



FNF's Submission to the Department for Work and Pensions 30 Month Review of the Impact of Child Maintenance Reforms

FNF is a registered charity primarily assisting non-resident parents in their difficulties in maintaining relationships with their children after separation and divorce. We have two 'sister' charities in Wales and Scotland – FNF Both Parents Matter Cymru and FNF Scotland. This response is on behalf of the group of three charities.

FNF receive approximately 25,000 service calls per year through the national FNF Helpline, 50+ regional branches in the UK, online support and courses.

To assist with this response to DWP we carried out an online questionnaire of our service users and many others in September 2016 and have received 808 responses that have been used as a basis for the response to the questions posed.

Of our respondents who were paying Child Maintenance (excluding a small number who were subject to Child Maintenance Court Orders):

- 34.0% had private payment arrangements
- 35.2% paid through the CSA
- 30.8% paid through CMS

As well as enquiring about the charges and comparisons between CMS and CSA we sought respondents' views on issues relate to paying of child maintenance (CM) and people's attitudes to it as well as factors affecting this.

We have prepared a relatively brief summary of our findings and insights, with more detailed analysis included afterwards. The fuller version includes extensive quotations from respondents. We have not included all such responses as they would run to an extra ten pages. However, we have included many as we felt that the qualitative responses were informative and often insightful. These responses were particularly useful in highlighting issues that we did not specifically enquire about, but we considered to be relevant.

Being a charity that primarily supports non-resident parents, our responses tend to focus on these. It does not mean that we do not empathise with the struggles of parents with care, but other than our brief comments, we are simply not well placed to represent their views effectively and many other organisations do this very powerfully already.

Should you have any queries or require further information, please contact Michael Lewkowicz at the FNF office.

Summary of Findings and Recommendations

1. The image of the 'deadbeat' dad is simply not the reality of most of the thousands of non-resident fathers who FNF deal with. They love their children and most non-resident parents make huge investments of themselves, their careers and money in order to be able to be able to be good dads to their children.
2. Half of non-resident parents would wish to pay more to support their children, but can't afford to do so. 15% struggle with affordability, many severely with several reporting suicide attempts and suicidal thoughts.

They report hardship, with many reporting severe hardship and being driven to absolute poverty as a result of the levels of payments that are demanded from them.

3. The current system for evaluating and charging for collection of child maintenance payments is too blunt and causes too much hardship for parents (parents with care and non-resident parents), the vast majority of whom love their children, wish to be good parents, but in many cases are denied the opportunity to demonstrate their love or the opportunity to feel responsible for them other than through obligatory payments to the parent with care.
4. The lack of sanctions against parents with care not complying with court orders for contact is a bitter pill that too many parents are asked to swallow. Many become ill with anxiety and whilst these issues are separate from a child's need to eat, they are a powerful factor that can induce non-resident parents to behave less responsibly than they might otherwise do. The DWP and MoJ should take a much more holistic approach to these issues as they are unmistakably intertwined. With this there would be a triple 'win-win' –
 - 4.1. children will be less likely to be gratuitously orphaned from one parent.
 - 4.2. they will benefit from more generous financial contributions.
 - 4.3. both parents, including the parent with care will ultimately find life easier and less stressful too.
5. A further significant minority report having debts that they are unable to cope with, taking out expensive loans to make their child maintenance payments. These people's acute difficulties are being made worse by the 20% surcharge by CMS for collecting their dues.
6. Delays in having their payments adjusted when their pay decreases by less than 25% is also creating major financial difficulties for a significant number of NRPs. The 25% threshold to review may be manageable by parents on good incomes and low outgoings, but for those on low incomes and carrying large amounts of debt, this is an unacceptable threshold that pushes NRPs into poverty. The threshold should be no more than 10%.
7. A quarter of respondents are supporting children from other (current) relationships at the same time with many reporting on the strain of dealing with the resultant additional financial pressures. These must be taken into account when assessing contributions – helping one family at the expense of another does not make sense and is more likely to result in the break-up of that family too.

8. It does not help with collection of child maintenance that 88% of respondents consider the breakdown of CMS charges between the paying and receiving parent as unfair – 72% agreeing with this completely and score it at 10/10 in our survey. Symbolically, it also sends the wrong message and plays to a false stereotype – that fathers need sanctions to make them do the right thing and mothers don't.

FNF recommend that:

- 8.1. any charging is divided equally between parents.
- 8.2. that there is an affordability test.
- 8.3. both parents should be fiscally encouraged to take financial responsibility (eg through work) for their children once they are at school.
- 8.4. one parent should not live in poverty whilst another lives in relative luxury

“It does not take into account the disparity between a lower earning parent and a higher earning parent” (many such comments)

“They should check what they earn”

9. The majority of respondents considered CMS to be worse than CSA. 46% of respondents disagreed strongly (1/10 scores) with the statement that *“The CMS service is much better than the CSA was”*.
10. Most have spent many thousands of pounds on legal proceedings to ensure that they can continue to have loving relationships with their children. The average in our survey was £23,000. Many end up in debt as a result. Extra charges only serve to extend that debt.
11. CMS should take into account earnings of both parents, their reasonable costs of living and debts when assessing maintenance payments.
- Where there are shared parenting arrangements, the formula does not reflect the share of time spent with parents and leads to additional conflict between them and appears to be gender biased. A number of respondents with shared care point not only to the unfairness of this, but also that it affects their ability to support their shared care arrangements. This must be reviewed.
12. A significant minority of non-resident parents have opted out of work due to their inability to afford what is being asked of them, just as many parents with care choose not to work preferring to minimise contact nights and maximise CM income.
13. Some have taken steps to minimise their obligations, largely due to their inability to afford them. Others still have become unwell due to the stresses and acute anxieties surrounding their children, finances, etc.
14. 64% of respondents believe that the way child maintenance arrangements are calculated, imposed and collected adds to conflict with their ex-partners – 49% scoring this at 10/10.

15. Many report struggling with:
- 1.1. additional costs of collection of child maintenance.
 - 1.2. additional conflict arising from their ex partners attempts to reduce overnight stays by children in order to secure more maintenance
 - 1.3. the unfairness of current child maintenance arrangements which favour a primary carer even with only slightly greater shared care.
 - 1.4. cost of travel to visit children who have been moved away.
 - 1.5. cost of housing to be able to have somewhere for their visiting children to visit.
 - 1.6. maintaining their jobs/careers whilst dealing with the stresses of disputes.
16. FNF recommend that all CMS, DWP and other government departments and agencies should have policies and procedures that are reviewed so that they pass key tests, including:
- Is the proposal affordable by all parents?
 - Does this add or reduce conflict between separated parents?
 - Does this discourage or encourage shared parenting?
 - Does this encourage both parents to work and be economically active?
 - Does this make children and parents feel that both parents are valued as parents?
 - Does this support or detract from a child maintaining a relationship with both parents (shown consistently to be highly beneficial to them).

The need for change is urgent.

No parent or child should suffer as so many do now.

The evidence of both parents' importance in a child's life is powerful and compelling.

Current mechanisms for support, including CMS/CSA do not promote this.

Nor do they promote a reduction in family conflict, at a time when that is what is most needed.

Too often they provide a stick that can be used by parents to beat each other up with.

Too often they discourage the taking of personal responsibility.

Too often they punish the parent who simply wants to love and support their child.

In a civilised society, both parents should feel able to parent their children whether together or apart.

No parent should feel stigmatised and disenfranchised.

No child or parent should needlessly live in poverty.

And no child should be needlessly orphaned from one of their parents.

Because both parents matter!

More Detailed Responses

1. What is the impact of the application fee on the applicant?

In our study this did not feature as a specific question and we did not receive any comments relating to the application fee. However, we do not believe that this is a primary issue to non-resident parents. A similar question asked recently in relation to considerably higher fees for making applications to family courts, only 2% considered this to be a key issue for them.

2. What is the impact of on-going charges on the paying parent?

2.1. Many non-resident parents report being pushed into poverty. These are not 'deadbeat dads' - most would like to pay more towards their children if they could afford it.

2.1.1. 50% of respondents agreed (scoring 6-10 out of 10)

2.1.2. 65% of these completely agreed (scoring 10/10)

"I've lost my house to pay for everything I now live with parents as can't afford anything"

"Unable to pay rent and have been evicted"

"If not for my family the CMS would have made me homeless!"

"I can't afford to pay what they wanted me to and I couldn't live on what was left they basically said tough, I have and still rely on friends and family to help me out, i.e. food shopping"

"They don't consider my outgoings. After my bills and CMS payments I have less than £100 a month for food, petrol etc."

"They should share collection costs 50:50. They should take into account at least basic living costs and incomes of both parents." (many like this)

"I never have any spare cash to spend on the children, due to the high levels of CSA maintenance I pay. As a result, the children consider me to be stingy and mean, which has not helped the relationship one bit."
(several like this)

2.2. Children From Other Relationships

23% were also supporting children from other relationships, adding to their financial difficulties.

"Being poor and affecting my other children"

"It would effect my ability to provide a decent life for me and my child if I'm paying for the child I have 50/50 custody. They have lost sight of the original purpose they were set up for."

“my nearly 19 year old daughter that I pay child support for has had the payments at the expense of the 2 children with my wife that are with me”

“Paying achieves nothing, as my child and his mother don't need or use the money. But it is hardship for me and my other child”

2.3. Obstacles to Private Agreement

2.3.1. Yet, for all this, the results of our study are clear that many parents (53%) had tried to persuade their ex partners to agree to an arrangement without the use of the CSA or CMS, however, their partners refused to discuss these issues with them directly.

2.3.2. Where child maintenance was being collected through CMS this resulted in them carrying the lions share of the additional costs of doing so in a situation that they considered to be out of their control. In effect they are being punished financially through the spite and anger that their former partners feel towards them.

The charge to the parent with care can, however, help if it is fairly applied to both.

“Had there been no charges to my ex this would have been done out of spite” [parent who made private agreement]

“it encourages parents to agree, but not strongly enough”

2.4. Impact on Non-Resident Parents' Earning Potential

35% of non-resident parent respondents reported that they do not have any direct contact with their children.

In this context, there is very strong evidence that this has a major impact on parents' earnings potential, reducing the financial support available to their children.

We asked them to score the statement below relating to their earnings.

“my earning potential has suffered significantly due to the impact on my wellbeing as a result of denial of a relationship with my children.”

- 62% agreed (scoring 6-1- out of 10)
- 38% agreed completely (scoring 10/10)

“constant stress involved in not seeing my child has had a negative impact on my career”

[they] “make sure I can only work low hours as I can't afford higher payments”

2.4.1. As a result of this, many non-resident parents struggle to afford additional payments imposed through having to go through CMS as they find their earnings dropping whilst additional financial demands are put upon them by CMS.

"I have to now work 7 days a week just to keep a roof over my head and pay my CMS. As such, I have no money to live"

2.5. Affordability of Charges

2.5.1. A small, but significant, proportion said that they had opted out of work completely as they could not afford to live whilst making child maintenance payments. As a result, of course, the child, the parents and the tax payer lose out and it is likely that these form a significant rump of cases that CSA and CMS find themselves unable to collect child maintenance from and where arrears remain outstanding.

- 10% of respondents agreed (scoring 6-10 out of 10)
- 7% completely agreed (scoring 10/10)

"Total mental breakdown. I will never work again. My children will never have a family. My children's grades at school have collapsed."

"I left mainstream employment to take back control!"

"I have suffered increasing debt and ultimately bankruptcy"

"I quit my business"

"I feel so bullied by it I want to go abroad"

"[they] took more than I could afford to pay and forced me to stop working"

"it was better to be claiming benefits than working"

"my new husband is paying so much money out to an ex for one child that we can't afford to live anymore and he is having to pack his job in"

"They should take into account how much the paying parent has left to live on"

2.5.2. Furthermore, contrary to the popular myth of the 'deadbeat father' many non-resident parents become heavily indebted due to the cost of their court proceedings.

Parents who funded their cases, on average spent £23k each on legal/court costs, ranging from £200 (application fees only) to £1.6m.

235 of respondents had spent over £10k with many still incurring further costs.

"It left me short of money again as I'm still paying for the solicitor"

“They should take into account wider costs like housing and family debts.”

“I can not afford to live near our daughter’s school any more and have had to move away”

“Debts caused by family proceedings are not considered”

“I have a lot of debt through loans and credit cards to pay for court so I could see my son. I struggle each month after I pay my ex maintenance. The CSA/CMS do not look at what your out goings are ie bills dept mortgage etc and force you to pay an amount they come up with. Often the figure is grossly inaccurate and they cannot explain where they got the figure from. I had to pay my ex £725.25p in a lump sum or was told they would take £450 a month direct out my wages I had to get a credit card to pay it or I would not be able to survive with the wages I had left each month.

“I have lost my entire life savings of £400,000”

2.5.3. Given these ‘investments’ in their children that are not taken into account in the calculation of Child Maintenance, many non-resident parents, mostly fathers, felt themselves to be ‘between a rock and a hard place’, unable to support their children or to pay off their legal debts that were incurred as a direct result of them wishing to be involved in supporting their children as they grow up.

2.5.4. 19% of respondents reported having difficulties in affording their maintenance payments. For 15% this was a particularly serious issues (10/10 score to statement ‘I cannot afford to pay’.

“cannot afford this due to rent, legal costs and costs of travel to see my children”

“travelling expenses aren't taken into consideration. I cannot afford to see my kids more because of my maintenance payments” (several like this)

“I struggle to pay my basic bills. This is only possible as I now have a new partner who helps me out. I cannot afford to take my children on day trips/holidays. These are paid for by my parents”

“the lack of means testing or consideration of circumstances results in callous extraction of finances”

“nearly half my wage is taken and I can't afford to get to work most weeks”

“collection fees are ridiculously high”

“not being able to live or afford to clothe myself” (many like this)

“the payments are too high so I cannot live” (many like this)

2.5.5. Perhaps, therefore, it is not surprising that 10% of respondents report deductions of child maintenance from their pay, 21% making payments to CSA/CMS whilst 66% are able to make payments directly to the parent with care.

2.5.6. The imposition of an additional 20% charge to the non-resident parent merely serves to widen the barrier to their return to work and to re-enforce their perception that ‘the authorities’ are only interested in them as a source of cash and not their wellbeing and don’t support them at their and their children’s time of need.

2.5.7. Furthermore, whilst 81% could accommodate their children at home, a significant 19% of parents felt that they could not afford sufficient rooms to provide care for their children e.g. when they visit or stay with them. More than half of these parents giving this a top score – indicating that affordability of suitable accommodation was getting in the way of their ability to participate in home life with their children.

“no bedroom” a key issue for many NRPs

2.5.8. 88% of respondents consider the breakdown of CMS charges between the paying and receiving parent as unfair – 72% agreeing with this completely and score it at 10/10. Symbolically, it also sends the wrong message and plays to a false stereotype – that father’s need sanctions to make them do the right thing and mothers don’t.

“the charges reading automatic payment should be made equitable - like 10% each”

“Gender equality (4% v’s 20%)”

*“50/50 collection charges (unless the paying partner refused payment /missed payments regularly)”
(many like this)*

[this change is] “not allowing the non-resident parent to have a financial footing to have a life worth living”

2.5.9. Where there are shared parenting arrangements, the formula does not reflect the share of time spent with parents, leads to additional conflict between them and appears to be gender biased. A number of respondents with shared care point not only to the unfairness of this, but also their ability to support their shared care arrangements. This must be reviewed.

“My children stay with me approx 40 per cent of the year yet I’m still classed as the non-resident parent and must answer to the CSA. I’m entitled to no financial support which has an impact on how I’m able to provide for my children. The current system is not in their best interests.”

“I am now having to rent out his bedroom and he stays in my bedroom with me” father with shared residency, but not shared support

“Benefits should be shared”

“even if I have shared care their web site indicates I must still pay maintenance”

“My ex uses letters from CSA making claims I was in arrears because of the CSA miscalculations, to cause problems between my children and me, claiming I was refusing to pay maintenance showing children I was in arrears, when the arrears were caused by CSA miscalculations, the arrears later overturned through my appeals, the CSA apologising and paying minimum compensation, but the damage had already been done between the relationship with my children, damage which I am still attempting to repair.”

2.5.10. When asked to compare CMS to CSA collection services, most considered the change to be negative. However, views were split between those who felt CSA was fairer (52%), those who did not consider it made too much difference (25%) and those who felt the new CMS system was fairer (23%). Asked whether the CMS is ‘much better’ and this proportion drops to approximately 10%.

“My new payments are too high and unaffordable. I don't know how I can afford to continue with them”

2.6. Responsiveness to Changes in Circumstances

2.6.1. More than half of respondents experienced difficulties with having their contributions reassessed with many reporting hardship.

“This has caused stress, meltdown and anxiety” (many like this)

“I could not afford to live! I now have huge credit card debts as I needed to use this to supplement my income”

“My income is 73.10 per week to live on, which is hard already”

“I was pursued when I had absolutely no income”

“not able to live or eat which has effected my health”

“Caused clinical depression and suicide attempts”

“my dealings with CMS have led to depression and suicidal thoughts purely from the attitude of the staff”

“Destroyed my earnings and thought of taking my own life”
(several like this)

“Furthered my depression”

“Depression, desperate, helplessness”
(many like this)

“ended promising career because of the CSA”

“low wage no skill constant unemployment worrying about going to jail”

“I had to stop working!”

“It almost destroyed me. I was almost destitute”

“totally ridiculous amount of variation from CSA and CMS and I will find it hard to be able to pay”

“unfair and caused financial difficulty and overpayment totalling hundreds of pounds”

*“it's entirely unfair, given that this extends the extra amounts to be paid”
(several like this)*

“debilitating feeling of being conned/robbed by the resident parent and the CMS/Government systems”

“the assessment is not means tested. It takes account of gross earnings and pension payment and NOTHING else”

“my payments kept on increasing with no explanation”

“I made myself almost bankrupt to fund my maintenance requirements”

“Salary went up and I calculated immediately yet it made my ex wife want even more and threatening to use the collection service”

“With the CMS, the resident parent is able to put a malicious complaint in regarding any dishonesty around the level of my wage despite the courts already having looked at the matter during the divorce”

“It has caused some financial hardship and limited further provision to my child's financial security”

“I went in to debt to pay maintenance while she enjoyed an easy life”

“degrading”

“I have no rights or say. I have been wrongly tarnished as a non payer and this is untrue”

“Took far too long” (many like this)

“In the real world if your wages vary by 20% it happens instantly”

“Due to my being self employed recently I cannot give an accurate annual income so was told I will have to pay from a calculation from my previous job where I earned £15,000 more per annum”

“Significant overpayment made by me due to 3 month delay in CMS assessing change. Huge financial pressure placed on me during this time”

"I was previously always on guard whilst away and earning more money as the CSA would re calculate payments then I would have to wait again for months for them to re calculate payments when my wages returned to normal."

"By having my income reassessed it resulted in the CSA making mistakes in their calculations, leaving me in debt to the CSA, which I then had to appeal against (on more than one occasion) which eventually resulted in the CSA revising the calculations to correct amount, paying me compensation and sending letters of apology. Because I always sent my earnings regularly to the CSA to make sure I was paying correct maintenance, this left it open for my ex to appeal against recalculations resulting in further tribunal hearings, and so it went on."

"Every re-assessment I have had over the past 9 years has resulted in "arrears" due to the "way we work things out!"

"they only want to take the term time level and not the holidays"

"Very poor. I was told 'we don't write the rules'"

"It left me living on hand outs and packets of 50p biscuits"

2.7. Disenfranchisement and Avoidance of Child Maintenance

2.7.1. Most non-resident parents report that they would be happier to contribute financially if they were more involved with their children after separation.

- 75% of respondents agreed (scoring 6-10 out of 10)
- 57% completely agreed (scoring 10/10)

"unable to work any overtime, payments frequently wrong"

2.7.2. A further small, but significant, proportion of non-resident parents conceded that they become self-employed at least partly to have more control over their child support payments – either because they could not afford to or because they did not wish to:

- 16% of respondents agreed (scoring 6-10 out of 10)
- 9% completely agreed (scoring 10/10)

"It's a disincentive to engage with the system process"

2.7.3. A similar number of respondents admitted to taking other measures to reduce their child support contributions – either because they could not afford to or because they did not wish to:

- 15% of respondents agreed (scoring 6-10 out of 10)
- 8% completely agreed (scoring 10/10)

"20% charge. I won't be paying."

2.7.4. A further factor that comes through extraordinarily strongly is the resentment of non-resident parents feel about making payments where they have been deliberately denied contact by the children's primary carer.

- 62% of respondents agreed (scoring 6-10 out of 10)
- 45% completely agreed (scoring 10/10)

It is probably worth mentioning here that a quarter 25% strongly disagreed with this, however, it does not take away from the fact that where child maintenance are difficult to collect, the lack of support or enforcement by courts of Child Arrangement Orders clearly is an important factor that must not be ignored.

"Ex wants more [money] and reduces access and contact to my son, including limiting phone contact to 3 minutes per fortnight and refusing Skype"

"[I had] less pay and my ex threatened me with not being allowed to see my son"

"utterly unfair fee structure, completely open to abuse by ex-partners receiving maintenance"

"Stop them being used as a weapon and stop them threatening if you are struggling to pay especially for a child you've been stopped from seeing by false allegations" (several like this)

2.7.5. Such feelings are not helped by the fact that many primary carers chose to not work at all, even when their youngest child is attending school. Many believe that their ex-partners do not work at all simply because they do not have to.

- Two thirds believe that the primary carer should be working more than they do
- 52% gave this a maximum score of 10/10
- 32% also gave a maximum score of 10/10 to the statement "My ex-partner does not work because she/he does not have to"

For balance, it is worth stating that 38% disagreed with the last statement strongly, scoring 1/10. However, the figures clearly point to where there are difficulties and how they arise.

We believe that DWP needs to create a child maintenance infrastructure that encourages and supports both parents to work whenever they are able to and fit to do so.

Parents who feel disenfranchised as parents completely or feel themselves to be denied their very identity as parents, with no opportunity to influence their lives other than through their wallets, whilst feeling unsupported by 'the authorities' in enforcing Child Arrangement Orders, are more likely to resent paying towards their estranged children and are hence to take steps to reduce such payments.

"I am still paying off debts the mother left me with. I've made huge personal sacrifices to my quality of life whilst mum is enjoying being a stay-at home mum with ample resources."

"Severe financial hardship whilst my ex enjoyed expensive holidays abroad"
(a few like this)

"I have no money to build a life of my own"

"The CMS is too costly. The capping rates should be reduced"

"it's not a service to pay to maintain an ex partner - it's a service to pay child maintenance, and that service takes two parents and not one"

"the injustice of having to pay for another person to parent my child when I would like to do it myself"

2.7.6. When asked whether they agree with the statement:

'I feel that I can fulfil my role as a parent in every sense of the word'

there is a polarisation of responses. 58% agree; 40% agree with this completely. However, 42% disagree; 23% completely disagree, giving this answer the lowest possible score.

Not surprisingly, these percentages become even more polarised when looking at non-resident parents without direct contact versus those with.

"I feel worthless as a parent, The only interest in me is that I pay!"

"Loss of self esteem and denial of contact by ex"

"I just hope that [the Government] actually listens to the voices of fathers who are devalued to financial support only"

3. What is the impact of on-going charges on the receiving parent?

3.1. As FNF mostly deal with non-resident parents, our information from receiving parents is limited. However, we did receive some feedback from parents with care.

One mother reported:

"I had to get another job to meet my child's additional needs as the father is unwilling to provide CMS with the correct information to pay the correct amount of CM"

Another parent with care wanted:

"Enforcement of collection from NRP"

Another, not specifically relating to charges said:

"The 6 day window in which he has to pay leaves me stressing every month as to whether bills will be covered"

4. How is Direct Pay affecting victims of domestic violence?

4.1. We are unable to answer this question directly with authority. We recognise that where there is domestic violence by one or both partners, it is likely that reaching mutual agreement on child maintenance would be more difficult.

One parent with care wanted:

“Better protection for DV victims by way of collect and pay without non resident parent refusing”

However, we also believe that domestic violence is often falsely alleged as:

- (a) this is now the only way of obtaining legal aid in private law family proceedings and
- (b) it is often used as a device to deny non-resident parents from having direct contact with their children

4.2. 57% (341) respondents indicated that their ex partners received legal aid because of false/unfounded allegations of domestic abuse. Even if there is over-reporting of this, it points to this being a very big issue.

5. What is the impact of direct pay on the receiving parent?

5.1. As FNF mostly deal with non-resident parents, our information from receiving parents is too limited to offer a meaningful comment on this.

6. What is the impact of direct pay on paying parent?

6.1. As has already been identified above, direct pay had the effect of pushing many poor non-resident parents further into poverty.

6.2. We have already identified above that more than half of these parents wanted to have consensual, negotiated agreements, which primary carers declined to discuss with them.

6.3. In effect, this is a further financial punishment imposed on these already much troubled parents that does not even go to benefit their children.

6.4. The inequality of such payments between the parent with care and the paying parent adds to conflict between separated parents.

- Two thirds (64%) believe that the way child maintenance works increases conflict between them and their ex partners.
- Half (48%) feel this very strongly with a score of 10/10.

“the ex is reducing my access to alternate weekends to get more out of monthly maintenance”

“the current system has a perverse incentive to for the resident parent to keep contact as low as possible”

“Overnight stays are blocked by my partner in order to ensure that she receives the maximum payment.”

“percentage charge not fair”
(many like this – suggesting this causes conflict)

“CSA/CMS encourage denial of contact”

“I get letters from CMS stating the ex has not had a payment and we are taking over your wages you haven't paid etc. I have paid every penny asked of me. Ex alleges lower contact nights than actually there are, sends false calendars to CMS. I have a court order in place which cost me thousands. Shouldn't have to pay to see my own flesh and blood. Went through lengthy tribunal in my favour now it's happening all over again. False allegations and contact denial should be penalised financially with lower payments to the ex. There would be lower contact denial, lower payment defaults. Win win for the kids.”

6.5. What is being done well by CMS?

For balance, whilst given the opportunity to comment on what is good about CMS, many chose to say “nothing”. Nevertheless, there were also a number of complimentary comments made about CMS, pointing to some improvements:

“Had to pay more. Happy to do so though.”

“a fair reassessment given”

“The individuals have been helpful but lack power”

“am fine financially”

“CMS were generally OK with me”

“fairly efficient and pretty helpful” and “a few CMS representatives are fair and reasonable” (several like this)

“They actually speak to you as a human and try to help unlike the CSA who were never helpful to me”

“Only thing I can think of is that when the ex applied for 'collect and pay' instead of 'direct pay' this was turned down as I have always paid according to family arrangement which was in place”

“Quick, easy, clear” (a few like this)

“Better attitude to non resident parent”

“Better communication” (a few like this)

“They call you back at least”

“You can get through pretty quick”

“Good in principal, but not much use for extreme cases”

7. What could be done better?

We asked respondents what could be done better by CMS and received a good response:

“means testing”

“Making it means tested and encouraging and supporting shared parenting.”

“They could promote a confidential model to enable people to work out what they might be asked to pay under different circumstances.”

“Both parents should be encouraged to work if the children are at school.”

“Payment should equal contact where there is no risk to the child.”

“Link contact with maintenance No contact = NO maintenance”
(many like this)

“I earn £20,000 a year my ex earns approx £60,000 I struggle to pay my bills and am denied access [by my ex] to my children. This should be taken into account”

“The calculation they use should reflect both parents' financial responsibilities to their children and the 12 month break point should be abolished in accordance with the recommendations of the Henshaw report.”

“Encourage direct payments for those on low income i.e. stop the mother using service to get at dad”

“I am skint. I never recovered from ex heaping on invented stories about my hidden wealth that the CSA immediately acted on by adding variations. It took 2 years for an appeal to determine that they were all wrong - though the chairwoman couldn't bring herself to say malicious - but I never recovered.”

“Would be nice to have one caseworker alone who is the main point of contact instead of different people who don't know what you are talking about every time you call up”

“show what they're for” [the arrears]

“take into consideration existing debts. It is unfair to demand money when the paying parent is already under financial pressures owing to the family debts.”

“make calculations not on the number of overnight stays but instead on the amount of hours spent with the child.”

“Stop assuming that what the mother says is true. The mother should have to prove what is said just as much as the father is expected to prove.”

“train the case workers not to assume you are lying”

“Needs to open at better times for shift workers.”

Willingness to listen and consider personal situations.

Set a time limit on repaying arrears

“self employed directors should be able to be reassessed half way through a financial year”

“stop sending threats of prison with every letter”

“Stop treating the paying partner as non human” and “genuine empathy with fathers” (many like this)

“Employ staff who treat you with decency and who do not dismiss you as unimportant.”

“Acceptance that not all paying parents are trying to dodge their responsibilities.”

“More transparent calculation of payments”

“a facility on my online CMS a/c where I can print off a CMS statement that I am up to date on my payments with nothing outstanding. My ex lies to everybody, courts, school, family that I don't properly support our daughter financially.” (a few suggest something similar)

“be sensitive to individual needs”

“More guidance, assistance and respect for payers. Payers seem to be treated as debtors from day one.”

“A proper, independent investigation into complaints, not one where you feel that the person has passed you to office cleaner.”

*“mediation by both parents with CMS about money”
a few suggested leaving it to courts*

“I get no help to clothe and feed my child on the days I have him”

*“Too many mistakes” and “ignored the evidence I produce”
(quite a few like this)*

“I'm in arrears due to the length of time it has taken the CMS to investigate my case”

“Dealing with CSA is considerably nicer than dealing with my ex.”

“They have no interest in my children's welfare”

“Please also mention maintenance orders for foreign “exes”. The present system doesn't work.”