

DEO challenge

We reproduce this article in support of NASCA's decision to Challenge the Government that allows such foul behaviour by one of it's agencies.

Under the Operational Improvement Plan, CSA's current debt recovery regime is focused on retrieving as much money as possible by "any means necessary". Their activities often breach their own regulations and procedural guidelines.

Sadly these DEOs are being used against cases that do not warrant such action, whilst CSA continue to allow the errant non resident parent to continue to avoid responsibility to the children.

NACSA has recently raised an official complaint to Government regarding the improper use of DEO, but the response from Government was disappointing to say the least. We now intend to higher the stakes.

We are thus asking ALL visitors to this site to complete the Challenge Template and send it back to us either via email to admin@nacs.co.uk, or by post to

NACSA,
PO BOX 4454,
Dudley,
West Midlands,
DY1 9AN.

This is a complaint against erratic and unjust debt recovery. Thus we need complaints from PWCs who suffer a lack of payment and enforcement action as well as those cases where a DEO have been unjustly applied.

Please Note: if you do not want CSA to be made aware of your case please DO NOT respond to this request.

Some notes for you to consider when making your complaint:

1. Arrears are legally to be negotiated.
2. There is no time limit stated in law in which debt is to be repaid. Your offer of repayment must be reasonable compared with the debt. One should consider repayment of debt within a maximum of 5 years. Offering repayments that will take in excess of 5 years could be deemed unreasonable.
3. CSA Chief Executive informed Government that they would be taking quick action against those that default on payment.
4. CS legislation allows deductions from earnings to be taken at a maximum of 40% of net income. However, such orders should only be imposed under certain conditions which involve non compliance of the NRP.
5. DEOs are discretionary decisions which should consider the welfare of ALL children, including those living in the NRP family.
6. The CSA are procedurally required to supply you with a copy of the DEO. If this has not been served on you, they have not followed correct procedure.
7. Under CS legislation, there is no defence against a DEO. Courts are not empowered to quash an order on the grounds of it being unjustly applied. This is a breach of Human Rights under Article 2 in which an individual should enjoy the right to a fair trial.

Bear these comments in mind when compiling your complaint. Then create a letter with the following information, and post to us as soon as possible:

I hereby allow National Association for Child Support Action the necessary authority to refer my case to senior CSA directorate to raise complaint over the debt recovery action, or lack of it, which contravenes a number of CS legislative regulations and CSA guidance procedures:

Signed:

Date:

NAME :

CSA Reference No:

Nat. Ins No:

CSA centre:

Debt total :

Complaint: