

Scottish Women's Aid input to DWP Child Maintenance review

We have noted below informal feedback from some of our members and from recent engagement sessions with women where child maintenance was raised as an issue. Some comments do not directly respond to the questions in the review but we felt it was important to include these in the feedback. We have provided the feedback as original comments where applicable.

30 month review impact of child maintenance reforms

1. What is the impact of;

- The application fee on the applicant

While the application fee can be waived for women experiencing domestic abuse – not all women want to disclose this, are made aware that this can be done or meet a positive response when they do raise it.

"The application fee is £20 but this can be waived if fleeing domestic abuse. The woman that I was supporting got this waived as the child maintenance when she asked me to speak to them on her behalf due to language barriers I am not sure if she hadn't had a support worker involved with what evidence she would need to provide or if she would have found out about the fee being waived."

"If a woman did not get this fee waived or could not offer to pay the fee, she would have to deal with the perpetrator directly and come to an agreement or pay the admin fee, this can cause a woman to be open to further abuse or financial hardship for a woman."

- The ongoing charges on the non-paying parent

Women's Aid workers responded that they thought women and children were penalised by the 4% fee. They queried if an EQIA had been carried out on the impact of the fee for the non-paying parent - as 98% of single parents are women and women are twice as dependent on the social security system.

"If the paying parent does not pay it goes to collect and pay, again there is an application fee and on-going charges: e.g. if the paying parent has to pay £100 a week they will add 20% to his payment so they would pay a total of £120 and the non-paying parent would need to pay 4% so would only receive £96."

"A woman that I supported to contact child maintenance wanted support so that she did not have to ask him for the money, as this would depend on his mood to whether she would get any money, she hoped that having a more formal agreement would reduce any friction or her feeling uncomfortable about asking for money. She wanted to have as little contact with him as possible and that the contact they had was about the children and not money. The process took over an hour to go through child maintenance options and process - the cost of the phone calls for women in this situation is a barrier."

How well is direct payment working

- How is it affecting victims of domestic violence

A key theme raised by Women's Aid workers was that CSA lacked understanding and awareness of the dynamics of domestic abuse, of the risk to women and children, or of coercive control and how a perpetrator will use child maintenance payment arrangements to continue to exert control - for example:

- by making payments that are repeatedly paid late or below the amount due but then paid just before grace period ends - leaving women unsure if they will receive a payment and in a position where they are advised to contact the ex-partner.
- That a woman was told to call her partner to chase payment even though police had advised her to have no contact.
- That a woman was told to find out if her ex-partner is a UK tax payer before proceeding with claim

"The impact for a woman I worked with is that she was told that she if took up the direct payment option she would still need to text the paying parent (perpetrator) her bank account details, this still gives him the control to decide if he is going to pay or not."

Women that took part in a recent engagement session did not have positive experiences of the child maintenance system:

"The CSA phoned me to say that as the father had not paid so would I agree to waive the arrears – cancel his debt even though he had paid nothing towards his children."

"CMO wouldn't speak to my support worker despite me giving permission"

Women's Aid workers also reported that women were given little or no information about what they can do if payments are missed, that this can make women feel unsafe.

"It is up to the women to let the child maintenance know if the paying parent has stopped paying. If a woman has fled domestic abuse she may not feel strong confident enough to challenge him or report him if he does not pay for fear of repercussions. "