

# Child Maintenance – Policy Update

One of the concerns members raise is the ongoing need of supporting one parent families and frequently the conversation centres around why the other parent is not providing for their child. This is an important conversation especially when we examine the higher rates of poverty and deprivation experienced by children in one parent families.

The CSO published the EU SILC<sup>1</sup> (Survey on Income Living Conditions) report on various dates in March. Children have the highest rates of poverty and deprivation than any other age group, but when we analyse this further, we can clearly see this is largely driven by children in one parent households. We know that the consistent poverty rate is 5% for the general population and 8.5% for under 18-year-olds, but if we break that down further, it is 6% for children in a two-parent family with up to three children and 11% for children in a one-parent family. Similarly, while the enforced deprivation rate is 15.7% for the overall population and 21.2% for children, we can break this down further and show that children in two-parent families are only marginally higher at 16.2%, but that 46.3% of children in one-parent households experience enforced deprivation.

## The Case for Child Maintenance

The debate around alleviating poverty in lone parent families has centred on either social welfare benefits or paid employment, however child maintenance payments was largely ignored as a possible solution in Ireland.

Parents who pay child maintenance are more likely to have frequent contact with their children than those who do not pay child maintenance<sup>2</sup> and therefore better parent-child relationship.<sup>3</sup>

Research<sup>4</sup> (Hakovirta,2011) has shown that in the UK, there was a 30 % reduction in the poverty gap because of <sup>5</sup>child maintenance payments (where there was compliance with orders).

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<sup>1</sup> [EU SILC Report 2024](#)

<sup>2</sup>Wikeley, N., Ireland, E., Bryson, C. and Smith, R. (2008) Relationship separation and child support study, DWP Research Report No 503, London: DWP, [http:// campaigns.dwp.gov.uk/asd/asd5/rports2007-2008/rrep503.pdf](http://campaigns.dwp.gov.uk/asd/asd5/rports2007-2008/rrep503.pdf)

<sup>3</sup> Amato, P. and Gilbreth, J. (1999) „Non-resident fathers and children"s well-being: a meta-analysis", Journal of Marriage and the Family, 61 (3): 557–73.

<sup>4</sup> Hakovirta,(2011) „Child maintenance and child poverty: a comparative analysis", Journal of Poverty and Social Justice, Volume 19, Number 3, pp. 249-262(14)

In 2017, the UN CEDAW (Convention on the Elimination of Discrimination against Women) committee examined Ireland and recommended that Ireland examine whether we needed to establish a Statutory Maintenance Agency. The Minister for Social Protection at the time, Regina Doherty, established the Maintenance Review Group and the group started working in 2020. The group had 7 members and was chaired by Judge Catherine Murphy. The group was asked to examine three things.

1. The treatment within the Department of Social Protection of Child Maintenance payments.
2. The provisions relating to liable relatives regarding Child Maintenance.
3. The establishment of a State Child Maintenance Agency.

SVP made a written submission<sup>6</sup> to the group and also were part of the submission from NOPFA<sup>7</sup> (National One Parent Family Alliance). We also met with Judge Murphy online and gave an oral submission.

The [report](#) was published in November 2022 and made some progressive recommendations including ;

1. The removal of the obligation to seek maintenance from a liable relative.
2. The closure of the liable relative unit.
3. Exclusion of child maintenance payments from Social Welfare Assistance.
4. Exclusion of housing payments from Social Welfare Assessment.

These changes were introduced through legislation and were implemented on June 4<sup>th</sup>, 2024. The Department of Social Protection have estimated this has benefitted 14,000 one parent families and increased their income by ten million a year.

The group voted 4/7 to in favour of establishing a State Child Maintenance Agency, however the Minister, Heather Humphreys did not proceed with this recommendation. She did ask the Department of Justice to examine the findings and to examine ways to ensure better enforcement of court orders. On January 8<sup>th</sup>, 2024, the then Minister for Justice, Helen McEntee published the [Review of the Child Maintenance Enforcement Orders](#), which contained the recommendations we had made in our submissions, including ;

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<sup>6</sup> [SVP Submission to the Maintenance Review Group](#)

<sup>7</sup> [NOPFA submission to the Maintenance Review Group](#)

- Development of a set of child maintenance guidelines.
- Strengthening attachment of earnings orders and exploring the possibility of attaching an order to a PPS number rather than employing entities, so that orders do not lapse when there is a change in employer.
- Introduction of a single enforcement procedure when the receiving parent makes an enforcement application, allowing the judge to choose the most appropriate enforcement option based on the circumstances of the case.
- Simplification of the bench warrant process.
- Placing the onus on paying parents to pay costs associated with enforcement proceedings.
- Allowing deductions from the paying parent's bank accounts, from government grants and subsidies and the recovery of arrears from tax refunds.

The progress on implementing these recommendations has been slow, but we will be engaging with the current Minister for Justice, Jim O'Callaghan to ensure that they are introduced as a child poverty prevention measure. We understand the importance of this issue because of the experience of members on the ground, and in November 2024, this was also confirmed by an ESRI report on Growing Up in Ireland that showed only 38% of one parent households received regular child maintenance.