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Elisabeth Jane Wilkie

The Interaction of Lives and Policy: the Issues for Child Support

PhD

June 1999

Abstract:

Drawing on the findings of a small-scale qualitative survey of those affected by the Child Support Act 1991 - parents, new partners, child support officers and solicitors - this thesis focuses on the impact of this legislation on families, especially new families, concluding that financial, employment and family situations are complex and diverse and that the mechanistic and inflexible formula-based regulations introduced by the Act have failed to support children. Whilst acknowledging the real problems faced by lone parent families, this research argues that plans for reform pay insufficient attention to the fact that this issue increasingly affects two parent families, as couples separate and recombine, and that this omission has major implications for policy proposals in this area. The background to and history of child maintenance, in the context of the British welfare state, is examined, along with the fiscal crisis faced by the existing income-maintenance system. In addition, the multifarious pressures that are currently placed on the family - as regards being both the source of and the solution to the crisis in modern society - are revealed, exposing the dilemmas that face separating couples when reaching decisions about their children's future. The current debate on poverty measurement is considered and the sample group are described in terms of the most commonly used indicators as well as in their own perceptions. The results of the research show that child welfare is a high priority - especially if considered in a wider than financial context - and that there is considerable support for community responsibility in this area. Having considered the child support systems in other countries, and with reference to the issues that policy is designed to address, proposals which embrace the welfare of all children are advanced as the starting point for meaningful child support reform.

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19 JUL 2000

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## **Preface and Acknowledgements**

"And a woman who held a babe against her bosom said, Speak to us of Children.

And he said:

Your children are not your children.

They are the sons and the daughters of Life's longing for itself.

They come through you but not from you,

And though they are with you yet they belong not to you.

You may give them your love but not your thoughts,

For they have their own thoughts.

You may house their bodies but not their souls,

For their souls dwell in the house of tomorrow, which you cannot visit, not even in your dreams.

You may strive to be like them, but seek not to make them like you.

For life goes not backward nor tarries with yesterday."

Kahlil Gibran in "The Prophet" p 22

I know these lines from the music of Sweet Honey on the Rock a black, female, American, acapella quintet, only learning of their source later, so they always recall for me the harmony and balance of the magnificent female voices I first heard singing them. Harmony and balance and the wisdom of these words are good tenets by which to construct a system of child support, but, unfortunately, had little if any bearing on the workings of the Child Support Agency, the focus of this thesis.

One good piece of advice I was given early in my research career, was to choose a subject of personal interest. Six years after finding the prospect of studying the Child Support Act exciting and with more than academic potential, I still feel enthusiastic about this project, and even risk being a bore if the topic is raised. Fortunately, after an early flurry of media attention, it rarely is.

The fourth estate - perhaps because they "had specialised in bad marriages long before they were generally popular" (Mark Lawson, The Guardian May 22 1999, p 24) - initially gave the effects of the Child Support Act 1991 much scrutiny, almost universally declaring it to have been misguided, cruel and ill-thought-out, although generally supportive prior to enactment of its aim to "beat benefit cheats".

Informed voices from the voluntary sector had warned of financial and emotional hardship if benefit penalties and enforced contact were to become the norm, although some commentators - especially from the women's movement - could see the possibility of gains for predominantly female lone parents. In the event, the Act has been almost universally criticised, from all sides of the debate, for failing children and families. It is now acknowledged to have been unsuccessful in its aims and is due to be reformed by the current government.

Thus, my project, which started from the position of intelligent criticism of a new, but broadly popular, measure, having as a secondary aim that of contributing to the reshaping of policy, has ended by merely reiterating the commonly held belief that the CSA does not work. The impulse to say "I told you so" is strong, yet masks the reality that without these years of work, what I could have told would have been only half the story. I am happy to say that I have learned enormously from this project, about myself, about people and predominantly about the effects of child support.

What follows is, I hope - with the help of the Table of Contents - easy to follow, starting as it does with the background to the research, moving on to the method employed, then outlining the findings from the project, and ending with the conclusions I have drawn. The Appendices set out some ancillary information which was not included in the body of the thesis, as well as my response to the request for consultation on the new child support policy.

I hope that the reader(s?) will find this work informative, and if they do, it is in large part thanks to the help of others. Firstly, I must acknowledge the participants in the sample for giving freely of their time, experiences and views; secondly, my supervisor, Dave Byrne, deserves recognition for his inspiration, support and commitment to myself and the project; next, all my colleagues at my various jobs for their tolerance of my distraction and use of work resources; and last, but not least, my family, who will be happy, I'm sure, to reclaim a quarter of their living room when this thesis is finally put to bed, but who have supported me wholeheartedly throughout this time.

As always, although those mentioned above deserve recognition for their contribution, all mistakes, errors and oversights are my responsibility alone.

Lis Wilkie, Durham, 23rd May 1999

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## **Chapter I**

### **The Background to the Research**

"Social Security policy and practice depend more explicitly on a notion of the family than do other areas of social policy. In health, housing, and education, legislation has long been overtly egalitarian, unconcerned with whether the individual is male or female, married, single or separated;.....Social Security, however, has dealt much more explicitly with men and women, with supporters and dependants, with workers, breadwinners, housewives, and children."

Pascall 1986: 197

#### **1. Introduction**

This chapter deals firstly with the history of child support in England and Wales, in order to put the Child Support Act in its policy context. It goes on to look at the changes in the composition and nature of the family in contemporary society, an issue which has had an enormous input into the impetus for change to existing provisions. This leads to an examination of the income-maintenance provisions of the Welfare State and the current and predicted pressures on the system.

Following this is an investigation into the specific background to the changes and current theories of how the dynamics and complexity of modern society impact on policy priorities at the end of the twentieth century. The context for this is the workings of the Child Support Agency including the financial aspects of the legislation both from the individual's and the state's perspectives, as well as wider impact and implications.

Lastly, following a brief examination of the specific terms of the Child Support Act, and a discussion of some other issues involved in the Act, the conclusion deals with the research questions which this thesis attempts to address.

#### **2. A Brief History of Child Support in England and Wales**

"..the parents, grandparents and children of..everie poore olde blind lame and impotent person, or other poore person not able to worke, being of sufficient abilitie, shall at their owne Chardges relieve and maintain everie such poore person, in

that manner and according to that rate, as by the Justices of the Peace of that Countie where such sufficient persons dwell..."

Finer & Macgregor 1974: 112

Child Support is far from a new area of interest to welfare authorities. The Finer Report (1974), which is a thorough investigation of the subject and includes policy ideas which were not adopted, contains the appendix on the History of the Obligation to Maintain (Finer & Macgregor, 1974), which outlines the roots of the British child support system. This history is closely related to the history of marriage and spousal maintenance, which until 1836 was within the exclusive control of the church.

Even as late as 1850, the vast majority of women lost all property rights on marriage, with little gain as regards maintenance and support. Although common law recognised the duty of husbands to support their wives, there was no practical way for this to be enforced, and ecclesiastical law, whilst recognising the need for alimony, was similarly devoid of the means of enforcing this right. When in 1857 a system of civil, parliamentary divorce was established it contained provision for the husband to provide a moderate income for his wife, regardless of her guilt or innocence, and "...The Ladies' Friend'...undertook to see that any husband petitioning for divorce made a suitable provision for his wife..." (Clifford F "A History of Private Bill Legislation, 1885 quoted in Finer 1974, Volume 2, p100).

As regards the parental duty to support his or her child, this was not recognised in common law unless there was a contract specifying it. A criminal duty might arise if neglect led to physical harm and by the nineteenth century courts might recognise a husband's duty to maintain his children where his wife had custody of them, following divorce through his misconduct. Otherwise all legal obligation for child support came about under the Poor Laws (Eekelaar & Maclean 1986).

In practice, any rights to maintenance or child support which existed until the mid-nineteenth century were available only to a very few of the richest of society, with the vast majority of women having no recourse to any support or maintenance. This situation of inequality between rich and poor and men and women was of great concern at the time and redressing the imbalance, albeit within the patriarchal framework, was the major impetus for legislative changes. (It is perhaps of interest that until reform in 1923, divorce was available to men on the grounds of adultery but to women only if some other misconduct could be proved!)

By the 1880s, the situation for the wealthier in society had changed so that maintenance in divorce - which was a matter for the High Court - was generally awarded so that the guilty wife had a small sum settled upon her and the innocent wife was entitled to around one-third of the joint income, with an additional sum in respect of any children of which she had custody. It is important to note that divorce and separation were still very uncommon. The highest annual figures prior to 1900 being 583 divorces (1897) and 57 separations (1880) (Finer & Macgregor 1974). This compares with over 160,000 divorces in England and Wales in 1985 (Parkinson 1987), and over 154,000 in 1996 (provisional figures quoted in Population Trends, 90, Winter 1997).

In 1878, as a result of the work of Frances Power Cobbe, Parliament gave "magistrates' courts power to grant a separation order, with maintenance, to a wife whose husband had been convicted of aggravated assault upon her and to grant her legal custody of children of the marriage under ten" (Finer & Macgregor 1974, p105). Thus, two separate jurisdictions for divorce and maintenance were created. The first, designed for the wealthy, under the jurisdiction of professional judges of the highest rank and the second, for the majority of people, under the overwhelmingly lay magistracy.

However, under both systems there was much room for idiosyncratic discretion to be applied. Almost immediately signs emerged that awards of maintenance were not necessarily based on the notion of guilt, as it was accepted that adultery or desertion could have been provoked by the behaviour of the other party. In fact the legal history of post-divorce support obligations is all in all a history of the application of judicial discretion (Eekelaar & Maclean 1986).

Alongside these two systems which had been put in place for the wealthy and the rest, a separate system, governed by the Poor Law, existed for the destitute. This included the system of "liable relatives", whereby support obligations were imposed upon the relatives of the poorest of society. This had its basis in the statute of 1601 and obliged relatives to not only support their impoverished relations but also to refund any expenses already incurred. The obligation passed in all directions between parents, grandparents and children. Those who could be obliged to maintain kinfolk were defined by statute although the amount that could be levied was left to discretion (Slack, 1990).

In the case of illegitimate children, the liability was limited to the mother and the putative father. Stones (1990) contends that in the time of Elizabeth I, unmarried girls in England enjoyed more freedom than their European counterparts, and that the sharp increase in illegitimacy had, in part, provided the motivation for the original poor laws. Widows and children who had long been seen as suitable recipients for alms (Slack 1990) as the "deserving poor", constituted the major category of lone parent families until the post-war period.

"It must never be forgotten that England in the early modern period was neither a separating nor a divorcing society: death was virtually the sole agent for dissolving marriage" (Stone 1990 p2). The powerful force of community disapproval acted to keep marriages intact with parents, relations, friends and neighbours feeling that they had the right to intervene in matters of reconciliation. Together with the church - no doubt mindful of the cost to themselves or the parish - they made "...every effort to force middling and lower-status couples to stay together.." (Stone 1990 p5).

In 1834 the New Poor Laws were established as a result of rising concern about the costs and inefficiencies of the system (Rose, 1971, Novak 1988). Amongst other changes, a centralised commission was created in an attempt to standardise relief nationwide. One of the most enduring aspects of the reforms was the principle of less eligibility, whereby the support offered by the state should always be less attractive than that offered by work. "The first and most essential of all conditions ..is that (the pauper's) situation on the whole shall not be made really or apparently so eligible as the situation of the independent labourer of the lowest class" (Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws, 1834 quoted in Finer & Macgregor 1974 p114). Variations on this theme were to be frequently heard when the welfare state became under challenge from the late 1970s.

As regards lone parents the greatest change was the reform of the old bastardy laws under which a man who was named the father of her child by a single woman, could be imprisoned unless he could show his ability to reimburse the parish for any expense incurred. The changes meant that corroborative evidence of paternity had to be provided and maintenance could not exceed the cost to the parish and was to cease when the child was seven years old. Default on payments did not mean

imprisonment and payments were to be made to the parish (Finer & Macgregor 1974).

After several changes, by the mid nineteenth century the mechanisms were in place which subsisted to the establishment of the CSA, namely a mother, once having established paternity could claim an affiliation order against the father until the child was sixteen, granting the same powers to the poor law authorities in reimbursement of any relief paid (Eekelaar & Maclean 1986). These powers were in force for the Department of Social Security until 1993.

The other principle regulating the system was that lone mothers were treated as able-bodied women who after the confinement were separated from their child. The workhouses, which had been created by the 1834 Act, would house the mother until the initial nursing period was over and then she would be obliged, as an able-bodied worker, to leave and survive on her own resources, whilst the child was retained within the institution, suffering the deprivation attendant upon this fate. The workhouses were well known to be the breeding ground for thieves and prostitutes (Cobbe 1865 quoted in Finer & Macgregor 1974, p120).

The other difference which was enforced by the Poor Laws was that between unmarried mothers and their children and widows or deserted wives and their children. Although the treatment of single women and their children was laid down in the Acts, the treatment of widows and deserted wives was left to individual parishes to decide. Initially they were frequently given more favourable treatment but by 1871 it was recognised that these groups made up a very high percentage of those receiving outdoor relief (ie assistance to remain outside the workhouse). Circulars from the central authorities firstly recommended limiting relief to deserted wives and then advised restricting the rights of able-bodied widows with few children to outdoor relief (Finer & Macgregor 1974).

By 1844 single mothers (wives only obtained this right in 1878) could obtain maintenance through the magistrates' court but there is no evidence that this was effective and the fact that a court collecting office was only established in 1914 and the fact that receipt of maintenance was very low prior to the CSA being established, leads to the conclusion that this right was unlikely to have assisted many mothers and children (Eekelaar & Maclean 1986).

A Local Government Board circular - the Local Government Board took over from the Poor Law Commissioners in 1871 - puts the attitude towards widows clearly when in 1914 it described the different classes of widow, the deserving and the undeserving, supporting the provision of outdoor relief for "Women really above the average, capable and trustworthy, able to give their children an excellent training, to plan their future well-being, and to sacrifice a present gain for a future good" (Royal Commission on the Poor Laws 1914, quoted in Finer & Macgregor, 1974, p 125).

As has been noted above, apart from liable relatives' provision in the poor laws little attention was given in the nineteenth century to the support of children and this situation persisted until the Married Women (Maintenance) Act 1920, which included provision for children "...not exceeding 10s..." (Eekelaar & Maclean 1986, p 20). The general judicial philosophy was that, to the extent that dependent children had rights, they were catered for under support arrangements for the mother. Discretion was still the order of the day, with the majority of settlements remaining insufficient to support children and, where monetary values were imposed, the legislation only dealt with maximum limits (Eekelaar & Maclean 1986).

From the perspective of the late twentieth century, when issues of child protection are high on political and personal agenda, the failure to provide financially for children can seem incomprehensible. However it should be remembered that the notion of children needing special care is a modern one. The whole family contributed to the family income with the spheres of home and work lacking sharp delineation (Wilson, 1977). Much of the earliest legislation was concerned with putting poor children into service or apprenticeships and this persisted even when the provision of employment for adults had long been abandoned (Slack 1990). Infant and maternal mortality rates were high but children took part in adult society as miniature adults, even in the most privileged classes.

Partly through the influence of Puritan ideas on the vulnerability and innocence of children, and the veneration of motherhood, ideas began to change from the seventeenth century onwards, so that by the beginning of the Victorian era, special provision for the moral education of children became accepted alongside the restriction of women's role, in the middle classes, to the domestic sphere, including child-rearing. Industrialisation forced the end of family economic production, and women in the poorer classes were increasingly confined to specific occupations, with the apprenticeship system tending to exclude girls (Wilson 1977).

Almost contradictorily, women and children were increasingly in demand, partly because they worked more cheaply, but also because of their greater dexterity being necessary for the new processes involved. Working men fought to exclude women from the factories rather than admit them into their unions, partly to protect their own position but also because of the increased emphasis of women's role in the home. The Factory Acts of the 1800's enshrined in law women's dependant status by classing them as minors alongside children, whilst at the same time leaving the way "...open to the modern extension of the whole concept of childhood, and the modern ambivalence towards the working mother." (Wilson 1977, p20).

It has been estimated that children made up around a third of all paupers in the nineteenth century (Rose 1971). As belief in the need to protect children strengthened, the failure of the Poor Law of 1832 to provide separate accommodation within workhouses for different categories caused increasing concern. Not until the setting up of Board schools in 1870, was the extent of the poverty amongst the population at large brought to public attention, although Dickens had been publicising the conditions of the poor since the 1830's. In 1906, there were still almost 22,000 children in workhouses (Rose 1971).

As regards the position of illegitimate children and their mothers vis-à-vis Public Law, there appears to be no evidence of significant change in the early part of this century (Finer & Macgregor 1974, Eekelaar & Maclean 1986). However, the National Assistance Act (1948) effected change as regards liable relatives, limiting the duty to maintain to parents towards their children and husbands and wives towards each other, primarily as a mechanism - noted above - for the state to recoup expenditure. However, as regards divorced or never married parents, the new framework, carried over into Supplementary Benefit law, only provided for liable relative support of the child, not for the mother (Eekelaar & Maclean 1986).

The other principle of the 1948 Act, which remains unchanged at the time of writing (January 1998), and whose roots can be seen in the veneration of motherhood outlined above, as well as in the dependent position of women which was explicit in the Beveridge report (Wilson 1977), was the freedom from the need to be part of the workforce - a protection for lone mothers which was enshrined in law for the first time. Although some widows had been allowed this privilege, never married mothers

had been obliged to work. This principle has been carried over into the Child Support legislation.

The 1948 Act did provide for a degree of equality between the sexes in that wives and husbands were equally responsible for each other, initially without regard to guilt or innocence although this was modified by a High Court decision of 1952 (Finer & Macgregor 1974 p 148). It also continued the state's powers to recoup any expense from the liable relative. It was the failure of these powers to recoup the rising costs incurred by the rising number of lone parents that led to changes in 1986 and 1990, whereby the DSS powers to recoup Income Support were strengthened, although a large amount of discretion was maintained.

### **Afterword**

Until the mid-nineteenth century child and spousal maintenance, under the civil courts, existed only for the very wealthiest of society, and even then was rare, given the very low incidence of divorce or separation. The Poor Law ensured that where possible, the expenses incurred in supporting the destitute would be recouped from 'liable relatives', whilst the vast majority of women and children had no recourse to support, even when the marriage persisted.

With the widening of the jurisdiction of civil law in maintenance matters during the latter half of the nineteenth century, the system was characterised by discretion, with very few national standards being imposed, and enforcement was poor. However, national standards were imposed regarding the treatment of single women and their children under the Poor Laws, whereby the women were treated as able-bodied and therefore expected to work. The vast majority of lone parents, up to the second half of the twentieth century, were widows, who generally were treated as the "deserving poor" under more sympathetic local regulations, but for whom there could be no spousal maintenance.

The Beveridge reforms in the late 1940's restricted 'liable relatives' payments to between parents and children and husbands and wives, as well as removing the duty to work from women with dependant children, thereby imposing a national system for the first time. However, until 1986, there were no powers of assessment and the civil courts retained jurisdiction, which continued to feature a large degree of discretion. Even when the DSS gained assessment powers, these were discretionary

and subject to confirmation by the courts who were obliged to take all reasonable circumstances into consideration.

It is implicit in the above account that the modern history of child support is intertwined with the changes in the nature of the family, principally the rise of lone parent families, and the attendant changes in the demands on the welfare state, principally the escalating costs. The following section examines the state of the modern family.

### **3 The Changing Nature of the Family**

"There is no doubt that the structure of family life is changing. The trends which indicate long-term change became especially marked during the 1970s, continued through the 1980s, and as yet show little sign of slackening. The same broad changes are taking place in all Western European countries; however, some changes are more marked in the UK than elsewhere."

Coote, Harman, & Hewitt 1994: 31

Although gender relations have received more attention from academia in the last few decades, the family has been of increasing concern within politics and Social Policy in the late twentieth century (Eekelaar & Maclean, 1991). Although the terms of the debate have changed it has remained a focus for attention, partly on account of the increasing number of lone parents and rising divorce rates which have been blamed for the ills of society (Millar, 1989).

The term family can be used to cover a large variety of different situations - married partners with or without children, lone parents, cohabiting partners with or without children, parents with adult children, brothers and sisters sharing the same home, homosexual couples - although most commonly it is considered to include dependent children and it is these families which are of interest in this research. It is, however, apparent that the diversity is increasing.

### 3.1 What is a family?

"What sort of image comes to mind when you think of the typical family? Two youngish parents with 2.4 children driving in an average-sized car to an ordinary supermarket to buy their normal breakfast cereals, right?"

Duck 1992: 103

Marriage is still the expectation of the majority. Although the number of marriages in 1993 fell to below 300,000 for the first time for 50 years (OPCS figures in Population Trends 81, Autumn 95), Chandler (1991), among others, estimates that around 80% of people marry at some time and at least once. The figures for 1993 (OPCS op cit) show that first marriages for both partners fell to 61% of all marriages (64% in 1983) and the number of marriages between previously married partners rose to 14% (12% in 1983), whilst the figure for divorces, 165,000, was the largest ever recorded.

Gershuny et al (1996) using the British Household Panel Survey (BHPS) suggest that whilst the number of first marriages has decreased steadily since 1971, the number of non-married women between the ages of 18 - 49 who were cohabiting, increased from 12 to 23% between 1981 and 1995. Haskey (1995) reports that one in five unmarried men and women were cohabiting in 1993 compared with one in seven in the mid nineteen eighties. Although these figures are less reliable than those for marriage, it would seem safe to assume that significant number of couples cohabit.

Gershuny et al (1996) show that, in England and Wales, divorces affecting young children have become more common in recent years, with 55,000 children under five affected by divorce in 1993 compared to just over 44,000 in 1983, although the number of divorces affecting all children under 16 in the same period only increased by 12%.

Babb et al (1995) report an increase in births outside marriage between 1973 and 1993 although the majority were registered by both parents, living at the same address, and half of the women who were unmarried at the birth of their first child were married by the time their second child was born. Gershuny et al (1996) give figures from the BHPS, showing that although the percentage of conceptions leading to a birth outside marriage had risen from 7.6% to 26.2% between 1971 and 1993,

the percentage of these births registered by both parents had risen from 46% to 77% in the same period.

Haskey (1994) estimates that just under 7% of all families, including lone parents, were step families, although he also considers that this is not a new trend as the proportion was historically high through the remarriage of widows and widowers. Using the Omnibus and the General Household survey data, Haskey (1994) examines the varied routes into step-families: marriage, divorce, lone parenthood, remarriage - lone parenthood, marriage - marriage, lone parenthood, cohabitation - cohabitation, lone parenthood, marriage, to list but a few, commenting that little research has been done into the area and on the increasing incidence of this form of family.

He estimates, for 1991, that there were 480,000 stepfamilies - that is 7% of all families with dependent children, compared with 18.6% of all families being one parent families. Perhaps the most interesting comparison is that lone mothers outnumbered stepmothers by ten to one but lone fathers are outnumbered by stepfathers by over two and a half to one. He goes on to estimate that there are over 800,000 dependent step children in these families, concluding that the whole area of step families is suitable for further research. Gershuny et al (1996) estimate, for the same year, that there were 1 million dependent children living in step families - over 8% of all children - with three times as many stepfathers as stepmothers, and some children living with neither natural parent.

Haskey (1993a) estimates that in 1991, there were 1.3 million one-parent families with 2.2 million children, that is between one in five and one in six of all children in Great Britain. This is around 20% of all families, whereas Millar (1989) estimated lone parents were 13% of all families in 1984. Millar goes on to suggest that the numbers of children who at some time will live with one parent is even higher and may be as high as 25% of those children born in the 1970s (Millar 1989, p 12).

Haskey (1998a) considered that by 1996 one in five of all dependent children lived in a lone parent family, as he estimates that there were 1.6 million lone parent families with 2.8 million children. This compares with 1.01 million with 1.6 million children in 1986. He also concludes that there has been an increase in the number of children in lone parent families. This is despite his tentative findings that the pace of increase in the number of lone parent families has reduced slightly. Geshuny et al (1996) estimate that the proportion of families headed by a lone parent rose from 8% in 1971 to 22% in 1993, with the rate of increase rising sharply since the late eighties.

These figures do not convey the diversity of the group, in terms of routes into lone parenthood. Millar (1989), again using 1984 figures, estimated that 21% were single, never married women, and 58% were separated or divorced, whereas Bradshaw and Millar (1991), consider that by 1989, although more than a third were single never married, one in five of these had had a partner at one time and 14% of all lone parents had been lone parents more than once. Haskey (1998a) estimates that if cohabitation is taken into account 15% of lone parents had had no live-in relationship whatsoever with the father.

Ford et al (1995) reviewed the changes in the population of lone parents over a four to five year period, using the data from three national surveys funded by the Department of Social Security, and found that the vast majority of lone parent families were created by separation from a partner - usually following marriage breakdown, but, by 1993, never-married single parents were more likely to have cohabited. Haskey (1998a) also finds that the vast majority of continuing lone parents have either cohabited or been married only once, but that there is still a significant number of families with children who have a history of multiple relationships.

Gershuny et al (1996) when analysing the British Household Panel Survey, found significant regional differences in the numbers of lone parents. East Anglia had the lowest at only 14% whilst the North West had the highest, with 30%. They also found that in 1994-5, 80% of dependent children lived in a two-parent family although the percentage had fallen since 1972, when it was 90%. However, it concurs with the figure given for 1985 by Coote et al.(1994).

### **Afterword**

This wealth of data illustrates the changing nature of the family, showing both the increase in lone parent families and in the numbers of children who at some time live in this family type. Behind the rise in numbers of lone parents, is the fact that the vast majority have been and/or will be with a partner. Marriage continues to be very common - although the number of first marriages continues to fall, and cohabitation is increasing in popularity.

Although the number of divorces may have stabilised, the proportion where there are children under 16, and in particular where there are children under five, appears to be rising. There is also evidence that the number of stepfamilies is increasing, with an increase in the incidence of multiple marriage/cohabitation.

It is important to note at this point that child maintenance issues do not just affect lone parents but also have an impact on two parent families, where one of the partners has children from a previous relationship or involvement. It is also important to remember that lone parent and stepfamilies are not an exclusively modern phenomenon. Prior to the last few decades, however, they were principally formed due to death of a partner - principally through disease, war, or childbirth. Thus the issue of child support did not arise.

Lastly, at this stage it would seem essential to look behind the statistics at the role of the family both in terms of the personal relationships that are involved within the family, and the part it is expected to play within society at large.

### **3.2 What is the role of the family?**

"At the core of patriarchy is the individual family unit which originated with the idea of property and the desire to see one's property transmitted to one's biological descendants."

Rich 1977: 60

Somewhere between the feminist critique of the family and the adman's idealised view lies the reality of family life, the place where most children spend the majority of their time and also the place where we are most likely to encounter violence and abuse (Duck, 1992). It is an institution which is responsible for rearing future adults, and also commonly perceived as the source of many contemporary social problems (Dallos & McLaughlin 1993).

It is important to remember that it is only in the very recent past that "family" came to have its restricted meaning of a cohabiting group of parents and children as opposed to the wider kinship network, and that still today many cultures do not have a word for this narrow concept. Havas (1995) contends that as the smaller family unit, rather than the wider community, became the repository for individual welfare,

so the need for this institution to be strengthened developed, as it formed the linchpin of wider society.

Bowlby (1951) pioneered the study of the primary importance to a young child of a close relationship with a caretaker (in his terms, and still predominantly, the mother) and the effects that the lack of this relationship could have on future well-being. Although this work was radical at the time, and has been challenged by subsequent research it is now accepted that children need steady, loving relationships with significant adults, although current theories would emphasise the entire childhood period rather than concentrate solely on the first twelve months of life (Duck, 1992).

White & Woollett (1992) argue that the social acceptance of this theory as regards the role of the mother, has, with its emphasis on the mother as primary caretaker, influenced mothers' beliefs and actions, and in turn affected the family. They use this as an example of how external cultural and social norms, supported by psychology, can influence policy, in this case provision of state childcare. In addition, the prime importance of the mother is in part, a symptom of the nuclear family, where other adults are not available to the child. The contradictions inherent in the acceptance of maternal importance coupled with the increased participation of women within the workplace creates tension within contemporary family life.

Although it is widely assumed that the interrelationship of family members has a significant influence on individual development, it has proved difficult to investigate and analyse the processes by which this happens. In part this is due to the complexity of human relations. White & Woollett (1992) consider that part of the problem also lies in the failure to investigate development within the context of the family, itself, as opposed to the child in isolation. However, the very concept of the family is not unproblematic with studies tending to concentrate on conventional, white middle-class families.

Feminist thinking introduced a radical critique of the family, presenting it as an institution that works against individual growth - particularly that of women and children - and responsible for reproducing the status quo as regards power relationships within the family (Duck 1992). However, it is generally acknowledged that gender relations have changed, as reflected by women's increased participation in the workforce, although it is still acknowledged that men have more power than women who in turn have more power than the children (White & Woollett 1992).

Just as the last 30 years have seen increasing diversity in family composition, so too has there been change in the role individual family members are expected to fulfil. Duck (1992) contends that, whereas the Victorian family was emotionally distant the contemporary family is expected to provide comprehensive emotional support, and at a time when external pressures are high, this leads to an inevitable failure to meet the new high standards. As work patterns have changed, with rising unemployment, and new flexibility within careers, the need for family support has increased, adding to the strains put on the family.

Dallos & McLaughlin (1993) contend that the concepts of 'the healthy normal family' and 'the failed family', although still part of a live debate within psychology, are pervasive within policy to tackle social problems and serve to show how complex and wide ranging state intervention into family life currently is. This is further shown by the family being at one and the same time viewed as the source of and solution to social problems, although they consider that there is still general acceptance that there should be well-defined limits between the family and wider society.

If views on the nature and roles of the family are diverse, so too are views on the effects of family conflict and breakdown, topics with particular relevance to this research. White & Woollett (1992) review the studies on this topic and conclude that although family members suffer adverse effects from family break-up, both in the short and long term, the majority cope well. One factor which influences the trauma associated with transitions such as divorce, separation or re-partnering, is the lack of material resources, which can increase the likelihood of long term problems.

Cockett & Tripp (1994) also review the literature. They admit that the issues involved in the effects of separation and divorce are complex, however, they find that the five main areas that longitudinal studies emphasise are: Parent loss (or partial loss); Socio-economic factors; Inter-parental conflict; Remarriage; Psychological adjustment of resident parent. They report that some studies show economic difficulties to be the most important outcome of family breakdown.

Overall, their conclusion is that there are "significant adverse outcomes associated with divorce" (p53), in terms of physical, emotional, educational and behavioural well-being, but that "previous studies have strongly suggested that it is parental conflict rather than their actual separation that is associated with poor outcomes for

children" (p57). Cockett & Tripp (1994) consider, controversially, that their study provides some evidence that it is parental separation itself that is one of the major associations. However, they concede that they do not set out to show whether outcomes would have been better if parents had stayed together.

It is important to note that their findings have been put into question by much other research. Kiernan (1997) considers that her study supports the proposition that the situation preceding separation, including poverty and economic instability, are crucial for the long-term welfare of children. Burghes (1994) considers that neither family disruption nor lone parenthood are inevitably related to poor outcomes for children, when allowance is made for other factors, and Sweeting and West (1996) also conclude that it is far from certain that parental separation adversely affects young people.

As one of the consequences of divorce or separation can be the establishment of a lone parent family, it is important to also consider views on this particular family type. If families in general are held responsible for the state of society and also as the key for change, then lone parents in particular are held up as examples of family failure. Responsibility for falling standards in education and rising crime can be laid at the door of lone parents (Millar 1989).

Intertwined with the research into outcomes post separation is information on children in one parent families. Lone parenthood is often associated with the word problem. Ford & Millar (1998) summarise the perceived problems as concerning: poverty; fiscal issues; fertility patterns; effects upon children; gender inequality; morality; and social order. Research is unanimous that lone parenthood is associated with socio-economic deprivation (Cockett & Tripp 1994).

Despite the increase in family diversity, the ideal of the two parent nuclear family has become increasingly pervasive, with those who diverge from this model, being more likely to be negatively labelled. Havas (1995) considers that "one of the severest consequences of single parenthood ...was the stigmatisation." (p6) Thus it can be seen how constructions of "the normal family" influence individuals.

McKendrick (1998), whilst not wishing to deny the problems faced by lone parents urges the debate to include the positive aspects of this family type, finding that "lone parents were able to express considerable satisfaction with family life." (p 102).

Although other authors may wish to support this trend (Ford & Millar 1998), the most prevalent view of this family type is a negative one, concentrating on problems and not on strengths.

### **Afterword**

This brief look at the family shows that there are many conflicting views about its nature and role within society, although some agreement that it is a key for social change. The construction of the "normal family" by society not only has implications for personal relationships, setting standards that may be in conflict with economic realities and failing to reflect changing gender relations, but also for policy matters relating to family life, and for self-perception within family types which differ from this norm.

The contradiction within the idea that the family both holds the key to the cause of and the solution to larger societal problems, only adds to the difficulty in formulating adequate policy. Within the area of child support, it is therefore important to look at the welfare state, both as regards its current situation and its role in relation to the family.

#### **4 Whither the Welfare State?**

**"..- but now there was the welfare state. Pensions meant old age was no longer a threat. (Forty years later a government can say blandly, But we can't afford it - and cut benefits that the citizens imagined they had been paying for. Has anyone ever thought of suing a government that reneges on its promises? But perhaps a more important question is, What state of mind could we have been in, to trust the promises of governments? But that is easy: a romantic, Utopian, idealistic mood, where every good seemed possible.)"**

Lessing 1997: 90

As the history of child support is intertwined with the history of public welfare, so too do the most recent changes have as a background the debate about the future of the welfare state. After the post-war period of general consensus between left and right about the inviolability of state provision, the radical Thatcherite policies of the

Eighties brought the whole question of public versus private support in the UK into the forefront (Hills (ed), 1991, Basu, Pattanaik & Suzumura (eds) 1995). Health, education, the utilities, transport and housing all became targets for the withdrawal of state support and the large Social Security budget had already been targeted for savings by the Fowler reforms which came into effect in 1988.

This section looks at the larger picture of the income maintenance side of welfare provision which has been called into question over the past twenty years, with specific reference to child support. In addition, it will examine the policy process which is necessary to bring about change within an established system.

#### **4.1 Moving on from Beveridge**

"...some people may have come to this work expecting to find a chronicle of decline. Nor would such an expectation have been unreasonable...There are indeed important parts of the welfare state which show the expected pattern of decline. But the overall picture is rather different."

Le Grand 1991: 338

Despite the historic opening words of the 1948 National Assistance Act "The Poor Law shall cease to have effect." (quoted in Wilson 1977, p153), the Poor Law did apply, under the guise of National Assistance, to those who had no entitlement through insurance, principally lone mothers. In fact by Beveridge's own admission, his proposals were not radical proposals to eliminate poverty but ".. a natural development from the past.." (Beveridge 1942 quoted in Novak 1988, p149). The failures of the system introduced immediately post-war, were such that the Labour Government was elected in 1964 on the basis of promises to bring about radical changes to effect redistribution of wealth through social policy, albeit "..at a rate which the British economy can advance.." (1964 Labour Party Manifesto quoted in Hill 1993 p66).

The majority of reforms to the National Insurance scheme were quickly enacted but their ambitious desires to overhaul the means-tested element, reducing the stigma by creating benefit as of right, simplifying the administration, and eliminating discretion, were more elusive. The National Assistance Board was abolished and replaced by the Supplementary Benefits Commission, but it was tempting for the cynic to suggest that this was little more than cosmetic (Hill 1993) and could certainly invite

comparisons with the ineffectual change from the Poor Law Commission to Board in 1847. Before more sweeping reform could be put in place, the government was defeated.

In the mid-1970s changes did come about, with the Beveridge principle of flat-rate contributions and benefits being scrapped by the introduction of State Earnings-Related Pension (SERPS) and earnings related unemployment benefit. However, by the mid-1980's the high replacement rates of the earnings related scheme was perceived as a major problem, both in terms of expense, leading to higher taxes, and work disincentives (Barr & Coulter 1991).

Cash benefits serve multiple purposes: poverty relief, protection of living standards, income distribution over the life cycle, and should be designed with the aims of efficiency, equity and administrative feasibility in mind (Barr & Coulter 1991). Immediately, there are tensions between aims and purposes. To give just one example, poverty - by whatever definition - may be alleviated by cash payments, but where is the equity for those who pay for benefits, but are just outwith their net, and where is the efficiency, if cash payments are high enough to relieve poverty, but also act as a disincentive to take low paid work?

The solutions to these dilemmas differ depending on the political and moral stance taken on the causes and solutions to the questions posed. However, beyond the ideological viewpoint is a general acceptance that the system itself, and measuring its effects and effectiveness, is a very complex area.

Ashford and Davies (1991) argue that the rise of market liberalism - which fundamentally disagrees with the collectivism of the Welfare State and believes in the self-regulating effects of market forces, abhorring the interference of government into economic affairs in the name of Welfare; a trend they saw as continuing since the mid-eighteenth century with disastrous effects - caused an increased questioning of the Welfare State. In the choice between economic or political pressures, the economic would always take precedence. The democratic process itself was criticised as it led to excessive expectations and had disruptive effects on market freedom.

Since part of the economic theory included reducing public expenditure there was no problem in using welfare legislation to reduce eligibility to cash benefits and

encourage the market to act to take up as many welfare functions as possible, in tandem with increasing private (ie family) responsibility for support. There was a level of public transfer that was, at least in the short term, inviolate, but much that had devolved to the state which could safely be moved back to the individual's purse.

In fact, although these policies were pursued with vigour there have been no fundamental changes. The levels of payment are meaner and the hurdles of eligibility are higher (Atkinson & Micklewright, 1989) but the problems of high marginal tax rates, poverty traps, employment disincentives and high cost, remain. There may be increased social disapproval of welfare recipients, but demographic and economic changes mean that more and more people are dependant on welfare payments (Bradshaw, 1993). The CSA in particular has widened the net of those affected by the Welfare system and increased the bureaucratic structure needed to administer it.

The welfare system is arguably the strongest and most far-reaching arm of the modern state. It is indisputably the most expensive in the British context. Discussions as to its future automatically encompass the future of the State as it has existed in Europe for several centuries. Etzioni (1995) argues that it is time to radically alter the state along communitarian, universalist lines. This has a different face in different cultures "...in China I stressed the need for individual rights. In the United States, I stress the need to shore up the sense of individual and social responsibility." (p 24).

Roche (1992) examines the question in terms of social citizenship whose dominant paradigm depends on a set of social rights overseen by the state. He considers that three factors have challenged this paradigm; cultural change, namely the increase in family diversity; economic change, namely the changes in employment patterns - both of which contribute to persistent poverty -; and political change, namely the widespread acceptance of neoconservatism.

Whilst pointing out that the neoconservatives challenge wider structural issues less than the neoliberals and that there are differences in approach, Roche (1992) summarises their influence on current social policy as "...putting the following notions back on the academic, ideological/political and social policy agendas: (1) the importance of capitalism for welfare, and also of welfare pluralism, (2) the importance of social duties and responsibilities for a defensible conception of social

citizenship, and (3) the problematic character of contemporary trends and social changes for the future of social citizenship." (pp 146-147).

Roche (1992) goes on to highlight the failings of the neoconservative analysis, concluding that no account is taken of macro socio-economic changes; there is a conflict between its two main values, namely traditional morality and the inherently amoral nature of the capitalist system; and its overemphasis on duties as opposed to rights, when in reality the two concepts are interrelated. This latter point is illustrated by two points relevant to the Child Support Act: the duty of lone parents to work can only be achieved through a right to childcare, and the duty of absent fathers to support their children can only be achieved if the mothers have a right to some of the man's income.

There is no dispute that the income maintenance system in Britain is a highly complex interrelationship of rights and responsibilities. It is also agreed that the system itself is complex, with many different forms of aid available at differing levels. It would therefore seem to be imperative that when looking to reform or add to the welfare state system that all its aspects are considered in a global way, otherwise it is impossible to achieve the desired aims. For this to be achieved the policy process itself must be considered.

Perhaps paradoxically, although traditional conservative theory abhors state intervention it also adopts a pessimistic view of human nature which requires the state to control and protect individuals from their own baser natures (Oakeshott et al as interpreted in Tivey (1988)). However conservative intervention into the welfare system can be seen as having created and compounded many of the problems that the reforms were designed to solve (Novak, 1988).

Although the policy makers responsible for the CSA were in the main opposed to bowing to pressure from interest groups, in favour of rational economic planning and deregulation, as Oakeshott maintained and the Poll Tax debacle proved, ignoring popular demands could lead to revolution or disorder. Thus the main policy platform, the Party conference, is not immune to satisfying populist demands for policy change, and welfare recipients are a common target for this type of statement. (cf Peter Lilley's speech to the 1992 Tory Party Conference.)

Any policy making agenda should consider the role of the established bureaucracy when proposing change. Caiden (1981) detects an over reliance on bureaucracy which has been in evidence since the 19th century. Although he points to the stabilising, distributive and political freedom gains that have ensued he also highlights the disadvantages as conformity, uniformity, restrictions on individual creativity and complacency. These problems come to the fore at times of national crisis and in the 1970s, the industrialised nations realised that the world economic crisis underlined the fact that budgets for public expenditure were not limitless.

The very forces that make reform necessary make reform more difficult, and as governments attempt more and more complex policies, the bureaucracy becomes correspondingly complex and elaborate and consequently harder to reform. Starks (1991) outlines the conflicts between political and administrative pressures and the fundamental problem within the welfare benefits system that the buyer and the recipient are not one and the same. In fact it is a truism that those who contribute most are those who consume least. In addition in a climate where eligibility is set to increase, cost-cutting becomes a political necessity and an administrative impossibility. However neither side is willing for overall implications to be explicit either because they interfere with professional agendas within departments or because they jeopardise votes.

Starks (1991) sees the solution as being clear political briefs which allow managers to manage within explicit limits, in tandem with the creation of an institutional climate wherein administrators and relevant professionals can discuss strategy and set objectives. However although there has been a marked enthusiasm for introducing business management expertise into the Public Sector, through external recruitment and the creation of the Next Steps Agencies, often in conflict with the desires of public administrators, there has been less willingness to use the expertise of welfare rights workers, when drafting policy change. Perhaps both administrators and politicians are united in their distrust of this group's ability to assist the process although they have, undeniably, the best understanding of the system.

Taylor-Gooby & Dale (1981) consider that both capitalist and socialist societies have seen a shift in power towards the state which has effectively increased the power of the bureaucracy. It would seem that this power focus has not altered in Britain in spite of political statements in favour of change, although the nature of the beast has been transformed. More recent commentators would argue that the Welfare State

bureaucracy, far from being impersonal, rational and value-neutral, replicates the prejudices of the society that created them, in particular racial, gender and sexual norms which leads to institutionalised discrimination (see Ginsburg (1992) Offe (1985)).

A further point concerns the practical implications of reforming the complex system of welfare benefits and related areas. Following the chaos of reform to Disability Benefits in the early 1990s, there have been repeated calls for wide-ranging changes to be piloted prior to implementation, a demand that was ignored in the case of Child Support (Report of the Social Security Select Committee March 1995).

The change in government in 1997, brought promises of reform to the CSA, although no pledge to abolish it, and an undertaking to remain within the previous government's spending limits. By the summer of 1998, a revised plan had been put forward for consultation - "Children First: a new approach to child support". In addition, it is of interest that plans for more wide reaching benefit reforms have been delayed for further consultation, following the rejection of Frank Field's plan for welfare (DSS Press Release September 1998).

It thus remains to be seen what the future holds for social security provision, although, Le Grand (1991) maintains that far from withering between the mid-seventies and the late eighties, provision increased in absolute terms, with most 'middle-class' services rising in relation to need. He also suggests that there was a reduction in inequality in most - though not all - welfare outcomes, and that the welfare state cushioned the economic restructuring of the eighties in a tangible manner. Overall, on account of public support, he remains optimistic for the future of welfare spending, although envisages an increase in private provision (pp 359-360).

## Afterword

Following the perceived failings of the limited aims of the post-war system of social security provision, successive governments have made cosmetic changes to the original structure. Despite a long period of government by those idealistically opposed to welfare spending, a combination of complex factors including public support and demographic and economic conditions has meant that provision, and as a result, spending, has changed less than might have been expected.

Notwithstanding Le Grand's optimism, it is generally agreed that poverty has not been eliminated - and by some measures is on the increase with the number of individuals in poor households rising (Barr & Coulter 1991). Leisering & Walker (1998) consider that the alleviation of poverty has been the major goal of UK income maintenance policies, however, the rise of the 'new poor' in the 80s and 90s has caused the effectiveness of the Welfare State to achieve this, to be challenged by both the left and the right.

Evidence of social exclusion - which have found support from both the left and right - whereby large groups appear to be trapped in poverty, by the very system set up to alleviate it, has led to a revival of the dynamic approach to poverty analysis, which the authors argue is more suited to post-modern society. They consider that, rather than the poor being a static long-term group, current research suggests that poverty is a state in which many people may spend differing lengths of time, and that all people are at some degree of risk of entering, concepts which increase the complexity of designing policy to eliminate it.

However, Barr & Coulter (1991) consider that the main policy objectives of successive governments as regards social security have been met, namely from 1974-1979: more resources to cash benefits; reduction of means-testing; improved take-up and post 1979: fewer resources to cash benefits; lowered replacement rates; and increased targeting (pp 331-332). Thus in spite of the complexity, policy aims can be achieved.

However, the policy successes post 1979, which might have been assumed to lead to lower costs, have not achieved this aim. At this point it is therefore important to look in more detail at the economics of social security, given that part of the rationale

for creating a new arm of the Social Security system - the Child Support Agency - was a financial one.

## 4.2 The Costs of Social Security

"Real benefit spending in the United Kingdom (at 1987/8 prices adjusted by GDP deflator) rose from £26.5 billion in 1973/4 to £43.2 billion in 1988/89 an increase of nearly two-thirds, from 18.9 per cent of total public spending to 24.5 per cent."

Barr & Coulter 1990: 284

The world-wide recession in the 1970s highlighted the criticisms of both the left and right of the expanding and increasingly expensive welfare state in Britain, which had neither substantially reduced income differentials nor eliminated poverty (George & Miller 1994). Although there had not been complete unanimity prior to the economic problems of the seventies, the growing realisation that high welfare spending could not be maintained indefinitely - and more specifically during that decade's period of reduced economic growth, meant that the country was ready for Margaret Thatcher's promises of a change of direction.

Yet Dilnot & Walker (1989) estimate that Social Security cost the UK over £48 billion in 1988-89, a figure that exceeded revenue from income tax and was more than twice as high as the second most expensive area of public expenditure, defence (p1). The Conservative Government was ideologically in favour of reducing both dependence on Social Security and the levels of expenditure, which were part of the aims of the 1988 Fowler reforms. However, several factors militated against success in significantly reducing the Social Security budget, principally the demographic factor of an increasing number of claimants on the State Pension scheme, but also the persistently high unemployment figures.

Although the government had moved quickly to abolish the earnings-related element of Unemployment Benefit, this facet of the pension scheme proved harder to eliminate, and although incentives were introduced for the take-up of private schemes in the Fowler reforms, SERPS remained largely untouched, despite initial plans to abolish it (Dilnot & Webb, 1988). The same authors estimate that although the reforms had some success in achieving the aims identified in the White Paper - reducing complexity; targeting those in greatest need, especially low income families;

reducing disincentive problems; and reforming pension provision - it was in the latter area that least success was achieved (p 267).

DSS (1997) figures show that it is benefits paid to the elderly which continue to be the largest item of expenditure within the total budget by a significant margin, and, with benefits for the sick and disabled, continue to rise at the fastest rate (p 3). The figure for 1992/3 was over £34 billion out of a total budget of over £75 billion, with expenditure on the sick and disabled totalling over £16 billion - 45% and 21.4 % respectively. A figure of over £9 billion (12.4%) was spent on the unemployed in the same year. This compares with expenditure of over £7 billion (9.4%) on Lone Parent Families.

The Social Security Advisory Committee Report (1994), which assesses the feasibility of shifting the costs of Social Security into the private domain, puts the dilemma surrounding pension reform clearly. Firstly, the idea that entitlements which have been paid for by contributions, especially for retirement, are in some way inviolate, and secondly, current contributions are only paying for current claimants, and so, even if new contributors accepted they would only get a pension on income grounds, they would still have to pay for those who are already entitled (pp 1&2).

Thus, although some measure of cost cutting in contributory and non-means tested benefits has been possible, such as increasing the retirement age for women, and cutting by 50% the entitlement to unemployment benefit with the introduction of Jobseeker's Allowance, the conclusion of the Report cited above is that private provision can only be in addition to the state scheme and not replace it. Thus it would seem that with the rise in life expectancy that rising living standards have brought about, there is little room for manoeuvre in reducing pension costs in the short term.

As regards expenditure on the sick and disabled, in addition to the fact that part of the increase is due to high unemployment, the increased ability to keep people with health problems or disabilities alive, the move towards Care in the Community and the increased power and visibility of the lobby for those with disabilities, makes it unlikely that this section of the Social Security budget is capable of significant reduction.

Spending on the unemployed, would appear to be a suitable target for reducing expenditure, although the figures do not show success in this area (DSS 1997). In part this is because, Conservative policy for the economy included a, usually unacknowledged, reliance on high unemployment rates. Although, the Labour Government's policy is to reverse this trend, this involved high initial expenditure, and their long-term aim may be threatened by global economic conditions. Privatising this sector of Social Security was also considered to be only in addition to state support, not as a replacement (SSAC 1994).

Thus although lone parent expenditure is a small proportion of the total Social Security budget, it came to be seen, by Conservative policy makers, as the most amenable to immediate cost reduction and transfer to the private, or individual purse. This view has not altered under the new government.

The Office of National Statistics (1991) reported that benefits expenditure on lone parents had grown from £2.8 billion in 1978/9 to £6.6 billion in 1992/3. Kiernan et al (1998) using DSS statistics, show how the numbers of lone mothers in receipt of means-tested benefits increased between 1980 and 1993 from 309,000 to 971,000 with inevitable consequences for the material welfare of the children involved. Thus although the preferred solutions varied, there was almost universal agreement that improvements should be made in the support for these families, which were acknowledged to run a higher risk of poverty and material deprivation (Millar 1989).

Another issue that came to the fore, especially in relation to the rising costs of Housing Benefit but also in relation to all benefits, was fraud reduction. Estimates vary as to the amount of money lost through fraud, and there is informed criticisms of how both these estimates and the savings figures are calculated (CPAG Training Notes, May 1998), but both the Major government, who established a "cheat's hotline" and Frank Field, during his brief term as Minister, felt that this area was one where substantial cost savings could be made. Smart cards for benefit claimants is one way that this issue is to be addressed.

As I write this (October 1998), the current government is reviewing the Social Security system, having rejected the plans of its former minister responsible for this area, leading to his resignation. Wide consultation is to be sought on the changes, and it remains to be seen if this exercise will succeed in altering the complex reality of the UK benefits system.

## **Afterword**

Although reduction of the rising costs of Social Security are perceived as an important aim for policy change, they appear to have remained immune to government action. It is no doubt the case that the rate of growth was slowed by the Fowler reforms, yet the central problem of escalating costs remains.

Given the problems inherent in cutting the budget for the largest area of expenditure, namely pensions, and the issues involved in reducing costs on other areas covered by the system, lone parent support became the easiest target for reform. The next section looks at the development of the result of this - the Child Support Agency.

## **5 The Birth of the Child Support Agency**

"Government too must be concerned to see parents accept responsibility for their children. For even though marriages break down, parenthood is for life. Legislation cannot make irresponsible parents responsible. But it can and must ensure that absent parents pay maintenance for their children. "

Thatcher 1990, quoted in Leigh 1992: 177

Although the financial impact of lone parents and the ability of the Social Security system to meet the rising costs was part of the agenda for the creation of the Child Support Agency, as Thatcher made clear in the above quote, there was also a moral agenda which centred on individual responsibility. Her continuing disapproval of lone parents was reported in the Daily Mail in October 1998 when she made the suggestion that they should be confined with their children in religious centres.

This section begins by looking at the financial agenda of the CSA and then goes on to consider the moral background to the reforms, in the climate of family instability and change. In addition, current theories about family form and formation, are examined within the wider picture of modern society. Throughout the section are details of what the actual legislation proposed in practice, for the sections of society affected, as well as comment on the implication for the transfer of responsibility from the public to the private purse.

## 5.1 Financial considerations

"It is right that other taxpayers should help maintain children when the children's own parents, despite their own best efforts, do not have enough resources to do so themselves. That will continue to be the case. But it is not right that taxpayers, who include other families, should shoulder that responsibility instead of parents who are able to do it themselves."

The White Paper, *Children Come First*, 1990

The white paper which introduced the Child Support legislation, made explicit and implicit references to the financial implications for the individual and the state and society as a whole of the increasing trend towards lone parent families, estimated in 1991 as 1.75 million, (caring for 1.7 million children) 75% of whom were in receipt of income support, compared to the 1971 estimate of only 37% of a smaller number of lone parents receiving a means-tested benefit (CPAG Seminar, 1993 using National Audit Commission figures). In addition, lone parenthood is strongly associated with poverty and increasing maintenance could contribute to changing this, without increasing public expenditure.

Given the explicit cost saving agenda, the contradictions of the White Paper are immediately apparent when the title - "Children Come First" - is considered. The focus of the proposals was firmly with lone parent families - although step-families and second families would be implicated - and much research had shown that poverty was a major issue for this group (Millar 1989, Ford & Millar 1998). It was hard therefore to understand how legislation which had the aim of transferring expenditure from the state to the individual could put children first.

By 1989, only 23% of benefit recipients (Income Support) were receiving maintenance and the general level of awards was considered to be too low. Millar (1989) estimated that the mean payment was as low as £12.25 per week in 1987. These problems were exacerbated by the high levels of arrears. Garnham and Knights (1994) estimate that "...over half of maintenance orders were in arrears at any one time, and 70 per cent in arrears at one time or another." (p 16) and that "...only a small proportion (23 per cent) of outstanding arrears was recovered." (p 21).

Prior to the establishment of the Child Support Agency in 1993, the procedures for enforcing maintenance had been tightened up leading to improve benefit savings, and although there was an improvement from £207 million in 1989/90 to £313 million (Social Security Committee, 5th Report (1997) Child Support, p viii), the long term solution was perceived to be more radical. The responsibility still lay with the liable relatives section of the DSS, a throw back, in reduced form, to the Poor Laws. Finer (1974) had made radical proposals for reform, but these had never been enacted.

The White Paper "Children Come First" (1990) proposed an increase in maintenance payments for lone parents, administered by the Child Support Agency using a non-discretionary system aligned to the Social Security system. Initial savings targets, although subsequently revised downwards, were set at £450 million in the first year. The Agency's failure to meet this target led to the resignation of its first Chief Executive, underlining the importance the government placed on the financial aspects of the change. From the outset there was informed scepticism at the ability of the agency to meet these targets and fears about the financial implications for the very group that the legislation was expected to assist (Garnham & Knights, 1993).

In addition, it was foreseen that, with the rise in the rate of maintenance, some lone parents and their children would fall outside the net of means-tested benefits thus losing valuable fringe benefits, such as access to the Social Fund, free prescriptions and free school meals. Furthermore, those who were deemed to be failing to co-operate could lose £8.00 per week from their already low rates of benefit.

Absent fathers were acknowledged in the White Paper to be more likely to be sick or unemployed (20%) and that 80% of those in employment's income was less than £200 per week as opposed to 67% of those in the general population of working age. Yet it was this group who were to finance the savings to the state and it was planned to deduct a nominal amount (£2.00) from the income support of single absent fathers, thus impoverishing further a group who were already firmly situated within poverty. It would seem a logical conclusion that the dependants of these groups - lone parents and absent fathers - the children who would be put first - would also suffer financially from the implications of the legislation.

One group who did not receive attention in the research, were the second families of absent parents, yet CPAG (1993) estimated that it was this group who were most likely to feel the greatest adverse financial effects from the legislation, as there was

little scope to allow for second families in the formula and the income of second partners was assumed to cover certain expenses even when there was no such income.

Despite these predictions of adverse financial results for individuals and scepticism about the savings to be made, it was obvious that for the vast majority of lone parents there would be no change. Garnham & Knights (1993) estimated that 80% lone parents were wholly dependent on a means-tested benefit, and so would only experience a change in the source of their income, not in its total amount. However, even where there was no direct financial effect on children, the increased poverty of their absent parent would lead to a reduction in support in kind - presents, clothes, outings - all of which are part of parental support, as well as lead to loss of contact when there were financial implications to visits between absent parents and their children.

If one of the aims of the legislation was to reduce poverty for lone parents and their children, then research (Millar, 1989) shows that remarriage (or establishing a new two adult unit) is the most reliable way to achieve this, whilst re-entry into the labour market can also attain this aim (Weale et al, 1984). Achieving the first - the formation of a new two adult unit - has been made more problematic for both absent and lone parents by the legislation, as the addition of a second adult complicates the calculation and leads to financial anomalies, as the existence of second (or third) partners and their children, especially if they are not earning, can lead to, on the one hand, a reduction in the child support payable, or on the other, an increase in the amount payable.

As regards facilitating labour market participation, Jenkins & Millar (1989) researched labour market participation disincentives as far as they are created by the complexity of the welfare system, calling the resultant confusion the employment lottery. This can be defined as the way in which the welfare system will act against the unemployed, especially the long-term unemployed with child dependants, from re-entering (or indeed entering for the first time) the labour market.

The arithmetic involved in the Child Support calculations is so complex and the information needed so wide ranging (it includes housing costs, state benefit levels, protected and exempt income amongst other categories) and involves so many people - new partners and old partners of the parents, both absent and with care - that even

trained welfare advisors find it hard to predict whether or not an individual is going to be better off or not when taking work. It is therefore safe to assume that most unemployed people, who are untrained in such calculations, will be completely unable to work out the advantages of working, if their increase in income is likely to lead to a CSA assessment or review.

The other issue which is relevant in this debate is the unemployment trap (Dilnot & Stark, 1989), whereby those who are in certain categories find it impossible to earn as much as the rates for Income Support give them to be unemployed, or to increase their earnings enough to raise them out of the state support system for those in work. Child Support could increase this disincentive as when the recipients' income goes up, the rate of support is reduced.

A similar but separate issue is the poverty trap. All state support systems are affected by negative income tax. This means that those in receipt of in work benefits - Income Support (for part-time workers), Family Credit, Housing and Council Tax Benefit - find that each extra pound they earn is "taxed" at extraordinarily high rates. The dilemma is whether to have long tapers so that many people are affected at a low level, such as 60%, or short tapers so that fewer are affected but some at levels over 100%. Child Support can serve to further increase the complexity of this situation.

Although the Child Support Act does allow most people a level of Protected Income above the Income Support scale rates, this can never be 100% effective as the interrelationship with other means-tested systems is so complex. The fact that the regulations for this legislation - it is a regulation based system, in line with all the welfare system - were still not completed a month before its coming into force, would lead to the expectation that insufficient time had been allowed for the ramifications to be scrutinised by those who are in a position to understand these questions fully.

Overall, the time scale and depth of research involved in this major change in legislation compares unfavourably with the scope and depth of the Finer Report (1974) which was the previous attempt to reform the system of maintenance. Its recommendations for an insurance-based allowance would have had far-reaching consequences, but Marsden (1973) records his frustration that the majority of reforms, for which he had had high hopes, had not been implemented.

Within the financial sphere employment patterns are a relevant issue. Data from the British Household Panel Survey (1996.35) reveals that 30% of men in its panel experienced unemployment in the period 1991-94 although only 7% were unemployed throughout. Byrne (1995) convincingly demonstrates that not only is it rare for households to have no connection with paid work, but also that job insecurity is greater in younger age group - ie the 25-34 cohort - who are likely to be those with children who come within the remit of the CSA. Furthermore Heeny (1997) notes that more than 50% of those who find work, lose it again within 40 weeks and Gosling et al (1997) link low wages with a higher probability of job loss.

The complexity and inflexibility of the Child Support Act would be ill-suited to cope with the flexibility, complexity and insecurity of real lives. Absent parents who lose work, or overtime face the possibility of substantial arrears building up before the system can cope with the change. Parents with care who increase their income through work, stand to lose out overall as their higher earnings could act to reduce the level of child support in payment.

### **Afterword**

Financial issues are fundamental to the Child Support Act. Principally the government aimed to save public funds by transferring the costs of children to the individual account. Should any doubts remain about this part of the agenda then they should be dissolved by the Cabinet Briefing paper on lone parents, leaked to The Guardian in September 1993:

"We have assumed that the primary objective of any measures taken will be to reduce the burden on public expenditure caused by lone-parent families, and that measures should be therefore directed towards discouraging lone parenthood and other ways of reducing public expenditure which do not harm the interests of the children of lone parents."

quoted in Millar 1994, p 1

Although the aspects of the Act which aim to reduce cost to the state can be clearly seen, less obvious is how harming the interests of the children could be avoided, given the likely impact of these measures. The additional complexity of the reforms seemed likely to exacerbate the inherent work disincentives and poverty traps of the complex social security system already in place, and appeared to ignore the reality of

work patterns. Against this background, it is important now to consider the moral agenda of "discouraging lone parenthood".

## 5.2 Families and Society

"Dynamism is the distinctive feature of modernity. The nature and rate of change distinguishes modern society from those which went before. Our more or less successful attempts to cope with the changes in our lives, and in the institutions that surround and define us, help to make us what we are."

Leisering & Walker 1998: 3

The Child Support Act 1991 is part of the welfare state's, and so society's, response to the changing reality of family life in late twentieth century Britain. Its effects and implications in turn form part of that very reality, as the individuals affected develop individual ways of reacting to the institutional changes. As the quote from the cabinet briefing paper above makes clear, in spite of reservations regarding the effectiveness of legislation to change behaviour, there existed an aim of "discouraging lone parenthood", with this legislation forming part of that move.

It is a mistake, however, to assume that the Child Support Act only has impact on lone parent families. With the rise in numbers in step-families (Haskey 1994) and the high incidence of marriage and re-marriage as a route out of lone parenthood (McKay 1998), the Act has implications for any family where there are children who do not live with both parents, and also for childless couples, when one partner has a child from a previous relationship. However, despite this, the probability is that those affected have had some connection with lone parenthood, and this fact coupled with the moral agenda, means that it is useful to look more closely at this family form.

The demographic background is given by Haskey (1998a) who estimates from various sources that the number of lone parents had increased to 1,440,000 by 1993, supporting 2,400,000 children. This compares to his estimates for 1971 of 570,000 lone parents with 1,000,000 children. Rowlingson & McKay (1998) consider that the current figure is higher than at any time in the past two centuries and significantly higher than in most other European countries.

As briefly indicated earlier, this family form is associated with many perceived problems for wider society. If this were not the case, then there would not be a

pressing need to reduce the numbers of this family type, on moral grounds. Ford & Millar (1998) list the problem areas and include: the effects on children, encompassing educational and behavioural difficulties; demographic problems, as lone parents have fewer children; the wider moral dimension, as these families can be seen as challenging religious and moral values regarding marriage and parenting and single mothers can be seen as either irresponsible or deliberately choosing this path for ulterior motives, whilst fathers can be perceived as 'feckless'. Lastly, lone parenthood can be seen as one of the chief factors leading to divorce and the breakdown of the family and in addition leading to an underclass of young men who are unused to male authority.

The same authors go on to look at the main ways that these problems are tackled, namely by alleviating the stresses associated with lone parenthood which would broadly equate with improving the material and social situation, or by discouraging lone parenthood. The abolition of lone parent benefit - proposed by the previous government and carried out by the current one - is an example of the latter policy. Although these authors do not situate the Child Support Act within either area, it can be seen as an attempt to discourage lone parenthood, principally by increasing the cost of divorce or separation for the absent parent.

Durham (1991) records that the call for the return to "family values" and concern for the family in crisis, which has been so common in recent years, is not only a modern cry of moral crusaders, but has long been intimately linked with campaigns for sexual morality linked to concern for the general direction of society. He considers that the potency of these arguments had reached their nadir by the nineteen fifties, but events in the sixties were to see them rise again in the late seventies and eighties, to form a crucial part of Conservative philosophy during their term of office.

It could also be argued that, failure of the Tory party to live up to the family values they claimed to support, combined with the adoption of these values by the Labour party, contributed to the landslide electoral victory of the latter in 1997. It is certainly the case that current policy endorses supporting families, (Green Paper on Social Security Reform, quoted in CPAG 1998), and that, with the introduction of Working Families Tax Credit, tax systems are reverting to family based policies.

Ford & Millar (1998) consider that, although the family is an increasing preoccupation of policy aims, the UK have not chosen to create a unified institutional

framework to deliver the desired outcomes, relying instead on other arms of the state to produce uncoordinated and often contradictory measures which affect the family. Overall, they consider that, despite the rhetoric, policy changes have been "neutral - not pro-natalist, not concerned with encouraging or discouraging particular family structures or forms" (p 8). However, the stigma of lone parenthood remains (Havas, 1995).

Lone parents are acknowledged to be more likely to suffer from the lack of material resources, and as such constitute a problem which it is proper for governments to address (Ford & Millar 1998). Although a full understanding of the causes and effects of this increased poverty, far less the solution, includes the consideration of many complex factors, the popular - and less well established - link with this family type and the moral problems, is arguably even more complex.

Many of the perceived problems such as the adverse effects on children, teenage pregnancy, youth crime, irresponsible fathers and the creation of an underclass can certainly be seen to have been created by a complex interrelationship of factors including changing employment patterns leading to high youth unemployment, increasing choices for women, and the structural changes to Social Security in the late 1980s which effectively withdrew support for the under 18s and severely restricted it for the under 25s (Working Brief October 1998).

McKay (1998) examines some theories of the underlying causes for family change and finds that several theories are possible. It could be a result of many individual circumstances, leading to larger trends, but this ignores the specific and patterns which exist, whilst changes in patterns are not uniform enough to provide a single cause. Alternatively, the change in social attitudes to divorce and lone parenthood may have made these behaviours more acceptable, although this begs the question as to why these changes in attitude occurred in the first place.

Yet again, rational-choice theorists put forward the argument that humans act on the basis of considered thought, so that divorce is more likely when women are employed and men out of work, whilst 'social exchange' theory puts more weight on women's increased choice, including in labour market participation. Although there is no accepted theory, it is acknowledged that the answer is complex. McKay (1998) considers that dynamics is an important key to understanding the larger picture, which can only be properly understood by considering a complex range of factors.

Lone parents are often considered to be a homogenous group, yet Marsden, as early as the late 60s, had established that there were many routes into this family type and that their situations differed. Historically widows or widowers were the most common type of lone parent family. From the passing of the divorce reform act in 1971 until the mid-80s, divorce or separated women made up the vast majority. Although this group are still numerically the largest, since that time, the fastest growing group of lone parents is single (never-married) women (Haskey 1998a, McKay 1998). However, Haskey (1998a) contends that the majority of this group have cohabited with one partner and that there is also a rise in the number of lone parents who have experienced multiple relationships.

Whilst looking at the number of lone parent families, the entry route is an important factor, but so too is the exit route and duration of this family type, as all can contribute to the rise. As the definition stands in the UK, once the youngest child reaches 16 (or 19 if they continue in non-advanced education), a lone parent ceases to be recorded in the statistics, although the financial problems of the family may in fact increase at that point. Perhaps self-evidently, re-partnering is the commonest route out of lone parenthood (McKay 1998). However, as has been noted above the Child Support Act would not appear to make this option less problematic, but rather tend to complicate it.

As regards duration, McKay (1998) finds that never-married lone parents spent an average of three years alone, divorced lone parents, an average of four and a half years and separated lone parents, eight and a half years, whilst widowed lone parents had the longest duration. Interpretation of these statistics is not unproblematic, as, for example, the age of the children is an important factor. However, given that the first group's children must logically be the youngest, and so exits less influenced by leaving the category due to children reaching the non-dependent age, re-partnering can be seen to be a very important exit route for the group that are most commonly described as problematic. If the CSA effects re-partnering, both for the women and for the men - some of whom must logically be absent fathers - it could contribute to the rise in lone parent families.

Rowlingson & McKay (1998) have conducted an in-depth study of the diversity and dynamics of lone parents as a group suggesting the sub-division into: "Core' single lone parents (no regular boyfriend); Quasi-singles (not cohabiting but had a regular

boyfriend); Quasi-separated (cohabited prior to first birth or separated from a cohabitation); and 'Core' separated/divorced (separated/divorced from a marriage)" (p 30). They conclude that, although distinguishing between types of lone parent families is important, the differences between the groups is not always great.

If the focus of the discourse of problematic lone families has been the never-married young woman, one section of this group, those who have further children when lone parents, have attracted particular opprobrium, especially in the USA, where, in some states, punitive measures are taken to discourage this activity (Ford & Millar 1998). Rowlingson & McKay (1998), from an admittedly small sample, find that, although the circumstances varied considerably, only one of the lone mothers to whom this had happened had planned it. UK policy does not seem to be interested in this small group of women, at this time.

Haskey (1998b) draws attention to a further statistical point as regards lone parenthood. As the number of these families rise, but the situation is a dynamic one, characterised by periods of different family types, the proportions of mothers (and of children) who have ever been a lone mother will also rise, and has done so considerably since the 1960. In addition, although the proportion of children living in a lone parent family has recently been nearing one in four for some groups of children, not all such children will spend their whole childhood in this family type.

One further problem identified by Ford & Millar (1998), namely the low family size of lone parents, and the impact this could have for an ageing society, may also be unlikely to be alleviated by the Child Support Act, as the financial costs of childbearing and rearing are made more apparent. Haskey (1998a), however, has suggested that this trend may be changing as the family size which has grown the most since 1981 is that of single lone mothers. In addition, one child families amongst lone parents has become less common, whilst those with three or four, have become more common in the same period.

Although the crisis in the family was assuredly the moral background to the Child Support Act, the issue it was designed to directly address was the parental obligations towards children, expressed in financial terms. As the records of the debates on the Bill and the press commentaries show, this was not a contentious issue in principle, however the reality of increased awards might have been perceived later. The criticisms in Parliament that did arise, addressed the workings of the Act, and not

its moral basis. The notion that parents are, where possible, financially responsible for their children, was a near-universally accepted one. An unusual point of unanimity in a world where moral questions are increasingly open to debate.

Just as commentators such as Rowlingson & Mackay (198) and Leisering & Walker (1998) describe the modern family and society as dynamic and in transition, so too can moral values be seen as reflecting - or reflected by - these states. Certainties, built on common moral and religious standards, have become a thing of the past. The sex lives - for after all children are the product of sex - of Presidents and Princesses are portrayed in intimate detail in the media. Events which would have seen their predecessors fall from grace have, for prominent people such as Diana and Clinton, done nothing to harm their image.

Unfortunately, lone parents, as a group, have not been allowed the same degree of tolerance and are routinely used as an example of the dissolution of moral standards. *Newsnight* (23/10/98) used the rate of lone parents as an indicator, along with drug use and crime figures, of the decline in standards amongst youth in modern Britain. To be portrayed in this light cannot help lone parents to carry out the difficult task of raising children, when already they are acknowledged to suffer from high levels of material deprivation. Perhaps part of the solution lies in ceasing to define lone parents as part of the problem.

### **Afterword**

Although this section has concentrated on information about lone parent families - mainly because it is this family type which has been the focus of most research - the information impacts on many other families, as the creation of step-families is a major route out of lone parenthood. Thus, the modern family can be seen as a dynamic and complex institution, operating within a complex and dynamic society.

The dual issues of rising Social Security costs and unsupported children led to the birth of the Child Support Act which hoped to simultaneously reduce expenditure and raise living standards, which Le Grand (1990) warns is hard, if not impossible, to achieve. How far it achieved its aims is the subject of this research. However, before embarking on that project, the following section gives a précis of the main terms of the 1991 Act.

## 6 The Terms of the Act

"When we published the White Paper, *Children Come First*, we set out our determination to introduce a system that really did put children first."

The Secretary of State for Social Security 1990

"The Bill is very much a Treasury Bill....the hand of the Treasury is heavy on the Bill..

Lord Simon of Glaisdale 1990"

Garnham & Knights 1993: 10

The Act created several new definitions, the most important of which are: **parent with care** - the person deemed to have principal care of a child; and **absent parent**: the parent who is deemed to be living apart from the child (Garnham and Knights, 1994).

Under the Act, the following principles were established. Both parents are responsible for a child's financial support, however, both cannot be equally responsible, and the Act defines the parent with care as the one who is in receipt of Child Benefit, regardless of the actual arrangements for caring for the child. This monetary duty applies whether or not the child is living with either parent, and regardless of the past or current marital status of the parents or their receipt of benefit. The liability created by the Act is satisfied when an absent parent - of either gender - makes payment as assessed under the formula (Davis et al, 1998).

In order to enforce these principles, a new agency - the Child Support Agency (CSA) - was set up to take over all new arrangements as of 5th April 1993. The CSA is responsible for assessing child support and collecting it, either when this is requested or if the recipient is on benefits. This involved a wide range of powers for the agency to obtain information and enforce payment (Garnham and Knights, 1994).

The CSA was to operate from regional centres dealing at a distance with its customers. Although intimately connected to the Benefits Agency with its network of local offices, it was to operate mainly by letter or telephone, with only minimal provision for personal interview. This was a large change from the previous system which relied on the discretionary judgement of individual officers, formed at personal interview with the parties involved.

Parents with responsibility for children have an obligation both to claim child support and to provide the information necessary to pursue the claim, if they are in receipt of certain means-tested benefits - income support, family credit and disability working allowance - unless they can show good cause. This means that there are reasonable grounds for believing that there is a risk of "harm or undue distress" if authorisation were to be granted (Garnham and Knights, 1994).

Failure to authorise the CSA to act, without good cause, will involve a benefit penalty, initially set at £9.14 for the first six months, followed by £4.57 for a further twelve months. Parents who are assessed as responsible for child support, but are unemployed and claiming benefit, are subject to a deduction from their benefit initially set at £2.20 per week. In addition, charges for assessment and collection of £44 and £33 respectively were introduced (Garnham and Knights, 1993).

The non-resident parent is assessed for child support under a formula which is based at all stages on the current levels of income support. This formula is set by legislation and cannot be varied. If insufficient information is provided then an interim assessment can be made which includes a penalty for failure to co-operate and interest can be charged on arrears (Garnham and Knights, 1994). ◦

Assessments made by the CSA supersede all previous court orders or private arrangements and take no account of property settlements. Assessments are to be reviewed annually and further reviews can be requested more frequently if there has been a change of circumstances. The system is backed by a series of internal reviews and, ultimately, the right of appeal to a newly established Tribunal (Davis et al, 1998).

The Act was planned to be phased in over a four year period from April 1993 to 1997, with priority to be given to cases where no agreement existed, with eventually all cases being assessed by the CSA. However, the courts retained jurisdiction over certain areas including contact, residence, paternity disputes and property issues (Garnham and Knights, 1994).

Although the principles of the CSA were simple, the formula was extremely complex, involving several stages of calculations, including: **the maintenance requirement**, or the amount necessary to maintain a child including an allowance for the carer; **the**

**assessable income** of both parties; **the deduction rate**, or the difference between the assessable income of the two parties; and **the protected income**, or the amount that the non-resident parent was allowed to keep for their own needs. These stages each involved a multiplicity of factors and calculations (Davis et al, 1998).

From the outset there were problems with the operation of the CSA. The timetable for implementation, as well as the benefit savings and targeting of cases, were not achieved. In addition, certain specific changes were introduced, in part to address the operational failures, but also in response to widespread objections to the Act (Davis et al, 1998).

In February 1994, the principal changes were that the carer element was reduced for older children, the margin for protected income was increased from £8 to £30 per week and a reduction was made in the additional element of maintenance. In April 1995, housing costs were no longer to be apportioned between new partners, a ceiling of 30% of net income was set as the maximum amount of child support, certain expenses such as high travel to work and some property settlements were allowed to reduce the amount payable, reviews became biennial, and charges were suspended (Davis et al, 1998).

In December 1996, "departures" were introduced, however, the standard assessment remained the starting point, and it was made clear that "departures" should not be common. Under this system of "departures", the earlier changes regarding the application of the formula were formalised, which on the whole benefited the non-resident parent. There was some benefit to those with care, under the provision to consider a higher assessment where "a person's lifestyle is inconsistent with the level of his income" (Davis et al, 1998).

Although the current government plans to introduce changes to the 1991 Act, the major principles of the CSA, including the formula, are set to remain in force well into the new millennium.

### **Afterword**

This section has set out the main provisions of the Child Support Act 1991, whereby a rigid formula - despite subsequent changes - regulates the assessment, payment and receipt of child maintenance. This signified a dramatic change from the discretion

based system that had preceded the implementation of the Act. The reaction of those affected by the Act provides the major part of this thesis. However, before formulating the specific questions, the next section deals with some of the other areas of interest which have not been addressed so far.

## **7 Additional points of relevance**

"External factors - such as the level of unemployment - may impact differently on how many people become single or separated lone parents."

Rowlingson & McKay 1998: 8

The above sections constitute the major foci of this research, however there are other dimensions which deserve some attention, namely, employment patterns and gender issues. I briefly outline the importance of these areas in the section below.

### **7.1 Is the Child Support Act a blow for women's liberation?**

"J'ai longtemps hesite a ecrire un livre sur la femme. Le sujet est irritant, surtout pour les femmes; et n'est pas neuf. La querelle du feminisme a fait couler assez d'encre, a present elle est a peu pres close: n'en parlons plus. On en parle encore cependant."

de Beauvoir 1949: 11

As over 90% of single parents are women and a correspondingly large proportion of absent parents, men, (Millar 1989, Garnham & Knights 1993) there are obvious gender implications within the legislation. The late twentieth century has seen dramatic changes in the roles of women and men - with over half the workforce now being female and men taking on an increasing role in childcare (figures - Demos conference, September 1995).

The inclusion of an amount to support the parent with care - equal to a single person's allowance within the means-tested benefit system - has implications for the rights and responsibilities within hetero-sexual relationships, as well as for gender divisions within the family and the workplace. Although the legislation is designed in gender neutral terms, in that either gender can be a parent with care or an absent parent depending on the reality of the situation, the wording of the regulations has

adopted the female and male pronouns to reflect the statistical norm in the gender roles after separation.

Whilst the inclusion of an allowance for the carer meets the demands, to some extent, of groups such as Wages for Housework (Rowbotham, 1989) and more moderate wings of feminism (Slipman, 1989), appearing to give recognition to the status of the carers of children and their importance within society, at the same time it opposes the trend towards individuality and equality of treatment within the law. As our tax and benefit systems moved slowly towards individual assessment, with the gradual erosion of the Married Man's Allowance and the equalisation of pension ages, the CSA is effectively perpetuating the woman's dependence on a man for financial support.

[It is interesting to note that, the proposals to unify the tax and benefit systems which are associated with effective implementation of the minimum wage, are also concerned with the return to a "family" income, despite moves since the late eighties for individual assessment for tax and benefit systems. The CSA could thus be seen, in retrospect, as only the first move in this direction.]

As the reason for marital/relationship breakdown is often connected with financial issues, including independence and status, (Marsden, 1973 among many others), the CSA can be seen as a reactionary move towards reinforcing the status quo of gender relations within the family. As it also had overt aims of increasing lone parents' participation in the work force - 54% of married women work as opposed to 42% of lone mothers (CPAG Seminar, 1993) - and so reducing state dependency, this can be seen as a reinforcement of the existing trend towards increased female employment. Bingley et al (1995) amongst others have found that payment of maintenance is likely to lead to participation in paid work for lone parents.

At a time when male roles are being challenged by decreasing employment opportunities in their traditional fields - heavy industry, mining, agriculture - this added state intervention towards female employment can be seen as having gender implications.

So, although gender politics have been dominated by feminism in the latter part of the twentieth century, as a glance at the available titles quickly shows, the reality of late twentieth century life would perhaps point to greater problems and issues for men -

particularly those whose traditional role has been eroded by the consequences of women's increased equality and the challenges to the male earning power. The very existence of the group Families Need Fathers - meeting a need which was an unthinkable concept so few years before its establishment - is evidence of this dimension in sexual politics (Chandler, 1991).

Although allowance is made for the absent parent's actual time spent caring for his/her child/ren, where there is an equal split in terms of care, the partner with the higher income is still expected to support the one with the lower income. In other words, it is impossible for both parents to be registered as the parent with care, although this is an increasingly likely arrangement in the post-modern world, supported by research as minimising the trauma for children involved in divorce and separation (Parkinson, 1987). This implies a subsisting mutual dependency post divorce.

In fact, as the CSA is a part of the welfare benefit system, this mutual dependency, which, in reality, places the woman as the dependant of the man, is hardly surprising. It was never the intention of the reforms which set up the welfare state, as far as it relates to benefits, to treat women equally. Although single women paid a national insurance contribution this was set at a lower rate than that for single men, and "(i)n accord with facts, the Plan for Social Security treats ....man and wife as a team." (Beveridge Report, p 49 as quoted in Wilson, 1977 p 150).

"The married woman was to be treated as befitted her legal status; as the dependant of a man and as entitled to economic support by him, both for herself and for their children (p.50) :

'During marriage most women will not be gainfully employed. The small minority of women who undertake paid employment or other gainful occupations after marriage require special treatment differing from that of a single woman. Since such paid work will in many cases be intermittent, it should be open to any married

woman to undertake it as an exempt person,  
paying no contributions of her own and acquiring  
no claim to benefit in employment or sickness. If  
she prefers to contribute and to requalify for  
unemployment and disability benefit she may do  
so but will receive benefit at a reduced rate."

Wilson 1977: 150

The explicit agenda was that women's role was in the home as the bearer and carer of children to replace the population lost in the war. 'In the next thirty years housewives as Mothers have vital work to do in ensuring the adequate continuance of the British Race and of the British Ideals in the world' (Beveridge Report, p 52, as quoted in Wilson 1977).

There was no provision for unsupported mothers in the scheme and it was wrongly estimated that the numbers would be negligible, just as it was erroneously estimated that few married women would work and full employment would persist. Lone mothers were dependant on supplementary benefit, but still seen as carers and, in a way that is unchallenged by Blairite reforms, free of the obligation to seek work (Millar, 1989 among many others).

In addition, there are issues involving the relative earning capabilities of men and women. Despite their increased participation in the workforce, women's earnings are still substantially lower than men's. Thus the reality is that in most cases men will be supporting women under the CSA, with reduced incentive for women to increase their earnings, or to act to change this pattern (McCarthy & Simpson, 1991).

Following divorce and separation women's financial status most usually deteriorates, whilst men's most frequently stays the same or improves, following a short period of

decline (Marsden 1973, Millar 1989, McCarthy & Simpson 1991). The figures quoted above regarding the relative wealth of absent parents in no way belies this, as they can be interpreted as showing that absent parents start from a lower base. The workings of the CSA, although in part designed to correct this imbalance, can be seen as an influence towards reinforcing it.

The inclusion of Artificial Insemination Donors within the remit of the CSA can be seen as threatening the choice of women to have children independently of men. Whatever one's moral position on this freedom of choice, it is one which has been vociferously supported by some sections of the Women's Movement and this legislation can be seen as affecting their individual liberty, in an unpredictable way. Equally, experiments in communal care for children - popular in the mid-seventies (cf the experience at Laurieston Hall (Rowbotham 1989)) - are precluded when natural parents are given total responsibility for their offspring.

In addition, the early days of the post-war Women's Liberation movement was much preoccupied with the image of women in western society (Rich 1976, Rowbotham 1989). Advertising, pornography and the media were attacked for presenting restricted role models for women which reinforced their social and personal oppression. The CSA can be seen as returning to older patterns of defining women, primarily as mothers, and with their legal authority to question lone mothers as to their sexual partners at the time of conceiving their child, reinforcing the madonna/whore split that feminism had sought to render obsolete.

Maclean (1998) argues for the support and strengthening of the CSA on the grounds that it will establish the right of children to support and at a higher level than that previously awarded. Despite mistakes and bad publicity she considers that the CSA has made a reasonable attempt to raise the awareness of child poverty post separation and the need for resources to be divided more equitably between men and women.

## **7.2 Employment Patterns**

"In addition to cyclical and seemingly permanent unemployment, France faces a problem of recurrent unemployment - *chomage d'exclusion* - in which many move back and forth between idleness, internships, training courses, and part-time jobs."

Silver 1994, quoted in Byrne 1997: 3

The changes in employment patterns since the early 1970s is a factor that is important when looking at social change. Whereas the full employment post-war had made the welfare state possible (Glynn 1994), the rising numbers of unemployed not only had cost implications for their own support, but put plans to strengthen the welfare state in jeopardy.

Byrne (1997) argues convincingly that rather than the jobless being a static, homogeneous group, they are, like lone families, dynamic and diverse, with a large proportion of the working population being subject to insecure short-term work interspersed with spells of unemployment. It is certainly incontrovertible that the type of work available has changed dramatically since the early seventies when the majority of jobs were in manufacturing and heavy industry. The pattern in the late 90s is for service industry jobs to predominate with women now making up almost half of the workforce (DfEE statistics).

Women's increased role in the workplace is commonly seen as contributing to family breakdown (McKay 1998) coupled with the rising insecurity of male employment leading to marriage being less likely to mean financial security (Rowlingson & Mackay 1998). Employment patterns can therefore be seen to be an important issue for child support, however, although I will address some aspects of the topic, it is not a major part of this project.

### **7.3 The Rights of the Child**

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child must be a primary consideration".

Article 3, UN Convention on the Rights of the Child

By April 1993, 134 countries had ratified the Convention. The UK did so in December 1991, several months after the Child Support Act became law, although some time before its implementation in 1993. The Act clearly comes within the Convention in that it authorises a public institution, the Child Support Agency, to act on behalf of children in obtaining financial support for them from their natural parent or parents who no longer live with them. I am unaware of any cases having been taken against the Agency by a child, although I am sure that many have felt that their best interests are not its primary consideration.

In fact, the viewpoint of the child is not the remit of this study. I have taken only the views of the adults involved with the Child Support Agency. However, the rights of the child add a further dimension to the issue of child support, which as the sections above highlight, is already complex a one. The Child Support Act had at its heart promoting the welfare of children (Children Come First, 1990, Clarke et al 1995 among many, many others), albeit couched in financial terms.

Other areas of law accept that there is more to parental responsibility and child welfare than finance. The Family Law Act (1996), for example, stipulates that there be a longer waiting period before divorce can be finalised, for couples with children under 16, than for those who have no children within this age group (Haskey 1997a). It may be debated whether or not this type of rule is helpful, but it does reflect an understanding of the other dimensions to responsibility. Additionally, the Children Act (1989) extends the meaning of welfare of children in ways that are alien to the remit of the Child Support legislation, and conflicts between the two acts are the subject of academic debate (Leigh 1992).

Thus it can be seen that this area adds a further dimension to the overall topic of child support.

### **Afterword**

Despite the relevance of gender to the topic of research, and perhaps to my own surprise, this issue did not feature prominently in the project. This may in part be due to the composition of the sample. Whatever the reasons, it is a theme that remains to be investigated.

Work issues and the rights of the child, did emerge within the project and are discussed when raised by the sample, as well as within the overall research

### **8 What are the Alternatives?**

"(1) the Supplementary Benefit will assess the means of the liable relative and determine what is proper for them to pay the Commission in or towards satisfaction of the money they have paid out;

- (2) the Commission will be entitled to order the liable relative to pay to the Commission the amount so assessed. We call such an order made by the Commission an "administrative order";
- (3) subject to rights of review and appeal, the administrative order will be legally binding on the liable relatives and enforceable against him by the Commission through normal court processes;
- (4) the amount of the administrative order will in no case exceed the amount of the lone mother's entitlement to supplementary benefit. Within this limit, the amount will be within the Commission's discretion. In exercising this discretion, the Commission will act in accordance with published criteria for assessment, framed so as to produce a fair result in the normal run of cases; but the discretion will always be available to allow for individual circumstances;
- (5) the Commission will never be in a position of having to pass judgement on matrimonial conduct"

Finer 1974: 493

Although the Finer (1974) proposals were not adopted at the time (Marsden 1973), the Child Support Act (1991) endorsed some of their principles, namely, a link with Social Security law - albeit administered by a new arm, the Child Support Agency - the responsibility for assessment; the lack of judgement on conduct; and the legal enforceability of their decisions. Discretion was, however, omitted from the CSA's remit, as was a Guaranteed Maintenance Allowance - the main proposal put forward by Finer - payable as of right to all children in lone parent families, and according to income to all carers (Finer, 1974).

In addition, rather than continuing the dual systems of civil and public law which had existed prior to its establishment, the new legislation hoped to cover all cases of child and carer support. This was not to happen - but for practical rather than ideological reasons as the work load of the new CSA did not permit addressing non-benefit cases within the original timescale (Bennett 1997). It did however replace existing orders made previously by other arms of the judicial system.

When looking at the possible alternatives to the existing system it is useful to examine what other systems there are in operation, as well as what levels of broader support there are in other countries. Bradshaw & Piachaud (1980) examine the differing situations in the European Community, finding that the levels of child support in differing countries vary enormously. Although this study is now somewhat out of date and is not concerned solely with lone parent families, it provides a good background for investigation into differing systems, in particular highlighting the complexity of the area when education, health and housing are taken into account, and ranking different countries as regards general child support.

Belgium, France and Luxembourg were consistently the most generous countries, whilst Italy and Ireland were consistently the least generous, with those in between having variable performances depending on family compositions and income level (Bradshaw & Piachaud 1980 p129). In spite of these relative rankings, Belgium and Luxembourg did not pay additional allowances for lone parents, relying on the general child support scheme, and this was the position in Italy and Ireland as well. Denmark, Germany, France and the UK all paid extra cash benefits to lone parents whilst the Netherlands gave extra help through the Income Tax system to earning lone parents.

In 1993, Bradshaw returned to this theme in the DSS Report "Support for Children" where data for 15 countries were compared over the same criteria, but including data on lone parent families (before housing costs). The additional countries were Norway, Australia, Portugal, USA, Spain and Greece, and because of the rise in working mothers with pre-school children, child-care costs were included in the equations.

This study showed Luxembourg and France maintaining their top positions as regards all families. Norway heads the table for lone parent families (followed in second and third position by France and Luxembourg), the UK ranking seventh (moving to fifth if the non EC countries were ignored) and Spain ranking bottom (Bradshaw et al 1993). Although these studies do not look at maintenance, they are useful as the background to differing levels of overall support for children in different countries.

In her 1994 paper to the Social Policy Association, Millar points out that there is a strong correlation between those countries with high levels of support for all children and those who treat lone parents generously, concluding that any comparative

analysis should look at the broader picture of child support. In addition, when looking at employment rates for lone mothers - an important factor in raising income in this group - she argues convincingly against the suitability of economic models for predicting behaviour as, although there is some correlation between employment rates for all mothers and employment rates for lone mothers, "...there are a group of countries where lone mothers are more likely to be employed than married mothers.." (Millar, 1994 p 12).

She suggests the creation of three groupings to account for these anomalies. Firstly, the countries where there are high employment rates for both lone and married mothers - primarily Scandinavia, but also France and Belgium - where female employment is supported by a range of services (principally child care), employment rights (mainly parental leave and pay policies) and benefits (universal family allowances and maintenance guarantees), with these policies leading to the lowest poverty rates.

Secondly, the countries with low employment rates for lone and married mothers (including the UK and Australia) where there is little support for mothers to enter employment, and non-employed lone mothers are provided with income to remain at home, with these policies leading to quite high poverty rates, but not the most extreme levels of poverty. The third grouping - which includes southern European countries - where support for employment is low, but there is also little or no support for staying at home with children, leading to high rates of employment for lone parents and low rates of employment for mothers with partners, leading to the most extreme poverty (Millar 1994).

In addition, Millar & Warman (1996) look at family obligations in Europe, dividing the systems in operation into three broad categories - Individual autonomy- whereby the emphasis is on citizenship rights and individual entitlements and the state rather than the family providing support, and with some minor differences, embraces the systems in the Scandinavian countries, - Nuclear families - whereby rights and responsibilities are defined as focusing on the nuclear family and this group includes the UK, and - extended families - whereby familial responsibility is widened to include grandparents, siblings, uncles and aunts. This last grouping is made up of southern European countries including Spain.

Lewis (1997) reappraises support for lone mothers in Europe finding that, as is the case in Scandinavia, systems which promote work and a social wage, or as is the case in Germany, systems which support all mothers to care for children, are the most favourable for lone mothers. She concludes that systems which only promote work are "doomed to failure" (p 17).

Bird (1993) considers in some detail the Australian system of child support which was introduced in two phases in 1988 and 1989, as it had influenced the UK's changes to the child maintenance system. The Australian system also relied on statutory formula together with collection by an Agency. In spite of some differences, he considers that it is "...very similar in structure and philosophy. One advantage ... is use of the tax system to enforce payment." (p 20).

From the above, it can be seen that, when looking at alternatives to the Child Support Act, it would be fruitful to examine in some detail other systems as they exist. In particular, I consider that the Australian system is a useful comparator, partly because of the similarities between the two structures, but also because of the differences - perhaps most notably the lack of popular outcry (Millar 1994).

In addition, looking at what is in force in Scandinavian countries, where the basis of assessment is radically different - namely individual -, maintenance is guaranteed and levels of other support are high, and a southern European country, where again, but oppositely, the basis of support is dissimilar to that which exists in the UK, namely based on the extended family and where levels of state intervention are minimal, could also be fruitful.

## **Afterword**

The lessons from other systems will play an important part when evaluating planned changes to the legislation, or considering alternatives. The Australian model - rooted in the tax system but otherwise very similar to the CSA legislation - is a useful comparator. However, the experience of European countries, notably Scandinavia and Spain, which provide contrasting examples of alternatives, will also be useful when considering viable systems of child support.

The following section brings together the sections above and sets out the questions that this research is planned to explore.

## 9 Conclusions and Research Questions

"In the process of research, we embark on empirical work and collect data which either initiates, refutes or organises our theories which then enable us to understand our observations."

May 1993: 22

The above sections indicate the complexity of the issues surrounding child support provisions. The history of the British approach to this topic, the current debates on the family and the welfare state, the reality of employment opportunities, all have implications for current policy, and in turn influence research objectives. In addition, contemporary theories on the importance of complexity and dynamics when considering social phenomenon also play a part in designing research.

The history of child support is one rooted in division between social groups where the rich relied on the civil and religious courts whilst the poor were ruled by the Poor Laws. I therefore intend to assess, with reference to my sample group but also by documentary analysis, how far the Child Support Act has changed this pattern and created one law for all, as opposed to continuing the existing dichotomy and divisions.

Although the Act was designed to cover all child support, operational pressures soon meant that its scope was restricted to parents with care who claimed a means-tested benefit, thus excluding a large section of the population from its remit. The much publicised divorces of two of the wealthiest families in the country - the Waleses and the Yorks - at a time when the CSA was receiving intense media coverage, highlighted how, when it comes to child support, some are more equal than others, as the legislation was never intended to include the richest decile of society.

The modern family is agreed to be a diverse and complex institution, although opinions differ as to what society's reaction to this reality should be. I therefore consider it important to look at how far the Child Support Act is successful in its response to the current needs of the family, in terms of catering for increased diversity and enabling people to adapt to the insecurities of modern life.

Although lone parent families are an important aspect of this, stepfamilies, which were largely overlooked in the legislation, are also a crucial focus within child

support provision. Repartnering has been shown to be an important route out of lone parenthood and the poverty associated with this family form. How far has the CSA made repartnering easier, or has it made this transition more problematic? To what extent is it successful in dealing with the complexities of the modern family? How responsive is it to the fluctuations in income, and the instabilities in employment which are a common feature of modern life? How far does it facilitate entry into and retention of employment within the affected groups?

I intend to address these questions principally by analysing the experiences and responses of my sample group. In addition, however, I will use the findings from other studies as well as statistical data and analysis of the legislation, including the changes which have either been implemented or proposed.

The future of welfare provision is an important current debate in terms of its cost and purpose as well as the more specific aspects such as its form and structure. As the most recent addition to the Social Security system - the most expensive part of welfare, and state provision - it is important to look at how far the Child Support Agency has met its aims, and fits into the overall policy objectives for the welfare state. Thus I intend to assess its success in achieving its financial targets, but also its aim to increase responsibility for children. In addition, I intend to look at how its structure fits into the modern concept of customer care and choice within welfare provision.

Again the views of my sample as to their perceptions of these issues will be important, however, it will also be necessary to examine and compare policy statements against the policy outcomes from official and other sources. The Green Papers on Child Support, the reports of select committees and independent research will all feed into the findings in this area.

Financial aims also have an impact on individuals, so I also intend to address what have been the financial outcomes for those affected by the CSA - parents with care, absent fathers, new partners and, by extrapolation, the children. This part of the study will be primarily taken from the views of my sample group, although some comparisons will be made with other research findings.

As the reforms included an implicit agenda of discouraging lone parents, because this family type is commonly perceived as the cause of many problems within society, I

also intend to look at how far this aim has been achieved by the Child Support Act both in terms of changed attitudes to forming lone parent families and statistical data as to the numbers of these families. Again I will rely both on the sample and documents for this part of the research.

Lastly, with reference to alternative systems in existence, and more radical ideas for child support, for example the maintenance guarantee (Millar 1998), I intend to look at alternatives to the CSA, within the situation in the UK. As part of this process I will offer a critique of the current reform agenda for Child Support. This area of study will rely mainly on documentary sources, both official and academic.

Having set out the research agenda, it now remains to look at the methods that are to be employed to examine the issues proposed, which is the subject covered in the next chapter.

## Chapter II

### Research Methods

"As we are all aware, different groups within society have different interests and frequently behave in ways to further those interests. An ability to define a problem or issue according to values, will in its turn, affect all stages of the research process but, in the first instance, its design and aim."

May 1993: 35

#### 1. Introduction

To a large extent the methods used in academic research are dictated by the personal perspective of the researcher. In my case, having a background in client-centred Counselling and Guidance and Feminism, I knew from the outset that I was interested in putting the views of those with personal experience of the legislation on record. Not only do I believe that this is a valid way to describe any social phenomenon, but I am also convinced that these views are too often either ignored, or if aired, only in caricature by the media.

In addition I was aware that I wanted to include my personal perspective, both as a mother - sometimes classed as a lone parent - and as a Welfare Rights worker with the CAB (later in an F E college). I also realised that, although I am proud to be numerate, I had no interest in producing a purely statistically based study.

However, it was evident that I needed some theoretical basis to justify my choice of methods and perspectives. Methodology was a prescribed part of my Induction programme - a topic that I only knew as a source of grief for my fellow undergraduates in the early seventies - linguists being somehow exempt. A brief scan of theses in the University library confirmed my earlier impression - the subtleties of method concerned Sociologists far more than Historians, Law Students or Educationalists!

Therefore, despite, or perhaps because of, the lectures and seminars in my first year, I found myself in search of theoretical justification for my predilections, rather than looking for a method that fitted my theoretical notions. Luckily I found the basis I was looking for.

## 2. First Steps

My first discovery was "Mothers Alone" (Marsden, 1969) at the time a study which broke new ground in giving single parents a voice within the Social Policy debate, using in-depth interviews to research the lives of this group, who up to that time had been seldom studied. My second discovery was "One parent families - parents, children and public policy" (Popay, Rimmer & Rossiter, 1983) which used documentary sources to look at an issue which continued to be of importance to policy makers. Thus I had found similar treatment of the topics under scrutiny to encourage my natural inclinations as regards my methods of research.

Subsequently, I found that feminists had begun the criticisms of the scientific method in research, beginning the challenge to objectivity and arguing for the inclusion of the researcher's biography within the body of the work (May 1993). In addition, post-modernist thinking - although slow to impact on Social Policy - had introduced elements of uncertainty and ambiguity into the validity of research methods, and the "construction of the subject" (Mann 1998). Thus I was also able to find theorists who supported my questioning of the "impersonality" of the method.

Although Marsh (1982) considers that survey methods using questionnaires or structured interviews are capable of eliciting as broad a range of data as qualitative methods, Bulmer (1986) outlines the case for using depth methods of interviewing to examine the impact of policies on clients by providing detailed examples of policy outcomes. In particular, he suggests that insights can be gained into "...life-styles (that) are remote from those of the average policy maker" (p 196), and, in my view researcher. Although criticisms of this method include the lack of standardisation making comparability between responses problematic, the heightened subjectivity of results and the increased interviewer effect (May, 1993), I considered that these disadvantages were outweighed by the possibility of gaining the participants' perspectives.

In any case, the small scale of the sample (see below) meant that the only possible comparisons were internal - and as all interviews were to be conducted in the same manner, this was not an issue. As regard the subjectivity, the feminist debate on the process of interviewing as forwarded by Oakley (1990, cited in May 1993, p102) advocates the breakdown of the public-private divide and sees sociological research

as ".....an essential way of giving the subjective position of women not only greater visibility in sociology, but, more importantly, in society, than it has traditionally had". Thus, increased subjectivity allows respondents, of both genders, a voice, and will facilitate one of the aims of the project, namely gauging the legislation's effects.

Having found a theoretical basis for my preferred interviewing method, I then discovered a method of data analysis that had a strong personal appeal. Rose in "Deciphering Social Research" (1982) introduced me to the idea of "participant concepts" or themes which are not predicted prior to the interviews, but emerge in the process of collecting the data. Whilst not precluding predicted concepts, Rose argues for flexibility which allows other concepts to emerge during the research. He outlines a method of linking indicators to concepts which can be used either in observational or interview-based studies.

However, I did not adopt his codification and computerisation methods. Kelle (1997) warns against over complex coding in that it alienates the researcher from the data - in the context of textual information. This can for me be extrapolated to my unwillingness to transcribe the data verbatim. The "text" was oral and should be understood aurally - not in written transcription.

Glaser and Strauss (1967, cited in Rose, 1982, p 126) support a "constant comparative method" constructed around "grounded theory", or the method of entering the research process without a theoretical basis and allowing the theory to be formed by the data, as it is collected. Although this extreme view has, inevitably, been criticised as impossible to achieve, as all research begins with some theoretical base, however loosely formulated, it does allow a level of flexibility, which I find appealing, and to some extent reflects the reality of my approach.

As I have already stated I come from a Feminist and Person-centred background, and so I was unsurprised to find myself in sympathy with the notion that the researcher's biography is of importance in the research process. I knew from my own experience that the interview is a two-way process and was pleased to find a theoretical justification for this view. "Dialogic retrospection" (Humm, 1989, cited in May 1993, p 14) may not be an elegant term but appears to encapsulate my belief in the impossibility of objectivity in research. I have, inevitably, included some of my personal experiences as part of my research, adopting the convention of adding it as an appendix.

Lastly, both on account of my position as an expert in Welfare law, and the source of my sample, I felt under a moral obligation to respond to any requests for information about the CSA during the interview process, and to actively offer assistance as I deemed it necessary. Again I was not surprised to find that this approach was situated within the feminist schools of thought. Oakley whilst carrying out the research for "From Here to Maternity: Becoming a Mother" (1979), found that she was ethically obliged to answer some of the questions that arose, when she had the knowledge to do so. This was in complete contradiction to the standards of the time.

Whereas the position adopted by Bronfenbrenner that "..the only safe way to avoid violating principles of professional ethics is to refrain from doing social research at all." (cited in May, 1993, p43), might circumvent some moral dilemmas, it would inevitably pose the ethical problem of whether policies can be implemented without measuring their effectiveness. On the other hand, the position that dictates that the researcher must not give informed advice to participants, also poses ethical problems. My chosen path was the only one that I could have comfortably adopted, particularly as I was bound by the ethics of my professional work as a Welfare Rights adviser.

Thus having discovered some personally appropriate methods, I embarked on my research.

### **3. The Practicalities**

#### **3.1 The Interviews**

"Language organised into discourses (what some contributors here call interpretative repertoires) has an immense power to shape the way that people, including psychologists, experience and behave in the world."

Burman & Parker 1993: 1

I have already discussed my choice of "depth or semi-structured" interviewing both from a personal and a theoretical perspective, however, because of my experience of data collection within the CAB, I also used a face sheet of questions which, if they did not emerge in the interview, I would pose at some point in the meeting. (see

Appendix III). This list of information that I considered essential, was revised during the process, according to the theories of Rose (1982) as outlined above.

Although there is support for the interview as research method, there are also criticisms, including interviewer effect, which is a factor in all interviews. Brenner (1981, p120) suggests that there are three sources of bias "...namely, background characteristics (such as age, education, socio-economic status, race, religion or sex), psychological factors (such as perceptions, attitudes, expectations or motives), and behavioural factors (these relating to inadequacies in the interviewers' task performance)" and gives many examples of their effects. His conclusion is not to abandon interviewing methods but to encourage awareness of interviewer effect and to propose complex procedural rules for use in structured interviews.

May (1993, following Moser and Kalton, 1983) suggests that accessibility - the respondents' access to the information required - cognition, - the interviewee's understanding of what is required, and motivation - the participants' desire to co-operate must be considered and acted upon. The semi-structured interview's flexibility allows for probing into these areas, to ensure that they are not barriers to the interview.

Depth interviews aim to allow respondents the space to reply in their own terms, and add information which is relevant to them. Jones (1985) warns against the ambiguity inherent in structurelessness as neither respondents nor researchers are adequately aware of the significance of questions being asked or answered. Thus techniques must allow for explanation of the topic whilst avoiding leading respondents in pre-determined directions. Brenner (1981) found that open questions lead to higher rates of adequate responses.

Thus by careful consideration of the problematic areas and detailed preparation of interviewer behaviour, the semi-structured interview can allow expression of respondent concerns within the topic under research.

As an aside, the city where the research is based, being a favourite haunt of survey companies, with groups of middle-aged, middle-class women lurking behind every group of tourists and students, desperately trying to find real people to survey on washing powders, tampons, chewing gum and banking services, I took the opportunity to take part in every survey that came my way. Interestingly, their

methods left a lot to be desired in terms of minimising interviewer effect as frequently the realities of spending hours on often cold street corners meant that they often did things their own way. At the same time my (as I write these words) sixteen year-old son, confesses to always lying in interviews - the survey being a common feature of late '90's education. These "live" experiences tended to make semi-structured interviews in person even more attractive to me.

In fact, my training under the auspices of the CAB and my practice since 1990 as a personal counsellor, as well as my role in training in counselling, meant that I had fully considered these questions, albeit in a slightly different context, long before I embarked on my research. I was therefore confident that I could minimise interviewer effect by following the guidelines used in these other contexts and proposed by Egan (1982), Rogers (1965) and Truax and Carkuff (1967) in a counselling context. After all I'm a middle-aged (44), middle-class (university-educated) woman so I've been proved to be the ideal interviewer.

Despite my confidence I was well aware of the need to balance my subjective need for a rapport between myself and my respondents and the need to produce objectively measurable results within an academic framework. This I felt could be achieved by a high degree of self-awareness within the interview setting. This is again a skill which I have developed within my counselling and advice-giving roles, and although the problem has not been eliminated by my pre-existing expertise, I felt that I was well placed to minimise its effects.

In addition, the interview gives an opportunity for observation to be used. This was relied upon by Marsden (1973) to draw conclusions about his "Mothers Alone" which would not have emerged from a telephone interview, for example. Argyle (1972) estimates that 85% of communication is non-verbal, giving further support for the argument that observation can lead to important information gathering. Again, my training in counselling has developed my skills in observing non-verbal behaviour. I was confident that my years of practice would enable me to discern who was telling me what they felt and who was just saying what they thought I wanted to hear.

I considered the use of focus groups as an interview method (Callaghan 1994, Kitzinger 1994) as it can elicit new concepts out of the group process - given that the whole is often greater than the sum of its parts. However, as I was more interested in the individual and family experience of the CSA, and had already decided to put my

energies into comparative and legislative considerations, I decided that this was not an appropriate use of my resources for this project. I did however arrange to send all participants an abstract of the finished thesis.

### **3.2 Data Recording**

I considered from the outset that tape-recording of the interviews was essential. Not only did this leave me free to observe other aspects of the interview, such as facial expressions, but it also meant that I could have a record, accurate and reviewable, of what had been said. Marsden (1973) gives very little information on how he recorded his data - although he did not use any recording equipment, partly because of the primitive nature of this technology - yet quotes at length the words of his respondents.

The idea of using the participants' own words was very appealing to me, but I doubted Marsden's ability to accurately remember them, and knew definitely that I would be unable to recall long excerpts of speech, even if I wrote up my notes immediately following the contact. I also considered that without a "hard" record, interviewer perceptions would re-interpret the words of the respondents, and omit participant concepts that had not been predicted at the outset.

Although there are objections to the use of recording equipment I found it posed no actual problem at the time of the interview. With the exception of one instance (documented in the actual study and the notes to the interviews), all participants gave their permission for me to record the interview, and none appeared to be affected by the machine's presence. My view is that most people are so used to video and tape technology that its absence is now more surprising than its presence. In addition, having some experience of using video and tape as a teaching method, I find that it is at the point of reviewing the material that people's self-awareness is affected, and this was not going to occur as the tapes were for my ears only.

This leads me on to a further ethical dimension - namely confidentiality. I am well used to working within an organisation where complete confidentiality is assured. As my sample had come from the CAB - where workers are trained in all the aspects of confidentiality - it was ethically impossible for me to consider that any identities could be revealed during the writing up of my data. I consider that the data revealed in the interviews, the personal information shared in a totally unprompted way, indicates

that the participants had confidence in the confidentiality I offered them. As regards the child support officers who I interviewed I warned them that given how few there are in the area, their identities could not be totally disguised - but both had considered this prior to agreeing to be interviewed and stated that they would say what they were saying to anyone who asked them - including their bosses.

Although I had a tape recording of the interviews, I felt it was essential to analyse this data as soon as possible after the interview had taken place. I therefore listened to, and took notes from, the tapes within the minimum possible time of carrying out the interviews. I initially recorded all of the pre-conceived concepts and then re-ran the tape to record participant concepts even when I personally felt that they were not related to the issues in question.

I deliberately did not attempt to transcribe verbatim the words on the tapes, using this record as an aide-memoire, rather than transforming it into a tedious, time-consuming and expensive task. I then found some theoretical justification for this partial transcription method in Dey, (1993) "Qualitative Data Analysis in Social Sciences". Although this method relies heavily on computer technology - not a medium that I intended to use except for word-processing purposes - it also identified a key word system that I had already employed in my initial analysis. In Roberts (ed) (1981) "Doing Feminist Research" I also found support for my personalised - perhaps subjective methods - and so felt that I could continue with my projected plan, support by academic theory.

Two sections of the thesis rely heavily on the personalised view of research methods - namely the biographies of the participants and my research notes. These are to me as important as any of the conclusions or more objective analyses that are included and are fully supported as methods by the sources quoted above.

### **3.3 The Sample**

By agreement with my then employer, a branch of the Citizens' Advice Bureau, I have located a large pool of informants, drawn from those who have contacted us regarding the Child Support Act between April 1993 and August 1994 (see Appendix I for a statistical analysis, and further information on sampling methods). Although reliable information on the numbers and characteristics of lone-parents is problematic (Marsden, 1973, Millar 1989, Garnham & Knights, 1994), I endeavoured to draw my

sample in a way which produces a representative cross section, using a modified version of quota sampling, following an initial introductory questionnaire to all contacts.

During the first interview - carried out in November 1994 - it became apparent that the slow workings of the CSA meant that very little time had passed since its measures came into effect and so it would be useful to re-interview the sample at a future date. I therefore asked all participants if I could contact them again in 1995, which I did with the results as recorded in the study. I also widened my net, after the initial formulation of the sample - to include solicitors and child support officers.

In Burgess' (1982) terms this is an opportunity sample which reflects the population limitations of the area under consideration - namely a medium sized town in the north-east of England, where there are fewer than 2.5% of the population who come from ethnic minorities (1991 Census figures).

At this point I wish to reiterate the observation that a sample of this size cannot lead to generalisations about the whole population. Bryman and Cramer (1990, as summarised in May, 1993) suggest the points that researchers should consider when designing their sample: time and resources, - my time was restricted by being a part-time student with work and family commitments, and my resources were restricted as I am a self-financing student; size of desired sample, as the larger the sample the more accurate the results, - the size of my sample was restricted by the number of people contacting the CAB between the relevant dates, who could be traced [see Appendix I for more details]; the likelihood of non-response, which should be compensated for by starting with a larger initial sample {Bryman & Cramer suggest 250 for a response of 100 - a number well above my resources and the reality of a small town}; and, given the above factors, look at the advantages of a "broadly representative" (May, 1993 p 71) sample.

I feel that given the restrictions listed above I have achieved a broadly representative sample, but it is still limited by its actual size to the point where no valid extrapolations can be made beyond it to the universal sample ie all those affected by the CSA. However, the DSS Report (Ford R, Marsh A, McKay S (1995) "Changes in Lone Parenthood 1989-1993", DSS Research Report No 40, HMSO, London) uses a similarly derived sample and was, presumably, used for policy making decisions.

What is more, in contrast to the above report, I have included those charged with administering the law in the geographical area of the study - and have a very high percentage of that population represented, as well as solicitors who deal with the part of the population who do not use the services of the CAB. However, the fact remains that the sample is drawn from the section of the population who use the CAB - in general, the poorest deciles, and those who have problems with the system - and so care must be taken when analysing the results.

Yet again feminist approaches to social research would argue that "legitimate, highly regarded research is large scale, heavily funded, hierarchical. It depends on large numbers of interviews, usually by female research workers, usually under male direction. .... Feminists are unhappy with a number of features of this model - with its hierarchy, with the distance between the 'man of ideas' at the top and the 'objects of research and the data-gathering process. .." (Pascall, 1986, p 5). I can rest assured that I have not fallen into the trap of legitimate orthodoxy, although this could be a case of making a virtue out of necessity.

All in all I feel justified in using the sample that I have, as long as I bear in mind its limitations in terms of race and urban dwellers, and avoid making leaps of faith when it comes to conclusions. However, the fact that the study includes the examination of other research including official statistical reports, large scale research and in-depth interviews of larger samples, does provide comparison and lead to a degree of triangulation.

The 'working universe' to use the terminology employed by Rose (1983), was all contacts to the CAB bureau concerned within a specified period and the actual sample were those who agreed to be contacted by me who fell within the pre-set criteria (see Appendix I). There is obviously no way that the data from this sample can be used to make valid judgements about the entire group of those affected by the CSA, although, in conjunction with other research, helps to build the whole picture. It can, of course, elicit information on the perceptions of those who have little in common with the policy-makers (Bulmer, 1986).

In fact 27 people from 22 households were interviewed, as well as meetings and interviews with two CSA officials and two solicitors involved in the administration of the CSA.

I have already given some insight into my method of access to the sample - which was a case of being well placed. The figures for those who responded positively to my request for interviews are not good - and in the case of the second wave, even worse. Does this invalidate my work? Or does it just make it even more important to qualify any "results" or "conclusions"? In my view it is the latter. I must guard against extrapolating to all lone parents or all absent fathers from my group. However, the research into people's experience of the legislation coupled with my own expert knowledge gained from intimate and practical experience of social security legislation means that I am ideally placed to put forward achievable, realistic and workable proposals for change.

As regards the solicitors and child support officers who agreed to be interviewed, again I was well-placed to gain access to these groups - I knew at least half the solicitors in town and had a working relationship with the local DSS. Of course there was compulsion on behalf of the CSOs - I contacted them through their line manager, albeit asking him for volunteers, but I am convinced that I heard their real opinion of the legislation. The solicitors were a different matter with one telling me that an hour's interview would be worth £65 in her normal working time. However, I feel confident that I gained real access to their feelings and opinions about the CSA.

Thus, as I did not experience significant access problems I am not going to consider these issues in depth and I have avoided having to write a thesis on how I could not do what I wanted to as I was refused access to my sources.

A further sample problem is the geographical area of the research - a small area whereby significant groups - those from ethnic minorities and urban dwellers to name but two - are excluded, and the use of double self-selection - firstly, only those visiting the Citizens' Advice Bureau who left their names and secondly who responded to my request for an interview. My response to these issues can by this point be predicted. As long as these restrictions are explicit and as long as I do not feel justified in extrapolating to the whole population, then they will not invalidate the research.

### 3.4 Documentary Sources

Although much of the data in this study is from interviews, documentary sources in the form of government publications; the text of the legislation itself and the White Paper; media articles and broadcasts and existing analyses of the position of lone parents were also planned as a part of the study, as well as texts on the situation in other countries, primarily Sweden, Spain and Australia. Thus it is necessary to look at the limitations and strengths of secondary data analysis.

Relying on official statements can involve adopting particular ideological stances that are not in harmony with the actual reality of peoples' lives and over-reliance on official sources can infect the whole interview process with bias. It is certainly not conducive to eliciting participant concepts in a flexible way or to discovering the human reality behind policy changes (Bulmer, 1986).

Human error caused by low employee motivation and lack of understanding of their tasks within hierarchical organisations (Miles et al, Government Statistical Collective, 1979) can not only affect statistics but also the reality of the workings of large government departments. Stark (1991) outlined the current dilemmas facing Public Sector Administration, which can be seen as influencing any policy decisions within that sector, namely the conflicts between rising needs and limited resources against a back-ground of privatisation and cost-cutting measures (pp 16-17). This will have an effect on both policy statements and official statistics.

Thus particularly as regards statistics, but also in the area of interpretation of these figures, it is important to look at sources outwith government. The state is unlikely to record objectively the dimension of race and gender but rather to be firmly situated within the racist and sexist culture that exists. Feminists and black researchers have opened up the debates into these aspects of society and research methods (see discussion in May (1993) citing Stanley and Wise (1990), Rice (1990) and Lorde (1992) among others).

Thus it is now accepted that documents rather than being independent, objective reports of social reality, are firmly situated within the context of their creation and so must be approached with caution (Zimmerman (1974), Easthope and McGowan (1992), Giddens (1976), Habermas (1984)). In addition, the poststructuralist work stemming from the ideas of Foucault and Derrida look at the intrinsic form of

documents when analysing their relevance to social research. This issue is examined below in more detail when I consider the analysis of the data collected in interview.

This dilemma is particularly relevant when concepts such as poverty are considered as it begs the question of the definition of the unit under analysis (Kincaid, 1979). When less "factual" concepts are introduced, "contentment, mental well-being, stress etc" - information that is socially and culturally constructed, that is relative rather than absolute - as opposed to more observable information such as "gender, age, marital status", which are to a higher degree objectively verifiable, definition becomes even more problematic.

In spite of the problems with official documents and statistics, which are never context-free and must be situated within the paradigm that devised them, they are at least large-scale, employ formalised collection methods, largely devoted to observable and verifiable data and standardised over time, making them more suitable for counting and recording, plotting trends and establishing relationships (Dale et al 1988, May 1993). By contrast, smaller scale one-off studies, whilst providing relevant material for comparison, must also be looked at in context and in terms of their own pre-conceptions (Bryman, 1988).

It might be concluded from this outline of some of the problems involved in documentary research that the only safe passage is to avoid research, however for the reasons outlined in relation to interviewing, my position is that as long as the drawbacks and limitations are borne in mind official sources can provide very valuable sources of information for research purposes.

The above observations apply equally to comparative data - from either official, academic or interest group sources. My linguist standard in French and Spanish have assisted my reading of some texts, but the necessity to rely on translation from German and Scandinavian languages - unless the authors are writing in a second language - will only increase the problems inherent in secondary analysis. However, I feel that awareness of the problems will facilitate my interpretation of these sources.

As it turned out, many of the other studies that I have used on the Child Support Act have come from Law Journals - where the research is a mix of legal arguments about legislation and first-hand experience or Law Reports on the workings of the Act, as well as looking at comparisons with previous systems or the interactions with other

legislation. As noted above, these disciplines seem to rely less on theoretical approaches to method, so these articles, whilst making good sense to me, may not have been subjected to the same rigor in terms of method.

Lastly, the media sources are perhaps most prone to researcher bias - the source of the information is already firmly situated within a political and social framework, to which it is only too easy for a researcher to unconsciously react. Macdonald and Tipton (1993) enumerate some of the issues in using media sources for research, as follows: errors - has there been accidental misrepresentation; distortion - what is the political bias of the editor or owner or author; and audience context - who is the media aiming to reach. They are discussing the Times Law Reports and so perhaps contain lessons for my analysis of Law Journal articles.

These important points must be borne in mind when attempting to analyse media documents, and no doubt influenced my eventual decision not to include this area of research within this project.

The same authors also assemble guidelines for more generalist, document interpretation and evaluation. These are: authenticity; credibility; representativeness; and meaning. Firstly, the researcher must guard against deliberate attempts to distort the truth - as was witnessed in the Hitler Diaries; secondly, attention must be paid to whether or not the author has ulterior motives in writing the document; thirdly, whether or not there has been bias in selecting the documents on which research is based is important just as this issue is relevant to sampling; and lastly, unless the poststructuralist model is followed, the meaning of the text is of significance.

Again, I rely on my awareness of these issues as the first step for avoiding the pitfalls, and constant vigilance for the second step. I can only hope, at this stage, that I can live up to all my standards of excellence.

### **3.5 Definitions - Who are lone parents, absent parents and second partners?**

Defining terms is always an area of concern during research. Millar (1989) proposes the usual definition of lone parent, namely "families consisting of a mother or father living without a spouse, and not cohabiting, together with her or his never-married dependent children (ie children under 16, or under 19 and in full-time education.)" (p 6).

However, the definition hides the various routes into and out of, lone parenthood, which include death of a partner, separation, divorce, ending of a cohabitation, and the absence of a relationship with the other parent. For obvious reasons the CSA is not concerned with widows or widowers, and I have not included them in my research.

Estimates are derived from administrative data, such as DSS figures, Census data and data from social surveys, all of which are prone to the discrepancies already discussed. Comparing statistics from other countries can also be problematic. One obvious difference between Spain and the UK is that there is no nationally collected readily available data on lone parents in Spain - las **madres** solteras (the word for parent in Spanish being padre or father and lone fathers being statistically insignificant in Spain and estimated at 5% of lone parents in the UK).

Now that the universal benefit one-parent child benefit is to be abolished (with take-up figures of as near to 100% as is possible in a climate of anti-welfare dependency - with the largest gap being those who are in receipt of a means-tested benefit (ie Income Support or Family Credit) where the extra money is deducted pound for pound, but whose status as lone parents is measured in the amount of benefit they receive), the UK may also experience problems calculating the actual numbers of lone parents at any given time.

The problems of definition and reliable numbers as well as the disparity between different routes into lone parenthood must be addressed. Relying on CSA definitions, which reflect the reasons for collecting such information, can be problematic (Dale et al, 1988; May, 1993). My commitment to participant concepts meant that although I use the CSA terminology, I also acknowledge that some of it is deeply offensive to respondents. In particular the term "Absent father" did not fit with many respondents' view of themselves nor their role within their child/children's lives.

As could be predicted from my theoretical bias, I rely on self-description - if someone describes themselves as a single or lone parent then I accept their definition, whilst being fully aware of how the term is defined in the CSA legislation.

As is common in legislation an early section deals with the meaning of important terms:

"3.- (1) A child is a "qualifying child" if-

- (a) one of his (sic) parents is, in relation to him, an absent parent; or
- (b) both of his parents are, in relation to him, absent parents.

(2) The parent of any child is an "absent parent", in relation to him, if-

- (a) that parent is not living in the same household with the child; and
- (b) the child has his home with a person who is, in relation to him, a person with care.

(3) A person is a "person with care", in relation to any child, if he is a person-

- (a) with whom the child has his home;
- (b) who usually provides day to day care for the child (whether exclusively or in conjunction with any other person); and
- (c) who does not fall within a prescribed category of person."

#### CHILD SUPPORT ACT 1991 (c48)

Of course, life - and especially when it concerns sexual relations - is never as simple as law makers might like, and all of my respondents were more than lone parents or absent parents or second partners or child support officers or solicitors. In addition, life is not static and people's roles change with time - so where I could contact people more than once - it was not unknown for their status to have changed, in the intervening time. In addition, although the legislation does not allow for this, parents who had arranged shared child-care could **both** be lone parents, and some absent parents were more involved with their children than many "present" parents.

Where do these complications leave the researcher? In my case, it left me feeling that I just had to come up with the best-fit definition as regards the sample and treat other research and statistics with a pinch of scepticism. I feel that the section giving the biographies of my sample group is there to assist in definitions of my research base, but, sadly this is usually not available in other sources.

### 3.6 Analysis

So, having more or less decided on my methods of data collection, how can I make sense of all these hours of tapes and notes and photocopies of articles? Again my

predilection for "grounded theory" has allowed me to consider analysis as I collect the data. Looking at my original research proposals, I realise that I envisaged including more background research, for example a detailed examination of Finer (1974) as part of the thesis. The finished article is more streamlined and focused than the hazy ideas I began with in 1993.

### **The Oral Data**

As mentioned earlier, I went over all interviews within as short a space as possible of conducting them, listening to the interview several times, taking coded notes and picking out points that seemed important to the respondent and to me. This was an exercise in aurally comprehending the data, a method to which I feel that my background as a linguist and a personal counsellor is especially suited.

Dey (1993) supports this process of familiarising oneself with the data so as to have a firm understanding of the contents. I then analysed the coded notes for concepts and categories. I deliberately retained the data in oral form - except for the purpose of quoting parts for this thesis - as I felt that this would retain the message in its entirety. However, I have found no theorist who supports this method of analysis. All discussions I have read are based on the written text, albeit the transcription of oral data.

Wooffitt (1993) looks at transcription conventions and warns against ignoring this aspect when analysing accounts. In his section on methodological issues he draws attention to the factors which are lost or deemed irrelevant in transcription by professionals (p 304). Argyll (1972) would argue that many of these non-verbal features can alter the meaning of a text. I would argue that my method of understanding and analysing the oral data as a conversational whole, has served to avoid many of these pitfalls.

I can make no argument for the objectivity of this method. Firstly, my impetus for research was a personal and professional interest in the subject so that at the time of the analysis my preconceived ideas would be involved. Secondly, my interest was based on a firm understanding of the legislation and its workings which would also have an affect on what I chose to focus on in the data. Lastly, as is well established in quantum physics, and psychology, the observer changes the phenomenon observed, so the very fact that I had contacted these respondents and arranged to

interview them, let alone was conducting recorded interviews, would change the results.

However, within these limitations I did my best to absorb the information and code it from the view point of the respondents. Yet despite myself, I was able, until the point of organising the evidence, to remain insensitive to an overriding message. In retrospect, I can see this as a function of my "reading" the text for preconceived messages - financial, social and personal effects of the legislation. To me, my eventual discovery of the overriding participant concept supports the fact that I did record what was felt and said as opposed to what I thought was being felt and said and that the retention of the data in oral form aided me in this discovery.

In addition, although I drew on the ideas of Dey (1993) to formulate the codes and concepts, as well as to construct models of the analysis, I did not use a computer to analyse the texts or categorise the codes. Kelle (1997) supports my position on the use of computer technology in qualitative research, when he welcomes the aid to cataloguing it provides but warns against over-simplified coding and possible alienation from the text (p 14).

### **Discourse Analysis and Post-modern thought**

Post-modernists have an increasing influence in sociological research, in particular their questioning of fundamental concepts such as the rational subject which have developed into unquestionable truths, rather than being seen as possible, culturally-conditioned theories. Apart from being affected by their thought because I am a well-educated, possibly over-educated, middle-class intellectual living in the late 1990's, I have not found myself attracted to their way of analysis of real life, as it affects issues such as the Child Support Act.

Their concerns are interesting on an intellectual level, giving me food for thought, but do not, in my opinion, greatly assist in the analysis of real lives confronted by the big brother of the state. Although I did not put it to the test, my gut reaction is that my respondents would have laughed at their theories, asking what had they to do with their struggle to pay the bills and retain a real connection with their partners and children. Yet are these people's strongly felt reactions to life invalid, because of their ignorance of the new ideas regarding the way we understand our world - a way which is for me very appealing and ultimately very democratic? Or is post-modern

thought irrelevant because it does not touch the "reality" as constructed by my respondents?

Potter and Wetherell (1987) introduce their book "Discourse and Social Psychology - beyond attitudes and behaviour" by stating that it examines "...the subtle ways which language orders our perceptions and makes things happen and thus shows how language can be used to construct and create social interaction and diverse social worlds" (p1). They go on to define discourse as covering "...all forms of spoken interaction, formal and informal, and written texts of all kinds" (p7).

It would therefore appear that this method of analysis could greatly assist my study - based as it is on "discourse". Especially as the authors claim that it is "...a radical new perspective with implications for all socio-psychological topics" (p32), amongst which must be included my area of research.

One of the fundamental implications of Discourse Analysis is that "the descriptive accuracy of discourse and its adequacy as a map or a chart of private subjective, mental experience is the non-issue from (its) perspective" (p179). Discourse can be analysed through Discourse Analysis without any reference to its relationship to inner mental states. "Participants' discourse or social texts are approached in their own right and not as a secondary route to things "beyond" the text like attitudes, events or cognitive processes" (p160). No doubt legislation would be included in this list.

Argyle (1978) whilst welcoming new thought on old issues, disputed that a new paradigm had been created, and found that the new methods were as open to dogma as the old, considering that the underlying rigid views on philosophical questions such as determinism versus free-will were problematic. More pertinently, he questioned the reliance on accounts, as they gave no indication of reasons for behaviour and were frequently mistaken.

As the title of their book suggests, Potter and Wetherell are particularly concerned with attitudes. Their analysis of transcripts of discourse, casts doubt on the existence of fixed, underlying attitudes which can be isolated and examined. By applying the main tenets of Discourse Analysis, namely function, construction and variation, to traditional attitude research, they shift the focus away from attitude and on to language construction and its consequences.

They go on to examine a topic which is of particular relevance to this study, namely Accounts - that is excuses and justifications for behaviour that is seen as reprehensible. They suggest that this study can clarify the nature of the normal, as the accounts are concerned with reactions to a breakdown in normal conduct. They suggest that detailed linguistic features play an important role in the function of accounts, and these aspects are not taken into account in much social research which is based on oral or written texts.

Their analysis involves the search for pattern in the data. This takes the form of identifying differences in content or form and shared features. They suggest that often our initial impression is that a text has high inner consistency, because the primary function of language is communication and communication demands that the features which are important to Discourse Analysis are ignored when the meaning rather than the function, variation and construction is primordial.

Although my knowledge of Discourse Analysis as propounded by Potter and Wetherell must have informed my approach to the texts that form the basis of this thesis, its attempt to divorce language in use from underlying attitudes and behaviours, is not, from my perspective, a realistic position to adopt as definitions of function and variation must depend on the interpretation and attribution of the researcher, which I have been at pains to state cannot be objective.

More attractive is the variation put forward by Macnaghten (1993) which puts more emphasis on "...the social relationships it implies and the human uses it legitimates" (p 55). His analysis embraces the concept that rather than an idea having an independent reality outside of human interpretation, it is constructed in various ways by those who are affected by it, and these constructions can then be used as argumentative strategies, within discourse.

Mann (1998) argues that postmodernism does have a place within social policy, but is critical of some proponents' lack of understanding of the existing debates whilst, at the same time, calls for an increased sensitivity and reflexivity within Social Policy. Despite some lapses of understanding and arrogance on the part of some postmodernists, Mann concludes that some of their concepts, such as risk, ambiguity and diversity - which have been included within Social Policy for some time, albeit at the margins - must be embraced, in order for the modern realities to be addressed.

Carter (1998), whilst acknowledging that Social Policy has been very late to take on the postmodern challenge, considers that "we are currently at the stage of suspicious circling" (p 113) and draws parallels with feminist analysis, which joined the fray some ten years earlier. He predicts that there will be much debate on issues of difference and universality - debates which concern social policy, especially in the welfare realm - and confusion as to what is the social when identities and realities are called into question. However, he concludes that this could create an exciting new phase for Social Policy, both as its lived and as its studied.

Whilst I wish to include these concepts in my analysis, I also wish to embrace a far more traditional method based on those used by the Fabians and carried into the research in the Finer report (1974) and Marsden (1973) (as well as current DSS Reports) where a concern about bad legislation drives an analysis with the purpose of improving this situation.

Thus with no apologies despite this justification I embark on the writing up of this research according to the preceding methods.

## Chapter III

### RESEARCH FINDINGS - Part I

#### Financial Effects of the CSA

"...for a researcher to pretend that they have 'discovered' the repertoires that govern what people say would be to do violence to what people actually say (and what they say they are saying). Moir wants to recover what sense his interviewees are making of the questions, rather than sum up what they are doing with a label, he, the analyst, has imposed."

Burman 1993: 5

#### Introduction

Although I have not followed Moir's (1993) method, I have borne it in mind when analysing the data I have collected from the respondents. The Interviewee Profiles and Notes to the Interviews (Appendices I & II) are to be read in conjunction with these chapters on research findings where I have, for academic reasons, imposed my perspective on the views and situations of those who participated in this research.

For the purpose of this chapter, 27 people from 22 households were interviewed, but as one interviewee - the grandmother with care - did not come under the remit of the CSA - the data relates to 26 people from 21 households. This group consists of 12 women and 14 men. In five cases, current partners were interviewed together. In six cases, the CSA categorisation would be as parents with care, but in three of these cases there were also absent parent responsibilities. In 15 cases, there was only CSA involvement as an absent parent. In two of these cases, only the new female partner was interviewed. Appendix I provides fuller information on the sample.

I wish to acknowledge the participants who gave of their time so freely and willingly and without whom this project would have been impossible in this shape and form. Their words are used to introduce sections of the findings. That said, the responsibility for these chapters lies completely with me.

In terms of organisation, the following four chapters detail the analysis of this research. The first deals with the data relating to the financial dimensions of child

support and the second on the impact on relationships and the family. Both contain information gathered from the interviews, supplemented by secondary data - government reports of committees and White Papers, other research projects, and other sources of information on the issue of child support.

## **1. Financial Consequences - Insecurity and Adversity**

In-depth interviews can gain insight into "...life-styles (that) are remote from those of the average policy maker.."

[adapted from] Bulmer 1986a: 196

"..The bairn doesn't get that money. Its ridiculous - £60.00! I wouldn't pay that . I'd rather pack in - its just barmy!....I spent money on visits...clothes.. its a waste of money!..."

Mr Cook, November 1994

As the **financial impact** of the Child Support Act was the most emphasised part of the experience I have begun with this area, recording the financial outcomes for the participants. This topic has connections with fluctuations in income, instability of employment, entry into, and retention of employment and planning for future financial stability and security. In addition, it encompasses alleviation of poverty, given that lone parents are almost universally acknowledged to be a group at risk of poverty. It also involves analysis of levels of maintenance and child support.

Given that the major impetus for the legislation was to save public money by directing money to the children of divorced or separated parents, from the non-resident partner to the one who was designated as having the caring role, the effects on the sample group in terms of finance is important to analyse.

### **1.1 The Effects of the CSA on Receipt or Payment of support for children**

Arrears of maintenance, non-payment, irregular payments and low assessments were part of the problem that the CSA was designed to overcome (Children Come First 1991) yet one of the repeated criticisms of Child Support has been its failure in these areas (Reports of the Social Security Committee, Committee of Public Accounts). The experience of the sample would confirm that these issues not only persisted into the new system, but also were aggravated.

Marsh et al (1997) found in their longitudinal study of lone mothers, that the payment rate for Child Support remained the same as for court orders (30%), and concluded that the CSA had had a neutral effect on the proportion of lone parents receiving maintenance. However, the amounts paid tended to be higher than those under the previous system. CSA assessments in payment averaged £64 whilst court orders in payment averaged £37, with average payments rising from £32 pre-CSA to £39 post-CSA, and the more typical median from £20 to £25.

In this sample, only one parent with care had received any payments under the CSA - compared to four pre-CSA, although the payment was substantially higher than the previous maintenance received - an increase of 127%. She was also the only one to have received regular maintenance payments prior to the assessment. In comparison, Ford et al (1998) in their longitudinal study of lone parents, found that 22% of lone mothers were receiving regular maintenance payments.

Four parents with care in the sample had had contact from the CSA which is a higher proportion than in the findings of Marsh et al (1997) which was 53%. In contrast, only a third of those contacted in that report had no assessment whereas two were in this position in my sample. Marsh et al (1997) found that 45% would not consider claiming child support, whereas in this research there were only two in this position.

As regards absent parents, all but two, who had taken steps to avoid liability, had had contact with the CSA, with 11 having received assessments. However, although in 10 cases this was an initially higher amount, many of the final assessments were lower than payments which had been in place prior to the new regulations. When payments were substantially higher, this was often problematic. Davis et al (1998) found that 17% were paying less than or the same as previously, whilst 54% were paying more, with the latter figure being roughly comparable to my sample, but the former substantially lower.

In addition, there had been considerable fluctuation in assessments. There were a combination of causes for this. In some cases it was because of a failure to comply with the requirements to return forms, resulting in a high interim assessment, in others because of changes in circumstances or as a result of changes in the law. However, as there was also a high level of error in assessments, it is likely that this also contributed.

The Committee of Public Accounts (1996) found that there was at least a 40% rate of error in assessments completed in 1993-94 and the CSA Annual Report (1995) found that for 1994-95 this figure was 35.9%. In addition, as many found the assessment too high, and thus considered it to be wrong, they were likely to challenge the decision. Subsequent lower assessments confirmed their initial opinion. Hutton et al (1998) confirm this experience.

In my sample, of the 11 assessed cases, in five the final known figure was a rise. In two cases, this was a rise from zero, and in the others, the rises were of 70%, 186.5% and 350%. In two cases there had been private arrangements made to avoid assessment and in these there had been a rise in payment - by 87% and 61%. Of the two new partners whose situation is not already recorded above, one had a stable assessment representing a rise of 130% and one had received fluctuating assessments with the final figure representing a fall of 54%. In both cases there had been a court order prior to CSA intervention.

CSA figures for March 1995 (Hansard Vol 260 May 15 - May 31 1995, p 332) show a mode value for child support of between £2.31 - £5.00, with over 24% of assessments being £5.00 or less and 64% less than £50, for absent parents not on Income Support. The average maintenance figure is given as £37.22. The final known figures for the sample group of absent parents assessed through the CSA (11 cases) there was a mode value of zero with 36% assessed at £5.00 or less and 100% less than £50. None of the group received Income Support.

Overall, there were 23 cases where child support could have been assessed for receipt or for payment. In four, there was no assessment, in a further four, no claim had been made, although in two, a voluntary payment was in place. Thus, in the majority of cases, 15, there was an assessment of liability, but in only eight was payment being made, as in four, there was a zero assessment, and in three, a refusal to pay.

For the whole group, where an assessment had been made, in eight of the cases it was eventually higher, in seven, lower, and in one case, although no assessment had been made, a substantially higher assessment was expected. In a further case, there had been a promise of no assessment. In this case, as with the current zero assessments, the existing maintenance payments had been low - in the range of £5-£10 - but had been regularly paid.

However, in 13 cases, including the cases where there was a current zero assessment, there were arrears. If the two voluntary payment cases are included, then 17 cases had 13 with arrears. Under the previous system the figures were 20 cases where payments were made, with eight in arrears. Table 1 summarises the information on the position regarding assessment, payment and arrears of both child support and maintenance.

Table 1: Receipt or payment of Maintenance or Child Support

	No. in group	pre-CSA payments	pre-CSA arrears	CSA assessments	CSA payments	CSA arrears
Parents with care	6	4	3	2	1	1
Absent parents	15	13	4	11	8	10
New partners of Absent parents	3	3	1	2	1	1

In the following sections I present the evidence for these findings.

### **Experiences of the Parents with Care**

Of the six of the sample who came under the CSA definition of parents with care, two had not claimed, two had received assessments but only one was receiving any money. The remaining two were waiting for the assessment. The one person who was receiving money did not consider herself to be better off as a result, although, objectively, she had gained. Thus, only one of the sample had experienced a financial gain from the new legislation.

As regards arrears, Mrs Antony was the only one whose payments were up to date. Miss Ross had arrears of Child Support only, having never claimed maintenance, Mrs Norman, Hewitt and Dobson had arrears of maintenance, having either never claimed or never been assessed for Child Support, meaning that 4 of the group had arrears, with the final parent having claimed neither.

**Mrs Antony** could be seen as the ideal example of the new system at work. Not only had her payment been increased from £30.00 to over £68, but she had been forced out of Income Support and into Family Credit. She had changed her working pattern, by increasing her hours, thus her case represented a large saving and a reduction in benefit dependency. However she considered the change to be "more hassle because I now have to claim three benefits." At the end of the day she didn't see herself as being better off financially, although she didn't consider that informal exchanges had reduced.

**Mrs Norman**, who was not on state benefits was still dependent on the old system and had substantial arrears owing - over £2500 - at both interview times. She had intermittently received £40 per week under a court order but this had been reduced to £20 by the time of the second interview, because of the age of the elder child. She did not wish to use the Child Support system to pursue her ex-husband but in any case did not have that option, as only benefit recipients could use the CSA following the 1994 changes.

**Mrs Simpson** had neither claimed maintenance nor child support, although as a recipient of Family Credit this option was open to her. Again she did not wish to use the CSA, partly as she considered it to be unfair but also because she was proud of her independence.

**Miss Ross** did wish to pursue her claim for Child Support and had been happy to co-operate with the agency. However although she had been awarded £48 this had never been paid to her and she felt that the agency was useless. She quotes her child's father as saying "Haven't got the time to pay for them, you'll be alright with 'social'". Miss Ross represents the lone parent who was a target for the agency in so far as the absent parent had never made any effort to take financial responsibility for his child. At the time of the second interview she still had had no child support.

"never getting any money off them..filled out the forms, stated who the Dad was and never got any money...They awarded £48.00 - never paid any."

**Mrs Hewitt** had co-operated with the agency and was in receipt of Family Credit both at the time of the first and the second interviews. At the first interview, she had filled in the forms for Child Support but had heard no more about it, and at the

second interview, she had reclaimed Family Credit several months previously but had had no contact from the CSA.

She was still pursuing the absent parent through the court system, and there were still substantial arrears, despite the previous arrears having been "wiped off" by the court, a fact that caused her much resentment. The court had awarded her £10 a week plus £5 from the arrears, but she had only had one payment of this sum in seven months. The introduction of the CSA had made no financial difference to her as regard receiving money for her daughter.

**Mrs Dobson** had also co-operated with the agency willingly, but her ex-husband had written to state he had returned to live with her and the proceedings had been withdrawn due to the "reconciliation". She had therefore been obliged to reactivate the claim which had not been processed at the time of the first interview. There was also a separate settlement of £3000 negotiated through solicitors regarding the joint possessions, which she was waiting to receive.

There had been a court order for one of her children for £20 per week but this had not been paid. Arrears had been cancelled when her ex-husband said they were a family again. Mrs Dobson received Family Credit which was why she was able to pursue payment through the CSA but she had no confidence in their ability to get the money, considering the agency to be a "load of rubbish". She estimated that her ex-partner's income was in excess of £30,000.

### **Experience of Absent Parents**

Out of the 15 cases where the interviewee's CSA involvement could have been from the perspective of the absent parent, there had been an assessment in 11, as two absent parents had made a private arrangement to avoid being involved with the CSA, in one case there had been a verbal promise of no assessment and in another case they were still waiting for the assessment.

In 10 of the 11 assessed cases, there had been an initial rise in the amount of child support payable. In only five of these cases, was the rise in payment maintained, and in four the payment was eventually reduced to nil.

In only two of the assessed cases, had the payment remained stable. Of the nine cases where there had been a change, in only one of these cases was this a rise, and even in this case, the eventual assessment was at a lower rate than the previous court order.

In 13 cases there had been either a voluntary payment or court order prior to the CSA. Of these, in nine cases an assessment had been made. This assessment was initially higher in eight of these nine cases and lower in one case, but eventually dropped to lower in four cases. In the two cases where a voluntary agreement had been reached the payment was higher. Thus of the 14 cases where it is possible to judge this, in seven, the payments had increased in comparison with what had been paid previously and in seven, they had decreased.

As regards arrears, in the 13 cases where there was either a Court Order or voluntary payment in place prior to the CSA there were arrears in four, yet in the 11 cases where there was a Child Support assessment there were arrears in 11. In the two cases where voluntary payments had been arranged subsequent to the CSA, there were no arrears so of the 13 cases where payments were due subsequent to the CSA, there were arrears in 11.

**Mr Norman** had been paying £40 under a court order. He agreed it had been hard but considered that he had paid regularly. At the time of the first interview he had received assessments of £70 and £50 and at the time of the second interview he had been paying £45 for a time and was currently paying £32. He worked full time earning between £150-£200 a week at both times, although claiming that he had deliberately kept his earnings low because of the agency. "I've no qualms about paying over for them (the children), but why the fxxx should I pay for her... the government should pay if they want her to stay at home."

**Mr White** had been paying £5.10 through a court order and had been assessed to pay £26.00 in the first place which had risen to £45 by the time of the first interview. He considered that his earnings had been wrongly assessed as his earnings fluctuate, and was appealing against the decision. By the time of the second interview, his ex-wife had withdrawn the claim for child support and the period of assessment in dispute had been reduced to June to December 1994, at the level of £26 per week. He had no current liability. In spite of this arrangement the Tribunal had gone ahead,

and a reassessment had been ordered, the result of which was not known. "They're getting money from people who were paying."

**Mr Potter** had been making a voluntary payment of £20 prior to being assessed as owing £57.30. This amount remained the same over the period of the interviews. He is disabled with a total income of between £150-200 per week. He gives considerable amounts informally to his daughter and resents that this is not taken into account.

**Mrs Simpson** had not been paying prior to the CSA, because the break-up of her relationship post-dated the changes. She was expected to pay £15, including an amount for arrears. She resented it because its "my husband getting the money not my son".

**Mr Hendry** had been paying £25 by a court order. He was initially assessed to pay £78, but this had been reduced to nil following a change in his ex-wife's circumstances. This had not changed at the time of the second contact. His income was £150-£200 per week. He considered he was "paying too little".

**Mr King** had been paying £30.00 per week voluntarily prior to the CSA. He had then been assessed to pay £3.00 per week with this dropping to nil by the time of the first interview. He expected this to increase as his step-children were no longer living with him, but he could not be contacted to find out if this had happened. He considered that the amount was too low.

**Mr Lyons** had been paying £10.00 by a court order since the birth of his son, although his income, at the time of the first interview £250-300 had dropped since the award and his commitments had increased. He had not been told the amount of CSA assessment at the time of the first interview. At the second contact he had just been recontacted by the CSA and was still waiting for the result of this.

**Mr Cook** had been paying £10 per week voluntarily from his income which fluctuated between £140 and £300 per week. He had been assessed to pay £25 per week but this had been reduced to £8.10 on review. He considered this sum to be too low. "I should pay - everybody should."

**Mr Taylor** earned around £250-300 and had negotiated with his wife to avoid CSA assessment. He had raised his payments to £49.50, on a voluntary basis, and had been paying £26.50 on a court order prior to this. It would be "penalising me - I'd have no say whatsoever in how the money is spent".

**Mr Wood** had not made any payments, prior to the act, for his daughter from his income of £130 per week from a pension related to his disabilities. His assessment had originally been over £22 but then had reduced to £8 on review. He felt he could afford this sum, but had been struggling with the higher payment.

**Mr Thompson** had made payments of £10.00 under a court order prior to the assessment of £42.30. This had then been altered several times to £32, then to £19, then to £2.20 then become nil. He earned between £100-150 but this fluctuated depending on short-time and lay-offs. At the second contact, his income had dropped again (although within the same range) but he was still making no payments of child support. He felt that the CSA had made "ridiculous demands", but that he should pay something - "he's my son".

**Mr Hunt** earned between £150-200 and had been paying £11.50 per week. He had made arrangements with his wife not to involve the CSA and had increased payments to £18.50. She had increased her hours of work. There had been a capital transfer at the time of the separation.

**Mr Clark** admitted that he had not been paying the £25.40 under a court order, and had applied successfully to have this reduced to £11.00 per week, at which point his ex-partner had involved the CSA. He earned between £150-200 and had originally been assessed to pay £99 because of his non-co-operation with the agency. This had been reduced to £50, which he is not paying. In spite of this he says he is happy to pay for his son, but considers that he can't afford the high level set.

**Mr Samuels** had paid £10.05 under a court order for some time and was waiting for an assessment at the time of the first interview. When contacted the second time he still had not been assessed. His income was between £100-£150 per week. They had been told informally by the CSA that there would be no amount to pay, but had had no confirmation of this. They had stopped paying the court order.

**Mr Harvey** had been paying £10 per week voluntarily out of his £100-150 per week income. His assessment had originally been £35.00 per week but this had been lowered to £17.00. He objected because the money "isn't going to the bairn, its going to their coffers - the mother's not getting any extra for it." He also objected to the fact that his two daughters by his previous marriage were not entitled to any of this as his ex-wife was not in receipt of benefit.

### **Experience of New Partners**

Eight interviewees were new partners of absent parents, with three being interviewed on their own. In seven of the eight cases, there had been a court order prior to the CSA, and in the remaining case, a voluntary payment. In all cases there had been involvement with the CSA, with assessments in five, the award having been increased in comparison to the previous sum in two cases, reduced in two cases and increased and then reduced in one case. As regards arrears, there were arrears in only three of the eight cases prior to the CSA, yet, out of the five cases where a child support assessment had been made, there were arrears in four.

The circumstances of **Mrs Norman, Mrs White, Mrs King, Mrs Lyons and Mrs Samuels** as regards child support and maintenance, are given above with the information about their partners. They also expressed their dissatisfaction with the changes to the payments' system. **Mrs White** commented "I was so annoyed...". **Mrs Norman** commented about her husband, "I thought it was great - get fathers who don't pay to pay, whereas (in our case) a husband with no contact has to pay £70." **Mrs Samuels** was outraged that her earnings figures were needed. "Why should I have to disclose my private and confidential details."

**Mrs Hewitt's** husband had not been assessed to pay child support, although he had been working during the period concerned. He had completed the forms just prior to the first interview but there had been no further contact from the agency by the time of the second interview.

**Mrs Trent's** husband's assessments had fluctuated considerably and by the time of the second interview there had been a Tribunal which had ordered a recalculation, although this had not been finalised, and arrears had built up. The final amount payable under the CSA had been lower than that awarded by the court. She considers that "men should have to pay to some extent but women should too".

**Miss Bowen's** partner had seen a substantial increase in the amount he had to pay, from £20 - £46, and this had remained stable up to the time of the first interview. She resented that although the CSA had been set up to target "non-paying fathers - (its) only hitting fathers that are paying." She particularly resented the fact that she had to provide figures of her earnings.

### **Attitudes to Maintenance & Child Support Payments**

Burgoyne & Millar (1994) looked at separated fathers' attitudes to maintenance prior to the Child Support Act, finding a complex set of attitudes about the nature of financial responsibility for children after separation. None of their sample expressed reluctance to pay for their children - although this did not always translate into regular payments - but all the men expressed reluctance about an obligation to pay to support their ex-partner. There was also a feeling that the reasons for, and background to the separation had a bearing on the obligations to pay.

In addition, the levels of payment were an issue and the majority in Burgoyne & Millar's research considered that their obligation was discharged by low payments relative to their income and to the actual cost of child rearing. They also found that there was a tendency, especially amongst new partners but also to a limited extent amongst the fathers, to consider that the needs of the new family should take priority over the past relationship.

As regards contact, the majority in Burgoyne & Millar's study did not take the view that payment should be related to contact rights, and this is also borne out by other studies. However there was some evidence that the payments were seen as a method of control in the situation so that some preferred gifts in kind or chose to delay payment in order to retain some influence.

In my research, which reflects post-CSA attitudes, there was universal agreement in principle with the concept of supporting non-resident children, and similar reservations to those discovered by Burgoyne & Millar (1994) were also evident.

As regards those who only had experience of claiming child support, there were some reservations about the system. **Mrs Antony** considered that the system "doesn't reflect the guilt of the parties", feeling that she deserved better treatment having been

betrayed by her husband. **Mrs Dobson** was very enthusiastic about the CSA. "I think the Child Support Agency - its great what they're doing. Its about time somebody did something because I think men are getting away with far too much and I think if you crippled half of them, they wouldn't walk out and have these affairs." However she found that the reality was less satisfactory having never received a payment.

**Miss Ross** whilst supporting the principle whole-heartedly, had concerns about contact "I'm frightened it would mean him coming back into my life...It would be nice to have the money, but there's a tie to it, its like a con to it, he has the right to see him." These fears were not reflected in the attitudes of the men who were expected to pay child support, with very few commenting on contact.

**Mr & Mrs Norman** considered that "when you split up you have a responsibility for the children - but only the children, not the mother." They also found it wrong that the new family took second place, and that the fact he had "signed the house over to her" did not affect payments. (The subsequent changes did not include this informal arrangement.) They considered that lack of contact should reduce the level of payment but not that high payments should mean enforced contact.

**Mr & Mrs White** said "We'd pay if we could afford it.... We paid what the courts set. £10.00, we could afford.... Mothers should be independent and stand on their own two feet." **Mr Potter** felt that he had fulfilled his parental responsibilities in terms of care and financial support, and that all fathers should do this. **Mrs Simpson** resented that "My husband is getting the money not my son. I could be giving it to my (resident) daughters." This did not reflect an opposition to the principle of paying child support.

**Mr Hendry** thought that the fact "I took on the debts and left the home with equity" should reduce payments. **Mr King** considered he didn't pay enough "Its reduced to £3.00 a week - I thought its not enough, being the father I am." **Mr & Mrs Lyons** felt they had taken responsibility, in the circumstances, by paying £10 per week but the estimate of the CSA requirement was too high . "A quarter of my pay goes to supporting one child"

**Mr Cook** considered that the background was important ".me wife left me in a lot of debt.. I left the marital home and paid the bills that hadn't been paid in the marriage.

She kept the washing-machine and all those things. I took nothing because of the bairn but she selt everything.", but he still considered it right to pay. "...but not those amounts."

**Mr Trotter** had paid regularly throught he courts and there had been a capital transfer so he had chosen a voluntary arrangement. He supported paying but not the way the amount was calculated. He also took issue with the lack of control. "I would have then no control over what that was spent on. That was one thing we decided on. ...It was penalising me. I had no say whatsoever."

**Mrs Hewitt** did not object to paying when the money was available "As long as my husband is in work we can afford it." **Mr Wood**, although he never had paid in the past was reassured by a lower assessment. "At first it was high up, but I feel better about it now". **Mr Thompson** was happy to pay, but resented the levels of payment. "He's my son - but these were ridiculous demands" **Miss Bowen** had been resigned to the earlier payment, "£20 wasn't as big a struggle", but resented the higher rate from the CSA.

**Mr Hunt** had accepted the original settlement "It was a clean break before the CSA, giving up my interest in the marital home - about £20,000 - and all the property in it...and paying £50 per month...", but he and his wife had agreed to avoid the CSA because it was "...the only way we could see to give me a chance to start again and let her keep the house." **Mr Clark**, although refusing to actually pay because of a long running dispute with his ex-partner, also agreed that he should "I'm willing to provide for my son. It's my duty.". He had an issue with the control of the money "I'd rather give her £25 and spend the rest on him."

**Mr & Mrs Samuels** had kept up the regular pre-CSA maintenance payments although they felt the circumstances of the separation ought to be taken into account, as he had taken nothing from his first marrriage. They thought that "Nailing people that aren't paying is a good thing." but that Mr Samuels considered "its my mistake, why should (my wife) have to pay for it." **Mr Harvey** had paid voluntarily before the CSA, but resented both the levels of his new assessment and the fact that it only went to one of his ex-families.

Thus, for the sample, there was support for payments, but criticism of the level of payments and what should be taken into account, with some feeling that even

informal past arrangements should reduce payments, and all the second families considering that their expenses should be realistically calculated. A minority expressed an opinion about the control of their money, and only one parent with care was concerned about rights to contact, with none of the absent parents seeing this as an issue, even when there was little or no contact in their personal situation.

However, maintenance assessments cannot be examined in isolation and so the next section will consider incomes and employment.

## 1.2 Income and Employment

"He's got a variable income because of the contracts - he worked 10 months in '93, then he worked from March to July, this year. He'll get work in the New Year - but only six month contracts."

Mrs Hewitt, 29/11/94

Below are some tables summarising the employment status, and income sources of the sample group.

Table 2: Employment Status

	Full-time employment	Part-time employment	Unemployed	Long-term sick	Student
Parents with care	2	3	1	0	0
Absent parents	13	0	0	2	0
New partners	4	2	1	0	1

Table 3: Earned Income

	nil	< £50	£50-75	£75-100	£100- 150	£150- 200	£200- 250	£250- 300
Parents with care	1	1	1	0	3	0	0	0
Absent parents	2	0	0	0	4	6	1	2
New partners	2	1	1	1	2	1	0	0

Table 4: Receipt of Social Security Benefits

	None	Child Benefit	Family Credit	Income Support	Invalidity Benefit	Housing Benefit
Parents with care	0	6	4	1	0	1
Absent parents	11	0	1	0	2	0
New partners	2	6	2	0	0	0

There were 26 individuals in the group, of whom, by their own classification, 17 worked full-time, four worked part-time, two were long-term sick, one was a student, one was a housewife, and one was unemployed. There were 12 women and 14 men. five of the women worked full-time, four worked part-time, one was a student, one was unemployed, and one a housewife. 12 of the men were in full-time work and two were long-term sick. This information is displayed in Table 2 above.

Thus a high percentage of the group were in employment. In fact, using the conventions employed for official employment statistics, the men on long-term sick would not be counted as unemployed, neither would the student, nor the unemployed lone parent. The housewife and the part-time working partners would also be

unlikely to be classed as unemployed, and two of the part-time lone parents would officially be classed as employed, by their receipt of Family Credit.

Thus the sample group contained no unemployed headed households, although the area of the survey is part of the region where this figure stood at 7-8% for the period in question, according to the Family Resources Survey 1993/4 (Morgan 1994). Social Focus on Families (1997) gave the percentage of all families with earned income as 75%, breaking this down as 32% for lone parent families, 88% for couples with dependent children, and 83% for couples with no dependent children. Thus by two separate standards, the sample group were unrepresentative as regards employment status.

In addition, in a written answer, Alistair Burt, then Minister for Social Security, informed the Commons that at 11th March 1995, 56.2% of absent parents had employment income, with an average net income from employment of £195.67 per week. In the sample group, a higher proportion of the absent parents were in employment with an average net income from employment of £182.7, with 10 of the 13 in employment falling below this average figure. Thus although the group appear work rich, their level of income was low. Table 3 gives more detail on earnings levels.

Returning to the sample's own classification of their status, 21 were in work with 12 considering this to be unstable work, either because of short-time working, fluctuation of over-time, lay-offs or spells of unemployment. The sample group contained 12 couples and of these in 10 cases there were two earners. In five of these, both incomes were considered to be insecure, and in a further three cases, one of the partner's income was insecure. Three had, unwillingly, increased their hours or taken on work, because of the CSA..

Five received Family Credit to supplement their income. Social Focus on Families (1997) give a figure of 5% for national receipt of Family Credit. Eight of the 21 Benefit Units received benefit (other than Child Benefit), with this being split unequally, as five of six parents with care received benefit, and only five of the 18 absent parent families. Table 4 gives more detail on Benefit receipt.

19 of the households represented in the sample felt that they had a problem with financial planning and/or meeting household expenses, with six of these attributing

this problem wholly to the CSA, and the others seeing the influence of the CSA as only one factor in their problems.

Thus although in terms of employment status, the sample group appear to be doing better than average, the receipt of Family Credit, which makes allowance for level of income and family size, would suggest that a higher than average number could be classed as in need. In addition, over half considered their work to be insecure, and, by their own estimation, most were in financial difficulties. I will now present the evidence for these findings.

### **Absent Parents**

"Children Come First" (1991) acknowledged that absent fathers were more likely to be sick or unemployed (20%) and that 80% of those in employment's income would be less than £200 per week as opposed to 67% of those in the general working population. Of the absent parents, only two had no recent experience of employment, both being long-term sick, but three others had recent experience of unemployment, giving a higher ratio than that predicted in the White Paper. Of the 13 earners, only three had incomes over £200, leaving 10 with a lower income, a comparable ratio to the White Paper's estimates [see Table 3]. Only two, Mrs Simpson and Mr King, were in receipt of a means-tested benefit [see Table 4].

Perhaps more importantly, seven of the 13 absent parents who are in employment, had irregular incomes, which compounded the complexity of their situation, and also had an impact on their opinions about the fairness of the system, when the CSA is unable to respond flexibly to changes. Of the nine who had new partners, eight of the women were earning, and of these, five were reported to have unstable incomes. In four of the cases where both partners were working, both incomes were considered to be unstable.

Of the seven who had irregular incomes, four considered they had choice about whether or not to take on extra work. Of these, two felt disinclined to do so as it would increase their child support liability. Five of those in work had considered giving it up, although none had done so. 13 of the whole group considered that the CSA had caused financial insecurity and inhibited their ability to plan for the future, with four of these attributing this wholly to the changes, and the rest seeing them as an added burden.

Two of the absent parents, **Mr Potter and Mr Wood**, had no earned income, living on pensions, state disability benefits and charitable payments. Their income is between £100-£150 per week. Neither receives means-tested help with rent or council tax. However, their source of income is relatively stable. Once the assessment had been finalised, they both stated that they could cope with the situation. Both lived in council accommodation.

**Mrs Simpson** receives Family Credit to top-up her wages between £100-150 per week. Her income is relatively stable, but her house had recently been repossessed and she now had council accommodation paying over £40 per week for rent and water rates. She considered herself to be no better off working but didn't want to live on Income Support, partly because of the stigma but also because of other benefits of working. She commented "I've always worked" and described herself as a "fighter".

**Mr Taylor** earns around £250-£300 per week and had chosen to almost double his payment to his ex-wife voluntarily rather than be involved with the CSA. His level of income made him part of the highest earning group in the sample along with Mr Lyons. He stated that his income was stable and did not consider himself to have financial problems.

**Mr Lyons**, with a similar income which he also described as stable did consider himself to have financial problems, mainly because of the commitments he had prior to the CSA and the needs of his young family. His wife had an unstable income. (see below, under new partners). However, he commented that his access to overtime had recently diminished, so that his income had dropped since the original court order had been set at £10.00 per week, although his commitments had greatly increased because of his second marriage and the birth of his two youngest children.

**Mr Hunt** has a stable income of between £150-£200 per week, but with the expenses of visiting his daughters who live at some distance, and the expenses of setting up a new home, feels that the CSA has caused him to have financial problems. "Basically, I can't plan anything financially." However, he had chosen to avoid assessment by coming to a private arrangement with his wife.

**Mr Clark** also has a stable income, being on staff grade at a factory. He earns between £150-£200 per week. He considered himself to have financial problems.

His new partner has a fixed income of around £100 per week. **Mr Samuels** and his wife (see below) have stable incomes. He earns £100-£150 and did not consider he had money problems.

Although the above group had stable incomes, of the six who were in employment, four considered themselves to have financial problems, in part due to the CSA. However, there is a further group whose problems were compounded by the instability of their income.

**Mr Harvey** earns £100-£150 per week as a caretaker. However his income fluctuates, when he is able to do overtime. He is anxious about taking on more work as it will effect his payment, and unclear if his level of payment has ever been correctly calculated given his variable pay. **Mr Norman** averages around £150-200 per week but claimed to have refused over-time because of the CSA. Previously, he would have taken the opportunity to increase his income and so lessen their financial problems. He also felt that both court involvement and CSA contact had jeopardised his situation at work. His wife's situation is detailed below.

**Mr Thompson** earned between £100-£150 per week but was subject to short-time working and lay-offs. His wife's income also fluctuated because she is on short-term contracts, being on the same income as her husband. "Every month and week we have a different wage..... It was assessed with overtime high. They cut out the overtime, but we waited six weeks for a change and still had to pay £43 when the wife was not at work."

**Mr Cook's** income was in the range of £140-£300 per week and he found it very hard to estimate a regular amount, and experienced frequent spells of unemployment. "I'm on insecure contracts - I was unemployed for 2-3 months. I'm on piece work so no guaranteed wage .... average is not possible." His girlfriend was working earning £100 per week, but would soon have to give up this income as she was expecting their child.

**Mr King** also had an irregular income. "I've a fluctuating wage - the over-time fluctuates. The basic is 43 hours but sometimes I work 61 hours....I need the car to see the kids and to get to work - shifts start at 5.00am." His average take home pay was between £150-£200. His wife had no income. They were in receipt of Family Credit, although this was unlikely to continue because the older children were no

longer in the home. **Mr Hendry** and his wife were working at the same company and there were frequent periods of short time and temporary lay-offs, leaving them with a fluctuating income. He averaged £150-£200 per week and his wife brought home £100-£150.

**Mr White's** income was also unstable in that his wages increased seasonally when more overtime was available. "It was assessed in the summer when there's high bonus. There's no bonus in winter." His earnings average between £150-£200 per week. His wife's income is detailed below.

### **New Partners**

Of the eight new partners interviewed, only one had no independent income. Of the seven in employment, two had stable incomes, and only one, where both incomes were stable, considered that they had no financial problems. In six cases, their partner's income was subject to fluctuation, and compounded the complexity of their situations. In three cases both partners' income was subject to changes. In two cases - Mrs King and Mrs Hewitt - there was Family Credit in payment. This information is partially summarised in Tables 2 - 4.

Of the six earners, three had increased their incomes and hours of work and resented having had to do this. In seven cases, it was considered that their financial security and ability to plan for the future had been threatened, with three attributing this wholly to the CSA.

**Mrs Norman and Mrs Lyons** had increased their earnings since the CSA had become involved in their lives. Mrs Norman now earned between £100-£150 per week, but she resented the pressure she had been under to do this. "I've always worked... I had to take on extra work.....the children got nothing, they started suffering - I can't keep a proper eye on them." Mrs Lyons had an income of under £50 and sometimes had childcare expenses. She also resented the fact she had to take on work. "I have to go on a night to work. It's heavy where I work, and I think, they're taking my wages into consideration - sending back and forward for pay slips. Why should I go out there - damage my neck?" Her income was irregular as she only worked in term times, and had had absences due to ill health.

**Mrs Hewitt** had also increased her income by taking on work at a supermarket. She earned between £50-£75 per week and also claimed Family Credit. Her income did fluctuate and the situation of her husband was also unstable in that as a contract worker he had periods of unemployment. At other times he could earn £350-£450 per week, but these were for short, irregular periods.

**Mrs White and Mrs Samuels** had always worked full-time and had not increased their earnings. Both had regular incomes. Mrs Samuels was the higher earner in her family, taking home between £150-£200 per week. Mrs White earned £100-£150. They were both angered by the need for their income details and both had refused to supply these.

**Mrs Trent** considered that the fluctuating nature of her husband's income caused severe problems. Her own income was stable as she was on a student grant. Her husband's fluctuated between £110 and £200 per week because of overtime. "...he's got fluctuating wages, but they used the highest disallowing the lowest amount so the average is £188 instead of £160...".

**Miss Bowen** earns between £75-£100 a week with her partner on between £150-£200 pounds. These earnings were not stable as they worked at a factory where there was opportunities for overtime. "It fluctuates -.for us both - sometimes its only basic pay." Her partner had transferred to new work to ease their financial situation. "Because he's had to change jobs and do more hours, he doesn't see his daughter as much. Its hard on her. She cries."

Only **Mrs King**, who had no history of employment, and also had the youngest child, was not in paid employment. She was however, affected by the uncertainty of her husband's wage as noted above.

### **Parents with care**

Of the six parents with care, one was on Income Support, four claimed Family Credit, making five in receipt of a means-tested benefit. In five instances, the parent with care was in work, and in three of these cases the income or the work was considered insecure. Three were in part-time work, two earning under £75 per week, and none earning over £150 per week. For one, the amount of work and earnings had risen because of the CSA, so that she could claim Family Credit. However, she

considered that she had maximised her possible earnings from her current job. Tables 2 -4 summarise this information.

All six women considered they had financial problems although only in one case were these solely attributed to the CSA. In the remaining five, it was considered that the CSA had not alleviated their financial situations as there had either been no assessment or no money had been received. The one woman who was not in employment was concerned about the impact of working on any assessment for child support, although she was continuing with her training.

The situations of **Mrs Simpson, Mrs Norman and Mrs Hewitt** are all detailed above - Mrs Simpson having a stable income, although this was supplemented by Family Credit; Mr and Mrs Norman and Mr and Mrs Hewitt had unstable incomes, with Mrs Hewitt also being reliant on Family Credit and her partner being subject to spells of unemployment.

**Miss Ross** was totally reliant on Income Support and family help. She was training for employment and had aspirations to better herself. "I'm at college doing hairdressing .. I want to make something of myself.... but I don't know what it would be like if I got a job."

**Mrs Dobson** was employed part-time earning £100-£150 per week and also claiming Family Credit. However, her work was insecure. "I could be unemployed in January." **Mrs Antony's** income had increased since the action of the CSA although she only earns less than £50 per week for 10 hours work as a resident caretaker. She didn't consider her job insecure, but couldn't see how she could increase her income in her present job. She claimed help with Housing costs to supplement her income.

### **1.3 Poverty Issues and the Child Support Act**

Definitions of poverty are problematic, as there is no standard definition that can easily be used for comparative purposes, yet the Child Support Act did have as its aim to increase the living standards of children who no longer lived with both parents (Children Come First, 1990). It is generally agreed that lone parents are more likely to be poor than two-parent families. Garnham & Knights (1994), using OPCS figures, estimate that for 1990/91, ".....three in five lone parent families were living in poverty (defined as below half of average income after housing costs); this

compares to one in five couples with children....In all, some 91 per cent of lone parents have below average income as compared to 69 percent of couples with children." (p25).

In addition, Bennett (1997) highlights the fact that absent parents were granted a "protected income" by the Act which was little higher than Income Support levels. Although changes have been made subsequently, the alterations do not alleviate this situation for many of those affected, and step-children are not included as dependants when calculating available income.

Children Come First (1990) considered that 60% of absent parents were likely to have net incomes below £150 per week, and 80% below £200, compared with 42% and 67% in the general population of working age. MacDermott et al (1998) give figures for those who in 1994 earned less than £3.87 per hour as 3.2 million women and 1.2 million men. They also estimate that while men earn on average £9.39 per hour, women earn only £7.50. Given that around 95% of lone parents are women, then their earnings will be affected by these imbalances.

Veit-Wilson (1998), in his study of Minimum Income Standards (MIS), identifies three approaches to measuring poverty: the deprivation indicator approach which presumes a minimum standard can be defined by looking at the necessities of life in a given society, the lack of which would indicate deprivation; the attitudinal approach whereby people themselves are allowed to judge their own poverty; and the budget approach which looks at spending, to derive income levels at which certain lifestyles can be achieved. This latter can be based either on the household's whole purchases, or on the most important core items.

Veit-Wilson (1998) goes on to look at the levels that are set by income-maintenance systems - Income Support in the UK - which are sometimes called official poverty lines, although there is no agreement that the levels at which they are set are adequate to stay out of poverty. The impetus for his study came from the Social Security Committee who felt a need for an MIS, in line with other European countries, by which to judge the adequacy or otherwise of the UK's income-maintenance system. He concludes by outlining the requirements of an MIS in the UK.

Mindful of the points raised by Veit-Wilson (1998) and in the absence of a UK MIS, I look at the sample group's situations in several ways. Firstly, their attitudes to their



own financial situations - an area that I have already touched on. Secondly, their situations as regards selected consumer goods and housing tenure, and lastly their net incomes, compared with pre-existing standards.

For the income data I adopt the standard used by Millar (1989), namely 140% of Income Support levels plus housing costs, a standard below which she considers puts families in the low income bracket. This standard does not avoid the problems of poverty definition, but does provide an easy to understand benchmark. In addition I also compare their gross household incomes with the figures from the Family Resources Survey (Morgan 1994), and their net disposable income with figures from the Government Statistical Service (1994) as published in Economic Trends.

Up to this point I have mainly looked at financial issues in terms of individual adults as categorised by the Child Support Agency - namely Parents with Care, Absent Parents and New Partners. It is, however, also important to look at the sample group in terms of households, partly so that their situations can be compared with the wider population but also because this is the reality of their lives.

I have chosen to look at the financial position of the households at one point in time; when the first interview was carried out. Although this does not reflect the dynamics involved, it does facilitate comparison with larger scale surveys. However, some information was not available and so not all of the sample are included in all these descriptions.

### **Poverty and the Sample Group**

Firstly, when the yardstick of benefit rates plus housing costs is used, compared to net income [see Table 5], two households fell below this measure - one lone parent with one child and one two parent family with three children. Five households' incomes were roughly equal to this standard - both the absent parents who are long-term sick, two lone parent families with two children and the two adult household with a student who is a new partner. 12 households' incomes were above this level - four two parent families with two children, four two parent families with one child, both remaining two adult households and two single adult households.

Thus of the 19 households where comparisons can be made, seven had incomes either equal to or below this standard, and 12 above it. Table 5 displays this information.

Table 5: Net Income including benefits, compared to 140% of Income Support rate plus housing costs, by Household type

	Nos.	Before adjustment for child support payment			After adjustment for child support payment		
		Below standard	Equal to standard	Above standard	Below standard	Equal to standard	Above standard
1 adult	4	0	2	2	2	0	2
2 adult	3	0	1	2	1	0	2
1 adult/ 1 child	1	1	0	0	1	0	0
1 adult/ 2 ch/ren	2	0	2	0	1	1	0
2 adults/ 1 child	4	0	0	4	0	1	3
2 adults/ 2 ch/ren	4	0	0	4	0	1	3
2 adults/ 3 children	1	1	0	0	1	0	0
Totals	19	2	5	12	6	3	10

When adjustment is made for receipt or payment of Child Support, of the 15 households where comparisons can be made, Mr Potter, Mrs Simpson, Mr Wood, and Mrs Trent fall from equal to Millar's 140% of Income Support standard to below it, joining Mrs Antony in this category so making five below this standard, and the Normans and Clarks fall from above this level to equal to it, giving seven with incomes equal to or below the standard and eight above it. Table 5 gives this information.

When gross incomes are compared with the figures from the Family Resources Survey (Morgan 1994) [see Table 6], one lone parent family with one child falls within the average income range of £100-199 whilst the two lone parent families with two children fall above the average range with incomes between £200-299 (Average £100-199).

As regards, two parent families with one child, the average is £300-399 and one household is below this level, one is above and two fall within this range. For two parent families with two children, the average is £400-499 and all four families of this type fall within this range. For two parent families with three children, the average is £300-399 and the family in this category fell below this with an income of £175.

As this source only considers incomes of families with children, only twelve households can be compared. Of these, nine (two below and seven equal) had incomes below or at the average whilst three had incomes above this level. Table 6 displays this comparison.

Table 6: Gross Income including benefits, compared to Family Resources Survey (1994) average for Household type [Households with children only]

	Nos.	Below standard	Equal to standard	Above standard
1 adult/ 1 child	1	0	1	0
1 adult/ 2 ch/ren	2	0	0	2
2 adults/ 1 child	4	1	2	1
2 adults/ 2 ch/ren	4	0	4	0
2 adults/ 3 children	1	1	0	0
Totals	12	2	7	3

In order to include the households with no children I looked at the average disposable incomes (Government Statistical Service, 1994). This comparison is displayed in Table 7.

Using this standard, three households (one lone parent, and both the long-term sick adults) were in the second decile, five households were in the third decile (two lone parent families, one single adult, one two adult household with no children, and the two parent household with three children), one household was in the fourth decile (a

two parent family with one child), four households were in the fifth decile (one single adult , one couple with no children, and two two adult families with one child), and the remaining six households fell into the sixth decile (one two adult household with no children, one two parent family with one child, and four two parent families with two children).

Thus of the 19 households where comparison can be made, 13 were in the lower five deciles, and six were in the higher five deciles, with none in the bottom, or the top four deciles.

Table 7 Ranking in Decile Groups for average disposable incomes 1994  
(Government Statistical Service)

	Nos.	1st	2nd	3rd	4th	5th	6th	7th-10th
1 adult	4	0	2	1	0	1	0	0
2 adult	3	0	0	1	0	1	1	0
1 adult/ 1 child	1	0	1	0	0	0	0	0
1 adult/ 2 ch/ren	2	0	0	2	0	0	0	0
2 adults/ 1 child	4	0	0	0	1	2	1	0
2 adults/ 2 ch/ren	4	0	0	0	0	0	4	0
2 adults/ 3 children	1	0	0	1	0	0	0	0
Totals	19	0	3	5	1	4	6	0

As regards consumer durables, Social Focus on Families (1997) gives information from the General Household Survey (1994-95) which compares with the sample as follows. Figures for the sample are in square brackets. For single adult households [4 in the sample], 85% have a telephone [2], 71% have a washing machine [3], 74% have a fridge-freezer [1], and 48% have a video recorder [1].

For couples with no dependent children [3 in the sample], 97% have a telephone [1], 96% have a washing machine [3], 94% a fridge-freezer [3] and 85% a video recorder

[3]. For couples with dependent children [9 in the sample], 93% have a phone [8], 99% have a washing machine [9], 97% a fridge-freezer [9] and 96% a video [9].

For lone parent families [3 in the sample], 83% have a telephone [2], 93% have a washing machine [3], 90% have a fridge-freezer [2] and 85% have a video [2]. For other households [2 in the sample], 91% have a telephone [1], 88% have a washing machine [1], 87 have a fridge-freezer [2], and 77% a video [1].

No household in the sample had none of the consumer goods listed. However, two had only one, two had only two, and four had three, leaving 13 with all four items.

Table 8 gives information as to housing tenure and means-tested benefit receipt for the sample. As far as housing tenure is concerned, the Family Resources Survey (Morgan 1994), gives figures for the relevant period. Again the figures only relate to families with dependant children, of which there are twelve in the sample. Of these, three are lone parent and nine are two parent families.

Table 8: Housing Tenure and Means-tested benefit receipt by Household type

	Nos.	Owner occupier	Local Authority	Tied	Means-tested benefit
1 adult	4	2	2	0	0
2 adult	3	1	2	0	0
1 adult/ 1 child	1	0	0	1	1
1 adult/ 2 ch/ren	2	0	2	0	2
2 adults/ 1 child	4	2	2	0	1
2 adults/ 2 ch/ren	4	4	0	0	0
2 adults/ 3 children	1	0	1	0	1
Totals	19	9	9	1	5

In the FRS, 12% of two parent families with one or two children live in local authority rented accommodation. In the sample this was half for those with one child and none for those with two children. As regards owner occupation, the FRS gives figures of 73% for couples with one child and 75% for couples with two children. In my sample these figures were half and all, respectively. For couples with three children, the FRS figure is 22% in local authority accommodation and 64% in owner occupation. In this sample the only family of this type lived in local authority housing.

For lone parents, in the FRS 8% with one child live in other rented accommodation, and in the sample the only family of this type lived in this class of housing. For those with two children, the figure for local authority rent is 48%, whereas both families of this type lived in public housing in my sample.

An important point when considering poverty is the individual's feelings about their financial situation. As has been noted above, all of the parents with care, seven of the eight new partners and thirteen of the fifteen absent parents considered that they had financial problems. In many cases this perception was influenced by the insecure nature of their employment and subsequently their income. None of the group were directly asked if they considered themselves to be poor. However, they were all asked about their perception of their financial situation, before and after the intervention of the CSA.

The following quotes illustrate their feelings, and the variety of issues that caused them to feel financially pressured by the CSA. Table 9 summarises these feelings.

**Mrs Antony:** "Its worse on CSA"

**Mr & Mrs Norman:** "This house is up for sale because of the CSA. We'd put more on the mortgage to pay off debts, but we can't afford it with the CSA."

**Mr & Mrs White:** "We can't pay. We've got bills of our own, we can't afford the CSA - bills to keep our children."

**Mr Potter:** "I've got a disability but I can't afford to get help..... I don't get any help with my rent or rates."

**Mrs Simpson:** "My work expenses and the CSA make me on Income Support levels...My house was repossessed because of debts from my marriage."

**Mr Hendry:** "We had to put off buying this house off the council and saving £10 a week 'cos we didn't have the deposit, and we didn't know where we were."

Table 9 Self assessment of financial problems, pre-and post CSA

	Nos.	Pre-CSA financial problems	Post-CSA financial problems
1 adult	4	2	3
2 adult	3	2	3
1 adult/ 1 child	1	1	1
1 adult/ 2 ch/ren	2	1	2
2 adults/ 1 child	4	4	4
2 adults/ 2 ch/ren	4	2	3
Living with parent/s	2	1	2
<b>Totals</b>	<b>21</b>	<b>14</b>	<b>19</b>

**Mr & Mrs King:** We don't drink, smoke or go out (but) we can't afford new furniture for the new home, especially when we don't know how much we're paying."

**Mr & Mrs Lyons:** "We were struggling before the CSA.....we've cancelled everything, Life Insurance policies everything - we've lost money on it... the value of the house has gone down, and we've spent money on it..we're looking at poverty for the next 6 or 7 years."

**Mr Cook:** "I paid the bills that hadn't been paid during the marriage 'cos me wife left me in a lot of debt.....I left her because of money problems .... the house was repossessed and the car."

**Miss Ross:** "I've just got to manage, its next to nowt...my parents help but its my child"

**Mr Taylor:** "I can't afford to buy as much...I'm obviously worse off...but I haven't really got financial problems."

**Mrs Hewitt:** "I have all that worry of what goes where, by the time the rent and bills and groceries come off, there's nothing left."

**Mr Wood:** "I was panicking - I had loans for the microwave and the video recorder. I don't get other help."

**Mr Thompson:** "For a couple of weeks running we went to the supermarket with £5 to live on....my wife was 6 months pregnant."

**Mrs Trent:** "You can't take out credit 'cos you can't tell what they're going to take off you. Until his kids are older you can't plan anything financially."

**Mr Hunt:** Yes I have financial problems and they're made worse by the CSA. I can't plan anything financially. If anything happens to my ex-wife's job then any commitments I have come into jeopardy."

**Miss Bowen:** I've financial commitments with my family because I can't afford tick. I give Mam so much a week, but I can't always manage it and a shop wouldn't stand for it....I don't see why it should be up to my parents."

**Mrs Dobson:** "I got the washing-machine as part of the settlement - he's got all the other furniture.....I'd no cooker ....I haven't got a fridge, I haven't got a freezer, I haven't got a bed to sleep in. I'm having to sleep with the children and its disturbing their sleep."

**Mr Clark:** "I daren't get anything on credit..its hard to plan financially."

**Mr & Mrs Samuels:** "I was left with a spoon and a bowl. I came back from work and everything was gone.....but we're managing quite comfortably."

**Mr Harvey:** "I'm waiting to get a place of my own, but I don't know if I can afford it, I mean, the bills and furniture, with my money, and then paying them (the CSA)."

Although this combination of data provides valuable information on the group and helps to situate the sample in terms of income and wealth, it does not necessarily facilitate classification in poverty terms. For example, as female headed lone parent families have low incomes on average, none in the sample are below the FRS average, with two exceeding it, [Table 6] although all of them receive means-tested benefit [Table 8], and none were over Millar's 140% Income Support plus housing level [Table 5].

In contrast, one two parent family had a lower gross income than the FRS average, but had an income higher than 140% of means-tested benefits plus housing costs [Tables 5 & 6]. In addition, several two parent families had incomes in the 6th decile [Table 7], yet this represented a level equal to the FRS average [Table 6]. Using several standards confirms how problematic the area of poverty definition is.

In spite of the difficulties, however, it is possible to see from the Tables that, of the 19 households where this could be measured, only Mr Cook, Mr Taylor and Miss Bowen's households had incomes above both 140% of Income Support plus Housing [Table 5] and the FRS average (where applicable) [Table 6], and were in the 5th decile or above of average incomes [Table 7]. Of these both Mr Cook and Miss Bowen lived in Local Authority rented accommodation [Table 8] and lacked one of the consumer goods.

Perhaps the most startling revelation is how the households fared when their net income was adjusted for payment or receipt of Child Support [Table 5]. Mrs Antony remained below Millar's 140% of means-tested benefit standard as Child Support was already in her net income calculation but Mr Potter fell dramatically below his household standard, with only £68 net compared to a £129 standard. Mrs Simpson's net dropped to £160 compared to £190 set by the standard, and Mr Wood and Mrs Trent also fell below the standard.

Thus the two men who were classed as long-term sick, a category which has a higher representation amongst absent fathers than in the population at large (20% according to Children Come First 1991), were both left with incomes which could be described as below the poverty line. In addition, a working lone parent with an absent child -

work being a choice that is actively encouraged by the legislation - was also significantly below this standard.

In addition, all of the sample fell below the average disposable income for non-retired households of £17,794 (Government Statistical Service, 1994), even before housing costs were deducted from their net incomes. Lastly, in their own estimation, all but two of the sample group considered themselves to have financial problems.

#### 1.4 Informal Transfers

"About one-third of mothers reported that, following the intervention of the Agency, ex-partners' gifts of cash and kind to children and other 'hidden' subsidies had ceased or were reduced significantly"

Clarke et al (1996) in "Small Change", p 21

CPAG (1993) predicted that even where there was no change in direct financial outcomes for parents with care and their children, indirect exchanges would be reduced by the increases in payments extracted from absent fathers. This prediction was confirmed by the findings of Clarke et al (1996) quoted above.

As regards my sample, they reported the following experiences. I have only considered the cases where there was either an assessment in place or an arrangement to avoid an assessment. This means that **Mrs Dobson, Mrs Hewitt, Mr & Mrs Lyons and Mr & Mrs Samuels** are excluded, leaving 17 cases for consideration as regards this aspect of the changes.

Of these, in the majority of cases, there had been either no transfers prior to the CSA, or no change since. The eight cases where there had never been informal exchanges were as follows. **Miss Ross** commented "(from the start) he didn't put himself out - only bought him a handful of stuff....He's had nothing for months". **Mr & Mrs Norman** stated "The first year we were together, the Xmas presents were sent back, so we've never bothered since."

**Mr & Mrs White** had had no contact for some years, **Mrs Simpson** felt she could not afford to spend money on her resident children, let alone on her absent son, **Mr Wood** had rarely seen his daughter since his divorce and had paid nothing towards her upkeep, **Mr Thompson** explained that his new partner would not tolerate it "I

can't give presents because of the wife.", **Mr Cook** had had no recent contact with his son and **Mrs Trent's** husband had also lost touch with his children.

In a further six cases, informal payments had remained the same. **Mrs Antony** commented, "It still happens at birthdays - no more than before." **Mr & Mrs King** still kept the two youngest children every second week-end, as they had before the CSA and **Mr Hunt** had made sacrifices so that he could still give his children the same gifts, and informal support. **Miss Bowen** considered that informal transfers were still the same. "We still give her a Xmas box." **Mr Clark** still spent money on his son. "I take him places, I buy him things - not everything he wants - little surprises. I've an attic full of toys. I don't mind spending money on him." **Mr Harvey** also considered that he spent the same on extras.

Thus in 14 cases there had been no change. In the remaining three instances, the effects had been far from clear cut. **Mr Potter** commented on the first interview: "I used to buy clothes and give her extra money. We went down Torquay for a holiday. Now I can't afford it." However, by the second interview he considered that he was still paying for the extras as he had in the past. "We went to Torquay last year.....I just gave her £40.00 to buy a new coat. "

**Mr Hendry** commented that the informal support he gave by looking after his daughter had increased. "I originally only saw her every week-end, but now she stays two or three nights a week ..... it came at the same time as the CSA, but wasn't connected". Only **Mr Taylor** commented "My daughter isn't gaining anything - she's probably getting less than what she was before.....I can't afford to buy as much."

Thus it can be seen that the experience of the sample as regards informal transfers did not show that the CSA had had a marked effect, as in only one case was it considered that this type of support had been reduced.

### **1.5 Financial Effects of the CSA**

Clarke et al (1994 and 1996) found that lone parents and their children did not benefit from the CSA. This is easily understood in the case of Income Support claimants, whose child support is deducted pound for pound from their benefit, but was also shown to be the case for those on Family Credit where there is a £15 disregard, partly because the increase in maintenance income could result in a drop in Family Credit

but also because of either irregular payments or a cessation of payments, when the absent parent was contacted by the CSA.

The above-mentioned studies and Garnham & Knights (1994) give examples of lone parents who are worse off after being awarded child support either because of the loss of benefit, the loss of passported benefits, or because of the cessation of maintenance payments.

In this study, none of the parents with care considered themselves to have gained financially from the CSA. However, only one parent with care - a lone parent - had successfully claimed and received child support. Two had refused to claim, two had not received assessments and one had claimed and been assessed but had no expectation that she would receive any money, given her knowledge of the absent parent's circumstances.

In addition, two of the parents with care were not lone parents but had new partners who were themselves absent parents and liable to assessment for child support payment. These two women and one lone parent had substantial arrears outstanding from pre-CSA assessments. Another had herself been assessed to pay child support for her son, with whom she no longer lived, but had never claimed either maintenance or child support for her two daughters, for whom she had sole care. She worked and claimed Family Credit and considered herself, after paying child support and work-related expenses, to be on income support levels.

In the one case where child support was in payment, her financial situation had only improved because she had increased her earnings - although these were still less than £50 per week - and claimed Family Credit. In addition, her ex-husband paid her regularly. She did not, however, consider herself to have gained financially by the change.

In addition in a substantial minority of the cases where it is possible to judge this (seven out of 16) there had been a reduction in the amount paid by the absent parent, meaning that the amount received in child support had reduced for the parent with care.

Bennett (1997) makes the point that very little research has been carried out on absent parents and second families - the groups that make up the bulk of this study.

Garnham & Knights (1994) consider that the CSA formula could leave the new family with less money than was being paid for the first family, and with disposable income levels very little higher than Income Support, although existing commitments might be in place. In addition, they consider that second families are often already in financial difficulties or encounter them when the CSA assesses their payment.

Only two of the sample of absent parents with or without new partners considered themselves to be without financial problems, yet, although assessments had risen over existing payments in the overwhelming majority of cases, this rise had only been sustained in half of the assessed cases. The fluctuations in payments had arisen partly through changes in the law - the majority of which assisted absent parents - and partly through changes in circumstances of the absent parent.

For this group, the numbers in arrears had risen sharply with the advent of the CSA. Whilst a minority had arrears prior to the Act, all those with assessments had arrears under the new system. This increased the current burden for often already stretched budgets and inevitably had repercussions for those who were due to receive the payments. In effect, allowing for the new levels of arrears and the reduced payments, most recipients would not have benefited from the changes.

Hutton et al (1998) found that delayed payments had a negative effect on the tight budgets of parents with care. In my sample, the one parent who received support did not experience this problem although there were implications for those receiving the support from the absent parents.

For all groups, the majority were affected by the uncertainties of the system - either in terms of assessment levels, delays in assessment or changing payments. Those who had taken steps to avoid the system, were nevertheless affected by increased payments. This effect was exacerbated by the fact that many of the group were in insecure employment, or subject to fluctuating income levels, or had stable, but low, fixed incomes.

A higher percentage of the group were in work than would be expected for the geographical area, but the majority of these considered their work to be insecure. In half of the cases where there were two earners in the family unit, both considered their employment to be unstable, and in a majority of cases at least one income was insecure. Although the percentage in work is higher than the average for absent

fathers, (Hansard 1995) the income levels are lower than average for this group. In addition, receipt of Family Credit - an indication of low income - was also higher, within the group, than in the general population.

Looking at the sample group in relation to various poverty indicators, although highlighting the complexity of this area, also indicates that the majority fall in the lower section of the population in terms of income - particularly when adjustments are made for family size. Lastly, the overwhelming majority of the group considered themselves to have financial problems, with around a quarter attributing this solely to the CSA.

Although the majority of the sample group had concerns about the method of calculation and flexibility of payment, none were against supporting their children in principle.

This chapter has looked at the complexity of the real lives and situations of the group in financial terms, but their lives are also lived in the realm of personal relationships, and this area is at least as diverse. Half of the parents with care were also either new partners or absent parents in their own right; several of the absent parents had experience of being step-parents; new relationships were subject to stresses and strains, in which the child support agency played a part. The following chapter will now examine this aspect of the experience of Child Support.

## **Chapter IV**

### **Research Findings - Part II**

#### **Effects on the Family**

"It's complicated. There's the baby of the new marriage, then my two from my previous marriage.....and he's got four sons. We were both married for fourteen years before."

Mrs King, 23/11/94

"My situation is complicated. I've got a new daughter and she's got a baby too."

Mr Clark, 9/12/94

#### **Introduction**

When I began the analysis of the data from interviews, it quickly became apparent that the sample could not be divided neatly into parents with care and absent parents, since many individuals fell into more than one category. It is therefore imperative to look at the 26 individuals from 21 households who make up the ample for the purposes of this chapter, in terms of the complexity of their lives, as regards their family and personal relationships. Further information on the sample is contained in Appendix II.

As in the previous chapter, many of the quotes are the words of the interviewees themselves.

The Child Support Act is often viewed in terms of lone parents, and much of the rhetoric surrounding the changes in the legislation concerned feckless fathers and misguided mothers. By contrast the experiences of the group rarely fitted into these categories, the reality revealing, as is often the case, a far more complex and diverse picture.

## **1. Family Status and Family Circumstances - Complexity, Diversity and Dynamics**

The first parts of this chapter highlight the complexity of modern family life and the diverse range of relationships that can exist within this institution. The vast majority of participants had been married at some time, although a majority had also cohabited. Of the 27 respondents, only three had never been married, 10 had been married twice and 13 had been married only once. Of the twelve couples, in three cases both partners had been married twice.

Eight of the 19 parents had experience of being a lone parent, including one father. Four of these had left lone parenthood through forming a new partnership, and in three of these cases, their new partner had children from a previous relationship. In three of the new partnerships, there were new children in the relationship. Nine of the absent fathers had new relationships and in eight of these relationships there were either new children or step children, with one expected soon in the final case.

Of the nine couples with resident children, three of the families included step-children. A further family had included a step-child until he left home, and in another case, two step-children had gone to live with others. In both these cases this change had happened very recently. In a further case, a non-resident father had cared for his now adult, step-daughter throughout his marriage.

Of the 18 households where there are absent children, in only six cases is contact with that child frequent. In two of these cases there were resident children, although in one further case, where there were two sets of absent children, all spent considerable time together at their father's home. In four of the cases where contact was frequent the absent parent either lived alone or with his parent, and in five cases, the absent parent had no further children, although in one of these cases there was a previous absent family.

In eight cases there was no contact with the absent child, and in seven of these cases the absent parent had formed a new relationship, and in six cases, there were children in the new family unit. In the remaining four, only limited contact existed, with three having formed a new partnership and two of these, having children in the family.

There is no evidence from the sample that the CSA has had the effect of inducing absent parents to increase contact in order to reduce liability for payments, as was predicted to be a possible effect (Leigh, 1992, Garnham & Knights, 1993), rather the evidence suggests that the increased financial pressures led to reduced contact.

Ford et al (1997) found that a third of lone parents and a quarter of their children did not see the absent parent. In addition, half of the absent parents were said to have new partners and the majority of these to have new children. In my sample a higher percentage of absent parents had no contact with their children and also a larger proportion of absent parents had new partners with almost all having further children.

Perhaps more important are the findings on how the participants considered that the CSA had affected these relationships. A clear majority of informants considered that the CSA had caused their relationships with ex-partners to be worse, and a majority of those who had contact with their children felt that this relationship had also deteriorated as a result of the CSA intervention. In addition, a substantial minority of those with resident children considered that there had been a detrimental effect on these relationships.

As regards the new relationships, only in one case was it considered that there had been no detrimental effect whereas in the remaining 11 cases the CSA was considered to have caused a severe strain on the relationship, with many considering splitting up. Thus, there was overall a detrimental affect on relationships, particularly on the new partnerships. These findings correlate with those of Clarke et al (1996) who found that the "...friction can affect adults and children in both new and old relationships." (p 30).

Hutton et al (1998) also found that the involvement of the CSA led to increased concerns about relationships with both former and new partners and children. These attitudes related to various issues including, recontacting partners who had left the day-to-day lives of children, renewing stressful relationships and providing information about former partners that might jeopardise the relationship with children. In addition there was considerable concern about the financial impact on the relationships with both new and old families.

Of the four lone parents, three had an ambivalent attitude to forming a new relationship, and of the 12 women who were in a partnership, four felt that they

partnerships with resident children, in seven of these the stability of the relationship had been threatened by the CSA.

These aspects of the groups' experiences are of relevance in as far as there was an explicit agenda within the legislation concerned with discouraging lone parenthood. The evidence is that ending lone parenthood by repartnering was perceived as more complex as a result of the CSA, whilst existing relationships were threatened. However, in the limited experience of the sample, the effects of the new legislation would not affect their decisions as regards remaining with a partner.

As a major route out of lone parenthood is repartnering, this aspect is of relevance, yet the affect of the CSA appears to have been against this. Three of the lone parents were ambivalent about this option - in part because of the effects of the CSA - and one former lone parent who had formed a new partnership, regretted this decision, mainly because of the effects of the CSA, stating she would be better off alone.

Of the twelve women in the group, only two were not mothers and both these women felt that the demands of the CSA had threatened their freedom of choice as regards childbearing.

As regards attitudes to responsibility for children and parenting, there was universal agreement that financial responsibility persisted post-separation, but strong feelings about the levels that should be set and what should be considered when assessing payments. In addition, there was considerable dissatisfaction with the inclusion of an amount for the carer, and the omission of any but financial factors from the definition of that responsibility, within the CSA.

The overwhelming evidence from this group is that family forms are increasingly complex and diverse. Although marriage remains the experience of the majority, cohabitation, and childbearing within this type of partnership, is accepted, and step-children - either resident or not - are frequently seen as part of the family unit. The multiple relationships that result from this dynamism lead to added stress on interpersonal relationships within the family, which threaten the stability of partnerships, and parent/child interaction.

The financial and bureaucratic effects of the CSA were almost universally perceived as increasing the pressures on current family stability and relationships, as well as

The financial and bureaucratic effects of the CSA were almost universally perceived as increasing the pressures on current family stability and relationships, as well as adding significant strain to the links with previous families. Contact and the quality of the relationships had deteriorated so that rather than supporting children, the CSA had been detrimental to those who experience separation from their birth family.

At a time of rapid change in family composition creating new forms that are fluid rather than stable, the individual's role within the institution has also been subject to redefinition. Women have increased participation within the workforce and men are expected to play a larger role in the emotional well-being of the family, which, in its modern nuclear form, is expected to meet the multifarious needs of its members.

It is increasingly unlikely that the experience of family life will reflect that of previous generations, which was expected to centre on the male breadwinner and female child rearer, except in the case of death of one of the partners. Thus, rather than rely on lessons learned in their own childhood, many parents are forced to reinvent patterns of child rearing, to include multiple families, step-children and long-distance parenting. Yet at the same time, there is a common belief that the family is the cause of wider societal problems and power imbalances. Lone parents and absent fathers are responsible for a generation without respect for authority whilst more traditional family forms reinforce gender and age discrimination.

This picture of rapid change in the expectations both in the roles in and the form of family life is set against an increasingly uncertain economic background which has implications for individuals' ability to provide the security and stability that is widely considered necessary for healthy child development. Yet, there is considerable evidence from the sample that parental responsibility was taken very seriously, as regards effort to retain contact, factors influencing the decision to end contact or consideration given to the needs of step-children.

Rather than a picture of fecklessness, the sample revealed that considerable care and thought went into decisions about post-separation roles with respect to partners and children, but that these choices had to be made in the light of new responsibilities for further partners and children, and the new family situations that both sides found themselves in. These decisions were inevitably made against an economic background which the CSA had only served to make more insecure.

The majority of mothers combined this role with paid employment, whilst the majority of fathers took active responsibility for their resident children, with a significant minority making huge efforts to retain contact with non-resident children. An illustration of these latter points, is that three fathers were interviewed on their own with children.

The following sections outline my evidence for these findings.

### **The Impact of the CSA on the Family, Individuals and their Relationships**

The sample contained 21 households. The household types included single persons, married couples with no children, married couples with children, cohabiting couples both with and without children, lone parents and adult children living with parents. Table 10 summarises some of this information for the sample group.

Table 10: Current family status

	Parents with care	Absent parents	New partners
single adult	n/a	4	n/a
single adult with children	3	1	n/a
couple - resident children of both partners only	n/a	6	4
couple - resident children of one partner only	1	2	1
couple - resident children of one partner and of both partners	1	1	1
couple - no resident children	n/a	1	2
living in parental home	1	1	-

Although this table shows that there were several different types of households represented in the sample, it does not take account of other factors which had a bearing on the complexity of the situations, such as the numbers of children involved and the fact that one individual could be in more than one category, as regards the CSA. In addition, it does not reflect the routes into the current situation, nor its

stability. The issues of contact with children and relationships with the previous partner are also not revealed. The sections below, therefore, look in more detail at individual circumstances.

### **Circumstances of Parents with Care**

**Miss Ross** was the only parent with care who had never been married to her child's father. She was the youngest parent with care and had not cohabited with her ex-partner. She had a current relationship at the time of the interview, but "wouldn't rush into moving in with someone else" although she expressed a wish to form a couple, and marry in the future. She was still living in her parental home as part of her original family, in a household with three other adults; her parents and her twenty year old brother.

All the other women currently caring for their children had been married at some point to the children's' father.

**Mrs Antony** was in the process of divorcing her husband on the grounds of adultery. She had a new relationship with a divorced man which she described as "not serious". She had been single prior to her marriage. Her new boyfriend had a child by a previous marriage. Her separation was recent - five months previously - and the fact that her husband had been having an affair with her best friend, had affected her perceptions.

In the case of **Mrs Dobson**, she had been divorced from the children's father some time before their birth, on the grounds of mental and physical cruelty. She had then been reconciled as she "thought he had changed". After the birth of her first child she left again, returning once more and having a second child. He had then left her for a new partner. She had no new relationship at the time of the interview. Her ex-partner was living with another woman who had two children.

In two cases, **Mrs Norman** and **Mrs Hewitt**, the mother with care had remarried following their divorce and were still with their second husband. Both marriages were second marriages for both partners, and their new husbands were absent parents. Thus these parents with care were also new partners of absent parents.

In Mrs Norman's case, there were no children of the second marriage, and the new family contained her two children of her first marriage, step children for her second husband. There were two absent children who had no contact with the new family. Her ex-husband had a new relationship and he had adopted his new wife's disabled child.

In the case of Mrs Hewitt, there were two children of the second marriage and one child from her first marriage. The one absent child still had contact with the new family, but the "rules were different" and visits caused "friction" between the husband and wife.

In **Mrs Simpson's** case, she had been married and divorced twice and was still living with the children of her first marriage, but her second husband had the care of the child from that marriage. She was therefore a parent with care as well as an absent parent. As regards the future she commented that there was "no way I would live with someone else when paying child support." Her first husband had children from three separate relationships and she claimed he had never paid maintenance for any of them.

### **Circumstances of Absent Parents**

12 of the male absent parents had been married at some time though not necessarily to the mother of the child they were expected to support. Seven were currently married and living with their wife, whilst two were cohabiting and five did not live with a partner. The one absent mother had been married to the father of her child. Of the 15 absent parents in total, 10 had been married to the parent with care.

Of those who were cohabiting, **Mr Clark** had a six month old daughter in the relationship and had not been married to his previous partner, who had care of his elder child. His ex-partner however, had now married and had another child. **Mr Cook's** new partner was expecting a child, and he had previously been married to the mother of his first child. In neither case was the current cohabitation official, in terms of the CSA.

Of those who were not currently living with a partner, **Mr Harvey** reported that he was still in a relationship with the mother of the child who was being assessed although they had never cohabited. He was officially living at his father's home, and

waiting to be rehoused. He had previously been married and had two daughters who were not the subject of CSA intervention. He had regular contact with these children and resented the fact that they did not get any of the money he paid. 'I'd rather have the money spread between the three kids.' His ex-wife had remarried and had another child.

Two absent fathers, **Mr Potter** and **Mr Wood**, had long term health problems and lived alone, having previously been married. Mr Potter had supported his step-daughter, from his ex-wife's first marriage, during his marriage and had also supported his own child after the divorce. He strongly resented the term "absent" father as he had maintained a strong relationship with his daughter. Mr Wood was engaged but had no definite plans to remarry or cohabit. Both men had only one child. Neither ex-wife had any further children.

The other two participants who lived alone, **Mr Taylor** and **Mr Hunt**, had been married to the mother of their children and were now divorced. Both had reached private arrangements with their ex-wife rather than co-operate with the CSA. Mr Hunt considered that his financial position, combined with frequent trips to visit his two children, meant that a new relationship was impossible. His ex-wife had no new relationship, nor any further children. Mr Taylor had one daughter and no current relationship. His ex-wife had had two long-term relationships since the divorce, but no further children.

Of the absent parents who were currently married, five had children in the new relationship and two had step children. Of the latter, in both cases, there were no children of the new relationship. One of the stepfathers, **Mr Norman** had no contact with the two absent children - he is the new partner of one of the parents with care. He commented that the lack of allowance in the formula for his step-children meant that they were treated like "beasts". In their case it is the second marriage for both partners. His ex-wife had not re-married or had further children.

The other stepfather, **Mr Hendry** had regular contact with his child, including overnight stays two to three nights per week. He considered that his daughter and her step-sister got on reasonably well, considering the age difference. He had been married to his daughter's mother but for his second wife this was her first marriage. His first wife was in a new relationship and had a new child.

In two cases, **Mr and Mrs White** and **Mr and Mrs Samuels**, there were two children of the new marriage and one child of the first marriage. For the female new partners, it was their first marriage. In neither case was their contact with the absent child. In Mr and Mrs White's case, his ex-wife had re-married and had further children. Her new husband eventually adopted the child, removing the pressures from the CSA. Mr Samuels' first wife had also remarried and had further children. Mr White felt the CSA had put a strain on their relationship. "This family was trundling along and here suddenly, they upset the applecart."

In **Mr Thompson's** case, there was one child in the marriage and it was a first marriage for both partners. He had never lived with his first child's mother. He only saw his older child "on and off", as his wife found contact too stressful. "My wife just won't have it, 'cos she absolutely hates my ex-girlfriend."

**Mr Lyons** had been married previously and brought up the child after the divorce, originally as a lone parent but without any support from his ex-wife. It was his second wife's first marriage and they had two children. The child he was expected to support through the CSA was from a casual relationship. "She came off the pill without telling me but I accepted responsibility." The child's mother had married and had further children. He commented "Its certainly put a strain on things. You wonder if its worth continuing working, in which case, it would cause the split up of our marriage and leave three families to support."

In the case of **Mr and Mrs King**, it was the second marriage for both partners, and there was a new child in the current marriage. The husband had four sons living with his ex-wife, and the wife had a son and daughter who had originally lived with her, but were currently in the care of others. Mr King's ex-wife had remarried and had another child. Mr and Mrs King had separated once since their marriage because of the pressures of their new life together, not least the financial situation.

Of the nine absent parents who live with a partner, eight considered that the CSA had threatened the stability of their new relationship. In only one case, the Samuels, was it asserted that the new relationship had not been adversely affected. "(There was) no stress on the marriage; stress on everything else."

## **Circumstances of New Partners**

For five of the new partners it was their first marriage. In two cases it was their second marriage and in one it was a cohabitation. Thus of the eight new partners, seven, of the relationships were marriage.

**Mrs Hewitt's** situation is described above as she is also a parent with care. **Mrs Norman, Mrs White, Mrs Samuels, Mrs Lyons and Mrs King's** situations are given at the same time as their husbands'. In the middle three cases, they had married between the birth of their first and second child.

In the remaining two cases, **Miss Bowen** was cohabiting with a previously married partner and **Mrs Trent** was married for the first time to a divorced man who had two children, who he did not see. Both expressed ambivalence about the wisdom of forming a relationship with divorced men with children.

They both also considered there had been a strain on their current relationship. **Mrs Trent** explained "he went back for a day because of the friction between us". **Mr Trent's** first wife had not formed a new relationship and had no more children. **Miss Bowen's** partner's ex-wife, had formed a new relationship and had a further child. She particularly resented the idea that she was supporting this child.

From the new partners' perspective - with the exception of the **Samuels** noted above - , the CSA had caused strain on the new relationship. **Mrs Norman** commented: "I would never have married....that's what I advised my sister when the other man had children...." She felt "...classed as not being his wife. I'd be better off on my own." **Mrs White** had also considered leaving the relationship. "...I said we were separating. That's what it'll come to - then he can pay for me!" She also commented "I wouldn't marry someone with children from a previous relationship".

**Mrs King** had left her husband for a brief period. "We split up for a while. I managed on Income Support." **Mrs Lyons** commented "(It) could cause the split up of our marriage - in which case there'd be three families to support." Thus in seven of the cases, the CSA was considered to have been a strain on the new relationship.

## **Circumstances of Children**

Although this research was not designed to look in detail at the circumstances of the children, certain information about both resident and absent children seemed important as regards looking at the diversity and complexity of individual family circumstances.

Of the 21 households, 13 had resident children. Of these, in six instances the children were living with both of their parents, in four they were living with a lone parent, their mother, in two they were living with their mother and a step-father and in one, two of the children were living with both parents and the third was with a step-father. In seven of the cases the child/ren had at some time been in a lone parent family.

In six households there was only one resident child - in three of which they lived with both parents, in two with a lone parent and in one case with their mother and step-father. In six households there were two resident children - in three of these households they lived with both parents, in two with a lone parent and in one with their mother and step father. In the remaining household there were three children, two of whom lived with both parents and the third with his mother and step-father. There were 21 resident children in total.

18 of the households had "absent" children. In eight cases there was no contact, in six cases there was frequent contact and in four cases limited contact. In 13 cases there was one absent child, in three, two children, in one, three children and in one, four children.

Of the cases where there was no contact, in 6 there was one non-resident child and in two there were two children. When frequent contact was reported, in three cases there was one child involved, in one case, two children, in one, three children, and in the remaining case, four. Where contact was considered to be limited, in all four cases there was only one child. There were 28 non-resident children in total, including Mrs King's children who were living with relatives or in care, and Mr Harvey's two daughters who were not the subject of a CSA assessment.

10 of the households had both resident and absent children. This represents over three-quarters of the households with resident children, and over half of those with

absent children. Of these 10 households, in six of the cases, there was no contact with the absent child, in two, frequent contact and in two, limited contact.

In **Mrs Antony's, Miss Ross's and Mrs Dobson's** cases there were only resident children. All three are lone parents. Mrs Antony's son saw his father regularly. Miss Ross was adamant there should be no contact. "I stopped his Mam coming ...If he couldn't look after him from day one then why should he have the chance to walk in when he's six years old and mess it up for me.....I wouldn't trust him for snatching him...He's a history of being in trouble."

Mrs Dobson's children saw their father once a month, and before they had to move and no longer could afford a phone, he would phone every night. The fourth lone parent, **Mrs Simpson**, who was also an absent parent, had no contact with her absent child. Her child had learning difficulties and behavioural problems, and spent time in care. Her two daughters from her first marriage "don't see either Dad."

In the three households where there were step children, in one, **Mr Hendry's**, there was frequent contact, "...she stays two or three times a week.", in **Mrs Hewitt's**, limited contact as regards both her son "he (her ex-partner) wasn't bothered .... and the bairn didn't want to go" and her husband's absent daughter ".....I'd problems with his daughter." and she considered it had caused marital problems. In **Mr Norman's** case there was no contact with his two sons. "I haven't seen them for two years....contact ended when we formed a new relationship." **Mrs Norman's** children however, saw their father frequently. "He sees them all the time. Its their choice. He sees them at least once a fortnight and rings frequently."

In the cases where all the resident children were living with both parents, [six of the households with children] in four, **Mr and Mrs White, Mr and Mrs Lyons, Mr Thompson and Mr and Mrs Samuels**, there was no contact with the absent child. Mr White said "There's been no contact since I got involved again. We agreed it would be best." Mr Lyons had never seen his child. Mr Thompson had initially had limited contact but this had stopped with his new relationship. Mr & Mrs Samuels said "There's been no contact for seven years".

In **Mr and Mrs Kings'** case there is frequent contact "The two eldest come and go as they want and they phone once a week. The two youngest stay over once a fortnight.", and in **Mr Clark's** case, limited contact. "We had an amicable agreement

- he stayed two nights a week, but that changed when I had no place to live.....(now) there's a bed for him but he's never stayed."

In the cases where there were no resident children, [eight of the households], four, **Mr Potter, Mr Taylor, Mr Hunt and Mr Harvey**, had frequent contact with the absent child/ren. Mr Potter said, "She's my most frequent visitor.", Mr Taylor's daughter saw him once a month, but this was less frequently than before "purely because of the cost.", Mr Hunt has his children to stay over the school holidays (14 weeks per year) and visited once a month, and Mr Harvey saw his son "whenever I like - almost every day (and my daughters) visit every week-end from Friday to Sunday."

Two, **Mrs Trent and Mr Cook**, had no contact. Mrs Trent said "He's no access to the kids.....He decided not to see the kids - the kids were suffering by seeing them." and Mr Cook explained that "I started off seeing the bairn..... but I was fighting with my new girlfriend, and stopped seeing the bairn, then she (his ex-wife) made unreasonable demands... I want to see him but I don't know what to do."

Two, **Miss Bowen and Mr Wood**, had limited contact. Miss Bowen said "...we have Sunday or week-day access....she doesn't stay over night, with him working funny shifts.", and Mr Wood explained "I occasionally see her, but she doesn't bother....its her age (16)."

Of the six cases where there was frequent contact, in three the absent parent lived alone, in one he lived with his father and no children, in one he lived with his new partner and their child and in the final case, with his new partner and her child. Of the eight cases where there was no contact, four were married and had children in the new relationship, two were living with a new partner, one was married and living with his step-children, and one was living alone with her children from her first marriage. This information is partially displayed in Table 11.

Table 11: Contact with absent children (self reported), by family composition

	Nos.	No contact	Frequent contact	Limited contact
one adult, no children	4	0	3	1
two adults, no children	3	2	0	1
one adult, two children	1	1	0	0
two adults, one child	4	1	2	1
two adults, two children	4	4	0	0
two adults, three children	1	0	0	1
living with parent, no children	1	0	1	1
Totals	18	8	6	4

Of interest is whether or not the situation as regards contact had been affected by the advent of the CSA. Although the history of contact with their absent children had often been variable, in only six cases was the lessening of contact attributed to the CSA.

**Miss Bowen** explained "She doesn't stay because of them. I feel resentful because she was getting the money. Because he's had to change jobs and do more hours [to pay the increased support], he doesn't see his daughter as much. Its hard on her. She cries." **Mr Taylor** commented that visits had reduced from two to one per month, because of his increased support obligations. **Mrs Simpson** felt that the increased tension between herself and her ex-partner had made contact impossible with her son.

**Mr & Mrs King**, although still considering that there was frequent contact, thought that the pressures of the CSA had reduced it somewhat, and **Mrs Hewitt** considered that the contact had become even more limited because of the CSA. **Mr Wood**, although he had only ever seen his daughter intermittently had now stopped seeing her altogether.

This information only considers the contact from the absent parent's perspective, however, there is also the contact with the children of parents with care to be considered. This is displayed in the table below.

Table 12: Contact with children of parents with care (self reported)

	Nos.	No contact	Frequent contact	Limited contact
One adult + one child	1	0	1	0
One adult + two ch/ren	2	1	0	0
Two adults + two ch/ren	1	0	1	0
Two adults + three ch/ren	1	0	0	1
Living with parents	1	1	0	1
Totals	6	2	3	1

In none of these cases had there been a change on account of the CSA.

A further factor that is of relevance is the relationships between ex-partners and between parents and the children. The next section will cover this aspect of the situations, as well as explore further the relationships within the new families.

## 2. Relationships amongst those affected by the CSA

Although I have considered the relationship between new partners and the contact between parents and their children, a further aspect is the relationships between these individuals.

### Other Parent

The major relationship that has as yet not been discussed is the relationship with the other parent. Clarke et al (1996) found that for most lone mothers the CSA had had little impact on relationships but that for a minority relationships had become more difficult (p 31). At the outset of the research one of the effects I anticipated was a worsening of relations between the parents. At the interviews, if this aspect was not mentioned, I planned to ask a question about this, so in all cases an opinion has been given on this topic. In the event, a prompt was only rarely necessary.

Individual respondents classified similar circumstances in different ways. Broadly comparable relationships with the other parent might be considered to mean that there was no relationship by one interviewee and as having had no effect on the

relationship by another, whilst a third thought that the relationship had deteriorated. As far as possible, I have followed the classification made by the respondent. Table 13 summarises this information.

Table 13: Effect on relationship with other parent

	Nos.	Worse	No effect	Better	No relations
Parents with care	6	3	3	0	0
Absent parents	15	10	2	0	3
New partners	8	5	0	0	3
Totals	29	18	5	0	6

Thus no-one reported that their relationship with the other parent had improved, over half of the relationships had deteriorated, in almost a quarter of the cases there had been no change, and in the remainder there was no relationship with the other parent. Below I give details of the situations behind these figures.

#### No effect

In four of the seven cases where no effect was reported, there had been no CSA involvement. In the case of **Mr & Mrs Norman**, as the parent with care and her new partner, they were adamant that they would not involve her ex-husband in the CSA, as it was an "unfair system". At the same time they complained that it had been "no help in chasing her ex-husband", who had recently begun paying under an attachment of earnings order. Mrs Norman considered that this arrangement had improved relations, as some of the considerable arrears were being paid off.

**Mrs Simpson** as a parent with care was "reluctant to claim CSA as it would count as income for her son's support", for whom she is an absent parent. She had never received or pursued payment of the court order that was in force for her daughters. She felt that the CSA had not affected her relationship with her first husband as there was no contact.

In the remaining three cases, where the CSA had been involved, **Mr Harvey**, an absent parent still involved with the mother of his child, had not found that the CSA had affected their relationship. She claimed income support and so did not benefit

from his increased payments. **Mr Cook**, another absent father, considered that the relationship with his ex-wife was so bad that nothing could effect it, either for better or for worse. "I can't talk to her - no communication at all." In the case of **Mrs Hewitt**, as a parent with care, she had had no contact with her ex-husband for some time, had claimed Child Support but had had no assessment made at the time of the first interview. She therefore did not consider that the CSA had affected their relationship.

#### **No relationship with the other parent**

In six cases, all absent parents who were interviewed with their new partners, it was made clear that they considered that there was no relationship with the other parent. In the case of **Mr & Mrs White**, he had had no contact with his ex-wife and child since they split up. They had agreed that this was in the best interests of the child. However he paid regular maintenance deducted from his earnings at source.

In the case of **Mr & Mrs Lyons**, they considered it "wasn't a relationship". He felt he had been tricked into being a father but he had always accepted responsibility although he had never met his son. He has paid regular maintenance, through a court order, which he had never applied to have reassessed, although he earned less and had more family commitments now, than when the award was made.

**Mr & Mrs Samuels** had had no contact with his ex-wife and son for over seven years, other than through the courts at the time of reassessments. He still paid a regular sum for his maintenance, but not through the CSA.

#### **Relationship worse**

In all other cases the interviewees considered that the CSA had made their relationship with the other parent worse.

**Mrs Antony**, as a parent with care, considered that her relationship with her ex-partner was "more fraught because of the CSA." She now received a weekly cash sum from him and found the hand-over times very stressful. He complained about the amount and his own money problems. She was no better off because of the CSA and had preferred getting the money from the Income Support as this was less emotionally charged.

**Mr & Mrs Norman**, as an absent father and his new partner, had experienced increased animosity between themselves and his ex-wife because of the CSA. At the most recent court hearing he had been threatened by her solicitor with the CSA. His ex-wife had refused him contact with his sons since he had formed a new relationship. Mrs Norman was very resentful that she had to work full time because of the demands of the CSA and her own children had suffered, so why should she "...keep the ex-wife as well."

**Mr Potter**, an "absent father" who bitterly resented this term, felt that the CSA had caused resentment, mainly because of the delays in payment at the beginning. His ex-wife had come to him screaming hysterically because she had no money and he had lent her some to tide her over, but it "had drove a big wedge in...(and)...a little bit of hate." He had considered his ex-wife a good friend; they used to "sit 'n' chat"; but now they ignored one another, although they lived very close to one another.

**Mrs Simpson**, as an absent parent, felt resentment because her husband was getting the money. She had severe financial and personal problems and thought that the CSA demands had exacerbated the relationship between herself and her second husband.

**Mr Hendry**, an absent parent, commented that he "lived in fear of his ex-wife and further CSA assessments". Although he admitted that his relationship with her was bad to start with, he felt that it "made things worse paying so much". Initial delays in payment had only added to the stress. Although the contact problems had been resolved at the same time as the CSA assessment was made, he considered this to be a coincidence, attributing it to his ex-wife forming a new relationship and appreciating regular child care. He "wouldn't use the CSA for his step-daughter's maintenance", because of his experience of increased resentment.

**Mr & Mrs King** as an absent father and his new partner, felt that the pressures and uncertainties of the CSA had adversely affected the relationship with his ex-wife. Because the amount they paid had been reduced she had become more vindictive and less co-operative about contact and other arrangements. It was yet another factor in an already stressful situation.

**Ms Ross** had never lived with her son's father but had been still seeing him when the first CSA forms arrived. She knew he had money but he refused to co-operate so she had never received any payment although there was an assessment outstanding. She considered that the CSA had caused increased tension between them. Her ex-boyfriend had told her "You'll not get nowt. I've got fines to pay." She said she was "very bitter. He can just get up and do what he likes...it maddens me how he just walks away."

**Mr Taylor** and his ex-wife had chosen not to get involved with the CSA and had come to a private arrangement. He considered that the CSA had "...caused concern (between himself and his ex-wife), apart from financially, but not in a big way", although initially, before they had agreed to a compromise, it was "a pressure that shouldn't be there" given that he had always paid his maintenance.

**Mrs Hewitt**, speaking as the new partner of an absent parent, had found that the demands of the CSA had seriously affected her relationship with her husband's first wife. She had considered themselves as friends but now "she doesn't speak to me". This was in part due to the uncertainties about payments. She admitted that she was the worrier in her current relationship - "He's annoyed about it, that's all!"

**Mr Wood** had "panicked" when the CSA assessment was first made, and had felt an increased resentment towards his ex-wife as he "didn't fight for custody" and they had agreed to a no maintenance arrangement. He felt that the CSA had made their relationship more stressful.

**Mr Thompson** considers that "this (the CSA) has caused that much aggro between all of us". As regards his relationship with his ex-partner, he considered that it had "kept us apart." He had never lived with her but had been paying maintenance for his son through the courts. The "ridiculous demands" of the CSA had created a situation of such bitterness and resentment that he could not imagine ever being able to form an amicable relationship with his ex-girlfriend again.

**Mrs Trent**, as a new partner of an absent father, considers his ex-wife to be "vindictive" and the CSA to have become a tool of revenge in her hands. Its "limitless" powers had only increased the serious animosity between the parties and she felt considerable resentment that the ex-wife had never worked and yet she was expected to pay for her upkeep.

**Mr Hunt** who had come to a private arrangement with his ex-wife to avoid paying the CSA assessment, felt that the CSA had caused "friction" in their relationship. His ex-wife had been forced to work full-time which "doesn't suit her....which she's constantly reminding me (saying) "I'm working full-time so that you can carry on doing what you're doing"".

**Miss Bowen** was extremely resentful about the CSA, as a new partner of an absent parent. She considered that the system had only made relations between the parents worse, "She didn't get no money for about three months after we'd paid. She kept phoning up and coming round.", although relations had never been good. Once again it was a situation of making a bad relationship worse.

**Mrs Dobson**, as a parent with care, also considered that the already tense situation had only been exacerbated by the CSA. She had never received any money from her children's father and the CSA had been useless at extracting any payment from him. "They target the wrong people - its the ones that aren't paying that they need to target." This frustration only added to her resentment at her ex-husband.

**Mr Clark**, an absent father, felt that his ex-girlfriend "had brought in the CSA to get at me. She's not on Income Support, she can call them off any time she likes.". She had been dissatisfied with his offer of maintenance and so had initiated an assessment. The whole process had only entrenched their attitudes and increased the ill-feeling that had already existed.

**Postscript:** Three changes occurred to these initial assessments at the time of the second interview. **Mr Potter** considered that "We've made up now" and **Mr & Mrs White** had come to an amicable arrangement whereby his ex-wife's new husband adopted his step son, thereby removing the need for CSA intervention. They commented "It caused a bit of friction in my ex-wife's new relationship because of the CSA. She stopped it. She didn't want the money she didn't want us in a rut. He wanted an adoption so she said 'I'll do that'."

However, **Mr Harvey** found that his ex-partner had decided to be difficult and was now asking for extra money, as a result of the CSA. She resented that the CSA payment did not benefit her as an Income Support claimant. Thus in one case where there had been a deterioration, there was no effect, in another there were eventually

better relations, and in the third, where initially there had been no effect, there were worsening relationships.

### **Children under assessment**

A related issue is the relationship of the interviewees with the children under assessment following the intervention of the CSA. Again I had predicted that there would be a deterioration in this area, and so when no comment was made a direct prompt was introduced. Again this was rarely needed.

The replies are summarised in Table 14.

Table 14: Relationship with children under assessment

	Nos.	Worse	No Effect	Better	No Relations
Parents with care	4	1	3	0	0
Absent parents	15	7	4	0	4
New partners	8	3	0	0	5
Totals	27	11	7	0	9

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Note: Two female parents with care and one male new partner, Mr & Mrs Norman and Mrs Simpson, had no contact with the CSA as regards the children they cared for, so their problems with these children, for whom there is no assessment, is detailed under "Effects on Relationships with the New Family". This alters the number of respondents in this section.

Thus, no-one reported that their relationship with their children who were assessed under the CSA had improved, over a third considered it had got worse, over a quarter considered there had been no change and the rest thought there was no relationship, regardless of the CSA.

### **No effect**

In **Mrs Antony's** case, she did not consider that the problems the CSA had caused had had any effect on her relationship with her son, for whom she had care. **Miss Ross** and **Mrs Hewitt** also felt that their relationship with their own children, who lived with them, had not changed.

**Mr Hendry**, as an absent parent with regular contact with his daughter, did not think that the CSA had affected their relationship, nor did **Mr Harvey** who considered there had been no change following CSA involvement and still saw his son on a daily basis, although being classed as an absent parent. **Mr Cook**, who had had no contact with his son for several months, did not consider that the CSA had affected his position, as it was already seriously damaged. **Mr Hunt** considered that in spite of the problems, he had maintained the same relationship and contact with his children.

### **No relationship**

**Mr and Mrs Norman** had had no relationship with their step-sons since before the CSA came into existence. This was also the position for **Mr & Mrs White**, **Mr & Mrs Lyons** and **Mr & Mrs Samuels**. Neither **Mrs Trent** nor her husband had seen her step-children since about a year after the separation, before the CSA became involved and although she was upset at this, all parties had considered this the best solution for the children's sake.

### **Worsening relationships**

**Mr Potter**, who had been "best mates" with his daughter felt that the CSA had caused a strain between them. He felt that the rift between himself and her mother had affected the relationship with his daughter. He still saw her regularly, but it was different because he no longer invited his ex-wife as well, whereas before they had all come round for tea and a chat. She no longer stayed overnight. He considered he had always been there for his daughter and was a "caring" father not an absent one.

(This perception had changed by the time of the second contact, at which point he considered that it had returned to the same basis as pre-CSA..)

**Mrs Simpson** as an absent mother found that the CSA had caused stress between her and her son. He had always been a difficult child and was currently in residential care, but the increased tension between her and her ex-husband over the CSA had increased her son's resentment of her and exacerbated his behavioural problems.

**Mr & Mrs King** had found their relationships with his children more difficult since the CSA had become involved. Because their assessment was lower than the court order his ex-wife had initially caused problems with access and therefore the contact

had reduced. Mr King felt that his children blamed him because their mother had less money now. Mrs King says "I know its awful, but I resent his children, I resent the stress they cause and the money they get."

**Mr Taylor** considers that his daughter resents the effects of the CSA, in that she can now only visit him once a month and he can't afford to buy her so much. "She only understands as a twelve year old can" and she sees she is getting less "so she does resent it, when I have to say no."

**Mrs Hewitt** as a new partner found that there were increased problems with her step-daughter since the CSA. She admitted that there had been tensions before because the family "rules were different", but this had become worse since she had stopped speaking to her husband's ex-partner over the CSA. Contact was now only occasional "I've enough with me own three without an extra one. Now she'd rather not come at all."

**Mr Wood** had hardly seen his daughter at all since he had started to pay the CSA. Contact had always been intermittent but had now stopped altogether. "I don't even see her in the street." He considered that the resentments caused by the CSA had contributed to the worsening of relationships. **Mr Thompson** considered that the demands of the CSA had been the final straw and that there was now no chance that he could have a relationship with his son. His current partner would not let him send presents or have any contact because of the problems they had had, and he could not see this changing in the future.

**Miss Bowen** openly admits that the CSA has caused her problems with her step-daughter. **Mrs Dobson** thought that her relationship with her children had definitely suffered: "It was the whole situation not just the CSA, but it hasn't helped." She spoke of having less patience with them, and being frightened of hitting them because of her stress.

**Mr Clark** was sure that the increased animosity between himself and his ex-partner, which was due to her use of the CSA, had affected his son. He thinks he has become more withdrawn and it "leaves scars". He has consciously refused to use his son in his fight with his mother but now feels he would like to "drop hints."

## **Effect on relationships within the new family**

Although I had not predicted an effect on new families this was an area of concern that was raised very soon after the start of the CSA. I therefore made sure that this aspect was covered at the interviews. Again, it was rarely necessary to use a prompt.

I have divided this area into three sections - relationships with a new partner, relationships with other or step-children, and attitudes to repartnering, relationship breakdown and childbearing.

### **Worsening relationships - new partner**

Although this aspect has been touched on above, as it seems an important issue, more detail is supplied below. Table 15 gives some more information on this aspect and the section below gives the interviewees perceptions.

Table 15: Relationships with new partners

	Nos.	Worse	No effect	Better
Parents with care	2	2	0	0
Absent parents	9	8	1	0
New partners	8	7	1	0
Totals	19	17	2	0

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Note: Four parents with care, Mrs Antony, Mrs Simpson, Ms Ross and Mrs Dobson, five male absent parents, Mr Potter, Mr Taylor, Mr Wood, Mr Hunt and Mr Harvey, and the female absent parent Mrs Simpson had no new partner.

**Mr and Mrs Norman** agreed that the CSA assessment for his children had brought stress into their relationship, causing arguments and ill feeling. Mrs Norman said "I'm classed as not being his wife. I'd be better off on my own!" They admitted to having considered separating because of the pressures and were having serious second thoughts about their relationship. Because there had been no contact with the CSA as regards Mrs Norman's ex-husband they did not feel that this aspect had put pressure on them.

**Mr White** thought that the CSA had increased tension between himself and his wife, causing arguments and affecting the current relationship. **Mrs White** admitted to having told the CSA she was separating from her husband in order to get some information from them. "That's what'll come to - then he can pay me instead of her."

**Mr Hendry** also felt that the CSA had led to increased tension in his current relationship as paying out so much had only "made things worse." **Mr & Mrs King** had separated for a time because of the extra pressures and felt that the CSA had been "the last straw". (By the time of contact for the second interview, they had parted again.)

**Mr & Mrs Lyons** felt that their relationship had come under pressure because of the CSA. Mrs Lyons said "It's a big strain". They both felt that the greatly increased financial pressures had put them under a lot of stress, with Mrs Lyons having to take on extra work.

**Mr Cook** had only recently started living with his girl friend, who was expecting their child. He felt that their relationship had extra pressures because of the CSA. It had already caused arguments and he felt that this would only increase when there were more expenses with the new baby. His new partner felt she was having to "pay for something that isn't hers" and resented it.

**Mrs Hewitt** as a new partner felt that the CSA was affecting her new relationship. She felt she had the whole burden of the financial situation and little support from her husband. He often worked away leaving her with all the responsibility. She considered it had definitely caused "friction between me 'n' him". As regards her position as a parent with care she didn't consider that the CSA had had any effect on her new relationship.

**Mr Thompson**, as an absent parent, felt very bitter about the effects of the CSA on his new relationship. "My wife was six months pregnant when it came through, it nearly destroyed my marriage, honestly." There was still of a lot of resentment under the surface which meant that he could have no contact with his son. "My wife just wont have it 'cos she absolutely hates my ex-girlfriend because of what we went through."

**Mrs Trent**, as a new partner, definitely considered that there had been "marital strain". "I tend to blame him....I felt he hadn't tried hard enough.... You know in your head you're being stupid....I suppose it'll strengthen our relationship in the end..but its hard at the moment."

**Miss Bowen** feels very "bitter", we "nearly split up - one weekend I went back to me Mam's. ....I wouldn't have got involved if I'd known." They can no longer afford to go out or go on holiday and have to rely on family for any extras and she feels that the relationship is under severe pressure because of the CSA.

**Mr Clark** felt that the CSA was putting strain on his new partnership. "It was affecting our relationship so we agreed not argue about it." Every letter from the CSA added to the stress. His new girlfriend felt it was unfair that their financial future was so uncertain and it "certainly put pressure on us both."

**Mr and Mrs Samuels** agreed that there had, ultimately, been no stress on their marriage because of the CSA, that they had faced the problem together, although they also agreed that Mrs Samuels was more upset about it all. "It was my mistake, why should Chris have to pay?" They felt that in spite of the difficulties their relationship had not been affected. Theirs was the only new partnership to have survived the CSA intervention without negative effect.

#### **Worsening relationships - other children**

**Mr and Mrs Norman** were very bitter about the effect of the CSA's claims for his sons on the two children that lived with them. Mrs Norman elaborated "The children are bitter. We have to say no. We can't afford trips. The children get nothing. I work full time and they started suffering. I can't keep a proper eye on them" Mr Norman added "My wife has had to go out and work full-time. My ex-wife **won't** work. My step children are treated like beasts by the CSA."

**Mr and Mrs White** didn't consider that the CSA had affected their children, because they "were too young". **Mrs Simpson** knew that her daughters were affected by the demands on her from the CSA. "Its resented by my daughters. The lack of money affects my youngest daughter because she's restricted in the things she can buy. It causes arguments.....But because of the problems, they've got no Dad."

These views are typical of the experience. Table 16 gives some information on relationships with other children, with the following section providing more detail from the perspective of the interviewees.

Table 16: Relationship with other or step-children

	Nos.	Worse	No effect	Better
Parents with care	3	0	3	0
Absent parents	9	4	5	0
New partners	6	3	3	0
Totals	18	7	11	0

Note: Three parents with care, Mrs Antony, Ms Ross, and Mrs Dobson, six absent fathers, Mr Potter, Mr Cook, Mr Taylor, Mr Wood, Mr Hunt and Mr Harvey, and two new partners, Mrs Trent and Miss Bowen had no other children in their family.

**Mr Hendry** didn't think that his experience of the CSA had had any effect on his step daughter, except in as far as their determination not to use it to chase her father had meant she had escaped from the bitterness involved. **Mr and Mrs King**, however, felt that their relationships with both his step-children and their new son had been adversely affected by the CSA. Mr King had felt resentment at his step-children which had been aggravated by the effects of the CSA and Mrs King resented that their new son, Jack, had nothing new because of their financial problems, and thought that she spoiled him in other ways to make up for this lack. It left her with less energy for her own children who were now in care.

**Mr and Mrs Lyons** thought that their two children were affected by the increased tension between them and suffered because of Mrs Lyons having to take on extra work which damaged her health and meant she had less time for them. They would also suffer from a less secure future because of the increased financial burden. The children couldn't understand why there was less money. They were dreading having to tell them about their half-brother they had never met, but the letters from the CSA would soon have to be explained, and not at a time of their parents choosing. "Its come at a time when my second family needs money for school trips to broaden their horizons. If I get hammered for this (CSA), I wont be able to afford it"

**Mrs Hewitt, Mr Thompson and Mr Clark** did not consider that the CSA had affected the children in their care. **Mr and Mrs Samuels** had always been open and honest about the situation and didn't feel that the CSA had made any difference to their two children.

Thus no-one reported an improvement in their relationship with either their new partner or the other children in the new family, an overwhelming majority said that their relationship with their new partner had deteriorated, whilst in only one case had there been no effect. In contrast almost two thirds thought that there had been no effect on the relationship with the other children whilst the rest thought that relationship was worse.

### **3. Attitudes to Repartnering, Relationship breakdown and Child-bearing**

Of the four lone parents, three had an ambivalent attitude to forming a new relationship, and of the 12 women who were in a partnership, four felt that they would not have entered their current relationship if they had known what the reality of the Child Support Act had been. One of these women, would have therefore, preferred to remain a lone parent. The other three expressed the retrospective desire to have avoided a relationship with a man who had children already.

Only two relationships had ended since the advent of the CSA. **Mrs Antony** did not feel that she could remain in her marriage after discovering that her husband had been involved with her best friend and **Mrs Simpson** commented "I had a fair idea about the CSA when we split up but I couldn't go on living with my ex-husband." In addition, for the couples with children who had considered separating, it was the perception of the benefits of living apart from their husband in terms of more generous support than for resident families, that had made them consider this option.

Of the twelve women in the group only 2 were not mothers and both these women felt that the demands of the CSA had threatened their freedom of choice. None of the other women expressed a view on future child-bearing.

**Mrs Trent** commented, "I've no children - not likely to have either....I'm not always sure I want kids but how can you afford to feed a kid on what we've got left?" **Miss Bowen** said, "We've no kids....I never wanted children, but I've come round to the

idea. How can I afford to bring up a child - it's hard, I mean we struggle as it is now."

## **Parenting**

Attitudes to parenting and the reasons for decisions about post-separation roles are also important issues within this topic. Smart (1996) describes how both the Children Act and the Family Law Act seek to "change the end of marriage into an ongoing parenting arrangement" and Neale & Smart (1997) tentatively suggest that these changes in the definition of post-divorce parenthood have led to an increase in post-separation disputes over residence.

Co-parenting - whereby there is shared care and control - is seen by these Acts as the preferable outcome, yet there is no support in place for this to be realised, and the resultant refusal to co-operate becomes a new arena for gender (and post-marital) conflict. Shared care and control can also exist in custodial arrangements, that is those where one parent has main residential responsibility, but is less likely (Neale & Smart, 1997).

In my sample only one mother, **Mrs Simpson**, had given up residential rights to a child - the youngest of three - an adolescent boy with behavioural problems. She considered that this had been in his best interests as he related better to his father.

All the other mothers had retained custody of their children, and in half the cases, **Mrs Dobson's, Mrs Norman's & Mrs Antony**, there was frequent contact with the non-resident parent, although in no case was their evidence of shared parental authority. In two cases, **Mrs Hewitt's & Mrs Ross'**, there was no or little contact, and this was seen as justified by either the behaviour of the father or by a lack of desire to keep in touch from the child. In the final case, **Mrs Simpon's**, it was seen as detrimental to the children to have no father.

As regards the absent fathers, there was frequent contact in over a third of the cases. In one, **Mr Hendry's**, there had been a threat of court action which had resulted in the desired amount of contact. In two cases, **Mr Taylor & Mr Hunt's**, those where voluntary arrangements had been agreed, there was strong evidence of joint authority as well as care.

In a further case, both prior to the CSA involvement and by the time of the second interview, **Mr Potter** considered that he had a very similar relationship with his daughter, and her mother, as had existed prior to the separation. This appeared to include authority. **Mr Harvey** had frequent contact with all his non-resident children although he did not appear to have authority. **Mr King** kept in touch with his children but did not consider he had control.

In two of the cases where there was no contact with the children, **Mr Cook and Mrs Trent** had considered taking legal action to increase their access but had been deterred either by the cost or by the realities of their work schedules. In the cases of **Mr Norman & Mr White** it was considered that the lack of contact was in the best interests of the children, and had never been an option in **Mr Lyons** case, as he did not consider there had been a relationship with the mother.

**Mr Samuels** also felt it might be best that his son did not keep in touch, although claimed that he was welcome, and **Mr Thompson's** wife would not permit contact, following the disruption caused by the CSA.

As regards the cases where there was limited contact, **Mr Clark** was involved in legal proceedings to increase access, although he had withdrawn when he realised that his son had to be interviewed as part of the procedure, but was considering re-opening proceedings. **Mrs Hewitt and Miss Bowen** recognised that their attitudes post-CSA had made contact more difficult and **Mr Wood** felt that the CSA had exacerbated the situation.

Thus, when considering the parameters as outlined by Neale & Smart (1997), the majority of the group had not retained control over the children who were no longer living with them, although in five cases the fathers' considered that the basis of the relationship remained very similar to prior to the CSA. However, there was only evidence for continuing control in three of these cases. There was no evidence of an increase in disputes over care or control, brought about by the CSA, although there was considerable evidence that the CSA had acted to reduce responsibility for care.

Leigh (1992), writing before the CSA came into operation, points out some of the ways that the Child Support Act is in direct conflict with the provisions of the Children Act. Firstly, parental responsibility is narrowly defined within Child Support to mean only financial responsibility, and is laid down by statute, rather than being

determined by the parent, as is envisaged by the Children Act. Secondly, financial status is important as regards the Child Support Act, in that mothers on benefit must co-operate whilst those not in this situation have a choice, whereas the Children Act makes no distinction on this basis.

In addition, the Children Act envisages parents co-operating in the best interests of the child, whereas the rigid formula approach of the Child Support Act makes negotiation over maintenance levels impossible. Lastly, although the Children Act gives children a greater voice in their lives, and seeks to treat them all on the same basis. The Child Support Act, gives no say to children and sharply differentiates between different children, in particular, step children are not considered the responsibility of the adults with whom they live.

Within my sample, there are examples of how some of these tensions have worked out in practice. There is much evidence of successfully negotiated settlements being upset and often reduced by the Act, as well as evidence of relationship strain between ex-partners. In one case, the differential treatment of step children was a keenly felt injustice, and in several cases, the narrow financial remit of the CSA was felt to negate wider parental roles. In many cases, contact and care for the non-residential child has been adversely affected by the CSA.

Finch & Mason (1993) find that all family responsibilities, including parental responsibility, are far from static and "natural", but are negotiated on the basis of a complex and variable set of circumstances. They also find evidence of active resistance to being helped by relatives. In this sample there is ample evidence of the complexity and diversity of attitudes to and the reality of child support.

The majority of parents with care were ambivalent about the receipt of or levels of child support, and this was also the case, perhaps less surprisingly, with absent parents and their new partners. The ambivalence was often a reflection of the fact that many individuals were involved in more than one role, or involved with a partner in another role, as regards the CSA.

In spite of this ambivalence, there was universal acceptance for the general principle of child support (see chapter II) but many factors that were considered important when setting levels which are ignored within the CSA. Thus it was amounts that should be paid that were in question not the fact of payment responsibility.

As regards wider responsibility, as reflected in attitudes to contact, in a third of cases there was frequent contact, and feelings were expressed that parental care was fulfilled by this means. In the majority of cases there was no or limited contact, but in many of these, this situation was considered to be, at least in part, in the best interests of, or the choice of the children. Where the lack of contact was not an active choice, the situation was viewed as regrettable but inevitable, with regard to the wider circumstances, and in particular the interests of the new family.

### **Afterword**

Overall my research shows a picture of dynamism and diversity within family life - both in terms of form and roles - which concurs with other recent research. McKay (1998) concludes that account must be taken of this heterogeneity when formulating family policy. Rowlingson & McKay (1998) also put forward considerable evidence for accelerating family change, which has implications for policy makers. Child Support is, perhaps inevitably, an area which would benefit from taking these factors into account.

There was considerable evidence that responsibility for parenting was taken seriously both in financial and other terms, although there was also considerable variation as to what was considered to be an appropriate level of responsibility, and a wide range of factors were considered relevant when reaching this decision. In the next section I will draw together these findings on individual and family relationships in order to assess the impact of the CSA in this area.

This chapter has considered the family and interpersonal relationships, finding a picture of complexity and diversity which has inevitable consequences for individuals' attitudes to the Child Support Act. Overall there is a picture of diversity and complexity both in terms of finance and relationships with which the rigid, formulaic child support system has been unable to cope.

These aspects of the experience of the Child Support Act have contributed to the participant concept of "Unfairness", which is covered in the next chapter, following an analysis of their experience of the Customer Service offered by the CSA. Overall conclusions are contained in the final chapter.

## **Chapter V**

### **RESEARCH FINDINGS - Part III**

#### **The Experience of the CSA**

"...current policy towards the financial support of families is very divisive. It sets men against women, lone parents against couples, first families against second families and those with jobs against those without. But it is universal measures - policies to help all families - that are most likely to help the most vulnerable families."

Millar 1994: 14

#### **Introduction**

This chapter deals with the experience of the Child Support Act in terms of customer service and the workings of the formula - the mechanism for working out child support assessments - then goes on to examine the principle participant concept of "Unfairness" which is associated with the issues dealt with in the previous chapters as well as the experience of the CSA.

The sample for this and the following chapter includes, in addition to the 26 individuals who were either parents with care or part of the household of absent parents, two child support officers and two solicitors dealing with maintenance issues. Further details of the sample are contained in Appendix I.

#### **1. Customer Care and the Formula**

"Harriet Harman, Social Security Secretary, today published new figures which showed that CSA staff spend so much time on maintenance assessment that they have no time to collect money from fathers who are not paying. Visiting the Dudley CSA centre Ms Harman said: 'Agency staff spend 90% of their time on maintenance assessment and only 10% chasing up fathers who do not pay.'"

Department of Social Security Press Release, 1/7/98

Many of the responses to the CSA concerned the actual workings of the CSA both in terms of the bureaucracy and in terms of the mechanisms set up under the Act. The

major perceptions concerned the complexity and inflexibility of the calculation and the off-hand treatment by CSA staff.

### **The CSA - customer care and satisfaction**

It has been widely recognised that the CSA had, and continues to have, many problems as regards meeting standards of customer care. This is borne out by the findings of this research. All the sample had had problems with the service they received from the CSA, with the exception of one of the child support officers, although he conceded that the central office had some problems in this area. The other child support officer's experience, however, mirrored that of those involved with the CSA as clients.

Complaints focused on delays, inaccuracies and problems with the standard of customer care. The lack of clear and accurate information was also perceived to be an issue, as was the complexity of the calculation which made checking accuracy almost impossible.

The DSS has commissioned two reports into Customer Satisfaction and the CSA (Speed & Kent, 1996 and Hutton et al 1998) both of which found a very similar range of problems to those encountered by this sample, including the process and payment of maintenance, communications - which are dealt with in this section - and deteriorating relationships with both old and new families. Garnham & Knights (1994) also found a wide range of customer dissatisfaction on similar issues to those experienced by the sample group.

Davis et al (1998) in research into those affected, the CSA itself and solicitors found almost universal dissatisfaction with the workings of the CSA, finding that there was "an administrative nightmare....(which) operated only haphazardly, with the result that some fathers have faced a dual burden whilst others have continued to evade all responsibility." (p 229). They conclude, in part, that there was a failure of those charged with drafting this ambitious legislation, which attempted to achieve enormous financial and attitudinal change regarding maintenance payment, to appreciate the complexity of the existing benefit structure of which it formed part.

In addition, the Social Security Select Committee, the Committee of Public Accounts and the Parliamentary Commissioner for Administration have published several

reports critical of the operation of the CSA. In particular the Committee of Public Accounts (1996) found that at least 40% of assessments in 1993-94 contained errors. The same committee reported that for 1996-97, there were 39% errors in Old Cases, with this figure rising to 85% when debt balances were assessed, and that the target for New Cases for 1997-98 was 85% accuracy, implying that 1 in 6 are likely to have a wrong assessment (Committee for Public Accounts 1998).

The Committee considered that these figures and targets were unacceptable and urged the CSA to tackle the inaccuracies and delays in maintenance assessments that they had uncovered urging that a simplified formula be considered. In the event, the Child Support Agency Annual Report and Accounts - 1997/98, includes the comment by the Comptroller and Auditor General that 75% of full maintenance assessments for the period were financially accurate. Thus there is considerable evidence that assessments and balances were subject to a high degree of error and inaccuracy.

The Parliamentary Commissioner for Administration (1996) states that in 1994 he investigated 70 cases despite having been forced by the sheer volume of complaints against the CSA, to restrict his remit to those which covered either a new area of investigation or involved actual financial loss. Under the same constraints, he investigated some 195 cases in 1995. Although this report acknowledges that improvements had been made within the CSA it also states "That progress has not been far enough or fast enough to avoid a great many people sustaining injustices as a result of maladministration by the Agency." (p iv).

Thus, the perceptions of the sample group and of those participating in other research are confirmed by Parliamentary Committees' scrutiny of the CSA. This part of their experience, coupled with the financial and relationship complexities and diversities described in the previous chapter, led the sample group to consider that the CSA was an unfair system. The evidence for these conclusions is contained in the following sections.

### **Parents with care**

**Mrs Antony, Miss Ross and Mrs Dobson** were the only three parents with care to have more than minimal contact with the CSA in this role. Mrs Antony did not report problems with her contact, however both the others had a lot to say about Miss Ross and Mrs Dobson had received no payment and considered the new system

their experience of the Agency. Thus in two cases there was intense dissatisfaction with the administration of the CSA.

Miss Ross and Mrs Dobson had received no payment and considered that the new system had been no help to them, although both had been in favour of it in principle. Miss Ross commented (they're) "rubbish - talking rubbish and told them that 'n' all." As far as she is concerned the "CSA makes no difference". However at the beginning of their involvement, her "money was stopped because the social thought he was paying", although she was able to sort this out, it had caused her increased stress and problems.

Mrs Dobson commented "The Child Support Agency are a load of bullshit." Excessive delays were another of her complaints, "I sent the forms in April (seven months previously) ... I think it'll be a full year before we get any money." Another was the problem contacting the CSA and their lack of co-operation. "I phoned the CSA, just fobbed off. Can't get past them at any cost and you just can't get through...and when you phone up, you can't speak to the person who's dealing with your claim... I think you have a right to the information over the phone and they say they'll phone you back in two days and you don't get the call and you're having to ring them up again."

Mrs Dobson worked as a civil servant and complained about the difference in standards that she had to meet when dealing with the public compared to what she felt she had received from the CSA.

### **New partners**

All the new partners had experience of dealing with the agency.

**Mrs Norman** complained that the Agency "weren't prepared to listen". She had also experienced problems with the assessments and the records kept of payments. "We stopped the direct debits because of the overdraft and started to pay cash - I kept the receipts. We immediately got a letter about arrears although we had paid. I've no confidence in the way they work out the figures."

She also considered there was an environmental impact, "Trees - we're supposed to be saving (them) - but all this waste paper", as she indicated the files full of documents she had received.

**Mrs White** felt she had been badly treated by the Agency when she contacted them. "Its like talking to the wall.....I was told to sell the house...they act as though you're ignorant..they're heartless...they're adamant they wouldn't tell me anything." She also felt the inefficiency added to the strain. ".there were mix-ups with the interview... the letter went to the address we had two and a half years before. We had no contact with the CSA then. We've had lots of correspondence..all for nothing....It took over four months to hear anything about the appeal."

They had tried to cancel the appeal because they had come to an arrangement with her husband's ex-wife, but they hadn't this right. The decision had been that the amount was wrong but no new level had been set. "Information which they have already is being requested.." At one point she had said she was her husband's ex-wife to get information.

Although the process had been held in abeyance whilst she was pregnant and in poor health, this had not fundamentally changed her opinion of the Agency. "All departments of the Social Security, but especially the CSA. No wonder they've got partitions up in their offices."

**Mrs King** had found the forms very complicated. "Its a horrendous questionnaire. Its got everything." However, she had had no personal contact with the Agency. **Mrs Lyons'** main complaint was the uncertainty caused by the complexity and the delays. "We've been waiting six months for a decision...It's the uncertainty, not knowing the amount." **Mrs Hewitt** found the forms and letters very hard to understand. She was also unclear as to why information was needed, and found the system unreliable. "They needed to know wages from January 1994....(and then) three weeks ago we got repeat forms...We've had no letters back and no results.

**Mrs Trent** had had numerous problems with the CSA. She had found her contacts with the Agency very frustrating. "Depends on who you speak to, on how much info you get and how accurate it is - don't know their arse end from their elbow.....I asked for a copy of the figures - told they didn't have them. I phoned again - told to go to DSS, then told "can't talk to you!"...Suddenly they won't speak to me without his

written permission, then told to make arrangements to pay the proper amount, then contradicted and told to pay arrears from January."

She was studying Maths and had always worked with figures but found it impossible to understand the calculation, and that the process was very inflexible, not allowing for expenses that they had as a couple. ".. and the pension is wrong: £25 not £35...won't take into account the fact we are paying her mortgage, so there's no repossession, because his ex-wife wont claim Income Support for mortgage."

She had also experienced problems with the appeals system which they were using. However, once part of that system she couldn't request a review. This meant that no allowance was made for changes in income or other circumstances.

**Miss Bowen** had been put off by her contacts with the Agency. "They were rude to me on the phone a bit abrupt." She had not challenged the decision that they had made. She had also experienced maladministration. "They didn't know what they were doing. We paid and then we were told we were in arrears. They owed us money. They didn't know where they were at...She didn't get no money for about three months after we'd paid it. She phoned us up about it." Although this had been sorted out, she still felt the system was faulty.

**Mrs Samuels** had first hand experience of maladministration, having been sent the details of another family. "We got a demand for eight hundred odd pounds - wrong wife, wrong husband, wrong case. The only thing they got right was the address. I rang them "We can't possibly make a mistake. Its got to be right." So we went down to the office to see them and it was all completely wrong, so they cancelled it and we haven't heard anything more." "We got details of a stranger - confidential information, wages details and so on. Our details might have gone to someone."

She hadn't found the CSA easy to contact. There's "..a lack of information..not able to get answers - passed from one office to another." However once she was face to face with someone "the gentleman at the local office couldn't be more helpful, told us it was all wrong".

Thus of the group of new partners, all eight had experienced problems with the Agency and were dissatisfied with the handling of their particular case.

### **Absent parents**

Of the 15 people in this group, 13 had had direct experience of dealing with the CSA, as **Mr Taylor and Mr Hunt** had avoided contact. All 13 had complaints about the system's administration and complexity, as well as the lack of flexibility, although one felt that there had been a recent improvement.

**Mr Potter** had found his contacts upsetting as they were "arrogant and abusive. Put on hold - no sorry." **Mr Wood** had found the form confusing and had asked for help, which wasn't available. "They wanted all this information. I asked to see a representative but they haven't been". **Mr Harvey** had been troubled by the way his real costs were not allowed in full, the omission of his first family from support, and the poor service. **Mrs Simpson** also had complaints about the calculation's complexity and the service she received.

**Mr Norman, Mr White, Mr King, Mr Lyons and Mr Samuels** all agreed with their new partners as regards the faults of the new system. They all complained of the essential expenses that were omitted from the calculation, the uncertainty that the complexity caused and, where it was relevant, the fact their new partner's income was taken into account.

**Mr Cook** had complaints about the complexity of the system. "Every six months there's a big book to fill in every time. Its mad.... Now its two months and no letter...I'm going into arrears already." **Mr Thompson** had also had problems with the Agency. "I phoned to find out why they wanted £43. They were not very friendly, they don't keep you informed... they're not interested in the situation."

**Mr Hendry** also had problems with the CSA, especially its inability to cope with his flexible income. "Income support can do it, so why not the CSA?" He was also critical of the way that his contribution in terms of time was not part of the assessment. **Mr Clark** was also highly critical of the Agency. He had however found an improvement in the service. "It's more organised. It was the same officer dealing with it and it only took two days to reply. It's improved service. It used to take months."

## **Child Support Officers and Solicitors**

In addition to the individuals who were personally involved with the child support changes, I also interviewed two solicitors and two child support officers. More information is included in Appendices I and II.

### **Child Support Officers**

**Keith Wilson** who is a Higher Executive Officer with the CSA and has many years of experience, felt that the major differences between the old and new system concerned inflexibility and complexity. "...under liable relatives we tried to arrange maintenance....negotiate with the man as to what figure he'd be able to pay. There's no negotiation now - the formula's laid down....Its very complicated. Anybody would have to admit that the system is far too complicated - the formula in particular. You've got to be a mathematician to understand it, you've got to be very good at mathematics - it includes algebra and that sort of thing....only the Training Officers can do it off the top of their head."

He had not had much experience of aggression from clients or complaints. "We don't actually get many complaints at a local level....I was very surprised how little aggression we get. When I'm interviewing absent parents, I'm surprised at how reasonable they are. I'm surprised because when I started working for the CSA, I expected aggression. I would say I've had more aggression in other parts of the Department."

As regards operational matters at the Agency he did not consider that there were delays in his office. "Locally we're up-to-date with the majority of cases, but we do have a small backlog....A lot of people just didn't respond - that's dealt with centrally - that's created the back-log."

The implication as regards delays was that the problem was from the central office and not at the local office. Thus although Mr Wilson had criticisms of the complexity of the system and could see a place for some limited discretion, he supported the changes in their aim to collect higher maintenance payments. He had little experience of aggressive behaviour or complaints.

This differed markedly from the second informant from the CSA.

**Amy Oliphant**, who has worked for the DSS for over twenty years, had transferred to the CSA at its inception. She works as a clerical officer, having transferred from the liable relative section. "I chose the CSA because I expected it to remain pretty similar, which it isn't." She preferred the old system. "There was more case work, more personal involvement, face to face interviews....You could negotiate. It was flexible and there was discretion."

She felt that she had been the target for customer dissatisfaction. "We're at the sharp end - the strings are pulled in Falkirk. Its difficult to convey the information but we take the brunt of frustration....We don't give customer service. We don't understand the information although we've access to the computers.....You ring up Falkirk and you're passed on. I felt inadequate." Mrs Oliphant was reiterating the opinion of many of the interviewees about contact with Falkirk.

She also had complaints about the complexity of the system. "Its very complex - one's supposed to be doing a job, but we have great difficulty.....We need a simplified formula....We couldn't calculate the formula without a computer....At the training I was horrified by the calculations, its just so complex." She felt that the complexity had contributed to the hostile perception of the system. "It would've been accepted much easier if the man in the street could understand how it was calculated."

In addition to her complaints about the way the system was managed, she also had problems with the amount of information from the CSA that the local office had to deal with. "We get conflicting information. I know the computer churns out loads of tripe.....There's a flood of information which you can't keep up with...It'd be better if we had fewer changing instructions..change in targets - when we're not meeting existing one, change in regulations."

Mrs Oliphant felt that she had experienced "much more aggro in Child Support" but that things were improving. "The majority of people know its not the local office....Not so many complaints now, people are more accepting. There's more awareness that it isn't our fault." She also felt able to reassure people "The media terrifies absent parents - a telephone call reassures them." However there had been an aggressive incident the previous day with her supervisor.

In spite of her negative views of these changes she was in favour of reform. "The Child Support was necessary. It needed a shuffle....If the courts had made more realistic decisions before, then possibly the CSA wouldn't have happened."

Thus this Child Support officer had experienced some of the problems that those who were dealing with the Agency as clients had encountered. She was also critical of the complexity of the calculation and the inaccessibility of the central office.

### **Solicitors**

Two solicitors responded to the request for interviews.

**Mrs McMorris** had criticisms about the customer service within the new system. "...I am aware of some instances where women have become disadvantaged by the fact that they have made an application to the CSA and this hasn't been successful, or hasn't been dealt with. They come off benefit and they're left in a world of limbo because the courts have such limited jurisdiction as regards Child Maintenance."

She also had problems with their speed of response. "It becomes very bureaucratic and it does seem to take an awful lot of time." In comparison with the DSS she also saw a lack of flexibility. "Certainly I think the DSS were once again probably more flexible than the CSA."

All in all Mrs McMorris was very critical of the new system. "Basically, it is not a good piece of legislation. It is unfair, its rigid, its inflexible, its also taking a lot longer to carry out than was originally intended. Anyone who is not in receipt of benefit may as well just give up because they're not in the queue at all....."

**Mrs Brant** was not so all embracing in her criticisms of the CSA. However, she did have comments on the inaccessibility of the CSA. "The Child Support Agency isn't very easy to get hold of. I think that's deliberate. I mean the agency, the office which deals with this area is in Falkirk, perhaps to avoid disaffected parents of either sex being on the doorstep.....there's a limit to how much flexibility people can apply at a distance."

She had, however, found "...when you do speak to them...they are broadly speaking helpful and co-operative, but its my experience of the system as far as its actually impinged on myself and clients, is that its rather slow."

She agreed that the system was complex. "What we can and do do is, on occasion, help people to assess what is likely to be the determination of the CSA. Its not easy to do because unless you have full information, not only from your client but from the other side, you can't do it." She compared this with the old system where "..the DSS were prepared to indicate .. what the payer was capable of paying. It was a very, very, very much simplified version of what the CSA offers."

The overall dissatisfaction with the CSA led to the major participant concept which is the topic of the next section.

## **2 Unfairness**

"Its an unfair system...The CSA could be good, because the courts were not good, but is should be fairer for ALL concerned."

Mrs Norman, 13/11/94

"We haven't paid the £78 - its on a separate bill, but I object to paying this."

Mrs Lyons, 24/11/94

The overriding concept to arise from the interviews was the feeling of the "Unfairness" of the new system. This was conveyed by the tone and gestures of the informants as well as by their actual words. This concept was very much linked to the amounts payable under the new system but other considerations were also important, such as contact, the guilt of the parties, and what had been taken away in material terms from the previous relationship.

All the sample perceived some unfairness within the system with this impression being very strong amongst the vast majority of the group. The reasons for their opinions varied but was related to the complexity of their family and financial situations.

The lack of flexibility and the complexity of the formula for calculating the assessment level was an important contributor to the concept, with work expenses,

travel expenses and other household costs, as well as debts within the previous relationship and costs related to disability, being amongst the issues mentioned. The charges for assessment and arrangement were also considered unfair, in particular when seen alongside the low levels of customer service, which in themselves played an important part in the perception the agency and its workings.

Delays and inaccuracies also contributed to the perceptions as did the impossibility of verifying calculations. There was widespread dissatisfaction with the interference into personal lives that the information required. In particular the fact that new partners' information was required and then available to former partners, but also the ability of the government to dictate to its citizens how much money to allocate to different sources.

The levels of the awards were also criticised - both for being too high and for being too low - as was the inability of the CSA to achieve payment - either on time or at all. Its failure to pursue certain fathers was also the cause of discontent as was the unequal treatment of different children - stepchildren as opposed to "natural" children, absent children of different mothers and absent and resident children within the same family.

The fact that there had been no warning and an insufficient or inflexible transitional period was also the cause of complaint, as was the resultant lack of financial security and the increase in uncertainty caused by the Agency. In addition, the failure to recognise or impossibility of proof even where recognised, capital transfers caused dissatisfaction. There was also criticism of the lack of control over how the money was spent when it was paid through the CSA, and resentment of support being paid to an ex-partner who did not wish to work, whilst new partners' incomes affected the calculation.

There was also widespread complaint of targeting of fathers who were already paying, as opposed to chasing those who had never paid. The fact that carers on Income Support did not benefit from the payments was also a cause for resentment. The effects of the CSA in terms of damaged emotional health, deteriorating relationships, general stress and wider health problems also contributed to the negative perceptions as did the failure to take the reasons for the break-up into account.

There was also a perception that the Act, by reversing court decisions, was devaluing the whole legal system. One of the child support officers also found that the Act had led to her being deskilled and less able to provide a good service to the public.

It may not be surprising that this particular group - those with experience of the CSA - should have strong perceptions of "unfairness", yet this concept is also found strongly with one child support officer and one solicitor, whilst the other child support officer and solicitor acknowledge that there are areas of concern within the legislation.

Perhaps this concept would have little relevance beyond the personal if the lack of co-operation with the agency had not been identified as having important implications for the poor service and inefficient workings of the Child Support Agency (Social Security Committee 1995, Committee of Public Accounts 1996, Report of the Parliamentary Commissioner for Administration 1996). When complex information has to be gathered from up to four sources, if any one person refuses co-operation, then the whole process is delayed.

As was seen in the above section, several sources - both governmental and independent - confirm the basis of the complaints which the sample express. For example the Social Security Committee in its second report (1996) states "....**The Agency's performance in the first year to eighteen months, was dire.**" [original emphasis] (p v ). As this is the period covered by this research it is perhaps unsurprising that the concept of unfairness is so widespread. The same report confirms that, whilst there is no room for complacency, improvements had been achieved, in particular as regards implementation of the changes.

However, there was one area which caused resentment that was strenuously denied by the CSA, namely targeting. In July 1994, the Chief Executive estimated that for the first year the number of cases that were taken on where no maintenance was previously in payment, was just under 60%, and forecast a higher level for the following year (Minutes of Evidence before the Social Security Committee, 1994). The Committee of Public Accounts were informed that for 1994-95 the figure was 75%. Yet most of the sample, including otherwise supportive professionals, did not share this perception.

Perhaps this discrepancy is in part accounted for by the CSA's methods of calculating new assessments, which has been the subject of criticism from the National Audit Office (CSA Annual Report, 1997/8). Whatever the reason, the fact remains that not only in this sample, but in other research, targeting figures as an area for criticism (Clarke et al 1994, Ford et al 1998).

Below are details of this concept as expressed by the sample group from which I have drawn the above conclusions.

### **Parents with care**

**Mrs Antony** considered that emotionally her situation had deteriorated since Child Support took over the arrangements for maintenance. She stated "I don't think its a fair system..its the same form for everybody (and) doesn't reflect the guilt of parties....they should treat every case differently". Her view of the fairness was entwined with her emotional experience of the recent split. The fact that payments had increased from £30 to £50 had contributed to the increased tension with her ex-husband.

Her new relationship with a divorced man who was having problems with the CSA made her aware of the unfairness from the absent parent's angle and despite her personal hurt about the circumstances surrounding the ending of her marriage, she was able to see that her husband had problems finding the increased payments.

**Miss Ross** could be seen as representative of the parents with care who the government considered should receive maintenance from the absent parent. However she felt that she had been failed by the system as she had never been paid support. She had had no contact with the CSA for around a year "Never had anything [ie letters] off them since last year. Probably just give up on him."

Her wider perception was that "..(they're) hassling people who were already paying. Why hassle them? They should hassle the ones which isn't paying." As far as she is concerned the "CSA makes no difference". She had mixed feelings about the role of the CSA, and the contact that might be involved. Her feelings of unfairness also covered the responsibility for parenting, as her son's father had never taken responsibility.

**Mrs Dobson** supports the aims of the CSA. "Its the one's that aren't paying that they need to target. They target the wrong people....I think they're crippling the men who were paying up on a regular basis but the one's that aren't paying, they're just in no hurry whatsoever to get them at all."

Excessive delays and bureaucratic inefficiency also affected her perceptions of unfairness. In addition to these problems, her main perception of unfairness centred around the disparity between her ex-husband's standard of income and her and her children's, and the inability of the CSA to alter this situation. "He takes home £600 per week...he has a new car - a K reg.. he's got the furniture..He's chucking things out.....I could be unemployed in January.....everything's second-hand....these kids have to walk a mile to school."

**Mrs Norman**, as a new partner of an absent parent who also has care of two children from her marriage, was originally enthusiastic about the CSA. She was owed £2500 in arrears of maintenance but "I got no help chasing my husband" but now wouldn't use it to chase him up because "its an unfair system". "The CSA could be good, because the courts were not good, but it should be fairer for ALL concerned."

She introduced a further point "I've always worked....I had to take on extra work.....The government should pay if they want her (her husband's ex-wife) to stay at home." She felt that this extra work and their lack of money had had an effect on her children. She felt that this had led to them getting into trouble and not studying well at school. She also considered that the collection fees were unfair.

In addition to the day to day financial problems she also found that there was no point trying to put their case with the Agency as she had had no co-operation from them. She also resents that her husband's ex-wife has the right to know about their circumstances. "She's entitled to know our circumstances ...She knows about me - I don't know about her. Its an invasion of privacy."

When she was interviewed on the second occasion, when the assessment had gone down, she commented "I'm just as critical of the system, but you can't maintain anger at that level...If I'd known I would never have got married. That's what I advised my sister when the man had children. The kids don't get a fair chance. I'm bitter about it. I used to have a good standard of living....I used to visit my mother every week, now its two to three weeks." As regards the reduction she commented "Its

been a two year struggle, but now its almost a half...how can they justify the change? It's less than we were paying at court. There's no refund or recompense."

"I still feel strongly - I'm entitled to feel strongly. I haven't recovered. If I get a better job, they'll just take it off me."

**Mrs Hewitt** has found the uncertainty of the situation very stressful. She had co-operated with the CSA as regards her husband's twelve year old daughter by a previous relationship, but had not been asked to fill in forms for her son by her first marriage when she claimed Family Credit. There were still court orders for these children but they had had no payments or demands for payment from the CSA, over two years after the first contact with the agency. A recent form had requested income details from her husband who as a contract worker has fairly high income with frequent spells of unemployment.

Her principal perception of unfairness centred round the affect on her health. "I'm a worrier - I've lost half a stone. When these letters come it doesn't help the matter... my heart misses a beat. What do they want now? I have all that worry of what (money) goes where." She also felt it was wrong that her wage was taken into account.

Although her new husband was paying the £1.00 per week for his daughter, she had considerable arrears on the court order for her son. These had previously been written off by the court and there were now new arrears. She felt that neither system had helped her over maintenance.

**Mrs Simpson** knew that there would be child support to pay when she separated from her husband, leaving her son in his care - this was her son's choice - but she was unable to stay because of the affect of the tensions on her teenage daughters and herself. She felt that the assessment of the CSA was unfair because work expenses, and her payment to them, brought her onto Income Support levels, even though she was working. "There's not full account taken of expenses. They should work it out a bit different." However she wanted to keep on working. "I'm a fighter. I thought of going on income support - but I still keep working."

In spite of being in a job involving figures, she couldn't understand the system. "Why are housing costs down as £18.19 when I was paying over £50?" She also

considered the service to be bad. "Its so slow - I had all those forms to fill out again..the CSA had worked it out wrong." In addition she felt the injustice of her earnings going to her ex-husband. She had never received any money from her first husband for her daughters and resented both the emotional and financial effects on her family.

### **New Partners of absent parents - children in the relationship**

In addition to the new partners who were also parents with care, there were also a group of new partners who had children in the new relationship.

**Mrs White** considered the level of payment they were expected to make and the assessment and collection fees were unfair. "It costs £44 to fill it in. I was so annoyed I ripped the form in half..They threatened to take us to court if don't pay £78." She resented having to give details of her and her children's bank accounts or income, and had refused to do this.

She felt that she had been maltreated by the agency and that they had been very uncooperative. In the end she pretended to be her husband's first wife. "I said I was the ex-wife and got information." She felt that the strain of the system had put real pressure on their relationship. She felt the previous system had been fairer. "The courts set it at what you could afford." She saw the targeting as being unfair. "They're only getting money from the people who are paying already."

She was aware of the stress it had been on her parents, and the stress on herself. "It affected my Mam and Dad, it affected my health - they agreed to stop action when I was pregnant.....but it really has affected Mam."

When she was interviewed for a second time, some time later, the payments had ceased, because the ex-wife's new partner had adopted the child. However, she still felt the system was unfair "I haven't changed my mind about the CSA. It needs scrapping."

**Mrs King's** was clear that they had problems before the CSA, but saw them as being made worse by the agency. She had tried to use the CSA for help with her older children, "My ex owes me money...money was a problem for the older ones, I tried the Child Support but they're no help with my husband. They say they can't do

anything 'cos he's in South Africa." [At the time of the interview she didn't count as a parent with care as neither of her children were living with her.]

She felt that the uncertainty of the Child Support payments was unfair. "I'm concerned about how much it will be. I feel resentment - the length of time they've taken." She had found it hard to fill in the form. In addition, she was critical of the fact that no account is taken of the guilt of the parties, "His ex-wife left, my ex-husband was unfaithful, but it doesn't make any difference.", or of expenses for travel.

**Mrs Lyons** felt the whole situation with the CSA to be unfair. They had paid £10 under a court order for years for her husband's son with whom there had never been contact. The financial uncertainty was her main complaint, it having been predicted that the assessment might be as much as £80 per week. "I wish I knew how much it was...we cancelled everything - told we would know within a fortnight - its dragged on and on."

She also felt aggrieved by what was left out from the calculation. "Insurances, they don't seem interested in this." She also thought it was unfair that she had to go out to work, which she felt was affecting her health, and then her income was taken into account to pay for her husband's child. "It wasn't a relationship", echoing her husband's view that he had been tricked. Because of this, she didn't want the other children to know.

As regards her work she said, "I have to go on a night to work. Its heavy where I work, and I think, they're taking my wages into consideration - sending back and forward for pay slips. Why should I go out there - damage my neck?" She was also concerned about the targeting, remarking, when her husband said that he had paid since the birth of his son, "That's what they seem to be going for though." Additionally, she and her husband had brought up his son from his first marriage (who had since left home), without support from his natural mother, "(as) part of the family." This compounded her feelings of being treated unjustly.

As regards the change from the old system of court assessment, she considered it was "making a mockery of the courts". Her overall comment was "Its a nightmare." When the second contact was made there still had been no assessment.

**Mrs Samuels** was very indignant about the Child Support Agency. "Why should I have to disclose my private and confidential details? Why should I be told by any agency how much to contribute to my household?"

She had experienced maladministration and she was initially concerned about the payment, "The backdating was worrying" and had found the whole situation stressful. Generally she felt that the principle of "nailing people that aren't paying is a good thing" although she had strong reservations about how her particular case had been handled. At the time of the request for a second interview, she declined stating that there had been no changes.

### **New partners - no children in the new relationship**

At the introduction of the CSA, **Mrs Trent** had originally felt "quite relieved it was taken out of her [her husband's ex-wife] hands", and had co-operated fully with the agency. However at the time of the first interview they had "..just started to have a lot of hassle - didn't until recently." She had found her contacts with the Agency very frustrating, and had had no co-operation from them about her and her husband's situation. She found the calculation impossible to check although she was studying for a Maths degree, and the process very inflexible.

They had appealed against the assessment but in the meantime were unable to request a review. "The only grounds is a genuine error..I found a mistake but not £5.00 difference so they couldn't reassess." She felt that the system had a lot of power over her life. "They have limitless power - it isn't really fair - can't do anything about it...You get so desperate, you feel there's nothing to look forward to."

Mrs Trent considered that she had had health problems on account of the stress. "I get irritable bowel syndrome, it started earlier and this sets it off again....I couldn't sleep, I was referred to a psychologist." She also felt there had been a strain on the marriage. ".....I get depression...It hits you when something comes....no future, hopeless feeling because you never know when they're going to hit you with something else.....I can understand why people are driven to desperate acts." She also felt her chance of having children was restricted.

Mrs Trent had also looked at trying to avoid the system. "We thought of doing a bunk, thought of going on Income Support", but they had decided against this. She

also felt resentful that they were paying for his ex-wife to stay at home. "She never worked, no financial contribution..It was his house... she watched telly all day...If they'd been together might have had to work part-time." She felt that this coupled with the fact that she had always worked, and now was studying to get a better job, added to the injustice of the system.

By the time of the second interview, fifteen months later, they had attended a Tribunal where errors had been conceded by the CSA but there still had been no review as "...in the meantime a review couldn't be accessed." They had been ".....struggling to pay £20.65 plus £10 a week arrears, but "...my partner's wage has gone down - £110 before Christmas - a £1000 a year less, so we stopped paying at the beginning of December and we're waiting to hear about this reassessment." They still had severe financial problems and there was no contact with the children.

Mrs Trent considered that "...at times of dealing with them it affects my health, but at other times I can forget about it." Overall she thought "There's no way you can win, the mistakes are unfair, but you can't get a fair hearing. They're very unbending to those who are paying, the opposite to those who are getting it, (but) they don't get it. It seems for the benefit of itself. There should be some leeway."

Additionally, she felt that it was unfair that they had no prior warning about the new system. "If I'd known about it - might have made different decisions about the house...insisted on things being sorted out before."

She still believed that there was a duty to pay, but objected to the way the system worked. "It should be decided on individual cases. ..He pays out, but there's no reward. He can't call it a day...If there's violence, that makes a difference...but my husband pays emotionally and financially with no credit for being reasonable."

**Miss Bowen** resented that her details were taken into account by the CSA, yet they would not communicate with her. "I rang up. Told its nothing to do with me. If its nothing to do with me, why do you want my wages?" They had been paying under a court order. She saw any financial security they had as stemming from her own contribution to the household. In the small community where she lives she hears about her partner's ex-wife. "She goes on holiday and goes out every weekend....they just got a new car." She resents this inequality.

She also felt she had been badly treated when she contacted the Agency. This, coupled with her inexperience of the welfare system, had put her off trying to change their decision. There had also been some problems with payments. The agency had accused them, erroneously, of being in arrears. Although this had been sorted out, she still felt the system was bad. "Its all wrong. The person who invented it wants shooting." In addition, she resented the assessment fee. "That £78 - shouldn't have to pay that. I didn't want to get assessed."

She had felt affects on her health when they were told there were arrears. "It's the stress - the arrears - I was crying all the time. I'll never get used to it.....We never had arrears." She also felt that there was no allowance made for their job insecurity. Miss Bowen also felt that the CSA had affected her relationship with her partner's daughter. She had also felt a strain on her relationship with her partner and had even left for a short time. She also felt her choice about having children had been affected.

She was also critical of the targeting of the CSA. She was suspicious of how honest her partner's ex-wife was being about the family income. "...Mam says I'm being punished for being honest."

The new partners were particularly aware of unfairness, seeing the fact that their income was taken into account as a source of tension, along with the need to divulge their details and the targeting of those who were already paying as important issues. The complexity of their individual circumstances, both personally and financially, was also relevant, along with the frustrations of dealing with the agency and the ultimate beneficiary of the money.

### **Absent parents - Living alone**

The group of male absent parents formed the bulk of the sample. There is one female absent parent in the sample who is also a parent with care. (see above, Mrs Simpson)

**Mr Potter** had retired early for health reasons and had kept a close contact both with his daughter and his ex-wife after the separation. He felt that the label 'absent father' was very unfair. "I'm not an absent father..I've always been there, I'm a caring father."

He had always paid the £20 court order and paid the £57 per week under the child support order. He had given support in kind before. He felt that the changes had disrupted his relationship with his daughter and his ex-wife. He had brought up his step-daughter without her father's support and felt that this compounded the unfairness of the changes.

He had found his contact with the CSA upsetting. He also had problems with payments as he had previously paid in cash direct to his ex-wife and initially had to make a special journey to the bank, at his own expense. He was also concerned about the legal aspects and implications. "They're above the law. Its a dangerous precedent. The law said I should pay £20 a week."

He considered that his health had suffered through anxiety about the financial implications "Two months ago I was frantic with worry about the money." He considered that the targeting was unfair, saying "Them what's never paid are still not paying."

When he was interviewed for the second time, he had continued to pay the amount which had remained unchanged. He still felt that the amount he had to pay was too much, but some of the other problems had been smoothed out, particularly his relationship with his ex-wife. "We've made up - I was never really an absent father. They're my most frequent visitors - the ex-wife and daughter." However he still considered the system to be unfair, commenting "Its all so unfair."

**Mr Taylor** had one daughter from his marriage who lived at some distance. He had become involved in the campaign against the CSA, and had come to a private arrangement with his ex-wife to avoid involvement with the CSA, paying under a court order and also an amount in addition. In addition there had been a cash settlement to the value of half the marital home on separation. He felt very strongly that the system was unfair.

"Its just pressures that shouldn't be there. You can't work it out yourself. Before it was me getting me daughter things she wants - clothes and that, opposed to the system that the CSA is pushing." He saw the unfairness as his loss of control over his own income. However he agreed that the overall aims of the CSA were good. "The idea is recovery of benefits - I agree with that....nobody is against paying maintenance", but disagreed with the way it was achieved. "Lots of things are not

considered." He had had no contact with the CSA but through his involvement with FACSA was aware of problems - "I've seen hardship."

He did consider he was penalised financially because of the increased payments and that this had an impact on his relationship with his daughter. By the time of the second interview, he still had no personal involvement with the CSA and the situation had not changed, but he had written many letters raising points through his MP. "The M.P. has been helpful..... I've written about a dozen letters but I've not had a satisfactory reply."

"You've no say on how the money is spent. That is the unfair part of it...Personally I've no problem with how the money is spent but I've seen other cases... money spent on smoking and drinking." His further criticism was the way it was calculated - "its just too rigid a formula", the impersonal treatment - "seen as uncaring and not treated as individuals...its a struggle to get replies and answers...once you're in the system, it takes you in and swallows you."

He still considered that there was a responsibility to maintain children, but queried the method. "Maintenance of children is paramount. With a system of Family Courts, you might have a say where they spent the money - I agree with this."

Personally he feels able to manage with the situation as it is but is concerned what might happen in the future. "Uncertainty is always there at the back of my mind." His perceptions of unfairness were based on the lack of control over his own finances, both as regards his own situation and in respect of others in a similar position..

**Mr Wood's** main concerns were the uncertainty of his situation. He had found the forms confusing and had asked to see someone from the CSA for help, but this hadn't happened. He had originally been asked to pay over £22 but this had been reduced to £8, which he was now paying. This reduction had helped him to feel better about his situation. He had not paid the assessment and collection fees and he felt that this part was unfair.. "I asked for time to pay the £78...I've had no contact about it. That £78 is a rip off."

**Mr Hunt** had found the whole system a "worry and unfair". He had come to an agreement with his wife to avoid payment. Despite this he considered it had caused

stress. "...Considering I've not had a formal assessment and nothing's really happened its still had quite a big effect on the pair of us because we worried about it. Its unfair because we came to an agreement which was accepted by the courts at the time which we both thought would be honoured and gave us both a chance to make a fresh start."

He felt that he had financial problems which were made worse by the CSA. He has considerable contact with his children - which meant he had to have a large house and involves high travel expenses. He feels that his efforts to keep a good relationship with his daughters and give himself a new life, were jeopardised by the CSA. "I feel that I work really hard and do the best I can for my children, homewise and financially - I left it all. I just get the feeling that it could all very easily be taken away from me again."

**Mr Harvey** is an absent parent to two families, his two daughters from his marriage who he sees every week-end and his son from a new relationship who he sees on a daily basis, although he has never lived with his son's mother. He had never paid for his daughters although there was a court order for £20 a week and had paid a voluntary £10 for his son. This hadn't been taken into account when the assessment was made and he perceived this as unfair.

"They didn't take into account the £10.00. They should take it into account - even if its not a court order." His original assessment of £35 had been dropped to £16 a week and he was paying £17 to cover some arrears. The first assessment had caused him some stress.

He also was concerned that the money did not also cover his two daughters. "I filled in the form with help of the DSS and felt I was given a bum steer because I was told not to put in first two kids.... The CSA never done anything for them....I'd rather have the money spread between the three kids." This and other aspects of how the amount was calculated seemed unfair to him. "I buy extras for them as well as feeding them, and I pay £5 a week travel to collect them and take them back and they don't take work expenses into account."

Beyond his personal concerns he also was critical of the targeting and other aspects of the legislation. "What maddens me, they brought it out for those that weren't paying and its just affecting those that were....You have to pay when on the dole. I

think that's a bit steep...These blokes that married someone else - taking missus' money into consideration, I don't think that's right. If they're both working - its not her child is it....It's not going to the bairn, its going to the coffers, the mother's not getting any extra for it." He also objected to the assessment and collection fees of £78.

#### **Absent parents - with new partners**

**Mr Cook** had a son by his former marriage and his current girlfriend was expecting a child. He had originally been assessed to pay £25 a week, having been paying £10 a week voluntarily. "I writ 'n' telt them 'cos me wife left me in a lot of debt. Because of me outgoings, they just wrote back and said just pay £8.01. The arrears are £400... they still send the odd letters but I'm not going to pay."

Since he had moved into his flat with his girlfriend he had been sent new forms for reassessment. "Its mad....Now its two months and no letter..I'm going to be in arrears already...I disagree with what they're trying to do. They're trying to make her (his new girlfriend) pay ...."

Money problems had been part of the reason for the breakdown of his marriage. "I left her because of money problems. Arrears and lying about them." He felt aggrieved because he had paid off debts which weren't taken into account. He had no contact with his son for some time at the time of the interview. He did not see the CSA as having made the relationship with his ex-wife any more stressful.

He also objected to where the money went. "She doesn't get that money. Its ridiculous."

**Mr Hendry** felt that he had had a lot of problems because of the CSA, particularly because of its inability to cope with changes in income. "They've got a slow response to changes in circumstances. Income Support can do it, so why not the CSA?" He had been originally assessed to pay £78 but that had been reduced eventually to nil. He did think he should pay something if he could afford it. "£25 is OK except if I'm put on short time working", was his comment about the amount he had been paying prior to the CSA.

However he felt there were factors which should be taken into account. "My sister helps with the childcare, and she (my daughter) stays here 2 or 3 nights a week." He had suffered from stress and had been on anti-depressants which he attributed to the pressures of the new system. "The ex-wife wasn't getting the money so that increased the stress." He hadn't found the CSA helpful saying it was "bureaucratic." He also was critical of the targeting saying "They should chase the ones who don't pay. They're getting the wrong ones." He felt that his life had been affected for the worse by the changes. "I live in fear of wife and further CSA involvement."

Although Mr Hendry did not agree to a second interview he was happy to tell me of the changes over the phone. His situation had changed because he had been put on daytime working resulting in a large drop in income, but he still didn't have to pay CSA. The arrears were still unpaid but he had heard nothing for over a year. "I still don't agree with the formula" as it was too rigid and couldn't adjust to unexpected changes in the ability to pay. "If you can sort it out amicably, should allow it."

**Mr Thompson** had been paying £10 through a court order prior to the CSA, but had been asked for £43 at the initial assessment. This had gone down because of a review and changes in circumstances several times and was zero by the time of the interview. "I was happy with £10. He's my son but they were ridiculous demands."

He had married and had a year-old son. Both he and his wife had fluctuating incomes. He had found contacting the CSA very frustrating. He considered that the CSA had caused extreme stress in his new relationship. In addition to his personal experience of stress and financial hardship, which had left a strong impression on him although the situation had since changed, Mr Thompson also considered the targeting to be unfair. "They're just getting the ones who are already paying. They're targeting the ones on the books." With the support of a free solicitor provided by his wife's work, they had successfully appealed against the decision.

When he was contacted a second time he was unwilling to say more than that nothing had changed.

**Mr Clark's** ex-partner had chosen to use the CSA as she was unhappy with the court settlement of £50 per month. Prior to that he had been paying £110 per month, but had let considerable arrears build up. "If I had kept paying I'd not be in this

situation. She can call off the CSA at any time she likes. Probably felt bitter. She's not on benefit."

As he had refused to co-operate with the CSA he had been assessed for £99 per week, reduced to £50 per week on review. "I've got £3000 arrears to the CSA. I don't recognise the CSA. I wanted to take the CSA on. I'm a bit of a scrapper." He had withheld details about his new partner and their six month old daughter. He was waiting for an appeal date but although he had originally employed a solicitor for help he had become disillusioned with the service. "I was told there were no grounds for a reduction - a waste of effort."

He was critical of the way that the CSA calculated the amounts due, failing to allow for debts. "Its not a fair system, each individual case is individual. Too much money goes for the Government. (Before) it was done by a court of law. At court if you had debt the courts considered it. The previous system was fairer."

He had found it frustrating trying to deal with the CSA, although considered that the service had improved.

The following five absent parents were interviewed with their wives, whose perceptions are recorded above, and can be read in conjunction with the following evidence.

**Mr Lyons** has two children in his current marriage, a son from his first marriage who he raised without help from his first wife "I brought him up on my own for years", and the child who he was expecting to pay child support for. He agreed with his wife that "it wasn't a relationship." He had never met his son but had paid £10 a week under a court order since his birth. He was expecting to pay over £80 a week under the CSA, but they had been waiting over six months for the decision. "Nothing's been finalised - they're revamping it. Nothing definite."

In the meantime he was preparing for the new circumstances. "..We'll have to adjust our lifestyle to an income that's drastically reduced." He felt that the way it was calculated was very unfair and he considered that important factors weren't taken into account. "They seem to take account of virtually nothing - that's the unfair thing about it. I need a car because my mother's disabled..."

He considered he had financial problems. He was also concerned for his health and his relationship with his wife. "I've been a nervous wreck last six months." He was also angry that his wife's income was taken into account. "They sent for more of her payslips. If its not taken into account why do they want that information." On the other hand her work expenses were ignored. "In order for my wife to work we have to pay childcare. that isn't taken into account. A quarter of her pay goes to the childminder." Mr Lyons was also concerned about the affects on the children of his current marriage.

He also objected to the purpose of the payments. "Its subsidising the Welfare State. I've paid my Tax. I've only been unemployed for three and a half months." He perceived himself as being unfairly treated in spite of paying his way throughout his life. His overall opinion was. "It's totally unfair....I wish it would just go away...its like a time-bomb waiting to go off." At the time of the second contact there still had not been an assessment although he had just had renewed contact with the Agency.

**Mr King** has four sons from his first marriage and a baby son with his second wife. He agrees with his wife that their situation is "complicated", partly because of the insecurity of his income and partly because of the new family problems. He had paid prior to the CSA, but this was not taken into account. He also had had concerns about how that money had been spent as financial problems had contributed to the marriage breakdown.

However he believed he should pay, if he could afford it. He considered that only his basic pay should be considered for child support and that other expenses should be taken into account. "The overtime is to benefit THIS family." He considered he had done his best to keep in touch with his sons. He considered that the uncertainty of his financial position was a great strain on his new relationship. "...It's causing problems with the (step)children."

He was also concerned that the CSA was no help in getting money for his step children. "The CSA didn't want to know about the wife's maintenance." Overall he considered the new legislation unfair, because of the way it was calculated and the fact it took no account of responsibility for the break down.

**Mr White** was also aware of the unfairness of the new system. He also had fluctuating wages. He had had no contact with his first family, other than paying the

£10.00 court order regularly, for many years prior to the CSA. He also felt that the way the amount was calculated was unfair. "They don't take anything into account, except 75% of the mortgage. What about council tax? We need the car, we have a disabled child. He's asthmatic and epileptic. He was in hospital four weeks ago. There was no ambulance so we took him in. We were told that was of no interest."

He felt that the new demands for money, £26 initially rising to £45, had caused his new family hardship. He also perceived where the money went as unfair. "She (his ex-wife) gets no more money. It goes to the coffers of the Social Security."

At the time of the second interview, he still considered the system to be unfair although he was only paying arrears on account of the adoption of his eldest son. "It needs a good rethink...Its a way to take the mother off social security ' cos in the end they're off Income Support, with the extra you pay.....Both families lose out."

**Mr Samuels** also considered the system to be unfair. "I think its disgusting. Its my mistake, why should Chris pay for it?" His case had been maladministered by the Agency and they had received the details of another case. Following this there had been no further contact with the Agency, and they had continued to pay under the court order. Mr Samuels did not make many comments during the interview, mainly concurring with his wife, whose opinions are recorded above.

**Mr Norman** was, by contrast, very vocal in his objections to the CSA. He had paid £40 a week prior to the CSA. This had gone up to £70 initially and was at the time of the first interview, £50. He objected to supporting his ex-wife's refusal to work. He was also critical of how the fact he had taken nothing from the marriage was not taken into account. "I left without anything - the clothes I stood up in."

He felt that his step-children were badly treated. He was also critical of the lack of other expenses being included. "There should be an allowance to go to work... The housing costs are only 53%. There's a lack of information about how they worked out the housing costs." He considered that the system was a disincentive to work. "I've refused to take overtime."

He had also been frustrated by his contact with the agency. He considered there should be more flexibility in the system. "Every person is different and it should be

looked at that way." He resented where his money was going, commenting "Its a way for the government to rake in cash."

At the time of the second interview, although the payment had reduced to £31, he was still critical of the system. "My wages are just £178 now, they were £200-£250. You just have to take what's given.....We've been told they're not reassessing for two years, but what if there's a change of circumstances? We should be notified." "The CSA is purely financial...she shouldn't be allowed to be vindictive and stop contact...the children can't object...If you split up, you keep responsibility for the children - but ONLY the children - not for the mother."

He did not perceive the changes to the rules between the first and second interview has having been helpful. "The travel to work is too short....I couldn't prove how much the house was worth."

### **Child Support Officers and Solicitors**

#### **Child Support Officers**

**Keith Wilson**, a Higher Executive Officer with the CSA, although feeling that the system was fairer than the old one - "I wouldn't like to see it going back totally to the old way 'cos I think the old way ended up into a very small amount of maintenance being paid." - was in favour of some more discretion, and saw the "Departures" changes as having catered for this to some extent. "You do come across people who have a lot of debt. You do feel sorry for some of them. Of course, in the Departure Regulations, there is some allowance for that now, for debts that a man had while he was married or whatever. Whether the CSA's at fault of the man for getting into debt.....You do come across people who the regulations don't cover."

Having experienced a separation from his wife, he had contemplated how much he would have been paying and agreed that he would not have liked the loss of control of his income, but remained broadly supportive of the CSA.

**Amy Oliphant** - a clerical officer - had far more perceptions of unfairness within the system centring on the complexity, the increased aggression, the inflexibility and the failure of procedures and communication from the central office.

She felt a need for there to be more discretion, but was critical of the impact of the Departure Regulations. "The Departures are a damp squib, so few qualify. 15 miles [distance from work to qualify for travel expenses] - doesn't seem to cover our area, its hard to see how this area would benefit....The formula is so inadequate."

Personally, she felt deskilled by the changes and stated that the feeling was widespread..."All feel the same - the girls in the section." "I've always been the master of my trade and I don't feel that anymore." She had worked on the overall system up to six weeks previously, when she had been transferred to the "Good Cause" section where she felt better about her work. "I write reports which can sway the way the supervisor thinks."

Apart from simplification she thought that responsibility should have remained with the courts. "They should've done it through the courts and made solicitors aware of it. It would've saved millions on the Agency." She was also in favour of the parent with care keeping some of the award. "Definitely should be allowed disregard. For all that hassle, let them have a little bit - an incentive. No piddling £5 or £10 - a minimum amount or up to a third....make it worth their while."

She likened the CSA to a "..Brave New World.. one absent parent came in and packed in his job, his ex-wife was off Income Support for seven days. There were problems reinstating it ... now she wants nothing to do with it."

Thus this Child Support officer had experienced some of the problems that those who were dealing with the Agency as clients had encountered and saw its impact on herself as unfair, in that she felt deskilled and out of control of her own workload, being dependant on the central office which she found hard to contact. She was also critical of the complexity of the calculation.

### **Solicitors**

**Mrs McMorris** had criticisms about the unfairness of the new system as regards both the men and the women involved. "The main disadvantage is the total inflexibility of the present system, if it went before a court, the court has more discretion, a lot more flexibility in dealing with the matter. I suppose that disadvantages men more than women, altho' I am aware of some instances where women have become disadvantaged .." However she was clear that the court system had its flaws. "I'm

sure that the courts didn't make orders high enough....the powers of the courts to enforce orders was certainly fairly weak."

She envisaged change which took these points into account. "I would for a start make the formula much more flexible - the rigidity of it - you can't for example take into account any other costs - visiting children - more should be taken into account. (but) I accept that if you go too far down that road you end up where we were before."

She perceived targeting as being an issue. "It also seems to me that the CSA pursue the soft option.....They do not pursue those that are difficult to pin down, the self-employed, those who are doing fiddle work, whose who are hard to trace. That was the criticism of the courts...The CSA hasn't succeeded where the courts failed."

In addition to the women who she saw as being in "limbo", she also saw "...a grey area for higher income families - the court has limited jurisdiction...The idea was that those not on benefit could use the CSA, but ....they just won't attain the possibility of that."

She did support one aspect of the new system, namely the automatic review. "Its a very good idea to have an automatic review - yearly's maybe too much, but a two yearly review."

All in all Mrs McMorris was very critical of the new system, being aware of how its impact was unfair. "The CSA's function is to reduce the Social Security budget and its main aim is not really to obtain a better deal for children or for women, or a fairer deal for fathers."

**Mrs Brant** considered that many of the problems were being dealt with by recent changes. "...its a less flexible system ....there were problems particularly in the area where families had a lot of debt, where perhaps the husband was paying off the debt, which did have to be paid...but I think the CSA is introducing fine tuning here and there which is aimed to alleviate some of the major problems."

However she did agree that there were problems with accessing Falkirk and with the complexity of the calculation. Mrs Brant did also perceive problems with targeting. "My experience of the CSA going through their procedures is that where the absent

parent is known to be unemployed, possibly long term unemployed, they tend not to bother. They like to see a discernible financial advantage before they go through their particular motions. I may be wrong, but that's my impression."

However on the whole she was in favour of change. She saw a lot of the negative public perceptions as being caused by the transitional situation. "We're still in a transitional situation, where people are changing from one system to another. If it doesn't take account of their concerns, they're not going to be best pleased. I think acceptance seems to be growing." She also felt that there was misinformation about. "There's still a lot of misapprehension about how much the CSA is going to take.....I don't think they're quite the villains most people take them for!"

### **Summary**

Overall, it can be seen that there was high dissatisfaction with the Agency stemming from various aspects of its workings and procedures, much of it supported by evidence from other sources. Further analysis of this issue will be presented in the conclusion, but firstly, in the next chapter, I will deal with some other areas which are important for a fuller understanding of the CSA., including benefit savings, which formed part of the concept of "Unfairness".

## RESEARCH FINDINGS - Part IV

### Further Considerations

"The Child Support Act 1991 ...was ambitious in the amount of financial responsibility it sought to transfer from the State to the private sphere."

Davis et al 1998: 217

"10. the CSA should be reviewed and consideration given to removing the requirement to co-operate, introducing a small disregard of child support payments in income support, and guaranteeing child support for family credit claimants as it already is for income support claimants."

Ford and Millar 1998: 260

### 1. Additional Issues

This chapter examines additional issues for the CSA, covering the transfer from public to private support and alternative systems, both as they exist in other countries and reforms that have been proposed in the UK context.

As in the previous chapter, the sample includes two child support officers and two solicitors, in addition to the group who had personal experience of the CSA. Their words form a large part of the evidence for my conclusions.

### Transfer from Public to Private Support

"..But it is not right that taxpayers, who include other families, should shoulder that responsibility instead of parents who are able to do it themselves."

The White Paper, Children Come First, 1990: 12

The saving of public money was an explicit aim of the Act, with, initially, financial targets of benefit savings being set annually. Yet these targets and savings were the subject of criticism from the sample, and contributed to their perception of unfairness.

**Mrs White:** "Its only paying the government, not the child."

**Mr Harvey:** "It's not going to the bairn, its going to the coffers, the mother's not getting any extra for it."

**Mr Cook:** "She doesn't get that money."

**Mr Lyons:** "Its subsidising the Welfare State."

**Mr White:** "She gets no more money. It goes to the coffers of the Social Security."

**Mr Norman:** "The Government's only interested in the money....Its purely financial."

**Mr Hendry:** "Its only to raise money."

**Mr Thompson:** "They just want to save money."

**Mrs Trent:** "Its seems its just for the benefit of itself."

**Mr Clark:** "Too much monetary gain for the Government."

**Mr Samuels:** "Why should Chris pay for Government coffers?"

**Mr Taylor** was alone in expressing his support for saving money on benefit expenditure. The others either made no comment on this aspect of the legislation, or agreed silently with their partner's comment.

The two Child Support officers also had comments on this aspect. **Mr Wilson** said he remained unconvinced of Benefit savings. "I'm not aware of many people coming off Income Support or Family Credit and quite often if they do they're on and off benefit." **Mrs Oliphant** was also sceptical about the statistical methods for calculating savings. "They use fiddled figures. Its a 13 week projection.....sometimes they're only off Income Support for seven days." This opinion is supported by CPAG findings on benefit savings' calculations (CPAG Training Notes 1998).

[Mrs Brant had a further reflection on government spending cuts. In addition to the points noted above, she saw another motivation for the legislation. "The number of cases we see has fallen dramatically. That was the general idea, I think. Its not just to get maintenance, its to stop court arguments and legal aid payments."]

Despite the formal target of benefit savings by the CSA being dropped following the recommendations of the Social Security Committee (Fifth Report, Session 1993-94), benefit savings "continued to be taken into account in evaluating the performance of the Agency in delivering the policy overall" (Annual Report of the Child Support Agency, 1994/5, p10). The forecast for 1995/6 amounted to £540 million (ibid, appendix 2, p 1). The Public Accounts Committee (First Report, Session 1995-96) and the Social Security Committee (Fifth Report, Session 1996-97) have been able to praise the Agency's performance in this area even when critical of other aspects.

The Social Security Committee (Fifth Report, Session 1996-97) found that benefit savings totalled £1.74 billion up to the end of December 1996, compared with operating costs of £660 million in the first four years of the agency's existence. The Public Accounts Committee (First Report, Session 1995-96) revealed that within the Benefit savings figures for the first two years of operation of £897 million, £338 million was attributable to parents with care who had withdrawn claims to Income Support within four weeks of the CSA's action. Operation costs for the same period were £473 million.

At first glance these figures look impressive, however, The Social Security Committee (Fifth Report, Session 1996-97) estimates that, in 1995-6 prices, £447 million was saved in 1991-92 by liable relatives action. The actual figure of £284 million increased by 10% to £313 million in 92/93. Applying the increase to the adjusted figure gives a projected £491 million saving for 1992/93, yet the actual saving by the CSA from April 1993 to December 1996 can be averaged to £464 million per annum.

Although using government statistics raises issues discussed elsewhere, comparing centrally produced figures, where there has been no indication that the method of calculation and collection has been changed, does avoid some of the problems. The CSA's Annual Report 1997/98 contains the following: "The main purpose of the Agency is to ensure that parents who live apart maintain their children whenever they can afford to do so, thus minimising the burden on the taxpayer." (p 85). The

analysis I have made would suggest that, even in their own terms, the performance of the agency has been less successful than might have been predicted for the mechanisms previously in place.

Although the numbers of lone parents claiming means-tested benefits cannot by itself show the effectiveness of the CSA, the figures are of interest when assessing its performance, in financial terms. Table 17, below, extracts some figures from the 1998 Annual Abstract of Statistics.

Table 17 Income support: number of beneficiaries receiving weekly payment

Source: Annual Abstract of Statistics 1998

Great Britain	On a day in May						
	Numbers in thousands						
	1990	1991	1992	1993	1994	1995	1996
All Income Support	4180	4487	5088	5643	5675	5670	5549
All aged 60 and over	1675	1575	1643	1736	1765	1781	1764
All under 60	2505	2912	3445	3906	3910	3889	3785
Unemployed	1064	1335	1662	1920	1828	1672	1495
Disabled	330	357	424	520	618	739	787
Lone Parents (not in other groups)	793	871	957	1013	1039	1056	1059
Others	319	331	401	446	425	422	444

Given the complexity and diversity of individual lives it would be simplistic in the extreme to place much emphasis on these figures alone. However, certain general trends can be seen, although causes and interpretations are not so easily accessed. For example, although the number of total recipients has fallen between 1994 and 1996 by 2%, the number of lone parent recipients has risen in the same period by 1.9%.

Furthermore the government included the following comment "The proportion of lone parents on Income Support who receive maintenance for their children is no greater now than before the child support scheme was introduced." (p 12) in their 1998 Green Paper on reforms of the CSA. In addition Bradshaw (1998) comments that although the percentage of lone parents receiving income support has been decreasing since 1992, the reasons for this are unclear.

The above information, when taken with the comments from the Child Support Officers and other research, throws doubt on the claims of the Agency to have saved tax payers money especially when the amounts of Child Support collected is compared to the amount projected prior to the Act, and the costs of the Agency. In addition, as was seen in Chapter I, although some payments had increased significantly, many had reduced as a result of the CSA..

Thus both in terms of the evidence from the sample and from government figures, assessing savings in government expenditure and gains for children is far from straight forward.

### **One Law for All**

**Mrs McMorris** identified "a grey area for higher income families. The courts have limited jurisdiction. The idea was that those not on benefit could use the CSA by this year (1997), but the practicality of that, they just won't attain it." Thus the move from the historical bi-partite system has been delayed for operational reasons and in practice higher earning families will still have access to the courts even when all cases come under the CSA (Knights et al 1995).

Because of the changes to the original plan to encompass non-benefit cases, I have not pursued this area of research which was included in my original plan, although it would seem unlikely that there will be any moves in this area for the foreseeable future given the levels of backlog within the system. At the end of March 1997, there were 407,000 cases awaiting initial assessment, more than half of which had been waiting for over a year, and around 165,000 cases which had been deferred in December 1994 and were still pending, with the CSA estimating that the backlog would not be cleared before March 1999 (Committee of Public Accounts 1998).

Thus although I have not investigated this aspect in depth, it is clear that there has been no progress towards creating one law for all, in terms of child support, and in fact, higher income families were always expected to be dealt with outside the CSA formula.

## Changing Perceptions

Mrs Brant felt that the CSA was succeeding in one of its aims. "I think the government thought that flexibility was abused and that inadequate sums were awarded to maintain children. I mean £15 - £25 a week was fairly common as reasonable maintenance." She saw the CSA as contributing to a change in perceptions. "If people get the idea that maintenance is normal, which not everybody does think, it should take the heat out of it. If there's an idea its normal, it'll gain more acceptance.

Maclean (1998) concurs with and supports this assessment, concluding that the lasting effect of the Act will be, once the heat has died down, that child support, at higher levels, will be paid and received as a right and not negotiated as a claim. She considers that the Act, despite its problems has achieved an increased awareness of the costs of child rearing and is preferable to the lottery of the courts.

Although this point was not raised specifically in the research, the views of absent parents and their new partners, and of the majority of parents with care in this sample - whilst universally supporting child support payment - showed considerable hostility to the CSA. Whether or not beneath this hostility, there is a fundamental attitude change to levels of child support has to be assessed in a future research project.

However, these increased levels of hostility do have an implication for alternative systems that might replace the CSA, or the success of reforms as proposed by the current government. These alternatives are the subject of the next section.

## 2 Alternatives

### *"Tackling child poverty*

- \* **Research has shown that fathers who leave become on average 15 percent better off while mothers who stay with their children become 15 percent worse off.**

26 This is perhaps the most fundamental reason why effective child maintenance arrangements are needed. It cannot be right for fathers to leave their children to depend on what benefits are available while they themselves remain comfortably off.

The right of children to the support of both parents means that they must be allowed to share in their income. The child support scheme is currently failing to ensure this."

Department of Social Security 1998: 12

### **The experience of other countries**

When considering alternatives it is important to look at what other systems exist in other countries as Britain is not alone in experiencing a high number of children living with one parent. Yet comparison between differing national policies, even within Europe, is problematic because, although systems may be similar, other support - such as childcare, health and education subsidies - may vary (Bradshaw 1998). In addition, the research that exists in relation to child support mainly focuses on lone parent families (Millar 1994, Lewis 1997, Bradshaw 1998).

However, Millar (1994) argues that child support systems can be divided into three main types, the first, promoting a policy of high employment rates for women - both lone and partnered - through a range of services and rights, which leads to the lowest poverty rates, the second providing little support for mothers to work, and minimal support for caring, leading to relatively high poverty rates, and the third, where support for mothers in employment and also for them to stay at home is low, leading to high employment amongst lone parents and low rates for partnered mothers and the most extreme poverty.

Millar & Warman (1996) expand on these three broad categories, as regards family obligations, classifying them as, individual autonomy, found in Scandinavia, then the nuclear family, found in the majority of Europe and lastly the extended family basis prevalent in southern Europe. Lewis (1997) finds that in all systems, child support is the least important component of lone mothers' income, although how well payment is enforced differs radically, with state assistance being an important income source in all countries, although set at widely differing levels.

Lewis (1997) argues that in the group of countries she examines, which includes representatives of all of Millar's categories, how lone mothers' income is packaged is influenced by the strength of the male-breadwinner model within the welfare regime. In the UK, the Beveridge scheme envisaged mothers as caretakers, not as workers, so support was available - albeit means-tested at low levels - to fulfil this role. Faced with escalating costs, the state has attempted to withdraw and transfer responsibility

to parents. She suggests that this focus on saving state resources in part accounts for the CSA's lack of success compared to Germany - with a similar male-breadwinner model - where reform has focused on the benefits to children (Lewis 1997).

Mindful of Millar's (1994) categories, I intend to look in more detail at Sweden - an example of the first group - Spain - which is typical of the third group - and Australia - situated in the second group - to see what comparisons can be made with the UK - also in the second group.

In Sweden, there is a state financed child support guarantee, providing a stable minimum payment for children, even when the parents are unable to provide support. Lewis (1997) notes that payment avoidance and reluctance to claim are unusual. In addition, there is a high rate of compensation for loss of earnings in connection with birth or illness of children and child care is subsidised and widely available. Both parents have cash and care duties for their children enshrined in law, and there is an assumption that both parents will be in employment (Millar & Warman 1996).

There is no differentiation between married and cohabiting couples, and lone motherhood is seen as a life stage, with integration and inclusion being the keywords of the policy towards this family type since the 1970s. However, lone mothers still have 23 percent less income than married mothers and more than twice the poverty rate, with tax policies still favouring two earner families (Hobson & Takahashi 1997).

In addition, childcare demand has always outstripped the supply, and the policy assumes an equal access to the labour market between genders which is belied by the reality. As access to other social transfers is reduced in the current economic climate, lone mothers are less cushioned from poverty than previously, and the dilemma faced in Sweden is whether or not to target this group, thus differentiating them from other workers and risking stigmatisation (Hobson & Takahashi 1997).

Integral to the system of child support is the well developed network of leisure time centres, family day care and open leisure time activities for children aged 7 - 12 years. In 1993 a Children's Ombudsman was created to protect the rights of children in Sweden as well as promoting "good formative conditions, a good psychosocial environment and a good standard of child safety." (Sweden - Childcare in Sweden 1998). Thus individual rights extend to the rights of the child.

In Spain, by contrast, the wider family - including siblings, grandparents, uncles and aunts - are expected to support one another in a wide variety of circumstances - although there are still obligations within the nuclear family between spouses and to children (Millar & Warman 1996). Since the advent of democracy in 1978, the constitution has recognised equality between wives and husbands, the right to divorce and rights for all children, regardless of the relationship between their parents (Alberdi 1995).

In addition, equal rights of women in the labour market were also anticipated, although men continue to be the major breadwinners and women the major caretakers. The law since 1978 has continued to move towards liberalising family roles and duties, supporting equal responsibility for children and recognising cohabitation. Although these changes have happened at a time when households are becoming more likely to contain only the nuclear family, the obligations felt by and expected from, the wider family to each other in respect of support in hardship has continued. In part this is due to the fiscal crisis within Spain, but is also a result of political pressure to reinforce family responsibility (Alberdi 1995).

Households headed by female lone parents with dependant children are recognised as being a high percentage of those in or at risk of poverty, marginalisation and social exclusion, yet spending on financial benefits for this group remains very low. Increasing the well-being of this group is envisaged only through increased EC support for the broader welfare services (Subsecretario de Asuntos Sociales 1994).

Child support is administered through the civil courts and can include amounts for children who have reached their majority, with considerable flexibility within the system to take account of individual situations. Awards of support are generally low, poorly enforced and in practice, rarely applied for (de Marino 1992). Although great steps have been taken in the past 20 years to improve health care, education, other social services and employment rights and opportunities, the situation as regards these issues means that the government has to balance limited funds between many areas of expenditure, resulting in the family continuing to provide the major support for families and individuals (Alberdi 1995).

The Australian model informed many of the changes in the UK, and the pre-existing system of child support had many similarities to the UK situation, resulting in similar employment participation for mothers (Millar 1994). However, the reformed

Australian system differed in some important areas. Although it is based on a formula, it was recognised from the outset that there was a need for flexibility, recipients of means-tested benefits were allowed to retain some of their maintenance, it was administered through the tax system as a direct deduction from earnings and the system did not act retrospectively.

This latter point caused considerable dissatisfaction as carers of children wished to participate in the more generous new system and led to the UK adopting a retrospective system (Committee of Public Accounts 1996). Rhoades (1995) concludes that in spite of considerable objections from those involved in the Australian system, it had achieved many of its aims in terms of increasing levels of child support and reducing government expenditure. However she also documents a high level of customer dissatisfaction at the Agency's performance and concerted campaigns from non-resident parents against the Act, and highlights areas of concern including the treatment of new families and the lack of administrative resources.

Bird (1993), whilst considering that the Australian system is broadly similar to the CSA, highlights the differences as the ability to register pre-negotiated agreements, the allowance for capital transfers and its use of the tax system, thereby achieving greater efficiency. Although unpopular, the Australian system seems to have performed better, and achieved more co-operation than the CSA, with Lewis (1997) attributing this in part to the aim being supporting children, although Bird (1993) and Rhoades (1995) disagree with this assessment.

Bradshaw (1998) presents an international comparison, confirming that there are high levels of employment amongst lone mothers in Spain (70%) - almost twice the rate of mothers with partners - , and in Sweden (70%) - 10% less than partnered mothers. However, in the UK although over 60% of women with partners work, only 40% of lone mothers are in employment. For Australia the figures are 55% for women in couples and just over 40% for lone mothers.

As regards lone mothers in post-transfer poverty, (incomes below 50% of the median) the figures are over 40% in Australia, 30% in the UK, 20% in Spain and less than 5% in Sweden. The levels of net disposable income for lone mothers receiving social assistance (sterling purchasing power parity per month) were Sweden 463, UK 355 and Spain 240, with no figures available for Australia (Bradshaw 1998).

## Lessons for the UK

Given the problems of comparison between international systems of child support, it can be hard to see how far knowledge of a successful system can be transferred to the UK situation. As regards the Spanish experience, in particular, the model of extended family support, whilst appearing to encourage employment and secure relative safety from poverty, is not one to which countries like the UK could return (Bradshaw 1998).

Despite this there was evidence from the sample that a many had received support from their wider family. In nine out of the 21 cases this aspect was mentioned. **Mrs Antony** had received financial and emotional support at the time of the break-up, as had **Mrs Dobson**, with **Miss Ross** still living in her parents' home and relying on financial and other help.

**Mr Cook** and **Mr Hendry** had been supported by their sisters, with the former living with her for several months and the latter's providing child care, and the only contact with his child. **Mr Hunt** and **Miss Bowen** considered that they could only achieve the level of material security they had with parental help, and **Mr Harvey** was living with his father at the time of the first interview. **Mrs White** not only stressed the level of moral support she had received from her parents, but also the amount they had suffered because of the pressures she had been under.

In a further **four** cases, family support was mentioned in a slightly different context, with **Mr Lyons** stressing the support he gave his elderly frail mother as an expense that was not allowed under the CSA. Both **Mr & Mrs King** and **Mr Clark** considered that their lack of family support made their personal circumstances more difficult, whilst **Mrs Norman** felt that the increased financial pressures from the CSA had restricted her ability to visit her elderly parents and provide the support she felt she should.

Thus, although the UK is not within the group of countries where wider family support is considered to be an essential part of the welfare system there is considerable evidence that, for the sample group, this aspect is still important.

The Swedish model which relies on extensive state subsidy and high taxation - a model which is being challenged within that country and never gained acceptance

outside the Nordic region - is not without its problems (Hobson & Takahashi 1997). This system relies on all citizens being seen as earners, and is associated by Millar (1994) with more favourable welfare outcomes.

In this sample, a high percentage were in work. Of the twelve households with a couple, in eight both partners were in full-time work, in one case the woman was in part-time work, in one case the woman worked part-time and her husband was unemployed, in one case the woman was a full-time student whilst her husband worked full-time and in the final case, the woman was a housewife, with her husband working full-time.

As regards those classed as lone parents, one was in full-time work, two in part-time work and the last was a part-time student, on a vocational course, hoping to gain employment.. In the five remaining cases, two were long-term sick, with the final three working full-time. Thus for the sample, the dual earner model did seem to be a useful description, rather than the male-breadwinner model. Lewis (1997) does consider that the UK has moved away from this classification since the 1980's.

But despite these similarities it seems unlikely that the models from these countries can be usefully applied in the UK. Even in the case of Australia, which started from a similar position and whose experience informed the development of the CSA, the possibility of learning seems limited. Positive decisions made to avoid one problem created another (Committee of Public Accounts 1996).

Nevertheless, certain conclusions do seem possible. Systems which include a state guarantee of child support tend to lead to better outcomes for children and their carers, as do those which provide an integrated package of support, including childcare and a social wage (Lewis 1997, Millar 1998, Bradshaw 1998), although ease of entry into employment does not on its own guarantee increased welfare outcomes, with the experience of Holland and Germany demonstrating that support for carers can achieve the same aim (Lewis 1997). In terms of alleviating poverty, it appears that supporting all children regardless of their status, is most successful (Bradshaw 1993, Lewis 1997, Millar 1998).

Bradshaw (1998), in his international comparison, considers that there is an exceptionally high risk of poverty amongst lone mother families in Britain and an exceptionally low rate of labour market participation. He recommends the

introduction of a guaranteed maintenance scheme as a means to alleviate these problems, as far as child support legislation is concerned and Millar (1998) supports this. Clarke et al (1998) concur, as well as putting forward specific changes to the CSA.

Recommendations for change have been the subject of several Social Security Committee reports since the CSA first came into existence in 1993, some of which have been put into effect - particularly as regards increased flexibility (Departures), reduced levels of support for older children, higher levels of 'protected' income for 'absent parents', and abolition of fees. Compared to other social security legislation, the CSA has been subject to considerable change.

At the same time, several welfare charities have produced reports into the CSA with recommendations for reform (Barnardo's, The Children's Society, NCH Action for Children, NSPCC & Save the Children 1994, CPAG 1997). The next section examines current government proposals for the CSA.

#### **Alternatives - the samples' response**

Many of the sample expressed ideas for reform of the CSA, either designed to alleviate the problems that they had experienced, or could perceive in others' situations.

The solicitors had the following suggestions. **Mrs McMorris** said "I would certainly for a start, make the formula much more flexible ... you can't for example take into account any other costs - visiting children...I accept that if you go too far down that road you end up where we were before...We need a compromise between that and the CSA." **Mrs Brant** felt that if the CSA had sufficient resources to take on all cases and improved its service, then the whole idea would become accepted and circumstances for children would improve.

**Mr Wilson**, one of the Child Support officers stated that he felt that some more flexibility and simplicity in the formula would be of use, whilst **Mrs Oliphant** considered that a more locally based, flexible system would serve both the employees of the CSA and those who had to deal with it. She also supported less complexity and rigidity. "It would've been accepted much more readily if the man in the street could understand it." She was in favour of returning to a court system, with some

elements of the formula but as a fixed percentage for most cases. She strongly supported income support recipients keeping a significant amount of the payments as an incentive.

As for those with personal experience of the CSA, many were in favour of returning to the old court or voluntary system. These included **Mr Taylor and Mr Hunt**, who had made private arrangements to avoid CSA assessment, although Mr Taylor was in favour of benefit savings being made, he felt there should be more flexibility and discretion. **Mrs Antony**, who had no experience of the courts, preferred the voluntary arrangement that she had reached. **Mr & Mrs White, Mr Potter, Mr Hendry, Mr & Mrs Lyons, Mr Thompson, Miss Bowen and Mr & Mrs Samuels** all were in favour of a return to the old system. All had paid maintenance regularly under the courts.

**Mr Wilson and Mr Hewitson**, who had never paid in the past, although the latter had spent considerable amounts on this children, both in terms of time and money, both felt that the previous system had been better, as did **Mr & Mrs King**, although they confessed to having built up considerable arrears. Thus 13 out of 21 cases felt that the old system was preferable.

**Mr & Mrs Norman, Mrs Simpson, Mr Cook, Miss Ross, Mrs Hewitt, Mrs Trent, Mrs Dobson and Mr Clark** were dissatisfied with both systems. As far as receiving payment was concerned Mrs Norman, Mrs Simpson, Miss Ross, Mrs Hewitt and Mrs Dobson had found neither method effective, and Mrs Hewitt was particularly outraged when the courts wiped out considerable arrears. Mr Cook, Mrs Trent and Mr Clark, from the perspective of those expected to pay, had criticisms of both schemes.

The overwhelming feeling was that, where arrangements had been made and kept to in the past then these should be respected, and if this was not the case, then the system should be flexible and efficient. Mr & Mrs Norman had also put some thought into the detail of the changes they wanted. Mr Norman considered "You shouldn't be allowed to be vindictive and stop contact. The children can't object. If you split up you keep responsibility for the children, but ONLY the children.". Mrs Norman added "They should integrate counselling so there's no fight. Every few months or maybe a year the children should be asked about their circumstances, from about 4 or 5 years old, they should have a say."

## **The governmental response**

Even before it came into operation the CSA was seriously criticised by parliament, concerned groups and individuals, although enjoying general support for its main aim of the child's right to maintenance. The changes which critics have been able to implement have, in the main, eased the burden on "absent parents" whilst minimum payments from unemployed parents and the benefit penalty for those "parents with care" who refuse to co-operate have both increased significantly (Bennett 1997).

Despite the considerable popular concern - reflected in news coverage and MPs' mailbags (Parliamentary Commissioner for Administration, 1996) - the issue of child support was not highlighted in the election manifestos although the Liberal Democrats proposed to introduce a new system and the Labour party to reform the existing one.

In July 1998, the new government published its proposals for reform of the CSA, seeking views by November 1998. By the end of March 1999, no specific legislative proposals had been put forward, thus my consideration of the changes is restricted to the limited detail put forward in the Green Paper. In contrast to the Australian system, where the legislation contains the working details of the Act, the British system relies on regulations to put detail on the proposals (Bird 1993).

The Green Paper "Children First: a new approach to child support" (1999) reiterates support for financial responsibility for children after divorce or separation, savings to the taxpayer, tackling child poverty and helping lone parents into work, but acknowledges the failings of the existing system in these areas. The first change will be to abandon the term "absent parent" which has caused anger and distress, and substitute "non-resident parent", although "parents with care" remains.

The main proposals concern simplifying the formula so that it is based on a percentage of net income, but with allowances for low earning non-resident parents; excluding new partners' income from the calculation but also the parents with care's income; eliminating overt support for the carer by making calculations on the basis of the number of children; increasing flexibility for exceptional expenses (at the Tribunal stage); the introduction of a child maintenance premium for parents on income

support; improving and personalising the service offered by the CSA and suggesting that the system should be integrated with mediation and parental education.

Comments were particularly sought on the best method of implementing and phasing in the system, recognising that the inefficiencies and inflexibilities involved in the introduction of the CSA had led to widespread dissatisfaction and lack of co-operation.

However, the lack of detail meant that it was unclear how the proposals would deal in practice with the many of the issues raised, in particular with introducing a system integrated to mediation. In addition, no specific mention is made of step children - either formal or informal - or measures to deal with the insecure and flexible employment situations, that are the reality in the lives of many.

Although these proposals do go a long way towards meeting the recommendations of research into the failings of the CSA, no specific plans are put forward for a guaranteed maintenance income, although it is stated that it will only apply to those in receipt of Working Families Tax Credit, thereby excluding those with incomes over the means-tested benefit level.

However, the areas which have most detail, namely simplifying the formula, omitting second partners' income and allowing for new families' needs equally with other family responsibility, and improving the service, are likely to satisfy many of the demands for change. In addition the maintenance bonus will meet with widespread approval and may temper criticisms from parents with care, who are likely to see their awards reduced by the effects of the changes.

In particular, the three stage administration, modelled on the New Deal system, with a gateway to child support based on a phone call, access to a caseworker to discuss details and a tribunal stage to deal with special expenses and problems that cannot be solved in the previous stages - provided it is able to meet its targets for efficiency and quick and straightforward dispute resolution - will also assist the agency to gain support from those affected by its operations.

Nevertheless, the Green paper acknowledges that putting eventual reforms into place will not be unproblematic, suggesting that the new scheme is unlikely to be introduced before 2001, although making a commitment to improving the existing

service in the interim. Charges for the service will only be reintroduced when the CSA achieves its efficiency targets.

The Green Paper makes it clear that co-operation will continue to be enforced through benefit penalties and loss of the maintenance allowance for those with care and invites response on suggestions of criminalising non-payment and interest charges on arrears for non-resident parents. Those on benefit will continue to be expected to contribute. In addition inclusion of the CSA into the Inland Revenue, whose role has been expanded under this government is specifically excluded.

At this Green Paper stage it is hard to properly evaluate the current proposals. However, it is made clear that they are part of a wider strategy as regards families and children. As regards policies which have already come into effect, The Working Time Directive has as part of its aim to increase the time parents have with their children, whilst the Minimum Wage Regulations are intended to ensure that those who work are paid at a fair rate for their labour, and provide further incentives to enter or remain in work. Changes to the Family Credit scheme - soon to become the Working Families Tax Credit - also go some way towards helping those with children to move out of poverty.

In addition, policies such as the Childcare Strategy aimed at ensuring adequate care for the children of working parents - an area in which the UK lags behind the rest of Europe, and the consultation process currently underway on Supporting Families all suggest that the current government has a broader view of child support than its predecessor. The Green Paper makes specific reference to the Children Act and the Family Law Acts, as regards integration of the child support regulations within existing family provisions, and the inclusion of mediation within its provisions.

However, the refusal to abandon the changes to lone parent payments and homelessness legislation have been widely criticised as acting against child and lone parent family welfare. (Lewis 1997, MacDermott et al 1998) The government is committed to reducing state dependency by increasing work and employment opportunities, including those available to lone parents, and have included this group within the New Deal programme, although on a voluntary basis.

This change in emphasis, coupled with the removal of the carer premium in the reformed CSA, suggests a move away from the male-breadwinner model, although

retaining the voluntary nature of participation shows some remaining attachment to the mother as carer model.

### **3 Summary**

"The old 'liable relative' scheme would likely have saved more for the Treasury and lone mothers and their children have not profited from the new legislation. In the meantime, however, the Government continues to take steps to decrease the amount of support provided by the state in terms of cash benefits and the provision of housing. The prospect for lone-mother families in Britain looks bleak."

Lewis :1997 72

The previous chapter outlined the overwhelmingly negative experiences of the sample as regards the customer care and efficiency of the CSA, and explored the concept of "Unfairness" which has an impact on co-operation with the agency. This chapter has highlighted the flimsy evidence for fiscal gain from the CSA and then looked at some of the other models that exist for child support and ensuring child welfare, including ideas put forward by the sample group.

The government's current proposals were also examined in as much detail as their current form allows, along with a brief look at other policies - both planned and in operation - which have an impact on child support. It has been seen that comparing differing systems is problematic as is isolating the elements of support that ensure child welfare within a given system, all of which has implications for drawing up plans for effective change in a given country.

However, this is part of what I will attempt to do in the final chapter, which encompasses the conclusion to this research.

## Chapter VII

### Conclusions - The interaction of lives and policy:- the issues for child support

"Their lives may be chaotic, they may not be in regular work and their relationships may be casual. So they need help to be good fathers **and** regular payers..."

- \* **Britain has the highest teenage conception rate in Western Europe.**
- \* **15% of non-resident fathers became fathers when they were still teenagers themselves."**

Department of Social Security 1998: 14 & 15

"The number of women who fit the stereotype of being young, uneducated, unemployed and having babies on benefits is very small, accounting for only 3.7 per cent of lone mothers - ie 54,000 people."

T MacDermott et al 1998: 13

*"2. Support for lone-parent families should not be separated from issues relating to support for all families with children.*

Support is required across a broad front and this means developing a much more integrated approach to policy."

Millar & Ford 1998:. 259

### 1. Introduction

Lone parenthood has increased in importance in policy terms in Britain since the 1970's and continues to dominate the debate surrounding child support. Land and Lewis (1998) consider that the topic has an emotional impact in this country which is missing in the rest of Europe and that the concern for the well-documented poverty of these families has been eclipsed by issues of public expenditure and moral decline.

This research has shown that child support, far from exclusively involving lone parent families, concerns a wide variety of people who at one and the same time can be carers and non-resident parents, step-parents, birth parents and new partners of any of the former categories. A picture of complexity and diversity has emerged that the

rigid, financially oriented and bureaucratic Child Support Agency has been unable to deal with appropriately, or even efficiently.

The following sections present my conclusions from this research project as regards the financial impact, family relationships and form, the workings of the CSA, policy implications and recommendations for change.

## **2. The financial impact of the CSA**

Maintenance receipt and payment had neither become more likely nor more reliable in the experience of the sample. Only one parent with care, who had already been receiving regular payments, had child support payments, and her overall income had only increased because of taking on extra work, although the percentage she received from her ex-husband was larger. The others had either refused to claim or never received payment.

As regards those involved in paying, the level of arrears had increased dramatically, rising from a third prior to the Act to all but one post CSA, and although the amount of payment had risen in some cases, in the same number it had eventually fallen, with zero assessments in five cases where there had previously been regular, albeit low, payments. Whereas maintenance had been, in all but one case, for fixed amounts, the assessments made under the CSA had varied frequently. This had been in part due to changing regulations, in part due to non-co-operation and in part due to errors in assessment.

However there was universal agreement with the principle of paying to support your children, although differences in opinion as to the amount that should be set, and the existing expenses and other factors that should be included in the calculation. In general there was considerable anxiety about the levels of payment which might be expected in the future - even when a zero assessment was in place - reinforcing the feelings of insecurity, stemming from the experience of uncertainty and irregularity.

This, added to the insecurity of income from employment experienced by a small majority of the group due to short-time working, fluctuations in overtime, lay-offs, spells of unemployment and short term contracts, meant that all but two considered themselves to have financial problems.

This self assessment was borne out, to a large extent, by comparison of their circumstances to several poverty measures. All fell below the average disposable income (before housing costs) for non-retired households, although a high percentage were in employment, and apart from the insecurity of the work noted above, four households also received in-work benefits. When adjustment was made for receipt or payment of child support, just slightly under half of the sample households fell below or on the 140% of means-tested benefit plus housing costs standard.

Thus the general picture for the majority of the sample was one of financial insecurity and uncertainty which the CSA had either done nothing to improve or had increased, with around a quarter considering that their financial problems had been caused solely by the effects of the legislation. The carers represented in the sample had experienced no financial benefit from the changes whilst non-resident parents were particularly concerned about the financial welfare of other children for whom they had responsibility.

The effects of higher assessments were particularly damaging in terms of financial welfare for the men who were disabled and so on a fixed income, and the lone parent who was also responsible for a non-resident child, although the position of two earner families with resident children was also threatened. Yet, in only one case was it considered that informal support in kind for the non-resident children had been adversely affected by the changes, and, in spite of the adverse experiences, the principle of paying child support retained universal approval, although the CSA mechanism for calculating this was universally criticised.

Thus, if the aim of the CSA was to bring financial benefits to children, then the overwhelming evidence from this research was that it failed to achieve this, and, in fact, created higher levels of financial insecurity and hardship than had existed prior to its introduction. The diversity, complexity and instability of the financial situations of families and individuals in late twentieth century Britain was not adequately catered for by the rigid, yet complex, mechanisms of the CSA resulting in negative welfare outcomes for many of those involved.

### **3. The impact on families and relationships**

It became quickly apparent on embarking on this research project that the lives of individuals did not always fit neatly into the categories used by the CSA. (see

Appendix I) Six individuals belonged to two categories. One absent parent was also a parent with care, three new partners of absent parents were parents with care in their own right, and two new partners of parents with care were absent parents to non-resident children.

It was also almost immediately evident that parents with care did not live exclusively in lone parent households. Although eight parents, including one father, had experience of this type of family life, only four remained alone. Of these, two had had several spells as lone parents, and one of the former lone parents had also had more than one experience of this family type. The vast majority of the ex-partners of non-resident parents had been at some time a lone parent, although only a minority remained in that family type, although several had had more than one experience of it.

Neither was the "teen mum and feckless lad" scenario a common life history. In fact the overwhelming majority had been married at some time to the other parent, although the majority also had experience of cohabitation. Half the sample had been married once, over a third twice, and for a quarter of the couples, it was a second marriage for both. One childless new partner had never been married, one non-resident father had not been married to or cohabited with the mother of the child he was expected to support, but had been married to the mother of his older children and one teenage mother had neither married nor cohabited with her son's father.

The most common route out of lone parenthood was repartnering - the experience in all of the cases - with all of these new partnerships having either children in the new relationship, step children, non-resident children or all three. Whilst a third of parents with care had formed new relationships, this rose to almost two-thirds for non-resident parents and for this group there were either new children, step children or a child expected in all cases.

A third of two parent families included step-children, a further two families had included step-children until shortly prior to the research being carried out, and in one case, a non-resident father had cared for his step-daughter throughout his marriage. In addition, a large majority of non-resident children lived with a step-parent. None of the lone parent families had step children.

The terms of the Child Support legislation suggest that it was designed, primarily, to fit the situation where the parent with care lived as a lone parent and the absent father

was either alone or with a new partner, with or without their joint children, yet this was the experience of only a small minority of the sample. The reality for the sample group was far more complex and diverse, including informal step parents - excluded from the terms of the Act -, new partners with pre-existing family responsibilities, multiple relationships, repartnering and further childbearing for those with care, and fluctuating family situations.

The CSA and surrounding issues also had implications for the children of those involved in the research. In only slightly over a third of cases was contact between the non-resident parent and their child/ren considered to be frequent. Although the research was not designed to analyse this aspect, the chances of this outcome were raised when the non-resident parent did not live with a new partner or had no further children, although in over a third of the cases there were either resident children or two sets of absent children, who all spent considerable time together.

There was no contact with the absent child/ren in slightly over two-fifths of the cases and in a majority of these the absent parent had formed a new relationship, and there were children in the new family unit. Where contact was considered to be limited - in about a fifth of cases - again the formation of a new partnership made this outcome more likely.

There is no evidence from the sample that the CSA has had the effect of inducing absent parents to increase contact in order to reduce liability for payments, rather the reverse is suggested by the evidence on account of the increased financial pressures. It is possible that the advantages of contact in financial terms as envisaged by the Act, were unknown to the group, as there was a high level of misinformation about the effects of the legislation. Parents with care reported that the CSA had made no difference to contact arrangements whilst a third of non-resident parents considered it had made it more problematic.

Frequency of contact is perhaps less important than the quality of the relationships. A clear majority of informants considered that the CSA had caused their relationships with ex-partners and their non-resident children to have deteriorated. In addition, a substantial minority of those with resident children considered that there had been a detrimental effect on these relationships.

Although the aims of this legislation has been almost universally perceived as transferring financial responsibilities, it was presented as aiming to help children. This is evidenced by the very name of the Green Paper - Putting Children First - that heralded the Act. Yet this research has shown that not only has contact not been promoted it has, in a substantial minority of cases, been made more difficult whilst relationships with both resident and non-resident children and former partners have also deteriorated.

Another important aspect is the relationships between new partners. In only one case did the participants in this research consider that the changes had had no detrimental affect , whilst the overwhelming majority considered the CSA to have caused a severe strain on the relationship. In addition, three-quarters of the lone parents expressed ambivalence about forming new partnerships, in part on account of the uncertainty and insecurity surrounding child support measures. A third of the women in partnerships, including one former lone parent, felt that they would have made a different choice had they known about the effects of the CSA.

In all but one of the new partnerships with resident children, it was considered that the CSA had threatened the stability of the relationship to the point where they had seriously considered splitting up, thereby creating a new lone parent family. However, in the one case where this had happened, it was acknowledged that there were other stresses involved, although the demands of the CSA had played a part. Both of the women in childless couples reported a temporary breakdown of the relationship and that the financial insecurity caused by the CSA had restricted their freedom to choose to have children.

Both the women who had separated since the start of the CSA had not considered that the effects of the legislation had had any bearing on their decision. Yet, for those who had considered separation, the demands of the CSA had been an important factor, in particular the perception that "absent families" were given a higher level of support and recognition than resident families.

As the legislation was, in part, designed to discourage lone parenthood, as this family type was seen as detrimental to the welfare of children, it is of interest that, in the experience of this sample, it would appear to have had the opposite effect. Not only did it jeopardise the decision to repartner - a major route out of lone parenthood - but also threatened new families by increasing financial and relationship stress and

promoting the perception that separated partners and children fared better under the CSA than intact families. There was no evidence that it encouraged couples to avoid separation, but some evidence that it discouraged childbearing within couples.

There was universal support for retaining responsibility post-separation, although there was considerable dissatisfaction about the levels that were set, the inclusion of an amount for the carer, and the omission of any but financial factors from the definition of that responsibility, within the CSA. Only one mother was an "absent parent", and no fathers were "parents with care", although one father had been solely responsible for a child who had since left home, confirming the usual gender split in terms of these roles. There was no evidence that either the CSA, or other family legislation, had influenced perceptions as regards post-separation responsibility for parenting.

There was, however, strong evidence that where contact was considered frequent the non-resident parent went to considerable lengths to achieve this and took responsibility for maintaining a relationship, whilst in several cases where contact was either limited or non-existent, this decision had been taken with either the welfare of the non-resident child or the preservation of the new family in mind. In three cases, court action to increase contact had been considered but not pursued, either because of the cost and complexity, or for fear of the child being traumatised. There was no evidence that the CSA had increased the likelihood of custody proceedings.

Overall this research gives a picture of considerable dynamism and diversity within family life, with which the rigid and inflexible measures introduced by the CSA were particularly ill-equipped to deal. Far from promoting intact families, the pressures brought by the changes have acted to jeopardise existing couples rather than discourage separation, or make repartnering more likely. The experience of the sample highlights the complexity of the modern family, with much evidence that parenting decisions are not taken lightly, but reflect the perceived best outcome for the welfare of all involved.

When the situation that child support legislation is designed to deal with, can, and frequently does, involve several sets of children, an equal number of partnerships - both continuing and past - with individuals moving between different family types and taking responsibility for the children in these, then it was unlikely that hastily drafted

and unpiloted regulations could ever meet their needs, and probable that they would only increase the stresses already confronting modern family life.

#### **4. The workings of the Child Support Agency**

Only one person - a Child Support Officer - considered he had no experience of problems with the CSA in terms of delays, inefficiencies, inaccuracies and low standards of customer care, although even he was prepared to accept that there were problems in terms of flexibility. These issues combined with the lack of clear information, even when correspondence was frequent, and the impossibility of checking calculations because of their complexity, led to the overwhelming majority of the sample finding that the CSA had failed to deliver a reasonable service to those involved with it.

The fact that charges were made, although later withdrawn, for such a poor service which either intervened uninvited, failed to deliver any cash benefits, or refused to get involved, only served to exacerbate the levels of discontent felt by the group. There was almost universal agreement that the agency failed to take into account the complexities and diversities of individual situations, as well as ignoring factors that were personally very important to the group.

The system - relying on information on income and certain costs being supplied by several parties - involves complex calculations, the results of which are not easily verified. Confidential information on income and savings as regards new families and their children, may be revealed - at certain stages - to ex-partners. Local offices - which have experience in dealing with sensitive issues - were replaced by distant central offices, with high levels of staff changes. Personal contact between the Agency and its customers was designed to be kept to a minimum, replaced by phone calls and correspondence.

Although originally designed to cover all cases, the levels of work soon meant that the CSA was restricted to those in receipt of means-tested benefits, at least as far as the recipients of child support were concerned, who had at least some, and often extensive, experience of the intrusion of the Benefits system into personal life. However, those who were expected to contribute were often totally unfamiliar with this aspect of the Welfare State and had strong views about their right to privacy. In

addition, those who had prided themselves in being self-supporting, were likely to be contributing the most

Over two-thirds of the group of contributors in the sample had no experience of claiming state support, seeing themselves as independent, and finding the level of intrusion into their personal affairs completely unacceptable. Those who had current claims for benefit felt that this indicated that they were in financial difficulties - a situation that they felt entitled them to rely on the state - yet they were expected to pay increased levels of child support.

The CSA was universally perceived as targeting responsible fathers who were already paying for their children, rather than taking on the more difficult task of extracting money from those who were disinclined to contribute. Although reassurances were made that the income of new partners was not part of the assessment, this was not accepted, as extensive information had to be supplied. In fact, under the terms of the Act new partners were expected to contribute to household costs, even when not earning and so, in effect, were being made responsible for earlier families.

Many of the sample saw the inclusion of a carers' allowance as a subsidy for the mother to remain at home. This was a cause of resentment when new partners had felt obliged to either start work or increase their hours because of the CSA. The levels of the awards were also a source of criticism, especially when it meant that the new family had less resources at their disposal, than the previous one. The fact that none of the payment went to children whose parents were on Income Support was also a cause of concern.

Generally, the early reforms to the system were not perceived as beneficial as distances travelled to work were short, although cars were necessary, and there was no proof of equity being left in the property. It is likely however, that the changes did impact on the levels of payments, although this was unacknowledged. The uncertainty in payment levels also caused concern as did fear about future awards. Inefficiencies in delivering payment of support as well as in recording when payments had been made featured in the areas of dissatisfaction expressed by the group.

Criticism was also levelled at transitional arrangements which ignored amicable and informal agreements and left insufficient time to adjust whilst happening without prior warning and in contradiction to court decisions of long duration. In addition, the

inefficiency of the agency which led to substantial arrears accumulating before payment had been notified was also a major concern.

Many of the group felt that the CSA had led to health problems on account of the stress and uncertainty that its inefficient and inflexible workings involved. Although a significant number had welcomed its introduction, by the time that the research project was carried out, there was no support for its intervention into the lives of parents who live apart. One respondent - a solicitor - felt that the CSA would eventually change perceptions about maintenance so that more realistic levels were seen as the norm. This project found no evidence regarding this issue.

The purpose of the Agency was commonly seen as transferring responsibility to the parents and away from the state. Only one member of the group saw this as a worthy aim, although having personally avoided assessment by the CSA. The majority felt that the state did have responsibility for children, but for all children, not just those who had been separated from a parent. Everyone considered that parents retained responsibility - but for the benefit of the children, not the tax-payer. Just how far the CSA achieved savings is an area of dispute, with CSA figures open to question.

The CSA is unlikely to be effective in promoting its aim of improving child welfare when it is the object of such high levels of dissatisfaction. Successful enforcement of child support payments would seem more likely when those required to co-operate have trust and confidence in the mechanism being employed to achieve this. Non-co-operation has, in fact, been identified as a major source of the inefficient workings of the agency. The overwhelming evidence of this research - which is to a large degree supported by other sources - is that the CSA has lost public confidence, particularly amongst those who are required to use its services.

As has been shown in the previous chapter, and reiterated in the section above, the outstanding concept to arise from this research is the perception of "Unfairness" by those involved in the workings of the Agency. This, along with the evidence of complexity and diversity in the previous two sections, has enormous implications for policy in this area. This is addressed in the following section.

## **5. Policy implications**

The Child Support Agency, whilst recognised as having improved its service since its disastrous first few years, is generally considered to have failed in its aims of increasing financial support for the children of lone parents, and promoting their overall welfare. There is little evidence that support payments have increased significantly in amount or regularity and even where this has been achieved, there has been little gained financially, and much lost, in terms of wider support. As regards the children of new families, it is widely recognised that they have often suffered as a result of the CSA (Clarke et al 1994, Millar 1998, MacDermott 1998, Davis et al 1998).

This project, whilst confirming the findings of little or no benefit gained from the CSA, and considerable hardship arising from its effects, has also found that real lives are more complex in terms of sources and stability of income and diversity and complexity of relationships and family life, than the inflexible yet complex system set up by the legislation could cater for. Recipients of child support are not always lone parents, incomes are not always regular and parents frequently take responsibility in ways which are not quantifiable by a formula. Lone parents can have non-resident children, many families contain step-children and employment can involve long hours for low pay.

As regards the experiences of this sample, the CSA's inability to deal with the reality of their lives and its inefficiency were its major failings. Thus, the issues for policy include devising a system that recognises the current diversity and dynamics within individual situations, and can be flexibly, fairly and efficiently delivered to those who need it. In addition, attention should be paid to avoiding stigmatising certain family types and recognising that most parents do consider the welfare of their children and attempt to promote this, according to the circumstances in which they find themselves.

The principle of equal treatment for children is enshrined in the Children Act - but was undermined by the Child Support Act, not only in terms of treating children in Benefit households differently, but also by ignoring the claims of informal step children to support and allowing less income for children in new families. This principle is an important issue for the perceived and actual fairness of any system of child support.

The Children Act and the Family Law Act both put stress on mediated and negotiated agreements for the care of children. Again the Child Support Act undermined this principle by making negotiation of maintenance levels impossible, as child support is set by the CSA and any pre-negotiated settlement was overturned by the Act. Again, inclusion of agreement and negotiation is an important issue for child support.

The Child Support legislation defines parental responsibility principally in cash terms. Both the Children Act and the Family Law Act recognise that parenting includes more than finance. Thus wider issues of parental responsibility are important when considering child support and a move from the current narrow definition would facilitate acceptance, in many cases.

However, although this issue did not emerge in this research, there needs to be protection against abuse and good cause exemptions from co-operating with the agency. This area needs to be dealt with sensitively and flexibly, with adequate measures put in place to prevent those who have left abusive situations from being obliged to either re-establish contact with the perpetrator, or running the risk of renewed attack.

The high level of support for financial responsibility for non-resident children must be nurtured, not abused. Unfortunately the experience of the CSA has meant that many parents who were complying with existing orders have taken steps to reduce their liability and their financial burden. Although payments should be assessed at more realistic levels that was the norm prior to the CSA, only when allowance is made for the reality of lives and commitments, will there be a chance to eliminate large scale avoidance of payment.

Receipt of child support should not be a lottery but a right. Under the current system, payments fluctuate depending on the level of responsibility and circumstances of the non-resident parent. If child support is to enable families to move out of poverty then it needs to be a stable and reliable part of their total income. This can be achieved by the state guaranteeing maintenance payments, and taking responsibility for recouping this cost from those who are liable for it.

For some considerable time, research has shown that more inclusive policies, incorporating education and training, employment opportunities and rights, housing provision, and increased childcare and support for all parents with children, are best

able to deliver positive welfare outcomes for all children, including those whose parents live apart (Millar 1989, Clarke et al 1994, MacDermott 1998, Davis et al 1998). I consider that the findings of this research supports this conclusion.

Although improvements in the child support enforcement system can lead to gains for children, only when all the aspects that effect children's lives are considered, will better welfare outcomes be assured. The reality is that child support can only represent a marginal element of the overall support for children (Lewis 1997).

If alleviation of child poverty is the aim of policy then this research showed a marked failure to achieve this. Although poverty definitions are problematic, it is generally accepted that a relative concept is inevitable, and that means-tested benefit rates will be commonly regarded as supplying a definition of the poverty line within a given society (Morris 1996). Yet, Byrne (1999) considers that, with the exception of the 1999 rises in child benefit, Britain's income maintenance system over the past 20 years has contributed to the increase in income inequalities. Moreover he argues that it is the middle income group who are expected to pay for these transfers.

Thus overall, from the perspective of the sample group, who were in the middle or lower range of income, government policy in general, and child support legislation in particular, has served to increase relative poverty, whilst increasing personal financial burdens. Yet there was almost universal support for the state's responsibility in the area of child welfare and financial support.

Although the largest increase in child poverty rates is in lone parent families, in 1994/5 60% of children living in the poorest 20% of households were in two parent families. In addition, a link has been established between family breakdown and financial pressures, as low income couples are more likely to separate, creating low income lone parent families (MacDermott 1998). The results of this research show that the CSA has been a significant stress for low to middle income couples with children.

Child Support legislation in the UK has been preoccupied by the numerically small, but fastest growing group of lone mothers, namely teenagers with no history of marriage or cohabitation. Yet, given the situation of employment insecurity - particularly for young, unskilled males (Byrne 1999) - forming a lone parent household is a rational choice (Rowlingson & McKay 1998). The evidence from this sample would suggest that the increased insecurities and financial pressures of child

support, would tend to make the decision to remain unpartnered even more likely, given that the group of likely partners will contain many who have non-resident children.

The lives that I have investigated in this research confirm the picture of diversity and complexity established elsewhere (Rowlingson & MacKay 1998, Byrne 1999 amongst many others). Unless policy and research can take account of these factors then it is unlikely that measures or proposals will be able to deal with the multiplicities of situations and relationships that exist in modern society. Yeandle (1996) argues that only research and policy that takes account of the life course of the individual, can hope to deal with the current realities. This involves looking at the complexity of unintended effects, as well as the explicit and implicit objectives.

As a final thought, although the majority of children still live with both parents, it is increasingly common for a child to experience family breakdown during their childhood. Estimates vary but a figure approaching 50% is not unreasonable (Millar 1998) for children who will experience living in a lone parent family during their dependency. Add to this the number who live with a parent who has non-resident children - understandably high in my sample although national estimates do not exist - then over half of children's lives will involve child support.

This is the generation that will be expected to foot the bill for the demographic time bomb predicted for the welfare state. They will be expected to contribute to the support of large numbers of pensioners, whilst funding their own retirement personally. Yet, so far, the state has failed to protect their welfare in childhood. Even if it is only through reasons of self interest, surely society should support children. This is certainly what my sample believed.

## **6. The government's proposals for change**

The current government has put forward some proposals for reform, although the lack of detail in the Green Paper "Children First: a new approach to child support" (1998) makes it hard to properly evaluate how far they will meet the issues identified in the previous section.

The main proposals of simplifying the calculations, excluding the carer portion, eliminating consideration of new partners' income, ensuring efficiency and allowing

for personal, local services will go some way towards improving the system. Allowing those on income support to retain a portion of the support, including flexibility for extra expenses and low incomes and suggesting that there is integration with mediation and parental education are also welcome changes.

However, the focus is still on lone parents which serves to reinforce the prevalent negative image of this family type, informal step parenting is not explicitly acknowledged, benefit penalties will continue for those who refuse to co-operate and benefit receipt will not in itself exempt non-resident parents from assessment.

The imposition of a formula, albeit with increased simplicity and flexibility, still militates against negotiated settlements, which aim to ensure the continuation of wider responsibility after separation. There is insufficient detail to know how far the proposed mediation will function to increase co-operation between parents who live apart, although accepting amicable prior financial agreements is ruled out.

The Green Paper makes it clear that the application of the "good cause" exemptions will be strengthened, perhaps in response to the perception that these were used to avoid and circumvent the CSA, although measures in this direction are likely to increase the risk of harm to children and their parents.

The principle of guaranteed maintenance is included but only for those in receipt of Family Credit and no detail is given of how this will operate. Whilst this is to be welcomed, the scheme should cover all parents with care, not just those in receipt of state support, and until full details are available it is impossible to assess how successful the proposals will be.

Integration with the tax system is specifically ruled out, and, in general, the proposals seek to adjust the old system rather than radically overhaul it. Given the high levels of dissatisfaction with the current system, it may prove that only measures which, by their complete departure from the tainted image of the CSA and reinvention of the perception of child support, will gain popular support and co-operation. Only the future will answer this. However, there is evidence that the importance of overall policy in supporting lone parents has been acknowledged.

## 7 Conclusions

"It would therefore seem that interpretation of the 'poor outcomes' for children of lone parents often miss the link between lone parents and poverty.....it is now demonstrated that poverty preceding lone parenthood and the poverty in which many children of lone parents live are more likely to have an adverse effect on educational attainment and employment prospects than lone parenthood as such."

T Macdermott et al "Real Choices for lone parents and their children" p 11

Although this research is based on a small and unrepresentative sample, many of its findings are borne out by other research. Clarke et al (1994 and 1996) also found that there was 'small change' for lone parents as a result of the CSA, Hutton et al (1998) found that new families were often threatened by the CSA in financial and relationship terms, and Rowlingson & Mackay (1998) find compelling evidence for the increase in diversity and dynamics in family forms.

This latter study, based as it is on both small scale qualitative research and analysis of the larger scale Social Change and Economic Life Initiative data set, which points to the growth in the rate of change in people's lives, gives me the confidence to suggest that the findings of my study, which if anything highlight a more extreme complexity and diversity, do have implications for wider policy. In particular, although some research is forthcoming (notably Bradshaw, due Summer 1999) little is known about 'absent parents' and new families (Bennett 1997), a gap which this project goes a small way towards filling.

The lives described in this research have, in the overwhelming majority of cases, been adversely affected by the CSA. Although a major policy aim was to discourage lone parenthood and encourage paternal responsibility, the effects for the sample were to make lone parenthood more attractive, paternal responsibility more problematic and the decision to bear children more difficult. New relationships were threatened, families put under extra pressure and children's lives further disrupted.

The "family" has been shown to include many forms - not just the lone parents who British policy have demonised for inadequacies of care and responsibility - but an institution where children learn of the complexities of modernity, with step relations becoming as important as birth connections and change rather than stability being the constant. Frequently this diversity is played out against a background of economic

insecurity, where unemployment is a feature of work patterns and fluctuations in earnings and hours a commonplace.

The Welfare State - designed in a Britain where death was the most frequent cause of lone parenthood, and full male employment remained the patriarchal ideal - can no longer cater for the needs of the new diversity, creating as it does, most notably in the Social Security system, its own complexity and inflexibility which only adds to the pressures on family life. Against this background, the CSA's rigid approach created new complexities which mainly exacerbated the problems for those it was designed to assist, whilst threatening the security of a group who had been largely overlooked by policymakers and commentators.

The "problem" of lone mothers and irresponsible fathers was not addressed. The former remained as likely to choose emotional and financial freedom for themselves and their children, in a world where many young, childless men had no economic stability to offer and the older ones had frequently both the economic and emotional ties of previous children. Targeting benefit recipients and paying fathers meant that middle income families now paid where the State had taken responsibility, frequently leaving them with incomes at or below benefit levels, whilst the "feckless" few - who were never likely to have assessable incomes - remained untouched.

The impersonal bureaucracy created by the legislation was incapable of implementing the changes. Policy which had enjoyed virtually universal support - and whose broad aims, remarkably, retained approval - became unworkable as avoidance, not co-operation, became the increasingly common, and rational, reaction to the actual and perceived inefficiencies and inequalities. Nevertheless, whilst some managed to evade liability, many found that the uncertainty of their economic situations was exacerbated either by high demands, or the inability to predict future or check actual assessments.

All welfare systems rely on the co-operation of those intended to finance and benefit by them, yet the CSA quickly created a climate where it was seen as morally acceptable to subvert its demands. It lost the necessary public support for successful operation so that even information that would lower assessment levels, such as the birth of a child, was withheld, and lone parents who stood to gain financially, opted for arrangements which preserved goodwill.

Overall, the short history of the CSA is a catalogue of disasters, as measured both by its own indicators and those of its critics. In particular its aim of putting children first by alleviating child poverty and encouraging continuing relationships has resulted in increased pressure in both these areas. The complexities and diversities of real lives eluded regulation by rigid and impersonal legislation. This much is evident. However, it is a greater challenge to see what could be done about this situation, yet this is what I attempt in the following section.

## **8 Proposals for Child Support**

"3rd Universal Law: Nothing must be done to harm the children"

Barner 1999: 22

### **8.1 The Ideal System**

Having spent six years analysing the effects of the CSA and alternative systems, the moment of synthesis can be problematic. I am all too aware of what is possible - in political terms - and intensely pragmatic by nature. Yet if we do not dare to dream, then we cannot influence the direction of change. Thus, fully aware that the proposals in the Green Paper, with only marginal manipulations, will be the future of child support in the UK, I take this opportunity to imagine another possibility.

The family is a diverse and complex institution which needs to be supported in its actual form and not as ideologues wish it to be. The basis of individual happiness - and no doubt societal harmony - is high self-esteem and this can best be nurtured in childhood, by being made to feel wanted and valued. Whilst a high percentage of children are part of a family which is labelled dysfunctional, then they will learn to see themselves in this way, their carers will, because of their own devaluation in the eyes of society, be less able to provide the situation for nurturing the future generation.

Supporting children is a widely accepted duty of maturity which should be developed not undermined. Support should, in accordance with much current legislation, be defined in wider than financial terms, treat all children equitably and be decided upon by negotiation with all parties involved with the amicable results being respected. Divorce and separation are an acknowledged time of stress for individual and family relationships and systems dealing with this increasingly common situation, should not involve mechanistic compulsion, but individually negotiated agreement.

The strengths of families and individuals coping with uncertainty and rapid change unaided by role models should be nurtured and a climate of supporting "good enough parenting" (Bettelheim, 1987) encouraged, rather than the blame and responsibility for the failures of wider society to provide an adequate cultural and economic platform for its members being laid at the door of the individuals who are suffering the effects of macro-political situations.

The wider reality of individual lives must be taken into account when attempts are made to address single issues. Employment patterns, changing micro and macro economic relationships and the interaction with existing benefit systems all have impact on child support, and until this is realised attempts to provide for children in the multifarious families of late twentieth century life, will meet with similar problems to those encountered by the CSA.

Having set out the guiding principles all that remains is to outline the system, yet this is where the real work begins. Perhaps unsurprisingly given my background, I consider that mediation and support should be the basis. Building on the strengths of the liable relative section, using the lessons gained from the failure of the CSA, calling on the experience and expertise of Family Mediation and Relate, we should move away from an adversarial system of divorce and support which puts partners, children, families and the state in opposition and establish the climate where all parties work together to find flexible solutions to crucially important situations.

Services should be locally based, incorporate discretion to deal with diverse realities, respond rapidly to changing circumstances and empower individuals to make responsible decisions in the light of their social and economic situation. Building on the strong underlying support for continuing parental responsibility and the model of the New Deal in enabling the re-participation of their target groups, these aims are not unattainable.

The cornerstone of my policy would be a universal child benefit - payable at realistic rates and financed by taxation - a true Maintenance Guarantee that does not discriminate between family forms and is available to all children as of right, developing the never-implemented recommendations of the Finer Report. This would take much of the financial dimension out of child support and leave other, perhaps more important, aspects of parental care to be settled by negotiation.

Although non-resident parents would, depending on their individual situations, have a liability to pay through progressive taxation, all of society would share the cost of child-rearing.

This appears to imitate the Swedish model - a path that is considered to be impractical in late twentieth century Europe and unacceptable to the UK electorate. However, many of the changes of the past twenty years - brought about by Thatcherism's radical vision - would have seemed impossible before they became reality. Current proposals for the welfare system already involve increased expenditure on children and the family by widening the means-tested net, a route that is known to be flawed and frequently counter-productive. Perhaps voters might, if given the chance, choose universality in such a critical area.

Echoes of Basic Income (Parker 1989) can be seen in this proposal, whereby all citizens are granted a platform from which to develop, rather than struggling within the poverty and unemployment traps that currently exist. In some ways the New Deal can be seen as a move towards this, where more flexibility has been introduced to permit those who are unemployed to develop their skills without risking their existing benefits. However, my proposals, although moving towards Citizens' Income, are not so radical, and reflect the consensus amongst my sample for community responsibility for children without taking the leap to total mutual responsibility.

It is my belief that policy which aims to protect children from poverty without taking the wider picture of modern family, social and economic realities into account is doomed to failure. Economic deprivation is known to be detrimental to children's well-being, and measures to alleviate the pressures which fail to provide a stable platform, except at the expense of another family, or have as their lynchpin the demonisation of one family type, are unlikely to succeed in building responsible future generations. The true cost to society of avoiding these responsibilities may prove far greater than the expenditure involved in universality of child support.

It is often stated that the politics of the eighties and early nineties created the current "me" generation. Is it too unrealistic to hope that inclusive and supportive policies, starting with child support, might create a climate where the welfare of all generations is considered paramount? If ideology and morality cannot impel moves towards this, then perhaps the changing demography whereby current policy-makers

will soon be dependant on today's children, will persuade those with power, if only out of self interest, to consider the wider picture.

## **8.2 Principles of Child Support**

Beneath the idealistic tendencies of the previous section, are some serious points which I feel are crucial to the issue of child support. These are outlined below and without their consideration and incorporation into reform, I would predict that solutions will elude us.

1. The diversity and complexity of family life should be recognised, including the fact that not only lone parents are affected by these issues. Systems should include sufficient flexibility to allow the circumstances of real lives to be taken into consideration. Amicable arrangements especially those which encompass support in a wider than financial sense, should be accepted, and all families valued equally.
2. The insecurity of employment should be acknowledged. The state should, therefore, guarantee all maintenance payments.
3. All children should be able to benefit from child support. The system should include a disregard within all means-tested benefits that is uprated annually in line with inflation.
4. Mediation services should include the opinions and feelings of all involved, including children and allow for second families including step children to express their reactions to proposed changes.
5. Requests for exemption under "good cause" regulations should be respected and only disregarded after full and sensitive investigation. The presumption should be that there is good cause until it is proved, beyond reasonable doubt, that there is not.
6. Policy should focus on the support of all children and all parents, recognising that they represent our future.

## 9 Afterword

"Children have a right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. (Article 27, UN Convention on the Rights of the Child)"

Bennett 1997: 23

Although the UK ratified the UN Convention on the Rights of the Child in 1991, the CSA has been anything but successful in ensuring children's overall welfare. Whilst paying lip service to children's needs, the CSA has caused considerable hardship, both emotional and material. Those responsible for children have also suffered on account of its failure to deal with real lives and situations.

Although current reform proposals go some way to rectifying this situation, I believe that only when the State takes responsibility for all children will the responsibilities outlined in Article 27 be fulfilled.

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## Appendix I

### SAMPLING INFORMATION AND INTERVIEWEE PROFILES

(All personal and place names have been changed to preserve the confidentiality of the participants. I have adopted the style of address ie Ms/Miss/Mrs used by the person concerned.)

PWFC =	a woman who has primary care of a child
PWCM =	a man with primary care of a child
APF =	a woman who lives less than 50% of the time with her child
APM =	a man who lives less than 50% of the time with his child
NPF =	a woman who now lives with an absent male parent
NPM =	a man who now lives with a female parent with care
GPWCF =	a grandmother who has primary care of a child

#### 1. Sampling Information

CAB Contacts April'93 -Aug '94

CATEGORY	INFO ONLY	ANON 3RD PARTY	INVOLVED WITH CSA	TOTAL
PWCF	10	11	9	30
PWCM	2	-	-	2
GPWCF	-	-	1	1
APF	1	-	1	2
APM	14	26	21	61
NPF	3	3	5	11
NPM	-	-	-	-
APM/NPF	2	1	1	4
APM/PWCF	1	1	-	2
TOTALS	33	42	38	113

Of the recorded 113 contacts about the Child Support Agency in the period, 33 were from or on behalf of the parent with care (29.20%), 78 were from or on behalf of the absent parent (69.01%) and 2 were on behalf of both parties (1.77%)

38 of the 113 (33.62%) people were able to be contacted, of whom 10 (26.32%) had made enquiries about the parents/persons with care and 28 had made enquiries about absent parents (73.68%). Those contacted can be categorised as follows:

PWCF	APM	APF	NPF	GPWCF	APM/PWCF
9	21	1	5	1	1

Of the 38 contacted, 24 (63%) replied either immediately or after one reminder with 23 (60%) agreeing to be interviewed. These responses can be analysed as follows:

PWCF	APM	APF	NPF	GPWC	APM/NPF
5(56%)	12(57%)	1(100%)	3(60%)	1(100%)	1(100%)

After beginning the interviewing process, the original categories proved inadequate for two reasons. A separate category for the couple was unnecessary therefore they were added in to the male absent parent(APM) and female new partner(NPF) categories. The female absent parent(APF) was also a parent with care(PWCF), four female new partners(NPF) were interviewed with the absent parents(APM), and one male absent parent(APM) was interviewed with his new partner (NPF).

One new partner (NPF) was also a parent with care (PWCF) and her husband formed the new category, male new partner(NPM). In addition one parent with care (PWCF) could not be found. Thus with these changes those interviewed can be categorised as follows:

PWCF	APM	APF	NPF	NPM	GPWCF
6	14	1	8	1	1

In total 27 people from 22 households were interviewed.

As an indication of the complexity of the whole issue, four individuals belonged to more than one category. Two female parents with care were also new partners of absent parents. The female absent parent was also a parent with care, and one absent parent was also the male new partner of a parent with care. This information is displayed in the table below:

	PWCF	APM	APF	NPF	NPM	GPWC
PWCF	6	-	1	2	-	-
APM	-	14	-	-	1	-
APF	1	-	1	-	-	-
NPF	2	-	-	8	-	-
NPM	-	1	-	-	1	-
GPWC	-	-	-	-	-	1

At the time of the first interview, one male absent parent had just ceased being a parent with care as his son had recently left school and moved into his own home. One female new partner had just lost the care of her children. The Grandmother with care had no dependent children as her granddaughter had just left full-time education. Other than details of the interview below she does not take any further part in the research.

As regards the second contact, 26 people from 21 households were contacted. 11 (42%) did not reply to the request for an interview, 8 (31%) were interviewed, 5 (19%) were interviewed on the phone and 2 (8%) declined to participate. The CSA officers were contacted through the area manager - who I contacted through the Customer Service section of the Benefits Agency. Their names were put forward by the area manager. All solicitor firms (15) on the CAB rota list were contacted by letter - four responded, but only two were able to be interviewed.

Details of the participants are given below.

## 2. Interviewee Profiles

Interviewee 1 - (PWCF1) - date of 1st interview 10/11/94

Mrs Antony and her two and a half year old son live in a tied house adjacent to where she works as a church caretaker. She earns less than £50.00 per week working around 16 hours, receiving £68.14 Child Support (CS) in cash weekly from her ex-husband, and her income is supplemented by Housing Benefit (HB) leaving her with over £7.00 of her £50.00 per week rent to find. Her other income is from Family Credit (FC), Council Tax Benefit (CTB), Child Benefit (CHB) and One Parent Benefit (OPB). She had previously been receiving £30.00 voluntary payment and a top-up from Income Support (IS). She considers that her it is very hard to manage on the money she gets and has had some help from family.

Because the change in her circumstances is so recent, she is unable to say whether the CS or the loss of a wage from the home is the major cause of her financial hardship.

They had split up only five months previously because he was seeing her best friend and she had been very hurt by the whole experience. She is in her late twenties and has formed a new relationship which is 'not serious' with a divorced man who is 'in trouble because of the CSA'. She is in the process of divorcing her ex-husband for adultery. He had previously lived with her in her current accommodation and had left all the consumer goods in the marital home. She shares a car with her new boy-friend. Her ex-husband still buys their son presents and has contact with him on a regular weekly basis, but not over-night.

No reply when contacted for second interview.

Interviewee 2 - (GPWCF1) - date of Interview 10/11/94

Mrs Brown is of Scandinavian origin and an old-age-pensioner living with her husband who is also retired. They live in a large private housing estate in a two-bedroomed semi-detached bungalow, paying around £180.00 per month mortgage. They look after Mrs Brown's sixteen and a half year old granddaughter, and have done so for many years, since the death of her daughter by her first marriage. Her son-in-law had never paid maintenance and is remarried with three other children.

Her granddaughter sees her father about 3 times per year on average. Mrs Brown had applied for CS but with no success as her granddaughter has now left school and so no longer covered by CS. She considered that they had severe financial problems bringing up her granddaughter with no financial support and was bitter about the CSA's failure to help her. She is excluded from this study, and was not contacted for the second wave of interviews.

Interviewees 3&4 - (PWCF7/NPF6 + APM22/NPM1) - date of 1st interview 13/11/94

Mr & Mrs Norman live in a three-bedroomed detached house in a pleasant village outside the city, with Mrs Norman's two children from her previous marriage, a girl aged 15 and a boy aged 16. Their mortgage is £78.00 per week. They are both in their early forties. Mr Norman is currently paying £50.00 per week CS for his two sons aged 13 and 16, by his previous marriage, although he had until April '94 been expected to pay £70.00. They have

been waiting ten weeks for the result of a reassessment and the uncertainty is causing a lot of stress. Prior to the CSA he was paying £40.00 per week.

They both work full-time and both need cars to get to work. He averages around £150-£200 net per week but has refused over-time because of the CSA. She has increased her hours since the CSA involvement and averages between £100-150 per week. They consider themselves to be in severe financial difficulty and have put their house on the market to try to alleviate this. So far they have had no offers. Mrs Norman is owed over £2500 in arrears of maintenance from her ex-husband, and currently receives £39.00 per week from him including a small amount off the arrears. She also receives CB for her daughter.

Mrs Norman is not willing to use the CSA to enforce her maintenance because she considers it to be an 'unfair system.' She has used the courts to enforce payment and there had been considerable acrimony in the past. However she has received the payment on time for the past few weeks. Her children still have irregular contact with their father who has remarried and lives at some distance. Mr Norman has had no contact with his sons for two years although they live very near his place of work and the most recent attempt to send presents resulted in them being sent back. He doesn't know if his ex-wife has a new partner. He feels very bitter because he left his ex-wife taking only 'the clothes he stood up in', leaving a house with considerable equity and all his possessions. Mrs Norman has kept two large files documenting their involvement with the CSA.

#### 2nd Interview - 3/3/96

Since the first interview the amount Mr Norman pays to his ex-wife had been reduced to £45 and then to £32.17, which was the current level. Mrs Norman still was owed over £2,000 arrears from her ex-husband and was getting £20.00 per week which had been awarded until August 1996, under a court order. They were still having administrative problems with the CSA and still considered that they had money problems. Their house had not sold.

Mrs Norman's income had increased to between £150-£200 per week, due to increased overtime, whereas Mr Norman's had remained the same. He had deliberately kept his earnings down. Mrs Norman had recently changed the payment date of their CS and had immediately had a letter demanding payment of the arrears. Although they both needed cars to work, the distances travelled were too short to count towards reducing the

assessment. They had not tried to include the value of Mr Norman's former marital home, which he had left for his ex-wife.

Interviewees 5&6 - (APM19 + NPF7) - date of 1st interview 16/11/94

Mr & Mrs White live in a small private estate situated in an ex-mining village which has become a 'dumping' area for the local council. They pay £350 per month mortgage for their semi-detached three-bedroomed home, and have two children, a boy of five and a half and a girl of thirteen months. Both are in their late thirties and work full-time, relying on family for child-care. His income is seasonally variable averaging around £150-£200 per week. She takes home £100-150 per week and gets CB for the two children. They have been assessed to pay £26.00 CS in the first year rising to £45.00 in the second year for Mr White's fourteen year old son by his first marriage. He has been re-married for eight years, and still pays a court order of £5.10, refusing to pay the CSA assessment pending his appeal on the grounds that his income has been wrongly assessed. They have been waiting four months for a hearing date.

Mr White has, by mutual agreement, had no contact with his son since shortly after he left his first wife. Mr & Mrs White both feel that their extended family has been adversely affected by the CSA and have been actively writing letters and taking part in phone-ins, to vent their anger at the injustice of the system. They own a car because their son is asthmatic and epileptic and needs to be able to travel the six miles to hospital in an emergency. This has been ignored by the CSA for assessment purposes.

2nd Interview - 13/3/96

Since the first interview Mr White's ex-wife had withdrawn the claim for child support and an agreement had been reached that the period of assessment was June to December 1994. A demand for £1200 had been made to cover this period but this had then been reduced to £650. The White's were paying this at £5.00 per week. The change had been brought about because Mr White's ex-wife had ceased claiming Family Credit and also wished to adopt her eldest son with her new husband.

In spite of this the Tribunal had gone ahead in February 1996, and a reassessment had been ordered. They were being asked to supply details to the CSA but were refusing to co-operate, partly because the information had already been supplied and partly because it related to Mrs White's earnings which she refused to divulge. Their earnings had not

changed between the two interviews although their expenses had gone up due to increased childcare costs. They still had many complaints about the system and their treatment by the CSA.

Interviewee 7 - (APM15) - date of 1st interview 17/11/94)

Mr Potter is disabled and has been retired on health grounds for some time, with a pension from a former public utility company. He is in his early fifties. He lives alone in a pre-war two bed-roomed council house in a small, isolated ex-mining village, paying £36.00 per week rent. In addition to his pension he receives Invalidity Benefit (IVB), Disability Living Allowance (DLA) and Disablement Benefit (DisBen). His combined income is between £100-150 per week. He currently pays £57.30 for his 14 year old daughter as opposed to the £20.00 per week he had been paying by court order. He has no car.

He considers he is 'good mates' with his daughter seeing her several times a week, but not for over night stays. He feeds her when she visits as well as buying her extras and giving her cash to go shopping. Before his divorce he had brought up his step-daughter without any support from her father. Prior to the CSA he had considered his ex-wife as a good friend but they were no longer on speaking terms.

2nd interview - 22/2/96

Fifteen months after the first interview, Mr Potter readily agreed to a second visit. He only reported two changes. Firstly, instead of paying the amount, which was unchanged, to the CSA, he now paid it by direct debit into his wife's bank account. He found this arrangement, which had been in existence for about a year, much more convenient.

The second change was that his relationship with his ex-wife had improved. He had been in hospital over the previous year, and his "most frequent visitors were me ex-wife and daughter." Apart from his health having deteriorated further, he did not consider that his situation had changed.

Interviewee 8 - (APF1/PWCF/10) - date of 1st interview - 18/11/94

Mrs Simpson has been divorced twice and lives with her two daughters, aged seventeen and fifteen and a half, from her first marriage. Her son of almost eleven, from her second marriage, chose to stay with his father when their relationship broke up two years ago. She

had moved earlier that week into a three bed-roomed council house following the repossession of her home. She now pays £41.46 for rent and water rates and receives Family Credit (FC) and CB on top of her wages of around £100-150 per week. She works full-time.

She pays £15.00 per week including £2.30 in arrears, to her ex-husband. Her son is now at a residential school and she is unclear how this will affect her payments which are currently being reassessed. She has never received support for her daughters from her first husband. She owns a car which she needs to get to work. She feels that she has severe financial problems which have been exacerbated by the CSA, and that there is 'no way' she would live with someone else when paying child support. Mrs Simpson is in her early forties and describes herself as a 'fighter', which is the reason why she continues working although she is sure she is no better off than on IS. Her daughters currently 'dont see either Dad'.

Contact re: 2nd interview - 20/2/96

On being contacted at work to arrange a second interview, Mrs Simpson reported that she had moved out of the area and did not wish to co-operate further.

Interviewee 9 - (APM8) - date of 1st interview 18/11/94

Mr Hendry lives with his second wife and her daughter from a previous relationship, aged fourteen, in the three bed-roomed ex-council house that his current wife has lived in for many years. They have just bought this property, converting the rent of £39 per week to a £132 monthly mortgage. The purchase had been delayed because of the uncertainty with the CSA, effectively increasing their financial problems. He currently pays nothing towards the up-keep of his five year-old daughter by his first marriage, but from January to April 1994 he had been expected to pay £78.00 per week, including some arrears. Prior to the CSA he had been paying £25.00 to his daughter. He stated that he 'lived in fear of ex-wife and further CSA involvement.'

He and his wife both work full-time for the same company and were subject to lay-offs, which drastically reduced their incomes. He averaged £150-200 per week and his wife brought home around £100-150. She also received CB for her daughter. Mr Hendry is just over 30 and his wife is 38. It is her first marriage. Mr Hendry sees his daughter frequently if irregularly because of his shift patterns, staying over-night 2-3 times per week on average. His ex-wife had remarried earlier in 1994, which had improved his contact with his

daughter and helped to reduce his contribution. He had left the ex-marital home with considerable equity for his daughter's benefit as well as taking responsibility for all the debts from his first marriage, and felt that the large demands of the CSA only 'made things worse'.

Contact re: 2nd Interview -19/2/96

Mr Hendry was reluctant to agree to a second interview, but was happy to discuss his current position on the phone. His circumstances had changed in that over-night his employers had stopped his shift work, and his income had reduced drastically. He still had no current amount of CS to pay. There were still arrears outstanding but he hadn't heard from the CSA since February 1995.

He still "didn't agree with the formula" as it was too rigid and couldn't adjust to unexpected changes in the ability to pay. "If you can sort it out amicably, should allow it." He still had frequent contact with his daughter.

Interviewees 10&11 - (APM23 + NPF8) - date of 1st interview 23/11/94

Mr & Mrs King have a nine month old son and she had recently miscarried. They are both in their early forties. She has two children from her first marriage, a girl of 16 and a boy of 13, who had until earlier that year been living in the new marital home. Her daughter was currently in residential care and her son was staying with relatives, although she had recently resumed contact, including over-night stays with both children. Mr King has four sons by his first marriage, ranging in ages from nineteen to seven. The eldest two kept in regular phone contact with their father and the younger two visited for week-end stays once a fortnight. They live at some distance and Mr King has to pay around £4.00 travel costs to collect and return them. He used to pay £30.00 per week voluntarily, but this was reduced to £3.00 and then to nothing, under the CSA. They were currently awaiting a reassessment with considerable anxiety because of the changes in their circumstances.

Mr King works fluctuating hours, a minimum of 43 rising to 61 at some times of the year, with an average take home of £150-200. They are currently getting CB and FC, although they expected this to cease at the next claim, due in February. They pay, in full, their rent of £39.00 per week for their three-bedroomed council house on the outskirts of the city, where Mr King had remained since his first marriage ended. They were hoping to move because of harassment as the area in which they live has a reputation for neighbourhood problems.

Mrs King received no CS for her children, and the CSA had been unable to assist her as her ex-husband lives abroad. She is owed £150 per month dating back over four years.

They attribute the considerable problems they are experiencing to the stress of a multiple family situation, but feel that the uncertainty caused by the CSA has only added to the problems in their already fragile situation.

2nd Interview - No reply following contact for second interview, however, I was able to find out that there had been several changes to their situation including a further separation in the intervening period.

Interviewees 12&13 - (APM12 + NPF9) - date of 1st interview 24/11/94

Mr & Mrs Lyons live in a three-bedroomed house in a large private housing estate at the edge of the city, paying around £250 per month mortgage. Mr Lyons had been married previously and his son, now aged seventeen, had lived with him until earlier that year. He still provides irregular support and had never been paid maintenance for him. Mr Lyons is in his early forties and Mrs Lyons about five years younger. They have two sons in his current marriage, aged four and eleven, and he has another son, also aged eleven, who is the subject of CSA involvement. His younger sons do not know about their half brother who is subject to an assessment. He has never had any contact with this child and considers he was 'tricked' although he has paid £10.00 per week on a court order since his birth.

They have been waiting six months for the assessment of CS and estimate it could be as much as £80.00 per week. The uncertainty is causing considerable stress. Mrs Lyons has started part-time work to help meet the additional costs and takes home less than £50.00 per week for 13 hours work. She also receives CB. She also needs to pay for childcare on occasions which is not allowed for in the assessment. Mr Lyons works full-time earning between £250-300 a week, which is considerably less than he was bringing home, in the same job, some years previously, as there is now no opportunity for over-time. He owns a car, which he needs to go to work, and to help is disabled mother who lives at some distance. They consider the CSA 'is a nightmare.'

2nd Interview - When contacted about a second interview, Mr Lyons made it clear, politely, that it was not convenient to talk although he did intimate that he had been very recently recontacted by the CSA renewing the stress. In the end, it was not possible to reinterview him because of the development of events.

Interviewee 14 - (APM6) - date of 1st interview 24/11/94

Mr Cook is thirty and has recently moved into a two-bedroomed council flat with his girlfriend, who is twenty and expecting their first child in May 1995. He has a son by his ex-marriage who will be four in January 1995, who he hasn't seen for several months. He had been paying £10.00 per month voluntarily until he was assessed by the CSA to pay £25.00. He asked for a review of this and currently pays £8.10 per week. He pays £31 per week rent and earns varying amounts because of short-time and piecework, fluctuating between £140 and £300 per week, with no guaranteed wage. He works under short-term contracts. His girlfriend brings home £100 per week but intends to give up work when the baby is born.

His CS payment is currently being reassessed and he has waited around two months for a new figure. He feels able to afford the CS at the current level but is anxious about how much extra he will be expected to pay, and is only too aware of the insecurity of his employment. Throughout his adult life he has had spells of unemployment. He had left his ex-wife in the marital home, but this has now been repossessed. He had only just cleared the debts from his marriage, which had ended over two years previously. He needs his car to get to work.

2nd Interview - Mr Cook did not respond to the request for a second interview.

Interviewee 15 - (PWCF 8) - date of 1st interview 24/11/94

Tracey Ross is 18 and has always lived with her parents and brother in their three-bedroomed council house in a fairly large ex-mining village. She doesn't pay board. She receives IS, and OPB, never having received any financial support from her ex-boyfriend, who is the father of her eighteen month old son, in spite of having filled in the forms some nine months previously, and being awarded £48 per week CS. She describes the CSA as 'rubbish'. She and her son have had no contact with her ex-boyfriend, who is twenty, for around eight months, but she knows he has recently spent some months in custody.

Tracey was considering applying for a house on her own, but although she had a regular boyfriend, she 'wouldn't rush into moving in with someone else'. She is a part-time student, completing her NVQ Level II in Hairdressing, and found it hard to manage on the money she had. She feels very bitter that her ex-boyfriend can walk away from his responsibilities,

but also was afraid of allowing contact, and had recently broken off relationships with his mother, because she found it was upsetting for all the family.

Contact re: 2nd Interview - 13/3/96

Miss Ross was contacted regarding a second interview, but was able to supply the information on the phone. She had had no contact from her son's father in the intervening time and had never received any payment from the CSA.

Interviewee 16 - (APM17) - date of 1st interview 24/11/94

Mr Taylor lives in a small private development just outside the city in a three-bedroomed semi-detached house, which had been the marital home. He had paid his ex-wife a cash settlement to half the value at the time of the divorce, ten years previously. She now lived at some distance in their home town. Mr Taylor describes himself as very involved in the campaign against the CSA. He earns around £250-300 per week, pays £90.00 per month mortgage, and gave his ex-wife £115 per month under a court order prior to the CSA. His wife receives FC but the CSA is not involved in their case.

Mr Taylor had increased his payment to his wife by £100 per month to compensate her for loss of benefit due to her non-co-operation with the CSA. She lives in a three-bedroomed council house and works part-time in a shop. Prior to his increased payments he collected and returned his 12 year-old daughter twice per month by car at a cost of £40.00 per trip. He also bought her clothing and extras. He has now had to restrict the visits to once per month, 'purely with the cost', and has reduced his extra spending on her. He considers the CSA has not affected him 'in a big way' compared with how others have been treated. He has been active in campaigning against the CSA.

2nd Interview - 14/3/96

Mr Taylor agreed to a second interview although stated that there had been no change in the position. He had continued to involve himself in the campaign against the CSA and had written about a dozen letters. He had also contacted his MP - the first time he had taken an interest in politics. He was in favour of a Family Court system to replace the CSA, and considered that the formula was too rigid.

Interviewee 17 - (PWCF4/NPF10) - date of first interview 29/11/94

Mrs Hewitt lives in an isolated ex-mining village in a three-bedroomed council house, paying £40.00 per week rent. She receives FC of £43.00, wages of £50-75 for a part-time job and CB for her three children, one from her first marriage - a boy aged ten, and two boys from her current marriage - one aged six and a half, the other a year old. Her husband is currently in receipt of Unemployment Benefit (UB) and paying £1.00 under a court order for his 12 year old daughter. Mrs Hewitt has, for the past three weeks only, been receiving £8.00 per week, including an amount off the arrears, for her ten year old son, also under a court order. Her ex-husband has not seen his son for some time, although he has no other children, but his mother phones her grandson regularly. All parties currently live relatively locally.

She and her husband had both filled in CS forms at the time of their claim for FC, but had heard no more until three weeks previously when they had been requested for information on her husband's income over the past eleven months. Her husband works under short-term contracts earning between £350-£450 when he is in work. Mrs Hewitt is extremely worried about how much CS they will be required to pay when the assessment is finally made. The stress of the situation had caused problems between herself and the mother of her husband's daughter although they had previously been friends and her husband currently has limited contact with his eldest child. Mrs Hewitt is in her early thirties and her husband is almost forty.

2nd interview - 22/2/96

Mrs Hewitt had had no contact from the CSA either as regards her son, or her husband's daughter, although she had reclaimed Family Credit from Nov/Dec 1995. She had had no payments from her ex-husband since the previous July and she was still pursuing him under the existing court order, which was for £15 per week, £10 current and £5 from the arrears.

Her husband was still paying £1.00 per week for his daughter but there was no contact, apart from at Christmas. He had been in and out of work over the intervening period and was currently working. Mrs Hewitt still had a part-time job, although she had had a lot of health problems and was expecting to have surgery in the near future. Mrs Hewitt had "sorted out her differences" with her husband's ex-partner, who had moved to a nearby large town with a new partner, although her daughter only spent week-ends with her mother, living with her maternal grandmother during the week.

Interviewee 18 - (APM21) - date of 1st interview 29/11/94

Mr Wood lives alone in a two-bedroomed council house in a small ex-mining village near the city, paying £4.00 per week rent. He is in his late fifties, has a long history of health problems, including mental health problems and receives an army pension of £130 per week. He currently pays £8.10 per week to his ex-wife and sixteen year old daughter, having paid nothing prior to CSA involvement. He feels he can afford this sum but was extremely concerned by the original assessment of £22.47, which was reduced on review. His ex-wife lives in the same village with his daughter in a three-bedroomed council house, working part-time as a secretary. He thinks she gets £150 per week and also claims FC.

He sees his daughter on an informal basis, but has not seen her for some time, as she has just started a college course, and is preoccupied with her own friends. Mr Wood receives some help in kind from a charitable organisation, but no state benefits. He has been engaged for almost a year but has no immediate plans to remarry. He has not paid the £78 fees and considers them to be a 'rip-off'.

2nd Interview - Mr Wood did not reply to the request for a second interview.

Interviewee 19 - (APM18) - date of 1st interview 30/11/94

Mr Thompson is thirty years old and has been married for a year with a year-old son. Prior to the CSA he was paying £10.00 per week by court order, for his seven year old son by a previous relationship. Since CSA involvement he has been assessed to pay £43, dropping to £32, then to £19, then to £2.20 and since September he has a nil assessment. He has a fluctuating income, between £100-£150 per week, with periods of short-time and lay-offs. His wife is paid within a similar range, but has spells of unemployment as she is on temporary contracts. He had challenged the CS assessment with the help of a solicitor provided free through his wife's work, taking it as far as an appeal.

They live in a three-bedroomed council house paying around £40.00 per week rent and own a car which they need to get to work. The CS demands had caused severe stress in his current relationship, especially whilst his wife was pregnant, to the point where his wife no longer tolerates contact with his elder son. Mr Thompson considers that the CSA 'nearly destroyed his marriage.'

Contact re: 2nd Interview 19/2/96

When contacted by phone to arrange a second interview, Mr Thompson was reluctant to agree to this, stating that he was paying no child support, and that there had been no change at all since the birth of his son.

Interviewee 20 - (NPF4) - date of 1st interview 1/12/94

Mrs Trent is a full-time student living on a grant of around £2300 per annum. Prior to this she had always worked. Her husband's earnings fluctuate between £110-220 per week because of over-time and bonuses. Prior to the CSA he was paying £45.00 per week and the mortgage of £55.00 per month under a court order. They also had £5000 of solicitors' bills following the divorce, which they still have not paid in full. Under CS he was assessed to pay £2.20 per week but this was raised to £46.57 after his ex-wife requested a review, and subsequently lowered to £20.65. He also had to pay the mortgage and £5.00 per week under the existing court order. They have appealed against this assessment and have been waiting five months for a hearing. They feel unable to afford further legal costs although they are concerned about losing the appeal.

They also have a mortgage of £242 per month for their current home and consider that they are in severe financial difficulties. They have no contact with the two children who are a boy aged eight and a girl aged six. Mrs Trent feels unable to contemplate having a child because of their financial problems, and insecurity. She is thirty and her husband is some eight years older. She has had health problems because of the stress.

2nd interview - 22/2/96

Although there had been a Tribunal in July 1995 regarding the assessment from November 1993, and the CSA had conceded there were errors in the calculations, this had been adjourned for a reassessment. At the date of the second interview, they were still waiting for this reassessment, and until the appeal was sorted out there could be no reviews for changes in circumstances. There had also been court hearings in connection with the former marital home in the intervening period.

They had struggled to pay £20.65 per week, until a few weeks before Christmas 1995, when they had ceased paying. They had not been contacted about this. Mrs Trent considered

that her health was still affected when there is contact with the CSA but "at other times, I can forget about it." There was still no contact between the children and their father.

Interviewee 21 - (APM10) - date of 1st interview 5/12/94

Mr Hunt is in his early thirties and divorced his ex-wife two years ago for adultery. She lives in the marital home in the Midlands, which, along with its contents, was part of a clean break-settlement. They have two children, a girl aged nine and a boy aged six, who Mr Hunt has during school holidays and occasional week-ends. He has newly retrained for primary school teaching, earning around £150-200 per week. They agreed to come to a private arrangement rather than get involved with the CSA and he pays £80.00 per month, as well as keeping his children during their visits, and spending £20-25 travel costs to visit them, every three weeks on average.

Mrs Hunt now works full-time earning around £10,000 a year and claims FC and OPB. She would prefer to work part-time and although Mr Hunt says that their agreement is amicable, he also admits that "she does feel an awful lot of pressure.' He pays £180 per month mortgage for his terraced house and considers he has financial problems. He has relied on family help to furnish his current home.

2nd Interview - Mr Hunt declined the opportunity of a further interview at the first interview.

Interviewee 22 - (PWCF3) - date of 1st interview 8/12/94

Mrs Dobson lives in a two-bedroomed semi-detached council house having recently moved out of the family bungalow, due to harassment from her ex-husband's new partner. She left most of their joint possessions in her old home, because of a negotiated agreement through solicitors. She is still waiting to receive the cash payment of £3000. She has received no CS and there has been no assessment made in her case, although she filled in the forms eight months previously. She earns £100-150 per week which is supplemented by FC and OPB. She pays £34 per week rent and knows that her ex-husband earns over £600 per week. She feels very hurt and admits to being in 'dire straits' financially.

Mrs Dobson is in her early thirties and has worked for many years for a government department. She feels that the CSA have been very unhelpful and have refused to supply

her with information, in a way which would be unacceptable in the branch of the Civil Service where she works. Her ex-husband has been violent to her in the past, and she is concerned about him having increased contact with their children, a boy aged five and a girl of three, but supports the aims of the CSA, if not their results.

2nd Interview - Mrs Dobson did not respond to the request for a second interview.

Interviewee 23 - (APM5) - date of 1st interview 9/12/94

Mr Clark is 25 years old and lives in a two-bedroomed terraced house in a small town with his new partner and their 6 month old daughter. They bought the house a few months previously, and are struggling to afford the necessary improvements. Their mortgage is £180 per month. He works on staff grade in a local factory earning between £150-200 per week. His new partner is a civil servant, working full-time for around £100 per week and also receives CB for their daughter. He also has a seven year old son from a previous relationship. They initially received an interim assessment of £99 per week as Mr Clark refused to co-operate with the CSA because of the deteriorating relations with his ex-partner. This was reduced to £50.00 per week at review but he currently has around £3000 of arrears and is appealing, with the help of a solicitor.

Although he lives very near his elder son, he only sees him once a week under a contact agreement negotiated through the courts. His relationship with his ex-partner has been very poor for some time and he has been told, by the CSA, that she could stop their involvement as she is not on benefit but she refuses to do so, as she was dissatisfied with a £50 per month award through the courts. He knows that she is living with a new partner but suspects that she has not told the CSA this.

He would like over-night contact with his son, and has done up the attic for this purpose but he has stopped short of using the full process of the law to obtain this as he feels it might 'leave lasting scars' on his son. He is very pessimistic about the outcome of his appeal and feels 'they have got you over a barrel'.

Contact for 2nd interview - 19/2/96

Mr Clark explained that this was a difficult time for him and asked if I would contact him again in 3-4 weeks. At second contact he still expressed reservations so an interview was not arranged.

Interviewee 24 - (NPF2) - date of 1st interview 16/12/94

Miss Bowen has lived in a three-bedroomed semi detached council house in an ex-mining village with her boyfriend for two years. They pay just under £30 per week rent and both work full-time in local factories. She earns £75-100 and her boyfriend earns £150-200 per week, and they receive no state benefits. She is aged under 25 and he is between 26 and 30. He has a daughter aged four from his marriage and has been assessed to pay over £46 per week whereas he was paying £20 per week previously.

She is very bitter about the CSA. She lives near her boyfriend's ex-wife and daughter, who she knows can afford things that she can't. She gets some support from her parents but doesn't see why they should have to help. She considers they have severe financial problems as they can't go out or have holidays. "I don't see why I should have to suffer." She admits that her attitude to her boyfriend's daughter has changed because of the CSA.

2nd Interview - Miss Bowen did not respond to a request for a further interview.

Interviewees 25&26 - (NPF3 & APM24) - date of 1st interview 16/12/94

Mr and Mrs Samuels live in a three-bedroomed terraced house in an ex-mining village paying £140 per month mortgage. They have a daughter of six and a son of three and Mr Samuels has a son from his first marriage who is fourteen. They have had little contact with him for around seven years, but insist that he is welcome to contact them. Mrs Samuels earns £150-200 per week as a nurse and her husband £100-150 as a hospital porter. They do not consider that they have financial problems.

They have paid maintenance under a court order for many years which is currently £10.05 per week. They have had no CSA assessment in spite of having co-operated in full almost a year previously. They had, however, received details of someone else's assessment and can only speculate that their details were similarly revealed to a stranger. Mrs Samuels was particularly angered by the fact that her income had to be taken into account.

Contact re 2nd Interview - 11/3/96

Mrs Samuels was contacted on the phone to arrange a second interview, but stated that the situation was the same, in that following their complaints about receiving another person's

details and a personal interview, they had had no contact from the CSA. They had been told verbally that no assessment would be made at that time, but they had had no confirmation of this in writing.

Interviewee 27 - (APM9) - date of 1st interview 29/12/94

Mr Harvey lives with his father in a three-bed-roomed council house, paying no rent but sharing bills. He works as a caretaker earning £100-150 per week, although this fluctuates quite considerably because of over-time. He has three children, two daughters aged six and four, from his marriage and a son aged two with his current girlfriend. He has never lived with her, but he sees her and his son frequently. His daughters visit every week-end from Friday to Sunday and for a week at a time when he is on holiday from work.

He has never paid his ex-wife for his daughters although he agreed to £20.00 per week at the time of the divorce. The CSA have told him they are not interested in them, but only in his son. He paid £10.00 per week for him prior to the CSA and now pays £17, including some arrears. He was originally assessed to pay £35.00 per week, which he refused to do and this was then reduced to the current level. He is waiting for, and anxious about, the latest reassessment which is due soon. He feels he can afford the current level but not any more. He thinks he should pay for all his children rather than just one.

2nd Interview - Mr Harvey did not respond to a request for a second interview.

In late April 1997, I bumped into Mr Harvey at my workplace. He recognised me and willingly gave me some information about his situation. The situation with his ex-wife remained amicable and he still saw his daughters regularly. He had moved into his own home and looked after his son on a regular basis. He showed me a photo of all three children taken recently. He was still paying the same amount although considering asking for a review as he thought his average earnings had gone down but was worried that the payment might go up. However he did complain that his ex-partner was asking for extra money.

The following four interviews were with Child Support Officers and Solicitors.

Interviewee 28 - (CSA1) - date of interview 15/5/97

Keith Wilson has worked for the DSS - the Benefits Agency and the Child Support Agency - for many years, currently working at the Executive Officer Grade earning in the range of £350-£400 per week net. He is married with one daughter and had experience of paying maintenance in the past. "I have been an absent parent myself in the days before they were called absent parents...We're not separated now."

He lives with his family in a semi-detached house with a current value of £55,000 and owns all the consumer durables on my list. He also owns a car and considers himself to have no financial problems. He had experience of working with the "liable relatives" section of income support and had transferred to the Child Support Agency at its inception. Given his experience of separation he had considered his position under the new law. "It has occurred to me, "This might've been me"...I don't suppose I would've liked it. At the time I came to an arrangement with my wife. We agreed on an amount I would pay and I continued to pay a lot of bills in the house, which under the current system, a man isn't really able to do, 'cos the CSA takes no account of that."

Interview 29 (CSA2) - date of interview 21/5/97

Amy Oliphant is an experience LO2 grade clerical officer who has worked with the CSA since its start, transferring from the Liable Relatives section of Income Support, after almost twenty years. She has no personal experience of divorce or separation, as she and her husband have no children. They live in a detached home worth around £110,000. She is a car owner and has all the consumer durables on the list. She doesn't consider she has any financial problems and earns £100-£150 per week net.

She had considered taking early retirement from her work, not just because of the aggro she had experienced, but also because "I've always been a master of my trade, but I don't feel that anymore."

Interview 30 - (Sol1) - date of interview 1/7/97

Mrs McMorris has been a solicitor for many years earning between £350-£400 per week and dealing frequently with separation and divorce issues although she has no personal experience of these situations. She is married with three children. She lives in a semi-detached house worth between £180-£200,000. She is a car owner and has the consumer

durables listed. She considers she has financial problems because of the children's university education, and high housing costs.

Her opinion of the system was "The main disadvantage is the total inflexibility of the present system. If it went before a court, the court has more discretion, a lot more flexibility, in dealing with matters."

Interview 31 - (Sol2) - date of interview 22/7/97

Mrs Brant has worked as a solicitor for many years having extensive experience of both the old and the new system of assessing maintenance. She earns between £350-£400 per week, and is married with two grown up children, having had no personal experience of divorce or separation. She lives in a terraced house and is not aware of its current value although it is in an expensive area of the city. She does not consider herself to have financial problems having no mortgage costs. She is a car owner and has all the consumer durables on the list.

She broadly agrees with the new system, feeling that the old one was in need of reform. "I think the government thought that the flexibility was abused and that inadequate sums were awarded to maintain children. I mean £15-£25 a week was fairly common as reasonable maintenance....If people get the idea that maintenance is normal, which not everybody does think, it should take the heat out of it...if there's an idea its normal, it'll gain more acceptance."

## **Appendix II**

### **INTERVIEW NOTES**

[As the interviews make up a large part of this study, the majority of this appendix is personal notes about aspects of the interviewing experience.]

I was excited when I got the first responses to my letters, within a few days of posting them but surprisingly anxious about telephoning the respondents to arrange a time to visit them, in spite of the fact that arranging appointments on the phone with strangers is part of my paid work. I was aware that my busy life left very few times when I could call on them and felt that I was imposing on their co-operation by restricting the times. I was also conscious that they were offering to help me with no offer of reward, and I felt diffident about intruding in their lives.

Partly because of these feelings but also to allow time for a few more replies to come in, and to sort out some technical details, I delayed for a week or two and made the first contacts, in two out of the three cases only the day before I proposed to visit them. I was very relieved and pleasantly surprised by their willingness to fit in with my planned schedule and their welcoming tones at the time of initial contact on the phone.

I had had some technical problems - the tape machine from the department was not of a very good quality and used by most research students and members of staff and not freely available- so I had decided, for my own convenience, to use my own machine, only to discover that it wouldn't take an external mike. I found an old machine which did but then couldn't get hold of a mike. Being on a very restricted budget meant that I was unwilling to spend unnecessarily on equipment, but decided to invest in a mike which I could only buy earlier in the same day of the first interview, which had been arranged for 10.00 am! Fortunately, I managed to sort this out, but it did add to my nervousness for this first experience.

### **PHASE ONE**

Day 1 (10/11/94) - 2 interviews

I had thought to ask directions, but in spite of being very familiar with the area I found the first interviewee hard to find as she lived in a very hidden location. However, I had left

myself plenty of time and still managed to arrive early - but was made very welcome, being met at the door. Although I have many years' experience of interviewing, I was trepidatious, surprisingly so, but I know I was able to hide this well. I was acutely aware of the need to maintain a consistent attitude throughout the interviews to minimise interviewer effect, but I was concerned that all that I had previously learned on this topic would desert me when I needed it most. However I am confident that I maintained the attitude that I had decided would be best to elicit open and natural responses to my questions and additional information from the subject's point of view, partly because of my long experience of interviewing.

My first interviewee was a parent with care and her toddler was just finishing his breakfast as I arrived. Having established who I was it broke the ice to talk about him and also led naturally into the topic we were going to discuss. She had offered to make me a drink and I feel that this helped her to relax, by doing a familiar task. She answered my questions readily but added very little without prompting. The fact that her situation was a recent change, prompted me to ask her if I could contact her again, which she readily agreed to. This then became a standard request, a fact I discuss more fully elsewhere. I felt that the interview went very well and left feeling that I would enjoy this stage of the project.

Partly because of my inexperience at judging the timing and also because my first interviewee was not particularly talkative, I completed this interview ahead of schedule and after a short deliberation, contacted the second person to arrange to move the timing forward. She lives in a large and notoriously confusing housing estate but, with the help of her directions, I found her home with very little problem. Her first words were that she had had no help from the CSA and I made the decision not to record this interview although I took notes. This was partly due to my uneasiness with the equipment, but also because I wrongly, judged that there was no need to. She explained her position fully and frankly but because of the lack of involvement with the CSA it only lasted less than twenty minutes, including some time spent giving her general advice on benefits. Towards the end it became clear that the young person for whose care Child Support had been sought, was ill in bed but I did not suggest talking to her as well.

I had made a conscious decision that I would offer advice and help if asked for it. This was partly because I believe that this is the best approach in these situations, but also because of my background with the CAB. To some extent, because of the initial approach being made through the CAB, but also because I was seen as knowledgeable in this area and because of the real pressures being experienced by my respondents, I was usually asked for advice on

the CSA. In all too many cases I was unable to help, but was very happy when I was able to supply some useful advice or information.

I was able to listen to the first taped interview almost immediately. Unfortunately, it was of poor quality, partly because of my inexperience with the mike but also because the toddler was racing around during the interview, and his mother was very softly spoken. However, I was able to remember the content of the interview, as it had happened so recently and I made the decision to always check the quality of the tape immediately following the interview, so that my memory of the answers would be sufficiently fresh to fill in any gaps.

Following my initial success I had been more relaxed when making the initial contact by telephone for the second batch of interviewees and had arranged a further nine at one session, as well as contacting by letter giving alternative dates, five people who were not on the phone. Again I had been reluctant to do this, partly because I felt it was complicated to arrange it by post, and also because I was aware at how restricted my availability was. In addition I had sent reminder letters to those who had not yet replied to my first contact. I tried as far as possible, to arrange interviews in the same area, consecutively, to minimise the travel. This side of the organisation had also caused me some concern, and had added to my reluctance to start the contacting process.

Day 2 (13/11/94) - 1 interview

I had arranged this interview for a Sunday lunch-time. It had involved several phone calls as the woman had been expected back any minute which turned into two hours! I had been acutely aware of being a nuisance, although her husband had assured me that I was not. I found the address easily following the directions I had been given, but when I was shown into the living room it was obvious that I was interrupting a visit. I was again assured that this was not a problem.

This was my first experience of people who obviously felt very glad that someone wished to hear their views about a subject which had effected them radically. It was also the first time that my original categorisations were shown to be inadequate reflections of the complexity of the situation, the first time I gained an interviewee in an unplanned manner. Their unprompted responses to my questions made me very excited as they were expressing many of the opinions and experiencing many of the effects that I had theorised about, prior to the interviewing process starting. I left feeling very pleased with the results to this point, and optimistic about the whole project. Although because of their intensity they talked over one

another, making the tape unclear at times, I was able to recall all that had been said and note it down. Although the children involved were of an age to be interviewed they were not present. The woman had kept detailed records of their contact with the CSA, and I was unable to provide any useful additional help about their situation.

Day 3 (16/11/94) - 1 interview

The timing of this interview required me to make complicated arrangements about using the car and cooking tea, but by the time I arrived, with only a slight hitch which was resolved by consulting the map, I had regained the calm and relaxed state that I wished to be in whilst interviewing. I felt that I had conquered my initial nervousness because of the genuinely helpful and warm response I had received so far. The couple's five year old son was on his way to bed as I arrived, and again provided a focus to break the ice before we began the interview. Again I felt that they were pleased to express their views. They asked what purpose the study would serve and were glad that I hoped to use it as evidence for Social Policy purposes through my work, and as an individual. This point was raised at several subsequent interviews. The tape was clear and I made notes on its contents immediately after the interview.

In this case they were waiting for details about an appeal hearing regarding their assessment. I was very glad to be able to offer them my professional help with deciphering the legal arguments at the appeal. For the first time, but I was frequently to hear this, the limitations of the CAB advice were pointed out to me. For various reasons, some related to funding constraints, a local decision had been taken that we could not be involved in CSA appeals. This criticism, the tape revealed, made me defensive, and I was careful in future to avoid such a personalised reaction.

Day 4 (17/11/94) - 1 interview

I had just received a note from the second person I had planned to visit that day, to say it would not be convenient so I was able to confirm her suggested alternative time with a hand-delivered note, as the other interview was in the same village. I was, as I tend to be, a little early arriving for the interview and caught him just out of bed and not washed or fully dressed. For the first time I thought about my personal safety, but his general attitude and manner quickly reassured me.

He made us both a cup of tea, and launched into his experiences of the CSA. He expressed his vehement dislike of the term 'absent father' as he had not been **absent**. The details he gave me supported this view and I could fully understand his strong feeling about this loaded term. Unfortunately, my technical inexperience led to me failing to record this session and although he offered to cover the ground again, the depth of his feeling did not come over on the second attempt to nearly the same extent. When I was leaving he offered me a cabbage from his garden and we went out together to cut it. I was glad that I was able to offer him a lift into town.

Day 5 (18/11/94) - 2 interviews

I had arranged to visit my only absent mother today, who had only that week moved into council accommodation following the repossession of her home, in part due to the amount she was paying for her son. I was initially confused by the lack of street names and house numbers, but eventually found her house and was again warmly received and offered a cup of tea. I was very moved by her story and her determination to work, inspite of the penalties she had to pay for doing so. Her situation once more underlined the complexities of the situation that the mechanistic formula had been designed to deal with. I left full of admiration for her courage and resilience.

My second interview of the day had obviously forgotten about the visit and was in the middle of hoovering when I arrived. He quickly adjusted to the change in his plans and had a very distressing catalogue of complaints about the CSA to relate. It was obvious that the unpredictable variation in his wages meant that assessing his income only over a five week period led to the risk of unmeetable demands. He confessed to living in fear of his ex-wife and further CSA involvement. He was very anxious that I would contact her and thus trigger a fresh claim. I explained that the rules of confidentiality meant that I couldn't tell him whether or not his ex-wife was part of the project but reassured him that she wouldn't find out whether or not he was involved either.

Having reassured myself at the start of both these interviews that the technical side was under control, and feeling more relaxed about imposing on people, I was more able to get in touch with my feelings about their situations. In both cases I was appalled at the levels of distress and financial hardship that had been caused.

Day 6 (23/11/94) - 1 interview

I arrived shortly after the couple had returned from a shopping trip - already aware that the man had been up since 5 am because of his work - to find that they had rearranged their day for my benefit. Again the presence of a child to be the centre of conversation helped us all to relax as did the making of tea and coffee. This was another example of where my original categories were inadequate to cover the complexity of the situation. My original information, by this time a year out of date, had omitted some aspects of the situation, and in any case, things had changed with two of the children having moved out since the original record had been made. To cap it all, a telephone conversation in the middle of the interview revealed that the wife had had a miscarriage four days before. I was becoming more and more convinced that no formulaic system could expect to adequately deal with the problems of child support, and the various situations of those involved.

Day 7 (24/11/94) - 4 interviews

I began the day interviewing a couple who once more exemplified the problems of a crude measure being used to gauge individual circumstances. The man was a long-standing parent with care, who had received no support from his ex-wife but was now expected to pay a large sum for a child who had been conceived without his consent. Because of the age of his first child, no allowance had been made for the cost of his support and there was also a new marriage with two further children, who knew nothing of the child who was the subject of the CSA. The stress and strain of this situation had threatened the new relationship and could in no way be seen as "Putting Children First".

Finding the next interviewee required a high degree of detective skills, as he had moved twice since replying to my initial letter. My initial impression was unfavourable as he appeared at the door, dishevelled and unshaven. However, the reason soon became obvious - I had woken him following a night-shift. I had called on the off-chance as, although I had written to him offering alternative times and dates, I had had no reply. However he was happy to spare half an hour explaining how the CSA had effected him. His details once more underlined the complexities of human relationships.

I managed a chip-buttly lunch before arriving at the next destination, which I found with the help of a fellow customer in the chip shop. Again the child was present, but fortunately, as he proved rather disruptive, his granny was able to take him out of the room. For the first time I encountered the situation behind the rhetoric of the setting-up of the agency - namely

the feckless father who had never financially supported his off-spring. However, no support had ever been paid and the young mother expressed her total disgust with the whole system.

The final interview of the day, arranged for the evening, had, for some reason, been the only occasion so far when I had been tempted to leave details of where I was going, in case I didn't make it back. However, for reasons of confidentiality I didn't do this and, of course, my misgivings were unfounded. I had missed a message giving a correction to the directions I had received over the phone and got slightly lost in the small estate, but was greeted by the words that I was very punctual, having arrived dead on time! I soon found out why I had had my misgivings. I found this respondent rather creepy - yet I knew that my long experience of interviewing in a 'non-judgmental' manner and my tendency to over-compensate for my personal negative reaction, would ensure that I would express no bias. I think this confidence was justified by the frankness with which he responded to the questions. However, when he was unable to account for the break-down of his marriage, my silent inner commentator supplied my own conclusions.

Day 8 (29/11/94) - 2 interviews

I found this house easily having already visited it to deliver confirmation of my visit - luckily - because for the first time this year, November was its seasonal norm and visibility was down to around 20 yards. Again, the situation soon was revealed to be more complex than I'd originally anticipated. I met yet another young child, this time a very endearing one year old, and cup of tea in hand, soon was able to get to grips with the convolutions of the extended family. The situation was one with which I was becoming familiar - irregular high earnings of the absent parent which left the new family struggling with unrealistic payments when the income dropped - or the threat of these in the future - to the detriment of relationships.

Later that day, I found my second interviewee, again slightly hampered by the illogical street numbering. I was nervous when I arrived - partly because he had a male friend there, but also because of the dilapidated state of his home. However, I soon relaxed it was obvious he was more nervous than I was, and his friend was there for his support. He openly discussed his mental health problems which had been exacerbated by the demands of the CSA although by the time of my visit he had settled in to the new system quite happily.

Day 9 (30/11/94) - 1 interview

As was often the case, I arrived ahead of time and delayed the morning routine of this interviewee's year-old son. This 'absent' father had a new child for whom he was taking full responsibility, in spite of the pressures the child support payments had made on his new family. Once again the details beneath the statistics showed a situation which a mechanistic formula could not hope to deal with fairly, and the demands of the CSA had again destroyed the fragile relationship between separated parents, resulting in the breaking-off of contact between the father and his child. I was glad to be able to reassure him that his new son would be taken in to account by the CSA until he ceased to be his responsibility and not just for the first year of his life.

Day 10 (1/12/90) - 1 interview

As this interviewee was a student we had arranged to meet at the department. This involved a rather complicated process to find a suitable empty room, but after drawn out negotiations with the secretary and several telephone calls, a time date and venue were arranged. I had been warned that she might be late as she had to walk from her previous lecture, half a mile away, so, early as usual I walked into the pre-booked room - only to find it was occupied! However the next door room seemed to be free so I waited for her to turn up. As it grew later and later, I began to worry that I had missed her as I hadn't been watching all entrances, but around 15 minutes after the agreed time, an obviously out-of-breath woman ran towards me, and began to apologise profusely when I introduced myself.

I reassured her as we settled into the room and she embarked on a long explanation of her situation, starting with the words, "You're lucky because we've just started to have a lot of hassle!" Half-way through the interview the fire bells rang and we had to vacate the building. We continued to discuss the CSA and so some of the information from this interview is not on tape. As she and her husband had appealed against the most recent assessment I was pleased to be able to offer them my professional help with understanding the legislation and procedure at the Appeal. Once more I had the feeling that she was glad to have someone outside the situation to listen to the long and complicated story of her involvement with the CSA.

Day 11 (5/12/94) - 1 interview

We had arranged to meet at the CAB at 6.00pm when this respondent would be on his way home from work. It was a busy evening session and so I planned to see him in the manager's office. He was a little late, because of parking problems, and I was just thinking that he had forgotten as the appointment had been arranged almost four weeks previously, when he arrived. The space available was small and formal, which may have had an effect on his replies but I certainly felt that this interview yielded less information than any of the others. The fact that we were both tired after a long day at work may also have been a factor in this.

Day 12 (8/12/94) - 1 interview

I set out from home in the late afternoon, having consulted my map, but unable to confirm that this respondent was available at this time. My first suggested times had been unsuitable and I had been unable to contact the department to see if there were any last minute messages cancelling this appointment. Once again the street numbers were confusing but I found the address at last - only there were no lights on. As I sat in the car listening to the radio, a light went on and I knocked on the door a couple of times, but there was no reply. I looked around and found another door and this time my gentle tap was immediately answered.

She ushered me into the sitting room offering me coffee, which I refused, and after reassuring herself about how I had got her name and the confidentiality of the information readily agreed for the interview to be taped. In contrast to the previous interview, she spoke with feeling and at length about the CSA and the circumstances of her separation from her children's father. Her two young children were in the room throughout, and although the TV was on, I'm sure they were listening. I couldn't help but wonder what effect these complaints about their father was having on them, although they were both very well behaved and busy. I also gained the impression that their mother often spoke openly about her problems when they were there.

Day 13 - (9/12/94) - 1 interview

Inspite of getting explicit directions, involving several local pubs, because I had never visited this small town before, I managed to get slightly lost on my way to visit this

interviewee. My knock at the door of the small terraced-house was answered promptly and I was ushered into a living area, one half piled with new furniture and the other spread with a blanket with baby toys. I was offered a cup of tea and accepted, but although the kettle boiled several times, I never got my drink, because the young man was so eager to tell me his experiences. He agreed to the interview being recorded, and a young kitten, who had already helped to break the ice by investigating my bags, found the wires fascinating and had to be physically removed on several occasions.

I had explained the purpose of the research and also reassured him that I was not connected with the CSA and I was happy to discuss the process of appeals and offer my help. Once more the situation was revealed to be very complex as he had a second child, in a new relationship, and there had been many court hearings as regards his older child. He spoke at great length about his history and the interview only came to an end with the arrival of a friend.

Day 14 - (15/12/94) - 0 interviews

I found the home of the scheduled interviewee, but it was boarded up and uninhabited, although I had a reply to my request for an appointment only a few weeks previously. The surrounding houses were in a similar state so there was nowhere to ask about the former residents. I decided that it would be impossible to locate this respondent.

Day 15 - (16/12/94) - 2 interviews

After several contacts by letter I had arranged to visit this respondent on her afternoon off. Again I had some problems locating the address, and I was a little late arriving, which was unfortunate as I had another to do that same afternoon. I was taken into the comfortably furnished front room but not offered a drink. The initial suspicion over my motives for the interview were quickly dispelled and she readily agreed to the interview being recorded. I was overwhelmed by the level of bitterness she expressed about the amount of the payments her partner was having to make so that, in spite of them both working full time she had to rely on her parents to furnish her home and was unable to afford holidays.

The timing for the second interview that day had been arranged the previous evening by phone after my initial letters had failed to organise a mutually convenient time. Originally I'd had no phone number but on a chance visit the previous evening I'd been given the phone number by a man, who I assumed, correctly, was the absent parent, the original

contact being with his new partner. He made it plain that it was his new partner who felt strongly about the CSA, and asked if I wanted him to be at the interview. I said it was up to him, and was slightly surprised to see him when I arrived the next day.

It was soon made clear that his wife had insisted that he was there, but they agreed to being recorded after I had explained the purpose of the research. Although there was some constraint initially, they soon became eager to tell me about their experiences, interrupting one another in the rush to explain their situation and readily agreeing to a repeat visit in twelve months time.

Day 16 - (29/12/94) - 1 interview

A message had been left at the department just before the Xmas break, asking how I had got his name and informing me that he was on holiday between Xmas and New Year and so could see me then. I wrote to him explaining again how I had got his name and assuring him that the whole process would be confidential but I had had no reply regarding the suggested times, and was a little unwilling to start work so soon after Xmas - which had been busy with family and social commitments. In spite of this respondent living in the same village as I do, I got completely lost trying to find his home, and arrived almost thirty minutes after the appointment time! I had been expected and given up on, but I was made welcome, especially when I explained again that I had no connection with the CSA.

Once again the situation was revealed to be far more complex than had appeared from the initial notes with two 'absent' families, although the CSA had only shown interest in one. His two daughters were there and played quietly as we spoke. Unfortunately, because of a technical problem, I was unable to record this interview and had to rely on contemporaneous notes. In spite of his initial reservations, he talked openly about the complex ramifications of his situation and as I left, said that he felt better having had the chance to talk to someone about it all.

This concluded the first stage of interviews. All that remained was to analyse the extensive material I had gained from the process - a task that seemed daunting.

Researcher's Note - (13/5/97) - I'm picking up the enthusiasm for this study many months (even years) after the last part was written. I have devised a method of analysing the tapes which is based, very loosely on the methods put forward by Day (1993), which relies on key

word analysis rather than word for word transcription, knowing as I do the sheer amount of donkey work involved in that method, but of course able to justify the shortcut!

At the end of 1995, beginning of 1996 I contacted the respondents as part of the follow up, and carried out six interviews face to face and four on the phone. The other responses were very difficult to quantify as there was a lot of reluctance to talk if there had been no change. What I did learn is recorded fully in the field data of the main part of the study. However, I did not keep a personal diary of that time.

Throughout 1996 my father (aged 80) was very ill and being his only close relative this occupied my time for many months, especially as he lived many miles from me. At the end of 1996, I changed jobs, from the CAB to student adviser at a redundancy threatened college, but I still felt able to resume some work, contacting both the CSA and a local solicitor to arrange interviews in the early New Year. Unfortunately my father died in early January so I was unable to stick to plan.

However, when I did feel able to concentrate on study again I had received a letter giving permission for two interviews with CSA employees. In late April I contacted the Area Manager to explain the delay offering to interview his employees in early May. The next day, one of my "absent fathers" bumped into me at work and after a bit of catching up on his circumstances, I asked him if he would be happy to attend a focus group (this was election time - focus groups were all the rage) He readily agreed and I decided, (this after a long period of prompting from Dave) that this was a useful strategy. [This plan was abandoned.]

At my first supervision meeting in many months I was full of plans for field work (my favourite bit) and Dave as usual was insisting on getting something on paper to back it up. The figure of 5,000 words a month was mentioned which I felt capable of doing if only I had a format. I feel I have the material but not the style of writing that I want for this type of work, as it is so unknown to me. So on this front the immediate goal is finding an academic style that I feel comfortable with to use for the main body of the thesis.

Today I have set as the date for phoning the CSA people, drafting a letter to the new Chief Executive of the CSA and for the solicitors. I chose shortly after 11.00 am to ring the two named "victims" and was greeted very warmly. They had heard of the reason for my delay and were still willing to be interviewed. I arranged the interviews for Thursday 15th and Wednesday 21st May. A new task for the day is finding the recording equipment and

testing it, as well as preparing copies of the basic questionnaire. I had decided sometime earlier that I should ask all respondents about their circumstances so as to be better able to situate their responses - after all CSA officers and solicitors are people too.

## **PHASE TWO**

Day 1 (15/5/97) - 1 interview

I had a busy day today - two counselling clients first thing, a supervision session at 1.00pm and a trip to a new town at some distance which I do not know well to interview my first Child Support Officer, in between. Setting off slightly late I forced myself not to panic and concentrated in finding my destination on roads which appeared not to recognise its existence.

When I did find it I asked a motorist in the car park where the DSS was and he offered me a lift. Unable to find the staff entrance - my ability to find places always is affected by being late - I queued in the public area - a good exercise in finding out how it feels, except the queue was short and my approach to the receptionist resulted in a speedy response, which I know is very unusual. The response was slow enough for me to have time to note that the customer care statistics for the previous September showed a very low rating in response times!

Having been shown into an interview room, we sat as do thousands of claimants (now customers) and I launched into the facesheet questions which are very similar to the start of any DSS form. Later I asked Mr Wilson if it felt strange to be interviewed instead of interviewing and he agreed that it did! He also agreed to be taped - which I was glad of, but surprised at - adding that it was the first time permission had been given probably because I was not interested in particular cases but in the employees experiences.

We both had experience of Tribunals and after the main part of the interview was over I introduced this angle getting his views on its workings from the Department's perspective. He was probably the most reticent of my interviewees, perhaps by nature, or by a lifetime of being the interviewer or the setting, but I got a lot of useful information, and was very excited by the fact he had a personal perspective on the issue in question.

Keith offered to be contacted in future. I explained that in order to be "scientific" I would restrict the info to this one interview, but in fact, phoned him subsequently to get the address

of their head office in order to write to the Chief Executive, Faith Boardman. He seemed to be a content employee, although I did not particularly measure this, feeling secure in his work and that his skills were adequately used. My initial phone contact had left me feeling that he was used to liaising with outsiders to the Department.

Day 2 - (21/5/97) - 1 interview

In an attempt to be accommodating I had taken up Mrs Oliphant's suggestion for a time to meet as she had to consult with her supervisor before agreeing to a time. I therefore was at work prior to heading off for the interview, in a nearby, semi-rural, ex-mining town. As before I was running slightly late and had to rush along in spite of the infuriatingly slow drivers on the road. Although I know the area better than the previous location - having several years before been a claimant (aka customer) of the department, I was a bit rusty and parked at the wrong end of town. The first person I approached for directions, professed to be ignorant of the "social's" location but I suspect he just didn't feel like telling me, and the second person directed me to the building.

I had arranged to present myself at the public entrance, and again there were few people in the queue. Mrs Oliphant was looking out for me and spotted me very quickly, ushering me up to a private interview room in the staff area where we were, shortly served with tea and biscuits. Although my impression on the phone had been of some reluctance - at her grade volunteering would have a double edged meaning - she proved very chatty but unwilling to be recorded. I was a little disappointed at my first refusal - although I had been expecting it at first, the fact that everyone had agreed had lulled me into a false sense of security.

As a result I have several pages of notes, and may have missed some words although I am confident that I got all the meanings - if not verbatim. Mrs Oliphant had offered several excuses for not being recorded - poor use of English, shyness in front of the machine - but near the end of the session she told me the real reason. Her supervisor had been covertly taped the day before by an irate customer who was taking a complaint "as far as he could" against the Agency. I could therefore understand her reluctance in this context. In fact she was very open with me, and when I explained that she could probably be identified by insiders she stated that she did not hide her criticisms of the new system.

She expressed a lot of dissatisfaction with the actual workings of the system from the point of view of the employees - powerlessness being the crux of the matter and had some very

well-thought-out ideas for reform. She was considering early retirement because of the stresses of the new job - not only in terms of abuse and threats from the public but also on account of the failings of the system, to meet people's expectation. From a personal viewpoint she said "I've always been master of my trade, but I don't feel that now".

I left feeling that I had gained her trust and that I had much useful information for my thesis. She was very anxious to get a copy of the abstract of my PhD and felt that any changes to the system should look at the staff's views before implementation as they could see how changes would work beforehand. I felt that she had appreciated having her views taken seriously about an issue that had radical effects on her working life.

Day 3 - 1/7/97 - (1 Interview)

Mrs McMorris had readily agreed to an interview and so I was feeling very relaxed when I arrived, in good time for the interview. The receptionist called me up at the arranged time and Mrs McMorris offered coffee when I arrived. After the last experience I was slightly concerned that taping the interview might not be acceptable, but she readily agreed to this, and was very vocal about her experience of the CSA as compared to the old system and her thoughts on the future. She made me feel at ease and in spite of my usual technical problems the interview went very well and easily, producing information that I had not considered previously. She was interested in having some feedback from the process.

Day 4 - 22/7/97 - (1 Interview)

When I contacted Mrs Brant on the phone she seemed very brusque and mentioned how expensive an hour of her time was. As I was feeling quite stressed, having just moved house the previous week, it was with some trepidation that I sat and waited in a busy front office for her to be free. Luckily, the receptionist recognised me as a fellow participant in a yoga class and this made me feel more at ease. Slightly after our agreed time, Mrs Brant called me in to her office, and in spite of my concerns she was happy to answer all my questions, giving her experience of the systems and her thoughts on the policy change.



Owner Occupier - Mortgage                      No of rooms  
Value of House                      Outright owner                      Age of house  
£ \_\_\_\_\_                      part of clean-break

Type of house: Detached    Semi detached    Terraced    Other

Rented - Public  
                    Private

Other

Amount spent on housing:

7 Other details -

Car owner

Consumer durables - Washing machine, Fridge/Freezer, Telephone, TV/Video

Other residents in household

Financial problems - self assessment

8. Race/Ethnicity/Nationality

9. Education

Age at completion of full time education

Highest qualification (including apprenticeship)

10 Reasons for breakdown of relationship

11 How get on currently

Effects of CSA - what it meant to you

What was situation previously, financial interpersonal

Current Relationships

Health

## Appendix IV

### Response to the request for comments on "Children First: a new approach to child support"

Ms E J Wilkie, Research Student, University of Durham

#### Forethought

As a first step, changing the term for those who live apart from their children from "absent parent", something I found to cause considerable anger and hurt, to "non-resident parent" is to be welcomed. However, I also adopt the convention of sometimes using "father" and "he" for this category and "mother" and "she" for parents with care, as this reflects the overwhelming statistical bias.

#### 1. The Principles

**The principles** as set out in the Green Paper - that non-resident parents should contribute to the financial support of their children, and that the system should be fair, efficient and firmly enforced - are ones which I found to have almost universal support. However, ideas on how reform should be shaped and how it should be implemented, were, inevitably, more varied.

One of my major findings was that the current system is considered to be unfair because of the inefficiencies of the system, the targeting of those who already paid, and the inflexibility of the system, which made it unsuitable to deal with the complex realities of modern family life, and insecure employment patterns. In general, the operation of the CSA and its rules, rather than the principle of paying child maintenance, was the source of problems for my respondents.

**Non-resident parents** were concerned as to their ability to support new and step families, as to how the increased financial demands would impact on their efforts to stay in contact with all their children and as to how far their emotional and other support was taken into account.

**Parents with care** were concerned that their co-operation with the CSA had led to no financial advantage and, in some cases, considerable emotional distress, that extracting money from a non-involved parent could lead to unwelcome disruption in the life of a child who had accepted a step-parent as their father or mother, and shared the concern of non-resident parents as to the impact on contact.

**New partners** were concerned that their children were suffering, and, in some cases, the very decision whether or not to have children was being restricted, for reasons that had nothing to do with them personally. They also resented the fact that their earnings were included in the calculations.

**All groups** considered that a more flexible system, which took into account the varied individual family circumstances, in an area that was perceived to be intensely personal, would be welcomed.

The professionals involved in the research - **both solicitors and child support officers** - were also concerned about the lack of flexibility and discretion, the inefficiencies and enforcement failures, and the gaps in the system - such as high earning divorcing parents and fathers who had never paid.

In addition, for **non-resident parents and new partners**, calculating support in a rigid, financial manner was considered not only to belittle the other types of emotional or physical support that non-resident parents provided, but also, given the high levels of contribution that were set which took no account of prior commitments, often made support of new or step-families either very difficult or impossible, and threatened the stability of the new family units.

There was almost universal belief that the CSA was **inefficient** and the actual experience of the majority of the participants in the research bore this out. As regards parents with care, two-thirds had had no financial support from the father of their children, in spite of co-operating fully with the agency. As regards, the non-resident parent, the majority had had high initial demands for child support, which had, after several months of negotiation, been reduced. In many cases, the final level of payment was lower than what had been in payment prior to the agency becoming involved.

**Most participants**, including one child support officer, had many complaints about the impossibility of contacting the person responsible for dealing with a particular case, and the mountain of paperwork involved. In addition the majority of the sample, perceived the Agency as tackling only the soft targets ie those who were already paying, and government statistics bear this out. Again most participants supported the principle of **all** parents being equally responsible, including those who have evaded paying up to the present, although most people thought that those who were on benefit should be exempt.

Thus I can confidently say that there was **high levels of support** for the agency to be fair, efficient and firm, and ensure that children are supported by their parents.

## **2. Families as well as Finances**

As I have noted above there was general approval of a wider definition of child support, to include presence in children's lives as well as cash payments.

However, the overriding finding of my research is that there is **increasing diversity in families**, especially a high incidence of responsibility being taken for step-children, even where this relationship is not legally acknowledge by adoption. Thus I find that the original research and the current Green Paper stress too strongly lone

parent families, whereas Child Support increasingly effects two parent families, as couples separate and re-combine. This crucial factor should be acknowledge in any policy concerning the family, but particularly child support.

Policies which ignore the reality of modern family life, namely that families are increasingly diverse and multi-faceted, create numerous problems for the future. In particular, the failure to acknowledge that today's lone parent is likely to be tomorrow's partner - either in cohabitation or marriage - and that families contain step-children and natural children, who all have rights to care and support will tend to mean that Child Support policies will be, and will be perceived to be unfair.

Much research has shown that policies which support children in general, do most to support lone parents, so if the reason for the focus on lone parents is a desire to get rid of the material inequalities suffered by lone parent families, then policies which strive to assist all children, whether in a one or two parent family, will be most likely to succeed, not least if by this means, the lone parent family ceases to be problematised.

If however, the focus is due to a belief that this type of family is inadequate, then the stigma caused by problematising lone parents - who are by recent estimates likely to care for increasingly high proportions of future adults - is equally likely to cause further difficulties to more children. If the aim is to support children, regardless of family type, then more children are likely to develop into mature adults who would then be more capable of taking responsible attitudes towards their children.

If, however, the priority is to reduce the burden on the taxpayer then ensuring that maintenance actually benefits those on Income Support - a proposal of the paper that is to be welcomed - is, in my view, more likely to achieve this end than the current, almost universally unpopular policy of deduction pound for pound. Most participants in my research, including a child support officer, were in favour of those on Income Support benefiting from their co-operation with the Agency.

*A majority of respondents from all groups felt that government - through the tax payer - had a responsibility to support children and families.*

### **3. Active Family Policy**

A majority of participants considered that if child support measures were simple, transparent and prompt, then they would be more co-operative. Thus moves in this direction are very welcome.

In addition, the acknowledgement of **wider responsibilities** such as contact and increased access to existing services, such as mediation, which aid a smooth transition at the time of separation or divorce is to be welcomed. However, it is unclear from the proposals how integration with the terms of the Children and

Family Law Acts is to be achieved. This radical, but beneficial proposal would need considerable planning to be effective.

Equally, education could be helpful as regards improving parenting and avoiding teenage pregnancy. However, for the sake of those who are teenage mothers, and the children in these circumstances, it is important not to demonise young mothers, and make their parenting task even more difficult.

The introduction of a child maintenance premium is to be welcomed, as I have found that this meets with general approval and is acknowledged to be an incentive by all groups.

*Integration of child support with wider support systems for the family and parents is to be welcomed but considerable planning is needed for this to be implemented in practice, in a way which is useful and not just an intrusion into personal life.*

#### **4. A new service**

Plans to simplify the formula will meet with universal approval, or at least did so with all the participants in my research. Equally, providing a good, personalised local service, would go some way to meet the complaints of the existing system.

Building on the strengths of the New Deal for Young People, which appears, in my local area, to be able to respond flexibly to the needs of this group as regards training and education, it could be possible to overcome some of the perceived difficulties in the current system, by providing those who are involved with an accessible local contact.

However, given the strong emotions that are evoked by child support, it would also be important to provide a safe working environment for the child support officers who are involved, whilst at the same time ensuring that those who wish to co-operate are not made to feel alienated by contact with the Agency.

Anything that minimises delay will help to ensure that the new system is favourably perceived - especially if there is new flexibility to cope with changes in circumstances. However, there is a tension between the needs of parents with care, who benefit from a secure level of child support to enable them to plan financially for a move into work or study, and the needs of non-resident parents, who benefit from a flexible system that takes into account their changing financial situation. The flexibility of dealing on the phone or in person is to be welcomed.

*Improved efficiency and transparency in a new system which relies on personal contact and flexibility, will go some way towards combating the criticisms of the current system.*

#### **5 New Formula**

The **simplified formula** method of calculation is to be welcomed. However, it should be flexible enough to take into account fluctuating income. A high percentage of parents in my research had fluctuating incomes or temporary work patterns which caused problems for child support assessments. In addition, the fact that the new system took no account of prior commitments was also a cause of problems for those who were living on a fixed income. Thus it would be essential to include a higher degree of flexibility into any system that is introduced.

The inclusion of second families into the equation is also overdue. However, it is unclear if step-children - whether formally adopted or taken care of informally - are to be included.

Given that forming new partnerships is a very common route out of lone parenthood - particularly for young never-married mothers - it would be counter-productive if the overall aim of the legislation is to strengthen the family, for new partnerships to have the added strain of some children being treated less favourably than others.

In addition, taking account of a second adult in the non-resident parents' home was a source of much anger and led to the perception of unfairness. Thus the guarantee that this element is no longer part of the scheme will meet with general approval.

*I would recommend, therefore, that when the regulations are rewritten, there is more scope for **flexibility and discretion**, especially when existing cases are incorporated, and that **all children** who are supported should be allowed for in the formula.*

## **6. Responsibility for collection and payment**

The Courts were not considered to have provided a good service by those participating in the research. The level of payment was often seen as insufficient, and the slow speed of response, as well as the lack of enforcement were all criticised, even by those who saw it as preferable to the system under the CSA.

The Inland Revenue collects and administers child support in some other countries, most notably Australia, and might have been a possible route when the CSA was first proposed. Given the poor image of the CSA, it might be advantageous to incorporate the new system within the less stigmatised Inland revenue than to continue to operate within the DSS, in particular when its role is to be considerably expanded with Working Families Tax credit.

The objections to this move, that the Inland Revenue is not accustomed to dealing with the type of information that is needed, are not valid in the current computer age, when government departments can and do share information about individuals on a daily basis. Given that the CSA is a relatively discrete part of the DSS, it would not be impossible to move its functions to the Inland Revenue.

I, therefore, feel that this particular omission should be reconsidered as it could assist in building a new image for the CSA, underline the fact that a new system has been put in place and remove the stigma that dealing with the DSS causes, especially to those who have always worked and have bought into the popular "benefit scrounger" myths.

However, whoever is given responsibility for the new scheme, it is crucial that it is well integrated with all other benefit and tax regulations.

As regards payment of the new child support, there is considerable evidence that the Guaranteed Maintenance system works well as regards lifting children out of poverty and providing parents with a secure financial basis from which to move into work or education. This state administered scheme combats the fluctuating levels of payment that can hinder parents with care from having wider choices.

Payment options for the non-resident parent should be as flexible as possible, and include cash payment through the Post Office service as this is open to those without work or bank accounts.

The options for the parents with care should also be flexible, and include, when this is agreed by the parties, direct payments, payments by an order book as Child Benefit addition, or direct bank transfers, including to a third party.

*Given the strong negative perceptions of the CSA, **integration within the Inland Revenue** could be a useful way to combat this. **Flexibility** should be the main principle for deciding on payment methods and collection. Moving towards a **Guaranteed Maintenance** payment system should be a priority given the aims of the reforms.*

## **7. Introduction of the new system**

The charges for the service were one of the aspects which caused considerable outrage when the CSA was first introduced. If the intention is to re-introduce **fees** when the service is such that it warrants this, then:

- a) there must be good advanced notice of the introduction of fees*
- b) it should not be applied retrospectively*
- c) they should be refunded when service is not at an appropriate standard*

As regards the change over, this should be **piloted in several areas, and extensive evaluation carried out**. Existing cases could be transferred by election: ie those who wish to go on to the new system could be dealt with first, and change over priority done on a transparently objective system such as alphabetical order, where there is a high demand for the new system to be used.

*All Income Support and Income-based JSA recipients should be awarded a child support premium as soon as possible, through the normal method used to change this system, and regardless of whether or not the new assessment system is in place in an individual case.*

*The basis of the changeover should be seen to be **objectively fair** ie where the demand to transfer onto the new system outstrips the ability for the CSA to efficiently deal with it, it is not based solely on, for example, those who are not already paying ie new cases. Many **current non-resident parents** were paying under an existing court order or voluntarily, and saw a huge disruption to their lives. Thus if the new system means, as it appears to, a general reduction in liability, then the same individuals should not be penalised.*

*As regards **parents with care**, if the new system means that they are losing support, then there could be a Guaranteed level of payment to compensate them and encourage them to co-operate with the changes.*

### **Afterthought**

One anomaly of the current system, on which there is no room for comment above, is the treatment of child support under the Student Support Regulations, whereby it is only subject to a disregard of £800. This means in practice, that many lone parents are prevented from entering Higher Education because the level of child support they receive means that they are responsible for paying their fees, and have the means-tested element of the grant/loan reduced.

This would not be the case if they were still with the non-resident parent as the levels of income involved would not necessarily incur a spousal contribution.

*This anomaly needs to be addressed, perhaps by exempting a certain level of child support from income calculations for this purpose, if lone parents are to be on a level playing field as regards Student Support.*

Lis Wilkie 17/11/98





