

CHILD MAINTENANCE AND OTHER PAYMENTS ACT 2008

EXPLANATORY NOTES

BACKGROUND TO THE ACT

Child Maintenance

3. The current system of child support maintenance is administered by the Child Support Agency (“CSA”) and dates back to 1993. It was established by the Child Support Act 1991, and developed further by the Child Support Act 1995 and the Child Support, Pensions and Social Security Act 2000.
4. The CSA was set up to help ensure that parents take financial responsibility for their children. However performance has fallen short of expectations.
5. In February 2006, Sir David Henshaw was asked to consider proposals for the fundamental redesign of the child support maintenance system. His report ‘*Recovering child support: routes to responsibility*’ was published in July 2006 and set out recommendations to improve both child support maintenance policy and its delivery.
6. The Government’s response to Sir David Henshaw, ‘*A fresh start: child support redesign – the Government’s response to Sir David Henshaw*’ accepted many of his recommendations and agreed to investigate others further. This was followed by a period of consultation and more detailed policy proposals were then published in the White Paper ‘*A new system of child maintenance*’, in December 2006 (hereafter referred to as ‘the White Paper’) which was followed by a further consultation period.
7. The House of Commons Work and Pensions Committee reviewed the proposals contained in the White Paper. The Government’s response to the Committee’s report, together with its summary of the White Paper consultation, were published on 15 May 2007.