity) |
| 58 | Ardcarn Women's Group |
| 59 | OIYIN Women's Group |
| 60 | Mossley Women's Institute |
| 61 | Mount Vernon Women's Group |
| 62 | Coole New Opportunities |
| 63 | North Belfast Womens Initiative & Support Project |
| | <u>Associate Members</u> |
| 1. | Ballymena Community Forum |
| 2. | CiNI |
| 3. | Community Relations Forum |
| 4. | East Belfast Community Partnership |
| 5. | Employers for Childcare |
| 6. | HIV Centre (Women's Support Group) |
| 7. | Mencap |
| 8. | National Women's Council of Ireland |
| 9. | Playboard |
| 10. | RNIB (Women's Group) |
| 11. | Good Morning Newtownabbey |
| 12. | Monkstown Community Association |
| 13. | WAVE Trauma Centre |
| 14. | WEA |
| 15. | Parents Advice Centre |
| 16. | Templemore Community Action Group |
| 17. | Gingerbread |
| 18. | Larne Community Development Project |
| 19. | Community First Coaching |
| 20. | Changing Faces |
| 21. | Sands NI |
| 22. | Women's Project Ashton Centre |
| 23. | Women on Track |
| 24. | Matt Talbot Women's Group |
| 25. | Ulster People's College |
| 26. | Council for the Homeless NI |