



Home Office

Cancelling passports: non-payment of child maintenance

Version 3.0

This guidance tells Her Majesty's Passport Office staff how to process notifications and cancel passports held by persons who have not paid child maintenance

Contents

Contents.....	2
About this guidance.....	3
Contacts	3
Publication	3
Changes from last version of this guidance	3
Cancelling a passport: non-payment of child maintenance	4
CMG orders: the role of HM Passport Office	4
How to deal with Child Maintenance Group notifications.....	6
How to process notifications from the court.....	8
Dealing with the court notification	8
When a court order is lifted or temporarily suspended	8
Cancelling a passport.....	8
Dealing with surrendered passports.....	9
Dealing with questions about cancelled passports	10
Customer queries	10
How to deal with questions from counter fraud teams	10
Dealing with questions from other UK government departments	11

About this guidance

This guidance tells HM Passport Office staff how to:

- process notifications from courts and the Department for Work and Pensions
- cancel passports held by persons who have not paid child maintenance
- deal with questions from customers and officials about this guidance

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [Guidance & Quality, Operating Standards](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [Guidance & Quality, Operating Standards](#).

Publication

Below is information on when this version of the guidance was published:

- version **3.0**
- published for Home Office staff on **24 February 2021**

Changes from last version of this guidance

This document has been updated with new guidance about how HM Passport Office deals with notifications from courts and the Department for Work and Pensions and how Teleperformance or Customer Service Management team deal with customer queries.

Related content

[Contents](#)

Cancelling a passport: non-payment of child maintenance

This section tells HM Passport Office staff about legislation which allows the Department for Work and Pensions to ask for a court order to cancel a person's passport and prevent that person from getting a new passport. It also tells you about HM Passport Office's process for implementing this legislation and the roles and responsibilities of each government department during this process.

The [Child Support \(Miscellaneous Amendments\) Regulations 2018](#), established a new process allowing the Department for Work & Pensions (DWP) Child Maintenance Group' (CMG), to ask the courts to order the cancellation of a person's passport, if the person has not paid child maintenance.

The court order would direct HM Passport Office to cancel a person's passport and not renew it or issue a replacement for up to 2 years.

If CMG decides to ask the courts to make an order, in line with this legislation (for example, to impose a sanction), they will:

1. Tell HM Passport Office and ask if the person:
 - already holds a valid or expired passport
 - is currently applying for a passport
 - holds dual nationality (HM Passport Office will advise if we are aware)
2. Apply to the court to ask for:
 - the passport to be cancelled
 - an order which prevents them from getting a passport

The court will consider the circumstances and decide if it is appropriate to prevent the person from holding a passport. If this applies, the court will:

- order the British passport holder to surrender their passport for cancellation
- send a notification that includes the court order, to HM Passport Office telling them to cancel the passport or prevent the person from getting a new passport or emergency travel document without the agreement of the court

CMG orders: the role of HM Passport Office

When the Child Maintenance Group (CMG) obtains a court order, HM Passport Office must not:

- issue a replacement passport, free of charge, to a parent whose passport has been cancelled under this legislation
- refund any fees for passports or applications which are refused or cancelled under this legislation

- offer compensation to customers following complaints or missed travel due to this legislation

Any such claims should be referred to CMG's Legal Support team.

HM Passport Office must:

- consider and process notifications from the CMG
- get passport information about the passport holder and share this with CMG
- consider and act on orders from the courts regarding requests to cancel passports
- record all decisions made regarding actions taken
- cancel passports electronically and physically and take action on any applications in progress

HM Passport Office must not:

- become involved in any steps to locate or recover a passport
- offer advice to passport holders about this process
- investigate these cases unless there are other fraud concerns
- consider the person's location before cancelling the passport
- make decisions on whether it is appropriate for a person's passport to be cancelled
- write or contact customers about the reasons for passport cancellation

If you have any questions, you must email the CMG's Legal Support team.

Related content

[Contents](#)

How to deal with Child Maintenance Group notifications

This section tells HM Passport Office staff how to deal with notifications and information requests from the Department for Work and Pension's (DWP) 'Child Maintenance Group' (CMG).

The Child Maintenance Group (CMG) will send an email to the DWP referral mailbox when a person has not paid child maintenance and they want to ask the court to:

- cancel a person's passport
- prevent that person from getting a new passport

You (the person monitoring the mailbox) must assess the CMG request and respond within 48 hours for requests that have been marked as 'urgent' and within 10 working days for standard requests.

You must make sure the request has been made by an agreed CMG points of contact.

You must then:

1. Check HM Passport Office records to confirm if the person:
 - holds a British passport
 - has a passport application in progress
2. Send an email to the CMG requestor, with the following information about the person:
 - their full names (including any other names they are known by)
 - their date of birth
 - their place of birth
 - their valid passport numbers
 - the dates of issue and expiry of their passport
 - their national status
 - if an observation has been included
 - if the person holds dual nationality or dual citizenship (if HM Passport Office are aware of this)
 - whether the person has a current passport application in progress

You may disclose this information under the implied powers within the [Child support \(miscellaneous amendments\) Regulations 2018](#). It is proportionate, legal, accountable and necessary to disclose this information to DWP and the courts, to enable them to carry out their statutory duties.

Once the passport information has been disclosed, CMG will forward it to the relevant court.

Related content
[Contents](#)

How to process notifications from the court

This section tells HM Passport Office staff how to deal with notifications from the court when an order has been made directing HM Passport office to electronically cancel a passport and prevent the customer from getting a new passport. It also tells you how to physically cancel a surrendered passport that has been sent from the court or customer.

If the court order us to cancel a person's passport, the Child Maintenance Group (CMG) will send an email to the Justice Referral mailbox. The email will:

- include a copy of the court order
- tell us to electronically cancel the person's passport
- tell us when the court order runs out and the date the person can reapply for a passport

Dealing with the court notification

The person managing the mailbox must check that the email contains the court order. You must contact the court if the court order is missing from the notification. If the order is missing, you must still forward the notification email but advise that the order has been requested.

You must forward the court notification email and court order to the Managers' mailbox immediately.

When a court order is lifted or temporarily suspended

The courts will email a notification to the Justice Referral mailbox, if they decide to lift a court order temporarily (for example, if the person has an emergency need to travel) or remove it permanently.

The staff member responsible for managing the Justice Referral mailbox must forward the notification to the Managers' mailbox immediately.

Cancelling a passport

The manager must:

1. Cancel the passport electronically on the system (in line with current guidance).
2. Add a passport note, explaining that the passport has been cancelled following the court order from [insert court] dated [insert date] (in line with this guidance).
3. Assign the remaining administrative tasks to an officer.

Dealing with surrendered passports

The court will tell the non-paying person to send their passport to:

- the court, who will forward it to HM Passport Office
- HM Passport Office

When HM Passport Office receives the passport you, the officer, must:

1. Check Main Index to make sure the passport has already been electronically cancelled on the system.
2. Create a recovered (R) record on the system, in line with Lost and Stolen Passports guidance
3. Physically cancel and destroy the passport, in line with current Cancellation of passports guidance.
4. Update all systems to reflect what actions you have taken

You must seek advice from your line manager, CMG or the court, if a passport is received and no CMG notification has been received.

Related content

[Contents](#)

Dealing with questions about cancelled passports

This section tells HM Passport Office staff how to handle questions about passports and passport applications affected by this guidance.

If you, the Teleperformance (TP) or Customer Service Management team (CSMT) staff member, receive a customer call about a passport or application affected by this guidance, you must tell the customer to contact the Department for Work and Pensions (DWP).

If the customer is insistent that we arrange a reply you must take their details and advise the customer, we will refer their details to DWP (for the case worker to contact them to arrange payment).

Customer queries

If you receive any questions from customers affected by this legislation, you must tell them:

- the Department for Work and Pensions (DWP) have raised a legal objection about their passport and they cannot currently apply for a new passport
- a magistrate's court has ordered us to cancel their passport and they are not able to get a replacement until the court order expires
- to contact DWP Child Maintenance Group (CMG) or the court for more advice and information
- we cannot take any more action until we are told by CMG or the court

You must email CMG's Legal Support team immediately and tell them about the customer's questions.

How to deal with questions from counter fraud teams

To get advice about how to proceed with an application, you must:

1. Send an email to CMG's Legal Support team to:
 - tell them that the person has sent in a new passport application
 - ask for advice on how to proceed with the application
2. Deal with the application as instructed by CMG.

If CMG tells you that you must refuse the passport application, you must:

1. Add a case note to the passport application, stating the application must be refused in line with this guidance.
2. Pass the case back to the relevant counter fraud or operational team for it to be refused.

The application can continue as normal if CMG tells you that they are no longer getting a court order, or the court order has been lifted. A casenote recording this decision must be added.

You must complete the application in line with current guidance. The customer must pay for the new passport.

Dealing with questions from other UK government departments

You must refer to any other questions from UK government departments (for example, Border Force or Foreign and Commonwealth Office) to CMG's Legal Support team.

Related content

[Contents](#)