

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 15TH NOVEMBER 2016**

Question

Will the Minister detail the arguments, and provide the underlying figures, which were used to support the rejection of Recommendation 10 of 'Living on Low Income' (S.R.4/2016), namely that an officer from the Department take on the role of pursuing absent parents for maintenance on behalf of lone-parent recipients of Income Support?

Answer

The published response of the Minister in respect of recommendation 10 noted that:

“The Minister accepts that it is sensible to investigate what support could be made available to help parents pursue maintenance. This investigation will be carried out in conjunction with the results of the Access to Justice Review, currently being undertaken by the Chief Minister’s Department.

The Minister will request officers to investigate how families can be better helped to secure maintenance. However, the Minister does not consider that creating a role and hiring an officer would be cost effective.”

A significant number of lone parents already have maintenance agreements in place with absent partners supporting their children on an ongoing basis. Of those lone parents that do not receive maintenance, there are several categories where maintenance will never be expected, for example:

- The other parent is deceased
- The child is a grandchild, or has been fathered through a donor process
- The parents have a 50/50 shared care arrangement

In other situations, it may be possible to collect maintenance in the future, but not under the current circumstances, for example:

- Parent is also on benefits or has no current income
- Parent is in prison
- Safeguarding concerns
- Parent’s whereabouts are not known.

Of the minority of claims where maintenance could be pursued and is not being received, a range of appropriate actions is already available. Aside from the recently-increased disregard on maintenance income within Income Support, the States of Jersey already provides assistance for parents wishing to pursue maintenance, in part by funding some of the cost of Citizens’ Advice, and through the Petty Debts Court.

As proposed in the Scrutiny review, an additional post within Income Support would necessitate funding an individual with an appropriate legal qualification, and it is difficult to justify this expense for the relatively small number of claims which could be successfully pursued within the remit of the legal powers available in Jersey.

As a comparison, the UK's Child Maintenance Service (CMS) operates with specific legal powers, and can operate based on an economy of scale for the size of the United Kingdom. Even so, the CMS generally cannot pursue maintenance where the ex-partner has left the country, and was reported in 2012 to have inherited approximately £3.8 billion of arrears¹ from the former Child Support Agency.

The Minister is keen to investigate solutions that would help parents who would benefit from receiving any maintenance that is due to them. As noted in the joint ministerial response to the Scrutiny Panel's Review, the Minister accepts that it is sensible to investigate what support could be made available to help parents. This investigation will be carried out in conjunction with the results of the Access to Justice Review, currently being undertaken by the Chief Minister's Department.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214338/cm-arrears-and-compliance-strategy-2012-2017.pdf