

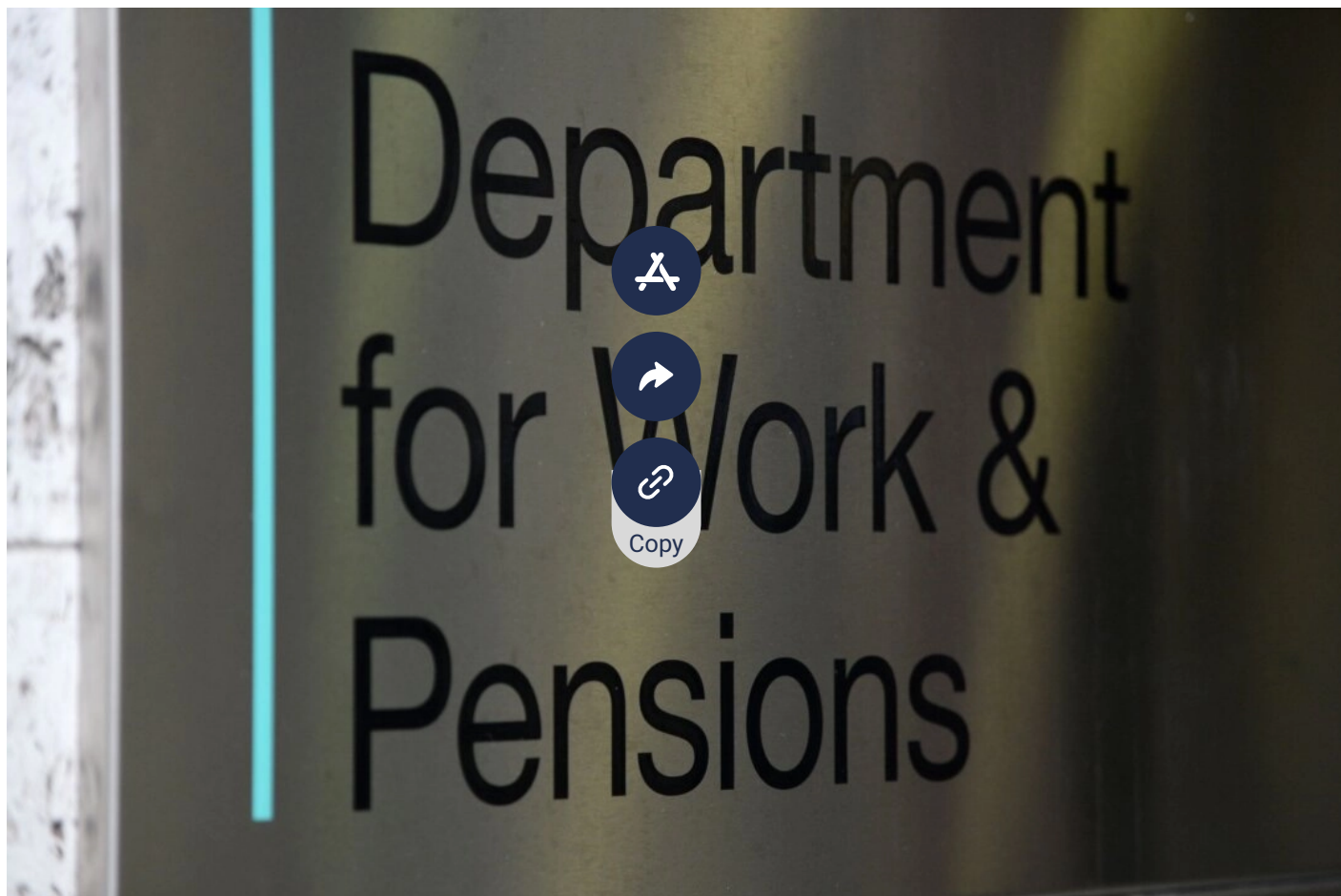
Government Vows to Overhaul Child Maintenance Service Amid Fears of Scandal Worse Than Horizon

Response from Department for Work and Pensions labelled 'denial' as a campaigner warns case law may challenge legality of fees applied to CMS liability orders.

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Signage for the Department of Work and Pensions in Westminster, London, in an undated file photo. (PA)



By Joseph Robertson

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The government has acknowledged critical failures within the Child Maintenance Service (CMS), promising to rectify issues that have led to widespread distress among affected parents.

Richard Tice, the leader of Reform UK, has suggested the burgeoning scandal could surpass the infamous Post Office Horizon debacle in both scale and impact.

In a [sweeping review of the CMS](#) released on Monday, following several months of public consultation, the government acknowledged various concerns raised by those affected by the system, including the claim that enforcement measures may contribute to suicides among paying parents.

The CMS, which sits within the Department for Work and Pensions (DWP), is responsible for ensuring financial support for children when parents live apart. It replaced the Child Support Agency (CSA) in 2012. It calculates and manages child maintenance payments and has gained notoriety in recent years over concerns about its effectiveness in assessing paying parents and assisting children's primary carers in receiving funds.

“The CMS saga has all the makings of a scandal far surpassing the Post Office fiasco,” Mr. Tice told The Epoch Times, pointing to a troubling pattern of inaccuracies, administrative denial, and a punitive sanctioning system that obstructs timely error correction. “The severity of financial hardship and mental stress this has inflicted on parents, coupled with the draconian enforcement measures leading to incarcerations and, tragically, suicides, is a testament to the system's fundamental breakdown.”

Previous evidence [seen by The Epoch Times](#) suggests that the CMS could be demanding money from paying parents without due process and artificially inflating salary figures. The National Audit Office [has refused to regularise](#) the CMS's financial statements regarding two of their historical payment schemes in any year-end report since the CMS's inception in 2012, owing to concerns over the artificial inflation of collection figures.

The government said that its latest consultation had “included some allegations that the [CMS] service had contributed to suicide amongst parents who use the service.” While admitting that it “recognises that some paying parents face difficult circumstances and may be in

distress,” the report added that the government, “does not recognise data that suggests a causal link between the CMS and suicide amongst paying parents.”

Case Law Challenges Legality of Liability Order Fees

The CMS holds enhanced enforcement powers with the ability to request court-issued liability orders in England and Wales, including the deployment of bailiffs, asset sales, and the potential withholding of a passport, driver’s licence, seizing of property, or imprisonment.

In Scotland, a sheriff can impose a payment charge or freeze assets.

However, documents presented to The Epoch Times last year by paying parents indicated that the CMS regularly demands payments and issues liability orders based on outdated salaries, despite submissions from the paying parents showing changed financial circumstances.

A landmark 2018 ruling by Judge Thomas Greensmith on the issuance of liability orders by the CMS highlighted several critical procedural flaws and legal misinterpretations based on the issuance of a liability order against Jamie Donaghy.

Mr. Donaghy appealed against a liability order issued by the DWP for the sum of £4,653.59. The liability order, made by magistrates sitting in Liverpool, was challenged on the grounds of procedural and legal inaccuracies, including the validity of the underlying maintenance assessment and the appropriateness of the enforcement actions taken.

Judge Greensmith’s ruling pointed out the ambiguity surrounding the maintenance assessment’s status and the magistrates’ failure to consider whether it would be oppressive to issue a liability order while an appeal against the maintenance calculation was pending.

Noel Willcox, a vocal advocate for paying parents’ rights and a

political candidate for Reform UK, criticised the CMS's enforcement approach as tantamount to "extortion," accusing the service of operating outside legal parameters. "The CMS is exploiting its power to extract money from paying parents, clearly flouting the law in the process," Mr. Willcox told The Epoch Times.

He added: "It would appear from the Donaghy versus DWP EWFC Liability Order hearing that the CMS routinely apply enforcement fees. My understanding of the law is a liability order is only the amount the person is liable for. I cannot find any amendments to the law suggesting that fees can be added."

Mr. Willcox and other campaigners carried out a survey with paying parents online and many came forward claiming they had enforcement fees included in their liability orders. "As we know justices and courts are precluded from checking any CMS calculations. If this is the case I believe liability orders dating back to the new regulations in 2012 could be unlawful and certainly need to be challenged in higher courts as a class action," Mr. Willcox continued.



Reform UK leader Richard Tice outside the BBC in London, on Nov. 26, 2023. (Jordan Pettitt/PA)

CMS Operations Labelled ‘Rogue’

He added: “This is another example of how rogue this department operates, placing unaffordable amounts of money on paying parents and then labelling them deadbeat dads when they have no means to pay. This scandal is of epic proportions and far bigger than the recent post office scandal.”

Mr. Willcox also claimed that he had seen evidence of paying parent suicides “dating back to the old CSA,” adding: “At this time coroners were reporting on it. This is considered business as usual within the DWP and I fear unless urgent intervention is taken we could see a lot more paying parents taking their lives.”

The government’s recent review revealed a CMS in desperate need of modernization, with the advent of controversial administrative liability orders (ALOs) positioned as a further remedy to expedite enforcement processes.

By bypassing lengthy court processes previously required to enforce child maintenance payments, ALOs will enable the CMS to act even faster in securing overdue payments. This reform introduces a minimum notice period for paying parents before an order is enforced and allows for the discharge of orders under certain conditions, such as changes in the maintenance calculation or successful appeals.

Amid efforts to digitise and streamline CMS operations and eliminate application fees to enhance access, broader issues such as the fairness of maintenance calculations, aggressive enforcement tactics, and potential data protection breaches remain unresolved.

A System of ‘Denial’

Mr. Tice, who interviewed victims of erroneous CMS arrears calculations, including [veteran Mark Pryce](#), on GB News last Sunday, told The Epoch Times he believes there is a systemic culture of “denial” and “incompetence” within the DWP.

“The parallels to the Post Office scandal are unmistakable. We’re witnessing a pattern of misadministration and a refusal to acknowledge glaring inaccuracies,” he said, advocating for a radical overhaul of the CMS, including the dismissal of senior officials and the introduction of logistics and operations experts to spearhead reform.

According to peer-reviewed data compiled by Brian Hudson, a businessman and campaigner for the rights of paying parents, figures on the mortality of paying parents from sources including the CMS itself, the DWP, and the Office for National Statistics reveal a concerning pattern among those in arrears with the CMS.

The data, obtained via multiple Freedom of Information requests, indicate that parents in arrears have a mortality rate that is a staggering 14.28 times higher than the national average, constituting a profoundly elevated risk of death among paying parents. This group constitutes a significant 65.1 percent of all deaths within this demographic, despite representing only 12.3 percent of the total population.

Worrying Mortality Rate in Paying Parents

An overwhelming 93.1 percent of deaths surpassing the national mortality rate—referred to as excess or unexplained deaths—among paying parents occurred in individuals who were in arrears in the month leading up to their passing. According to paying parents who have spoken to The Epoch Times, this trend may well illustrate the severe mental impact of CMS arrears collection.

Multiple publicised instances of suicides owing to pressure from the CMS were also raised by Debbie Abrahams, a Labour MP, at oral hearings during a meeting of the Work and Pensions Committee in January.

The Epoch Times has contacted the DWP for comment.

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