



Newsletter 2016, No. 34

Newsletter of the Global Network: "Child Support Worldwide"

Dear network members and child support experts all over the world,

Barriers to Child Support: reducing single mother and child poverty



Dr. Kay Cook from RMIT University has received an Australian Research Council four-year Future Fellowship to address the barriers to child support that women experience, with the objective of reducing single mother and child poverty. The project will run from 2017-2020 and will begin with an exploration of the ways that cross-border child support lawyers engage with the administrative systems in Australia, the UK and USA to pursue or enforce payments. In Australia, unpaid child support debts currently exceed \$1.35 billion. Yet

often women do not pursue these payments, as doing so can expose them to additional burdens and harms, such as an increased risk of violence. This project will conceptualise child support requirements as a form of women's labour, governed by socio-technical devices. It will also compare women's interactions with child support institutions in Australia, the UK and USA and then examine the implications across nations. This project seeks to make child support more accessible, thereby reducing poverty and enhancing social inclusion and cohesion.

Child maintenance policies, family complexity and equality

Dr. Mia Hakovirta has received a five-year Academy Research Fellowship from the Academy of Finland for her comparative research project "Child maintenance policies, family complexity and equality". This study employs the vignette method in order to analyse child maintenance obligations in complex family structures. The study uses Luxembourg Income Study (LIS) data to study the receipt, amount and antipoverty effectiveness of child maintenance from the resident parent's perspective, and to study a profile of child maintenance payers and their



paying potential across countries. The project funding covers salaries, international travel for research and expenses for data collection. Dr. Hakovirta has also been selected to receive a 2017 Australian government Endeavour Research Fellowship to carry out research on how family policies support shared residence arrangements in different welfare states.



Find out more about the project and visit the [“Child Maintenance in Complex Families” Facebook page](#).

Final version of iSupport delivered, implementation spreads



The Permanent Bureau of the Hague Conference on Private International Law is extremely pleased to announce that the final version of iSupport, the international electronic case management and secure communication system for the operation of the 2007 Hague Child Support Convention and 2009 EU Maintenance Regulation, was delivered on Monday 17 October 2016 by Protech Solutions. California (USA) and Portugal have successfully installed iSupport, and the system went live on Monday 24 October. The first request has been successfully sent by California to Portugal through the secure communication tool on 3 November 2016.

In addition, six EU and non-EU States (Brazil, Estonia, France, Germany, the Netherlands and Norway) have expressed their intention to install and use iSupport in the coming six months, while a range of additional States have asked for a demonstration of the system. All States implementing the software will benefit from comprehensive documentation and a range of services offered by the Service Provider handling system maintenance (Protech Solutions) and the assistance of the iSupport team. The system will be made available to all EU States that are bound by the 2009 EU Maintenance Regulation in addition to all States bound by the 2007 Hague Child Support Convention, including the seven non-EU States that have to date ratified or acceded to the 2007 Convention. It is to be noted that in addition to the 2007 Convention and the 2009 Regulation the system can support the operation of the 1956 United Nations Convention on the Recovery Abroad of Maintenance and any bilateral scheme.

iSupport

cross-border recovery
of maintenance obligations
*pour le recouvrement transfrontière
des obligations alimentaires*

A new release of the software, including new functionalities and general improved user-friendliness, is currently being prepared and should be delivered by the end of the year.

Turkey signs and ratifies the 1996 and 2007 Hague Conventions



Another exciting development: On 7 October 2016, Turkey signed and deposited its instruments of ratification to the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (2007 Child Support Convention). The Convention will enter into force for Turkey on 1 February 2017. Turkey will become the 34th State to which the 2007 Child Support Convention will apply. Welcome!

French Cour de Cassation strengthens cross-border enforcement of child support

A mother has successfully applied for a declaration of enforceability of a British maintenance order at the competent French court (Art. 28 VO EG 4/2009). The husband appeals the decision up to the last instance and argued, based on Art. 24 EuUnthVO, that:

1. the British decision is against French public policy because the wife invoked the jurisdiction of the British court based on fraud by claiming a fictive residence in England which was not reviewed by the French appellate court.

2. his right to a hearing was violated because he did not receive the summons to the oral procedure in time. He received them from the British court nine days ahead of the court hearing while in France. Consequently, he was not able to prepare his defence at a foreign court.

The Cour de Cassation rejects the revision:

1. The question concerning the court of origin with jurisdiction cannot be reviewed on the basis of Art. 24 EuUnthVO. The British court considered the question of jurisdiction of the court and did not find fraudulent behaviour. As a result, this claim cannot be brought again under the argument of public policy at a French court.

2. The complainant was informed about the upcoming oral procedure by the solicitor of Mrs. X in time. By the time the court scheduled the hearing in question the hearing was already postponed several times because the complainant did not take action for his defence. Consequently, his right to be heard was not violated.

See: [c. cass civ 1ère, 25 mai 2016](#)



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