

# National One Parent Family Alliance: Pre-Legislative Scrutiny of the Social Welfare (Child Maintenance and Liable Relatives Provisions Bill)

## National One Parent Family Alliance

*An alliance of civil society organisations concerned about the high levels of poverty experienced by lone parents and their children.*



# Pre-Legislative Scrutiny of the Social Welfare (Child Maintenance and Liable Relatives Provisions Bill)

National One Parent Family Alliance [September 2023]

## **Members of the National One Parent Family Alliance:**

Barnardos

Children's Rights Alliance

Family Resource Centre – National Forum

FLAC (Free Legal Advice Centres)

Focus Ireland

National Women's Council

One Family

Society of St Vincent de Paul

SPARK (Single Parents Acting for the Rights of our Kids)

Treoir

## Concerns of the National One Parent Family Alliance (NOPFA) Regarding the Pre-Legislative Scrutiny of the Social Welfare (Child Maintenance and Liable Relatives Provisions Bill)

The National One Parent Family Alliance (NOPFA) was established in 2020 and comprises ten national organisations who are concerned about issues that cause poverty in one-parent families - Barnardos, Children's Rights Alliance, Family Resource Centre – National Forum, FLAC, Focus Ireland, National Women's Council, One Family, Society of St. Vincent de Paul, SPARK, and Treoir.

In line with changing family forms across Europe, 1 in 4 families with children in Ireland is a one-parent family. While public policy is often blind to their needs, NOPFA calls for the needs of one-parent families to be explicitly acknowledged and addressed in policy that affects their lives.

### **Abstract:**

This paper outlines the concerns of the National One Parent Family Alliance (NOPFA) regarding the Pre-Legislative Scrutiny of the Social Welfare (Child Maintenance and Liable Relatives Provisions Bill) in Ireland. The bill is intended to implement recommendations made by an independent committee in response to a 2017 periodic review by the United Nations Committee on the Elimination of Discrimination against Women (CEDAW)<sup>1</sup>. While NOPFA welcomes certain provisions of the bill, they remain disappointed about the absence of a statutory maintenance agency. This paper highlights NOPFA's concerns about the potential consequences of abolishing the Liable Relatives Unit, the need for effective communication with liable relatives, and the withdrawal of state support for maintenance order enforcement.

### **Introduction:**

The National One Parent Family Alliance (NOPFA) is a prominent advocacy organisation in Ireland dedicated to supporting and empowering lone parent families. NOPFA has closely monitored the developments related to child maintenance and liable relatives' provisions, particularly in response to recommendations from the CEDAW review in 2017. We welcome the exclusion of child maintenance from means assessments and the requirement to seek maintenance. This paper outlines NOPFA's concerns about the Pre-Legislative Scrutiny of the Social Welfare (Child Maintenance and Liable Relatives Provisions Bill) and highlights areas where the organisation believes improvements are needed to better serve the interests of lone parent families.

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<sup>1</sup> Periodic Review Report (CEDAW, 2017).  
<https://www.ohchr.org/en/documents/concluding-observations/cedawcirco6-7-concluding-observations-combined-sixth-and-seventh> accessed September 6th, 2023.

## **Concerns of the National One Parent Family Alliance (NOPFA):**

### **1. Absence of a Statutory Maintenance Agency:**

NOPFA expresses deep disappointment that the government has chosen not to establish a statutory maintenance agency or appropriate system, despite the majority vote of an independent committee in favour of its creation. Such an agency could have played a vital role in ensuring consistent and fair child maintenance payments, reducing the burden on lone parents, particularly women, and ensuring the financial well-being of children<sup>2</sup>.

### **2. Potential Consequences of Abolishing the Liable Relatives Unit:**

NOPFA is concerned that in the absence of a statutory maintenance agency, the abolition of the Liable Relatives Unit may lead to adverse and unintended consequences. Specifically, it may result in a loss of child maintenance for parents receiving the One Parent Family Allowance and an increase in lone parents seeking child maintenance through the family courts. The transition from the One Parent Family Allowance to Jobseeker's Transitional Payment requires the Department of Social Protection (DSP) to communicate with liable relatives to inform them..., which, in turn, causes some liable relatives to cease making maintenance payments. This situation creates hardships for children and parents, strains relationships, and adds pressure to an already overburdened family law system.

### **3. Effective Communication with Liable Relatives:**

NOPFA emphasises the importance of clear and effective communication with liable relatives when changes in circumstances occur. Any communication to liable relatives should strongly advise them of their legal obligation to continue paying child maintenance irrespective of DSP rules. Moreover, they should be made aware that returning to court could result in additional costs and potentially higher court-ordered maintenance payments. Such communication can help minimise disruption and financial hardship for lone parent families.

### **4. Withdrawal of State Support for Enforcement:**

NOPFA raises concerns about the withdrawal of state support for the enforcement of maintenance orders. This decision means that, instead of enhancing the enforcement of maintenance payments, the state is stepping back, leaving the responsibility solely to the overburdened family law courts. This could result in delays and increased stress for lone parents trying to secure the financial support their children need. We believe that the Liable Relatives Unit should be replaced by greater enforcement of court ordered maintenance.

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<sup>2</sup> NOPFA Maintenance Review Group Submission.

<https://www.gov.ie/pdf/?file=https://assets.gov.ie/221266/08d637f6-621d-4027-8817-83e49f07fb21.pdf#page=null>

**Conclusion:**

The National One Parent Family Alliance (NOPFA) recognises and welcomes certain provisions within the Social Welfare (Child Maintenance and Liable Relatives Provisions) Bill, particularly those aimed at excluding child maintenance from means assessment and no longer requiring people to seek child maintenance. However, NOPFA remains deeply concerned about the absence of a statutory maintenance agency, the potential consequences of abolishing the Liable Relatives Unit, the need for effective communication with liable relatives, and the withdrawal of state support for maintenance order enforcement.

NOPFA calls upon the government to reconsider its decision regarding the establishment of a statutory maintenance agency and to address these concerns comprehensively to ensure that single-parent families receive the necessary support, and children's well-being is safeguarded. It is imperative that the government and relevant authorities prioritise the financial stability of lone parent households to reduce child poverty and enhance their social inclusion and well-being.