



PRESS RELEASE

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AL JAMA-AH's First Reading on Maintenance Bill in Parliament

On Thursday 22 September the First Reading on Amendments to the Maintenance Act submitted by Al Jama-ah, will finally be read at a Parliamentary Plenary session. Al Jama-ah is ecstatic that the Speaker of Parliament deemed this amendment so important to have it debated in a Plenary.

The debate will be introduced by Al Jama-ah's leader in Parliament Hon Ganief Hendricks. The proposed amendments to the Maintenance Act, 1998 (Act No.99 of 1998) and if accepted will remove the discriminatory clause against women who are in most cases the Claimants. The discriminatory clause identified was the remuneration such as travel and accommodation (where necessary) allowances given to the Defendant who are in most cases men who must appear in the Maintenance Court for failing to pay maintenance to their child/children.

Should this amendment be accepted, it will give the Claimant who are in most cases women, the same benefit as the Defendant to get to the maintenance court. This in retrospect will give the child his/her day in court. AL Jama-ah has received many concerns over the years from its constituents surrounding the difficulties faced by especially women, mothers, and grandmothers in securing maintenance for the minor children in their care.

Many domestic arguments evolve around the man's failure to pay maintenance to his child and such arguments are leading to cases of gender-based violence. The Claimant often must use three taxis to get to the maintenance court where she most likely spends the whole day and loses out on a day's work. Some of the Claimants who travel from other towns may need a place to stay in the event if the case continues the following day. "A mother or the grandmother of the child, could have been in the queue the whole day but her case has failed to reach the maintenance officer, which will incur extra travelling and accommodation expenses to the Claimant. Those who cannot afford the extra travelling and accommodation costs end up sleeping on a bench or somewhere else not safe," says Hendricks.

The Department of Justice only pays the subsistence claims of the Defendant and not that of the Claimant. At the party's virtual symposium during Women's Month in 2020 maintenance activists, social workers and members of legal fraternity pointed out the discriminatory clauses in the Maintenance Act which disadvantaged women

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