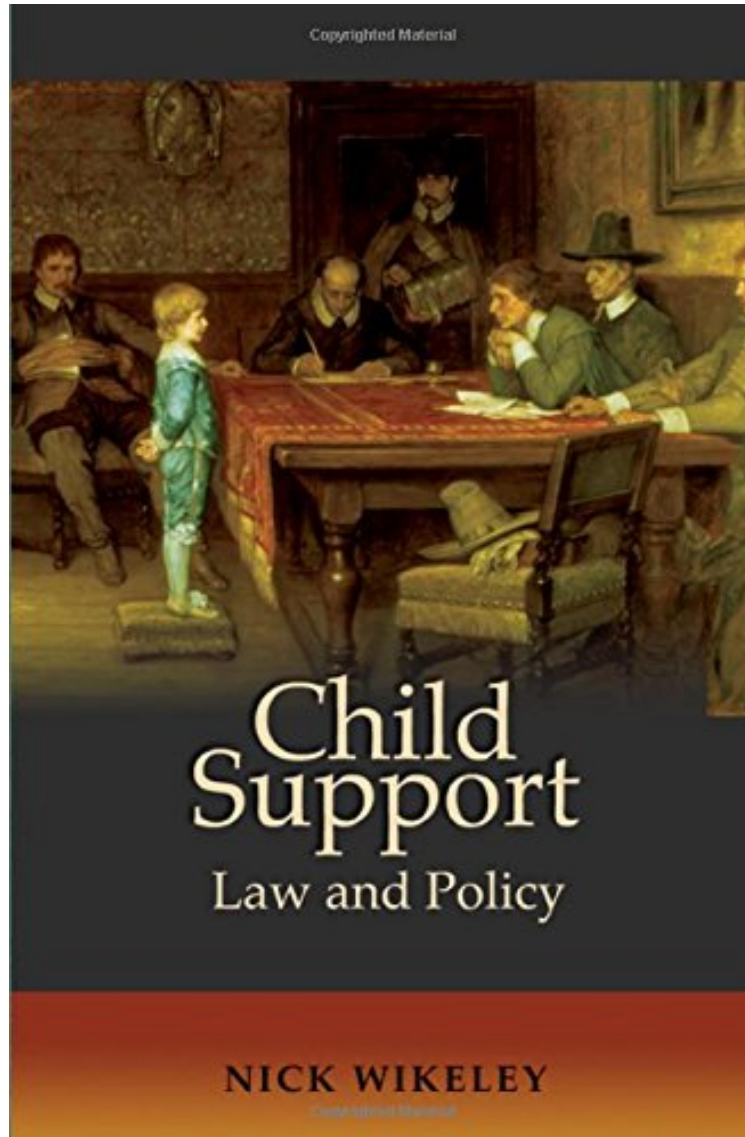


## Child Support: Law and Policy

Nick Wikeley

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**Nick Wikeley : Child Support: Law and Policy** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Child Support: Law and Policy:

This book, by one of the UK's leading scholars of welfare law, analyzes the current UK child support legislation in its broader historical and social context, synthesizing both doctrinal and socio-legal approaches to legal research and

scholarship. The book draws on the historical and legal literature on the Poor Law and the development of both the public and private law obligation of child maintenance. Modern child support law must also be considered in the context of both social and demographic changes and in the light of popular norms about child maintenance liabilities. The book is devoted to an analysis of the modern child support scheme, and the key issues are addressed, including: the distinction between applications in 'private' and 'benefit' cases and the extent to which the courts retain a role in child maintenance matters; the basis for, and the justification for, the exception from the obligation for parents with care on benefit to co-operate with the UK's Child Support Agency (CSA) where they fear 'undue harm or distress'; the assessment of income for the purposes of the CSA formula and the evidential difficulties this entails; the tension between the CSA formula, which ignores the parent with care's income, and the demands of distributive justice; the further conflict between the CSA formula under which liability is capped only for the very wealthy, and the traditional approach of private law, which is premised on children being entitled to maintenance rather than a share in family wealth; the treatment of special cases under the formula by way of 'variations' (formerly 'departures'); the nature of CSA decision making and the scope for appeals; and the efficacy of the provisions relating to collection and enforcement.

Three cheers...for the intrepid and entertaining Nick Wikeley, who has done so much to help us lesser mortals navigate these perplexing, not to say stultifying, paths of primary legislation, statutory instruments and Commissioners' Decisions, and to emerge from the experience feeling altogether enlightened. This book marks a key staging post in Professor Wikeley's highly respected corpus of empirical and doctrinal scholarship on child support, cementing his reputation as the leading expert in this field. *Jo Miles Child and Family Law Quarterly* Volume 20, No. 4, 2008

...Wikeley presents a compelling and timely argument for conceptualising children's rights as the basis for the child support obligation...The historical and discursive sections of this book are interesting, informative, thorough and thought-provoking...this book provides a thorough, detailed and impressive consideration of both policy and practical questions relating to the child support system in the United Kingdom. *Alison Perry Legal Studies* Vol. 27, No. 3, September 2007 It offers a highly detailed analysis of the current law and practice governing child support (including its interface with private child maintenance) in the United Kingdom and will be of particular benefit to practitioners wrestling with the minutiae of the system...Why do we expect parents to pick up the bill for their children's upbringing? Wikeley is to be congratulated for doing what very few others have done, which is to pose and attempt to answer this question rather than take it as read that of course, they must because they are parents...destined to become a classic. *Gillian Douglas Journal of Social Security Law* This is a remarkable book, from a remarkable scholar. It not only provides sufficient legal detail on the current (2006) system to train a potential specialist child maintenance practitioner, but also the social policy analysis of the place of child maintenance systems across jurisdictions and over time which enable the reader to make sense of the apparent idiosyncrasies of the United Kingdom situation. We should congratulate [Wikeley] on his understanding of the difficulties facing all jurisdictions dealing with this issue, rather than offering simplistic solutions. *Mavis Maclean Journal of Law Society*, vol.34 no.3 2007 .a monumental text. For the scholar, the historian, an unlikely to be superseded text. For the lawyer, the definitive guide to what is about to be done away with. *John Baker McKenzie*, No. 72 December 2006 I cannot possibly begin to do justice in this short review to Wikeley's most thorough and comprehensive tour de force of the historiography in law and social policy of child maintenance. His style is clear and accessible and Child Support is without doubt essential reading for anyone engaged in teaching in research, in practice and in advocating for resources and legal reform in the area of child support. *Susan S. M. Edwards Journal of Social Welfare and Family Law* Vol. 29, No. 2, June 2007

About the Author Nick Wikeley holds the John Wilson Chair in Law at the University of Southampton.