



Home Office

Cancelling passports: non-payment of child maintenance

Version 6.0

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

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About: Cancelling passports: non-payment of child maintenance

This guidance is for His Majesty's Passport Office staff working in the Counter Fraud Intelligence Hub.

This guidance tells Counter Fraud Intelligence Hub 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 **6.0**
- published for Home Office staff on **28 September 2022**

Changes from last version of this guidance

This guidance has been updated to reflect the change in our sovereign from Her Majesty Queen Elizabeth II to His Majesty King Charles III.

Related content

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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

When CMG or the court contacts HM Passport Office, they will contact the Counter Fraud Intelligence hub.

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.

CMG Orders: the role of the Intelligence hub

This section is for staff in the Counter Fraud Intelligence Hub who deal with court orders obtained by the Child Maintenance Group (CMG).

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
- raise a watchlist entry against the passport holder's details once CMG confirm that a court order has been issued
- add details to the watchlist at point of enquiry [by exception](#)

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

The Intel Hub must not:

- automatically add details to the watchlist at point of enquiry
- make decisions on whether it is appropriate for a person to be added to the watchlist or for their passport to be cancelled
- write or contact customers about the reasons for watchlist entries or passport cancellation

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

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How to deal with Child Maintenance Group notifications

This section tells Intelligence Hub 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 check to see if the person's details are on the watchlist and add a note to an existing watchlist explaining we have received a CMG notification.

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.

CMG notification: exceptionally creating a watchlist entry

You must create a watchlist entry for the passport holder, using the details provided in the CMG notification, in line with existing guidance. You must add a copy of the CMG notification to the watchlist entry.

There will be some exceptional circumstances when CMG will ask us to add details to the watchlist at point of notification. For example, if there is a risk that the passport holder might try to obtain a new passport before the court has made an order. If you receive an email notification from CMG requesting that a watchlist entry is added (that also provides a reason why the entry is required) you must create a 12 month watchlist entry for the passport holder, using the details provided in the CMG notification.

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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

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.

Adding details to the watchlist

You must create a watchlist entry for the passport holder, using the details provided in the original notification by CMG.

If an existing watchlist entry is recorded against the passport holder, you must:

- update the existing entry and add a note that explains we have received a CMG notification
- check if the existing review date can remain or if you must change it
- keep a copy of the CMG notification with the watchlist entry if there is a physical file associated
- upload a copy of the CMG notification if the watchlist entry is electronic (virtual)

Watchlist review date

You must apply a review date of 12 months to any watchlist entry you have created exceptionally to support this legislation. This will allow the courts enough time to decide if you must cancel a person's passport.

If an entry is being created on receipt of a court order then the review date must reflect the time within the order.

Exceptional watchlist entry: review date reached

If you have created an exceptional watchlist entry and the review date is reached but you have not received a court notification, you must:

1. Delete the watchlist entry (in line with existing guidance).
2. Send an email to the originator within CMG which:
 - o tells them the 12 month review date has been reached
 - o tells them you have deleted the watchlist entry
 - o asks them for advice on what steps to take
3. Deal with the application as instructed by CMG.

CMG follow up notifications

If the courts do not order the cancellation of a person's passport, CMG will send a follow up email to the DWP referral mailbox.

You (the person managing the mailbox) must deal with this notification immediately, making sure you delete the watchlist entry (if the entry was made specifically for this purpose), in line with current guidance.

If CMG send a different follow up request, you must handle this as instructed. You must contact DWP's Legal Support team if you have any questions about any follow up notifications or contact from CMG.

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.

You, the Intelligence Hub officer, must update or delete the watchlist entry to reflect the court's decision and follow any advice by the court or CMG to update, delete or reactivate a watchlist entry.

Cancelling a passport

If we are told to cancel a passport in a court order 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

The court will forward the passport to the Intelligence Hub (to an assistant counter fraud officer).

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.

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

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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).

The Intelligence Hub must deal with all customer questions about passports and application affected by this guidance.

If you, the TP or CSMT staff member, need to refer a customer to the Intelligence Hub (for example, because the customer is insistent that we arrange a reply) you must:

1. Send an email with the customer's details and query to intelhub.
2. Not tell the customer that the Intelligence Hub will phone them (because we will arrange for DWP to contact the customer).

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

The system will generate a watchlist match if a non-paying person applies for a passport after we have created a watchlist entry. The passport application will be

referred to a regional Counter Fraud team (CFT) directly from Sopra Steria Ltd if the match is full or from an examination team if matched partially.

If a CFT contact you for advice about a passport application, you must check the watchlist entry and the expiry date of the review period or court order.

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

1. Send an email to CMG's Legal Support team to:
 - o tell them that the person has sent in a new passport application
 - o 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 case note recording this decision must be added.

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

You must also remove the watchlist match.

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.

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