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PRESS RELEASE

CHILD MAINTENANCE CHANGES – SHOULD PARENTS HAVE MORE SAY?

Following last week's decision in the matter of Mrs Rowley, which stated the CSA had no duty of care when making CSA assessments, MPs are preparing to debate the 'Child Maintenance and other payments Bill' for the first time. Leading lawyers are calling for reform, and national family law association - Resolution is calling for parents to be permitted to take their own enforcement action.

Resolution said "The two previous child support schemes both failed because they could not handle the volume of cases that came to them. The Government created a system where the only way to enforce child maintenance was via the CSA – the result is a debt mountain of £3.5 billion in uncollected maintenance."

The Government is promoting voluntary agreements on child maintenance between parents to avoid overload on the new version of CSA, C-MEC. There will have to be a large number of voluntary agreements if C-MEC is not to be overwhelmed. Yet the Government is not proposing that such arrangements will be enforceable. So couples unable to agree or enforce a voluntary arrangement will still have to go through C-MEC.

"The Government hopes to cut the workload of the new child maintenance agency by encouraging parents to make voluntary arrangements, but the reason the CSA was established is precisely because so few people can arrive at voluntary agreements. If the Government is serious about empowering parents and reducing the burden on C-MEC, they should ensure that those who choose to are free to use the court process to enforce their own maintenance arrangements." commented Resolution.

Michelle Cooper, head of the family department at Sheffield solicitors Watson Esam who sits on the National CSA Committee for Resolution said: "Resolution has long been calling for changes so that courts can assess at least some cases especially where divorce proceedings are in front of the courts. In such cases lawyers believe it is a waste of time and money for

parents who already have cases in front of the court to go to the CSA or C-MEC for child maintenance which often leads to delay."

For further information about this case or the debate on child maintenance, or for assistance with family law issues, Michelle can be contacted at Watson Esam on 0114 275 3350 or michelle.cooper@watson-esam.co.uk

Notes to editor

Full details of the Rowley case or Resolution's concerns about the Bill can be obtained by contacting Michelle Cooper at Watson Esam as above.

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