

Guidance on regulation 4(3) of the Child Support Fees Regulations 2014: List of persons to whom an applicant must have reported domestic violence or abuse

The Child Support Fees Regulations 2014 (“the Fees Regulations”) introduce an application fee of £20 for people who apply to use the Child Maintenance Service. Regulation 4(3) of the Fees Regulations provides an exemption from the £20 fee for an applicant who is a victim of domestic violence or abuse (as more fully explained below).

When will an applicant be exempt from the application fee?

An applicant who satisfies the criteria set out in regulation 4(3) of the Fees Regulations will be exempt from the application fee. Regulation 4(3) requires that the applicant:

- is in the opinion of the Secretary of State a victim of domestic violence or abuse (guidance on how the Secretary of State will determine if a person is a victim of domestic violence or abuse is available on the www.gov.uk website);
- must have reported the domestic violence or abuse to an “appropriate person”;
- must declare to the Secretary of State that he or she is a victim of domestic violence or abuse; and
- must state to the Secretary of State the “appropriate person” to whom he or she has reported the domestic violence or abuse.

What is the purpose of this guidance?

This guidance sets out the meaning of an “appropriate person” for the purposes of regulation 4(3) of the Fees Regulations.

Who is an “appropriate person”?

For the purposes of regulation 4(3) of the Fees Regulations, an appropriate person is:

- a court;
- the police;
- a medical professional;
- social services;
- a multi-agency risk assessment conference;
- a specialist domestic violence organisation or service including a refuge;
- an employer;
- educational services;

- a local authority;
- a legal professional; or
- a specialist support organisation.

Guidance on interpreting the above list

- **medical professional** includes a person who is a member of a profession regulated by the General Medical Council, the General Dental Council, the General Optical Council, the General Osteopathic Council, the General Chiropractic Council, the General Pharmaceutical Council, the Nursing and Midwifery Council, or the Health and Care Professions Council. For example, this would include a doctor, a nurse, a midwife, or a dentist.
- **Multi-agency risk assessment conferences** (“MARACs”) are multi-agency meetings where statutory and voluntary agency representatives share information about high-risk victims of domestic abuse in order to produce a co-ordinated action plan to increase victim safety. The agencies that attend MARACs will vary but are likely to include, for example: the Police, Probation, Independent Domestic Violence Advisers, Children’s Services, health and housing.
- **an employer** would normally be the applicant’s current or former employer but may include someone else’s employer. For example, if the applicant has reported the domestic violence incident to their partner’s employer. However, this would not include a person who the applicant knows in another capacity, for example a friend who is also an employer but who does not employ the applicant.
- **educational services** include a school, college or university.
- **a legal professional** includes a solicitor, a trainee solicitor, a barrister, a paralegal, or a legal executive.
- **a specialist support organisation** includes an organisation in the voluntary or community sector or a trade union, which victims of domestic violence may contact and which provides advice and support and/or a help line service, for example Citizens Advice Bureau or the NSPCC. This does not include Child Maintenance Options.