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SUPPLEMENT

CHILD SUPPORT: THE LEGISLATION

Commentary by
Edward Jacobs

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CHILD SUPPORT: THE LEGISLATION

Supplement to the 2005/2006 Main Volume

Commentary by

EDWARD JACOBS

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HOW TO USE THIS SUPPLEMENT

The first Supplement to the Seventh Edition of *Child Support: The Legislation* has been compiled according to the structure of the main volume.

At the beginning of the supplement the Table of Contents from the Main Volume has been included. Where a heading on this Table of Contents has been marked with a black square pointer then there is relevant information in the Supplement to which you should refer.

Within each Chapter updating information is referenced to the relevant paragraph number and page number in the Main Volume. The instructions explain how the added material relates to the Main Volume.

PREFACE

This Supplement updates the main work with the materials available to me on May 3, 2006. In so far as it is possible for a Supplement to have a theme, there is a repeated message of the interaction of the decisions by the Commissioners, the amendments to the legislation and the developments in practice. It is always difficult to be sure of the cause and effect, but the Commissioners at least have served to highlight, if not to instigate, a number of changes since the main work was published.

As well as noting changes that have taken place, I have taken the opportunity to refer to some decisions that are anticipated from the courts or the Commissioners in the near future. I have also anticipated an important change in procedure. The masking of the appeal documents has primarily been undertaken by the staff of the Child Support Agency. This has been regularly criticised by the Commissioners and, increasingly, by the officers of the Adjudication and Constitutional Issues Branch in Leeds, who make the submissions to the Commissioners on behalf of the Secretary of State. This task will now be undertaken by the clerks to the appeal tribunal, whose instructions will ensure that the masking more accurately reflects the terms of the confidentiality provisions in the legislation. This change of practice coincided with a decision by a Commissioner setting out the procedure for a tribunal to follow if the confidentiality provisions had not been correctly complied with. Another possible development in practice concerns the use by tribunals of evidence that was given in court proceedings relating to the parents or the children. There may be a Practice Direction issued to cover the admission of this evidence in England and Wales. Again, this is a matter on which there have been decisions by the Commissioners.

There has, as usual, been a number of detailed amendments to the child support legislation. Most are consequential on other statutory developments and a number are limited in their effect to Scotland. There have been no fundamental changes to the child support scheme itself, although there remains political dissatisfaction with the way that it operates, despite the reforms under the Child Support, Pensions and Social Security Act 2000.

There are also, again as usual, a number of decisions by the courts and the Commissioners either directly on child support or on comparable legislation or procedures. Of particular interest, are the decisions by the Commissioners on the scheme as reformed under the 2000 Act. Appeals on the new legislation are regularly coming before Commissioners. They have already identified difficulties with the treatment of dividend income, which quickly led to an amendment to the Child Support (Variations) Regulations 2000.

As always I welcome notification of any errors and suggestions for improvements.

Edward Jacobs
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ABBREVIATIONS

The following abbreviations are in addition to the ones listed on pages xv–xvii of the main work.

xvA

Civil Partnership Consequential Provisions Order	Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order 2005

xviA

Housing Benefit Consolidation Regulations 2006	Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006

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Clark v University of Lincolnshire and Humberside [2000] 1 W.L.R. 1988; [2000] 3 All E.R. 752; [2000] Ed. C.R. 553; [2000] E.L.R. 345; [2000] C.O.D. 293; (2000) 150 N.L.J. 616; (2000) 144 S.J.L.B. 220; *The Times*, May 3, 2000; *Independent*, May 3, 2000, CA 1.18
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