



TO CHANGE THE HEART OF THE SYSTEM
YOU NEED TO LISTEN TO
THE HEARTS OF THE PEOPLE

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New Child Maintenance Proposal 2021

One of the main Family Court related services that the parents we have surveyed, have made clear that they want reform of, is the Child Maintenance service,

This is a monetary service that was set up by the government to help ensure that both parents provide financially for their children, post separation,

Sadly the fact is that for a long time now Child Maintenance has been failing in many areas, it is not working for the resident parents, nor the non-resident parents, and worst of all its causing destruction of the very families it is supposed to be helping and this ultimately affects the children in a very negative way,

The way that the child maintenance service is operating at present, is dividing families, and causing hostilities between the parents, causing mental health anguish for not only the adults but the children as well,

The system in place at the moment promotes Parental Alienation (which is another aspect we wish to discuss with you) The CMS work out how much the non-resident parent must pay for their child/children by taking a % of their gross monthly salary, so the amount a parent receives depends on how good a job the non-resident parent has, which is a little unfair to say the least,

If for example, you had two families living next door to one another, each family had 2 children, they both had separated parents one of the non-resident parents was employed as a championship footballer, and the other non-resident parent was employed as a teacher, as they are neighbours, their homes and living costs are approximately the same, and yet one parent may be paying 2,000 pounds a month in Child Maintenance (purely due to a cap on the income) and the other non-resident parent is paying 625 pounds per month,

It costs roughly the same to raise these 2 sets of children, so as a result the footballer is paying to finance the ex-partner's lifestyle, rather than to pay only for the children, by taking a percentage of the non-resident parents salary you are opening the door for hostility to grow between parents.

There is also the opportunity for resident parents to gain even more maintenance as the system presently in place is calculated on how many nights the child spends with the non-resident parent.

This means that for the resident parent to obtain more money, they MUST WITHHOLD ACCESS to the child to financially gain, this withholding of access is causing deliberate Parental alienation for financial benefit, this causes more hostility between the parents and this again ultimately causes undue distress on the child.

By looking into the parental alienation and the financial gain that can be made from withholding access, the child maintenance service is seemingly causing more pressure on the family courts and also on mental health services.

We have done a survey which is still currently in circulation, regarding the family court and its services, to aid us in finding the problems people are experiencing most, and making workable, non-blaming solutions to help combat these situations. In regard to the CMS/CSA

- **80%** of people surveyed say the CMS needs to have a complete overhaul.
- **60%** of people are not aware of or haven't read the Child Support Act 1991.
- **100%** of people that have read the Child Support Act 1991 think the Child Support Act needs to be rewritten.

- **98%** of people feel angry or frustrated when they have finished a call with the CMS/CSA.
- **47%** of people feel renewed anger and frustration towards the other parent after finishing a phone call with the CMS/CSA (**this is not in the best interests of the children, in the families and causes much undue distress and hostility for all parties**).
- **0%** felt that the CMS/CSA are a valuable service
- **0%** finished a call with CMS/CSA feeling satisfied.
- Only **2%** felt that the CMS/CSA call handler was knowledgeable or felt listened to, or that dealt with the call effectively.
- **37%** of people feel that they could have avoided family court proceedings completely, if there were no child maintenance/financial disputes.
- **56%** of non-resident parents feel that they have had access withheld in order to increase the amount of maintenance the resident parent receives.
- **88%** of parents feel that they have suffered mental health problems because of the family court and its attached services including the CSA/CSM **45%** of these have an official diagnosis by GP or other professional.
- **84%** of parents surveyed feel their child has suffered mental health problems because of the family court and its attached services including the CSA/CSM **35%** of these children have an official diagnosis by GP or other professional.
- **76%** of Parents that use the child maintenance service feel that the portal is a waste of time, not monitored by CMS employees and not worth using.
- **100%** of people calling CMS feel that getting to speak to someone regarding their case is stressful and time consuming.

From these results we can clearly see that the CMS/CSA is not currently working effectively, we do not aim to point the finger or blame anyone for the way the current system has turned out, but we do need to accept that it is not functioning in the best interests of the children, which is what it was set up to do.

We propose a new system that has been shown to parents and so far all have agreed that this new proposed system would resolve their issues, we would like to work closely with the government to implement this new framework so that families can start to come together again in the best interests of the child/children, suicide rates, deaths and mental health issues will be dramatically reduced and there will also be a reduction on the amount of cases reaching the family court.

With regards to CSA/CMS/CMG there have already been many failings, some that have even cost the lives of parents, and in some cases the lives of children, these are failings that we cannot allow to keep happening and there are many reasons where CMS have ultimately been linked to the cause of death, this could be that

- **the non-resident parent cannot cope with the withheld access of their child/children for financial gain and commits suicide,**
- **the non-resident parent has had miscalculated arrears and cannot afford to live because the CMS are taking 60% of their income, causing job loss, homelessness, depression and suicide.**
- **Suicide because of anxiety and stress from debt and bailiffs sent from CMS, attending their home and taking their possessions.**
- **Suicide from the despair of having to face prison because of miscalculations or arrears from the CMS.**
- **Children have been murdered by the non-resident parent to get back at or hurt the resident parent unmeasurably, because they are so reluctant to pay Child Maintenance, I know first-hand the reality of this very real threat.**

There are many other reasons why parents or children have lost their lives and there is a direct link to Child Maintenance, and for this reason and many more, we need to reform it. [Please see the attached paper written by Mr B. Hudson and associates, regarding the mortality rates of parents in connection with CMS.](#)

The child maintenance service as you will be aware, has had many complaints made against it, many MP's have received complaints from their constituents regarding the CMS and yet still nothing has been done, and our research

shows this, **75%** of people have complained to the CMS and their MP and only **1%** has received any sort of response, **0%** received a satisfactory outcome.

What has happened is that the failings have mounted up and then the CMS has changed its name, again and again, so that they can leave their failing statistics behind and start again with a clean slate, this doesn't actually resolve any of the problems, it just covers them up and disguises them.

One of the problems with complaining directly to the CMS or department of work and pensions or the parliamentary and health service ombudsman is that CMS currently operates on at least half its staff being agency workers, which means they are paid more, untrained and have left by the time the 18 month investigation turn around on complaints actually happens, resulting in no further action.

We propose that the civil servants that currently work for the department of work and pensions help with implementing the new system, any changes in circumstances can be checked instantly with HMRC/DWP and therefore the system is up to date and running efficiently, not only will this prevent parents manipulating the system it will also avoid making redundancies at the CMS whilst implementing this new system.

Very few, if any of the employees at the CMS, have read the Child Support Act 1991, let alone understood it, and that means that they cannot properly do their job, to work in the best interests of the parents or the child, in relation to Child Maintenance.

As such we are recommending that the Child Support Act 1991 is re-written and updated to reflect the modern-day concerns and problems faced, when a family use the child maintenance service.

Furthermore we are requesting that the newly written Child Support Act 2021 is written in two versions, one in legal terms as is appropriate for all Acts, and one written in layman's terms for the parents and any employees dealing with Child Maintenance services.

For example, as the government has done for the Health & Safety at work Act 1974, it is imperative that workers fully understand health and safety in their work places and as such there is a basic edition that everyone can follow and understand, as we are talking about Acts that help us safeguard and act in the

best interests of our children, surely it is also imperative that these child related Acts are able to be understood by parents and anyone working with the children or working for the best interests of the children, to enable them to complete their roles effectively.

Example A. the 1974 Health & Safety at Work Act, in its Original format.

3 **General duties of employers and self-employed to persons other than their employees.**

F6

(1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

(2) It shall be the duty of every self-employed person **[F7** who conducts an undertaking of a prescribed description] to conduct **[F8** the undertaking] in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.

[F9 (2A) A description of undertaking included in regulations under subsection (2) may be framed by reference to—

(a) the type of activities carried out by the undertaking, where those activities are carried out or any other feature of the undertaking;

(b) whether persons who may be affected by the conduct of the undertaking, other than the self-employed person (or his employees), may thereby be exposed to risks to their health or safety.]

(3) In such cases as may be prescribed, it shall be the duty of every employer and every self-employed person, in the prescribed circumstances and in the prescribed manner, to give to persons (not being his employees) who may be affected by the way in which he conducts his undertaking the prescribed information about such aspects of the way in which he conducts his undertaking as might affect their health or safety.

Textual Amendments

F6 S. 3(2) amendment to earlier affecting provision S.I. 2002/2677, reg. 20 (1.10.2015) by The Deregulation Act 2015 (Health and Safety at Work) (General Duties of Self-Employed Persons) (Consequential Amendments) Order 2015 (S.I. 2015/1637), art. 1, Sch. para. 7(3)

F7 Words in s. 3(2) inserted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), ss. 1(2)(a), 115(2)(a) (with s. 1(6)); S.I. 2015/1732, art. 2(a)

F8 Words in s. 3(2) substituted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), ss. 1(2)(b), 115(2)(a) (with s. 1(6)); S.I. 2015/1732, art. 2(a)

F9 S. 3(2A) inserted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), ss. 1(3), 115(2)(a)

Example B. The 1974 Health & Safety at Work Act, Basic version found on the .Gov Website.

Assess the risks

Once you have identified the hazards, decide how likely it is that someone could be harmed and how serious it could be. This is assessing the level of risk.

Decide:

- Who might be harmed and how
- What you're already doing to control the risks
- What further action you need to take to control the risks
- Who needs to carry out the action
- When the action is needed by

Control the risks

Look at what you're already doing, and the controls you already have in place. Ask yourself:

- Can I get rid of the hazard altogether?
- If not, how can I control the risks so that harm is unlikely?

If you need further controls, consider:

- redesigning the job
- replacing the materials, machinery or process
- organising your work to reduce exposure to the materials, machinery or process
- identifying and implementing practical measures needed to work safely
- providing personal protective equipment and making sure workers wear it

Put the controls you have identified in place. You're not expected to eliminate all risks but you need to do everything 'reasonably practicable' to protect people from harm. This means balancing the level of risk against the measures needed to control the real risk in terms of money, time or trouble.

You can find more detailed guidance on [controls relevant to your business](#).

Record your findings

If you employ 5 or more people, you must record your significant findings, including:

- the hazards (things that may cause harm)

We are aware that the Child Maintenance service is a big money-making business for the government, and as such, changes to such a profitable venture will be frowned upon,

We are also aware of the difficulties that we face in trying to reform this system, but we feel we could closely match the revenue made from this current system, by making the government savings in other areas and by streamlining the current CMS.

Not only is our proposal financially beneficial to the government it is also parent friendly and will work in the best interests of the children.

We strongly feel that if a new updated version of the child support act was written with the new proposed services being implemented, there could be a massive surge in government support by aggrieved parents, mental health services will be less strained (therefore saving the government money), suicide rates will be lower (and as there are over 1000 CMS related deaths per year at a cost of 1.7 million pounds per death, this is over a billion pounds potentially saved per year) family courts will also be less strained as potentially there will be 37% less cases (therefore saving more money) and families will work better together in the best interests of the child, which is what the child support act was set up to do in the first instance.

Given time we could commission proper legal policies that implement these changes and positively reform the current system.

Our new framework for the Child Maintenance Service is based on these main principles.

- **It costs the same amount to raise a child (bar children with additional needs) yet there is no set rate of Child support.**

As such we suggest that we set a fixed rate of child support depending on location, in line with the governments rates on how much you need to live.

For example, that rate may be 100 pounds per month basic cost of raising a child.

- **We suggest that that we scrap mediation that is currently obligatory to partake in prior to attending family court,**

we suggest this because from our research, 100% of questionnaire results state that they did not find standard mediation helpful at all and it actually caused them more distress and emotional harm than it would if they had not attended it.

These questionnaires also highlighted that 37% of parents felt that they would be able to amicably co parent and avoid family court all together if there were no financial or child maintenance issues.

From this gathered information, we suggest that general mediation is abolished,

- **financial mediation be implemented instead.**
- **A Parenting App be made to promote the financial mediation and access but cannot be used for harassment (we are working on this presently for your approval)**

Financial Mediation would involve a meeting via video link with a trained financial adviser/mediator, and relationships would not be discussed, only financial matters. See the attached leaflet (bottom of the pages)

The attached leaflet would be given to the parents via email prior to the appointment so that all parties are fully aware of what will and will not be discussed,

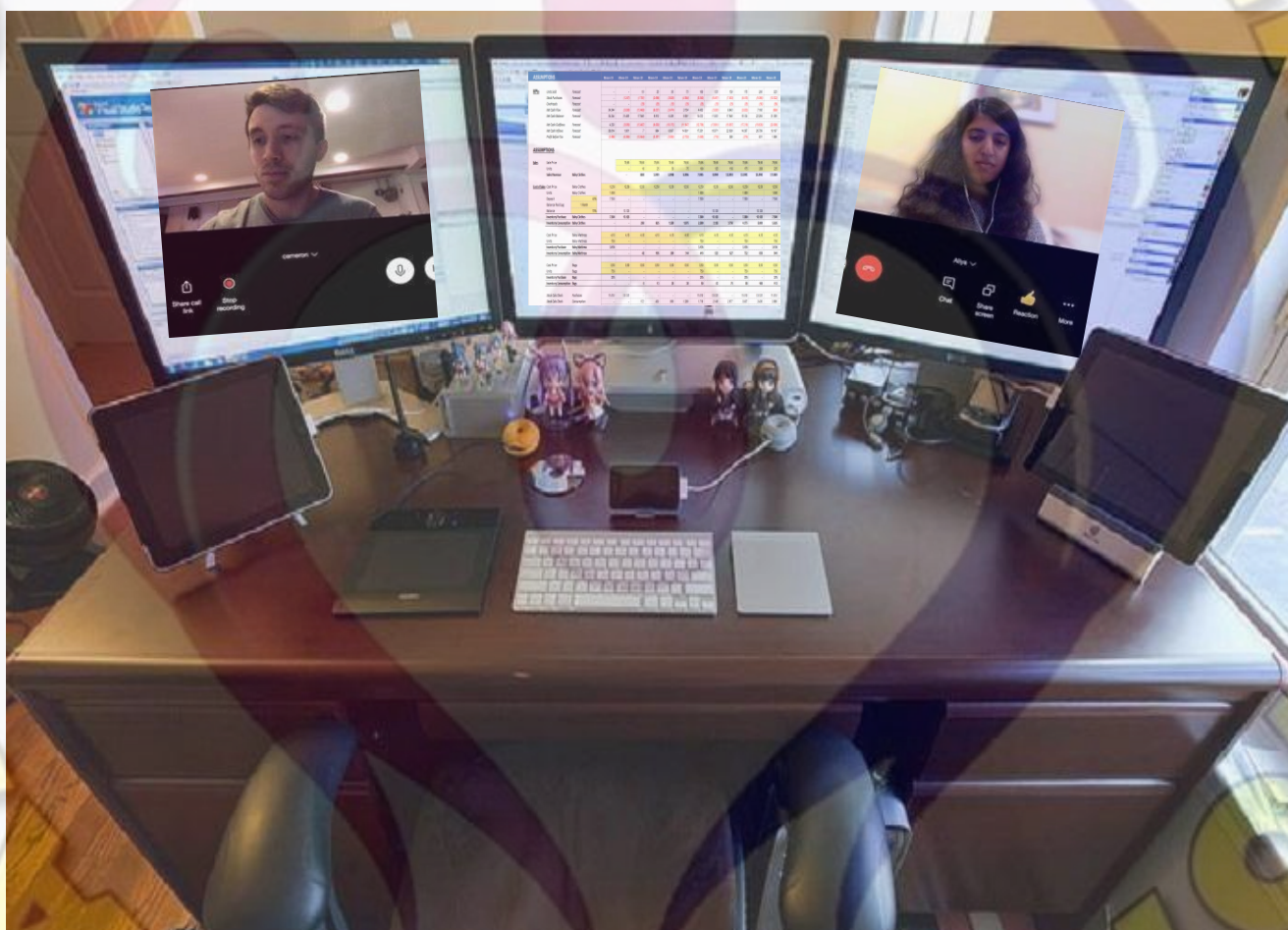
We are requesting that the financial mediation takes place remotely to cut down costs of having a physical location and also so that it enables disabled, low-income or non-driving parents who may struggle to get to a physical location more able to partake,

Also, for parents that have experienced domestic abuse or domestic violence, a remote financial mediation setting would be preferable to

forcing a domestically/emotionally/physically abused party to sit with their abuser.

The financial mediator would be in a setting whereby they could talk to both parties either together or in abuse cases muting each party in turn and relaying information back and forth between the parties until all financial matters are resolved. As displayed in the image below (neither party can see each other and in DV cases they cannot hear each other either), and this helps reduce stress and mental anguish for both parties.

What financial mediation could look like...



The mediator is able to discuss all aspects of the financial obligations both parties hold for the child/children and have access to a file containing all relevant information on those parties prior to the first meeting. The financial mediator is then able to update the file with all information regarding who will pay for what for the child, This promotes the parents to co-parent amicably and work together to give the child the best upbringing and as many opportunities as possible.

The form parents would need to fill out prior to attending the first financial mediation session is also attached. (see [Attached Financial mediation questionnaire](#)) There will also be an expenditure form to be filled out and both forms will be returned to the financial mediator no later than 1 week before the meeting, to enable the mediator to compile all financial information on both parties and confirm these details with HMRC/DWP, (failure to provide the completed forms will result in the other parties returned forms being used, this encourages both parties to fill in and return their form on time)

The financial mediator would update the file with clearly set out arrangements of who is paying for what and in what manner, for example the mother may have been abused and doesn't wish the father to pay her for football club and doesn't want the father to have her bank details....or the father may not trust the mother to actually spend the money on football lessons, in which case the mother could update the [Parenting App](#) with the bank details of the club, or just the football clubs information so that the father can make these payments directly to the club, that way the father knows his child is directly benefiting from his maintenance payments and the mother is safeguarded from the father not having her personal information.

This whole new system is to ensure parents work together and coparent effectively for the benefit of the child.

A typical conversation that would take place for example is this...

"The government guidelines for your area state that it costs 100 pounds to raise a child, you have 2 children together,"

"Sam aged 6 and Mary aged 8."

"They both attend the same school."

"The government states that it will cost 200 pounds per month to raise these children in a basic, healthy, generally maintained manner."

"Mother is in part time employment and earns 10 thousand pounds a year after tax, including benefits, Father earns 30 thousand pounds per year after tax."

“As you both created these children together, we recommend that you both pay 50% of the basic costs which in this case would be 100 pounds each.” “So, as it stands the non-resident parent is to pay 100 pounds per month,” “the mother has indicated that Sam wishes to attend football club and Mary attend Gymnastics, this is a combined total of £60 per month.” “Dad how would you feel about contributing towards these activities for the children to enjoy?”

Dad states that he doesn't trust mum and wants to pay the clubs directly, mum agrees that she doesn't mind dad paying the clubs directly.

Dad says that he will pay for the clubs 100% but if the children do not attend or they cancel club or wish to try a new club he wishes to be notified; mother agrees this is fair.

Mum requests that a photo of the receipt of the paid clubs be put in the parenting app so she knows in advance the classes have been paid for before the children attend and face disappointment and embarrassment at the club if its not been paid. Mother says that in August they get new school uniforms and school shoes and she struggles with this, father states that now she is not paying for activities she can fully provide for the school uniforms, mother agrees but states that this cost inflates dramatically when the children reach secondary school and requests the father pay 50% of this when the children get to secondary school. Dad agrees to this and this is noted in the files.

Mother discusses school trips and other costs in the same manner,

Father brings up clothing and that he likes his children to wear branded clothes, mother feels this isn't something that she can do realistically all the time but will always ensure the children are dressed well. Father requests that if he buys the children branded clothes and shoes would mum mind them wearing them as he wants his children to maintain a certain lifestyle, mother agrees that this is not a problem.

Mother says that the family home they shared together is a struggle to maintain financially on her own as she is caring for the children and can only work part time, she wants to know if the father would help with this so the children can continue to grow up in the family home, father states that as he isn't living there and is currently living in a 1 bedroom flat now, which impacts him negatively as he is unable to have his children stay overnight, he doesn't wish to financially pay for the family home at present as the more money he is paying out affects his ability to get a mortgage and get back on his feet, mother understands this and although unhappy about his choice, has to accept that he is helping give the children activities and school trips and clothing which are all above the basic costs the child support service stated is required. By the end of the meeting father has agreed to pay the clubs directly, school trips directly to the school, and pay 100 pounds directly to the children's maternal grandmother each month for the children, (as the mother prefers no contact with the father) his financial obligation is a minimum of 160 pounds per

month plus school trips and clothing and shoes at his request, mothers obligation is 100 pounds per month plus school uniforms and other general clothes/shoes that dad doesn't provide.

With financial mediation fully discussed and sorted out there is none of the current problems of the resident parent withholding access because that gets them more child support increased payments. There is no longer animosity from the non-resident parent because they no longer feel like they are financing the lives of the ex-partner rather than financing the child.

This should then pave the way for a more amicable discussion with regards to access, it removes the hostility and the need to withhold the child's access to the other parent to obtain more money.

- **regardless of the non-residents parent's job, child support should be based on the basic cost of raising a child and the parents working together to give that child the best they can. Not wanting up to 60% of the ex-partners wage because they are in a high paying job and withholding access to get more money from the other parent.**

The current system has been manipulated and used to cause pain and harassment to the other parent for financial gain and it is not acceptable,

Re-branding and changing minor protocols have not helped and child maintenance has caused more cases to attend family court through financial/withholding access disputes than for any other reason.

We strongly believe that if we can rectify the problems within the child support/maintenance agency we can stop potentially **37% of cases from even reaching family court,**

It will stop the vast amounts of hostility between parents, it will prevent some of the many suicides each year directly resulting from CMS involvement. And it would reduce some of the overwhelming drain on the mental health services.

For the majority of cases introducing obligatory financial mediation, would resolve many of the issues and complaints CMS receive, you will, however, still have a minority of non-resident parents who refuse to financially support their children.

When this is the case there needs to be steps in place to ensure this isn't a long drawn out harrowing process for the resident parent like it currently is, with the non-resident parent putting in changes of circumstances every 14 days so that they do not have to pay,

In cases where the non-resident parent is not sticking to their financial obligations agreed in the financial mediation session, **3 missed monthly payments will be an automatic attachment of earnings that will remain in place for 6 months.**

After that the paying parent has the opportunity to make their own payments again....2 more missed payments** will result in a 12-month attachment of earnings,**

Then again, the paying parent will be given one more final opportunity to pay properly. If they fail again and **miss 1 month they will be put on a permanent attachment of earnings.**

(this is also explained in the family court proposal)

Payments will be made either weekly or monthly in accordance with how the paying parent is paid only, there will be no alternative payment options, this is to reduce harassment from the paying parent making multiple or daily payments to continually harass the resident parent.

The new calculations for financial support for the child are no longer calculated by how many nights a child sleeps at a parents house and therefore reduces the disputes many non-resident parents have when trying to obtain more access.

With regards to paternity tests, the cost of the test should be split equally between the 2 parents as it aids them both to know the results, if the test is negative and the father is not the biological father then he should receive a refund of any maintenance he has already paid through the system and this be returned to the system by the mother in weekly/monthly payments in line with her budget, The also mother pays the full cost of the test.

If the test is positive, both parents share the costs of the test and the father continues his financial obligation to the child as agreed.

When the children are of the age of 16 and leaving school they have the option of continuing full time education, in these cases where the child enrolls in college or university, enrolment should be photographed and put into the parenting app (redacted if needs be, to safeguard the child) the resident parent must upload a photograph of the child's continued attendance at the place of education every 3 months) this is to prevent resident parents falsely claiming financial support by getting the child a place in further education but the child then dropping out but still receiving full financial support till they are 18.

We believe that by implementing these proposals it will eliminate many of the issue's parents are currently experiencing.

It will generate financial gain for the government in other areas by the masses of savings there will be, not to mention the generous amount of public support for the government due to reforming this very broken system, in the best interests of the parents, the children and implementing changes to improve the nations mental health.

Written by Amy Knuckey June 2021

"To Change The Heart Of The System, You Need To Listen To The Hearts Of The People"

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Financial mediation

Please Include and discuss....

- **School Uniforms**
- **Extracurricular activities**
- **Medical care**
- **Sports**
- **Clothing**
- **School trips**
- **Counselling sessions**
- **Special dietary needs**
- **Maintaining the child's lifestyle**
- **Additional costs/fees for the child**

Do NOT discuss....

- Your views on the other parent
- Why you separated
- What the child thinks of the other parent
- Anybody's behaviour
- Mental health
- Relationships
- Access
- Court or its attached services
- Threatening behaviour
- Negative views
- Anybody's failings

Please ensure that the questionnaire is filled in as fully as possible and returned at least 1 week before the financial mediation meeting, a delay in returning the questionnaire form will mean that calculations will be made on the basis of the other parties given information, so to ensure the correct amount is calculated please fill in your form and return it to #####@#####.com at least 1 week prior to your appointment.

Please note that financial mediation is to benefit your child only!

It is not to be used to discuss the relationship or anything else, any abusive or negative behaviour exhibited will result in you being cut from the session and decisions made on the amount of financial assistance you will pay will be made in your absence. Please keep this in mind whilst attending the session to ensure fair financial support is discussed and your child be given the best opportunities that both parents can provide.

Please be at your appointment on time as failure to attend may result in financial support decisions being made in your absence.

Remember.... we are working together to give your child the best of everything available to them, please keep this meeting child and finance focussed.

Thankyou