


## Sanctions (E, W And NI)

When enforcement action is required to recover child maintenance arrears, the Child Maintenance Group (CMG) will apply for a liability order (LO) which will enable a range of enforcement actions to be carried out. For more information refer to [Enforcement Action - Consider \(E and W\)](#) and [Enforcement Action - Consider \(NI\)](#).

The purpose of this activity is for a case manager to apply for sanctions to be imposed.

Sanctions are powers available to the CMG to encourage a paying parent to pay. The magistrate's court will be responsible for imposing sanctions.

 All sanctions referrals must be referred to the Financial Investigation Unit (FIU) for action.

For more information refer to the Policy, Law and Decision Making Guidance 

When every possible means of recovery has been exhausted and where there is evidence of wilful refusal or culpable neglect, the following sanctions can be imposed:

- Removal of driving licence
- Commitment to prison

Before considering sanctions action the paying parent should have at least £1,000 of outstanding debt.


The case manager will start the process by preparing a court file and requesting team leader (TL) authorisation.


Once the court file has been authorised, the case manager will send it to the court preparation team to forward to the court presenting officer (CPO). The CPO will make the application and present the case to the court. For more information refer to [Court Presentation - Magistrates Court](#).


The aim of this process is to secure payment of the arrears.

When a decision is made in favour of the CMG, the court may issue a warrant of commitment or order of disqualification from driving. The court may postpone the warrant or suspend the disqualification and grant an order to pay, which is an order to pay the arrears.

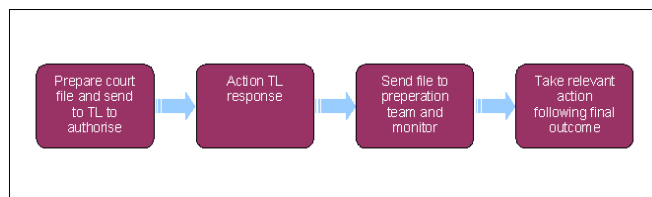
If the paying parent fails to comply with an order to pay, the case manager will consider referring the case back to the SSST team for the CPO to apply for the postponement or suspension to be activated. For more information refer to [Default \(E, W and NI\)](#).

 Where the paying parent fails to comply with an order, the case manager will need to confirm whether the ruling is older than two years, where this is the case, a determination needs to be made as to whether any consideration on the paying parents ability to pay was made by the court. If no consideration was made then the sanction must be applied for again.

 If a case is identified for Segment 5 and Commitment action is on-going on a CSA system, then the compliance opportunity will not be offered. For further information refer to [Enforcement Transition Part 2 \(Slide 13\)](#) from [Fundamentals](#).

 Enforcement Service Requests (SR) and Activity Plans (AP) are supported by an underlying data form, in which the enforcement case manager can record specific details as the action progresses. The complete data form for this process may be found here: [Sanctions E, W & NI](#)

For more information refer to the Policy, Law and Decision Making Guidance. 



 When speaking to clients always use the new terminology - For more information refer to [Terminology Changes](#).

 This procedure uses the terms receiving parent and paying parent.


The receiving parent is the parent who receives or who is expected to receive child maintenance, known as the parent with care (PWC) or person with care (PeWC) on the system and in legislation. The paying parent is the parent who pays or who is expected to pay child maintenance, known as the non resident parent (NRP) on the system and in legislation.

## Prepare court file

### Case manager action

1. Create the following service request (SR):

- **Process = Enforcement**
- **Area = Take Enforcement Action**
- **Sub Area = Sanctions Eng**

2. Check the paying parent's address. Ensure that the paying parent lives within the jurisdiction of England or Wales. For more information on jurisdiction refer to the Law and Policy Handbook 

3. Link the SR to the case and update the SR **Status** to **In Progress** and the CMS system will generate an activity plan.



Prior to taking any legal action, enforcement case managers (ECMs) must contact the receiving parent/s to advise of the CMG's intention to proceed with action making every reasonable effort to contact the client at their preferred contact time:

- If contact is made and receiving parent wishes to continue with sanctions go to **step 4**
- If contact is made and receiving parent does not wish to continue with sanctions go to **step 6**



If contact is unsuccessful or no contact numbers are held for the receiving parent/s, issue CME7209 to the receiving parent advising them CMG is applying for sanctions against the paying parent.



Generate and issue CME7209 as an outbound activity to the receiving parent and set at **wait** period within the **Sanctions Eng SR** for 14 days. This will allow time for the receiving parent to decide as to whether they wish the sanctions action to continue. After the 14 day wait period:

- Where the receiving parent responds and wishes to continue with sanctions or if there is no response go to **step 4**
- Where the receiving parent responds and does not wish to continue with sanctions go to **step 6**



On issue of CME7209, during the 14 day wait period, continue with **steps 4 to 8** completing standard validations, preparing case history and CME9295. This ensures readiness after 14 days for Team Leader Action.

4. Complete the following activity plan validation steps. When each step has been completed, record relevant notes in the **Reasons** field and select **Done** in the Outcome field.




The system won't allow the **Outcome** to be updated until some notes have been recorded in the **Reasons** field. If notes aren't applicable to the step, type **Done** so that the **Outcome** can be updated.



While completing the validation steps, don't select **Not Applicable** in the **Outcome** fields as this will close the SR. This only applies to the validation steps.

- Check the arrears balance of the liability order (LO) debt
- Consider the welfare of the child or children
- Record evidence of wilful refusal/culpable neglect
- Add/Validate liability order (LO)


For more information refer to the Law and Policy Handbook 



For more information refer to **Enforcement Action - Consider (E and W)** and **Enforcement Action - Consider (NI)**.


5. Check the **Financial Accounts** view to confirm the arrears balance of the LO debt.

6. Consider the welfare of the child/ren and record a decision in the **Reasons** field, detailing whether sanctions action is appropriate or not appropriate. Include any relevant information to support the decision.





The decision to apply or not to apply for sanctions is a discretionary decision and must be recorded in the **Reason** field of the activity plan, this includes making a Welfare of the Child Decision. For more information on discretionary decisions including a verbatim statement to record in Notes refer to Policy, Law and Decision Making Guidance 

If it is not appropriate to apply for sanctions, select **Exit** and **Close** the SR after recording the decision.

7. Check the **Instances** view for any evidence of wilful refusal / culpable neglect. ECM's should also review the case history and the paying parent **Notes**. For more information refer to [Wilful Refusal/Culpable Neglect](#).

8. Associate the relevant LO to the **Sanctions Eng SR**. Go to **Enforcement Orders** view to see any LOs granted against the paying parent. To associate the LO, select **Add**. Then select the LO with the debt that needs to be collected.
  -  If collecting debt on more than one LO, select the relevant LOs from the list.
9. Select **Update Form/Document** to update **Enforce Form** once you've completed the validation steps. Update the following fields:
  - **LO Current Arrear Bal** – the remaining balance on the LO
  - **Arrears balance Against LO** – the same figure as **LO Current Arrear Bal**
  - **Sum Applied For** – the total amount of debt including court costs if appropriate.


### Consider suitability of sanctions

10. Once you have completed the standard validations in Steps 1-9 you must consider whether it is appropriate to continue with Sanctions action against the paying parent. **Bailiff** action and county court action (e.g. **Third Party Debt Order**, **Charging Order** or **Order For Sale**) must have been considered on all cases for each period of LO debt. Refer to Policy, Law and Decision Making Guidance for further information on the criteria for Sanctions. 
  -  Before considering sanctions action the paying parent should have at least £1,000 of outstanding debt granted on one or more Liability Order.
  -  Where Bailiff action has not been considered and there are no exceptional reasons for this and action under section 36 of the Child Support Act 1991 has not been taken, the **Sanctions Eng SR** should be closed. Refer to the Policy, Law and Decision Making Guidance for further information on the criteria for Sanctions. 
11. Prepare the case history and generate a Commitment and Disqualification from holding a Driving Licence (CDDL) Suitability Proforma CMEL9295. These are off-line forms - for more information refer to **Letters (Outbound) - Off System**.
12. ECMs should have a case conference with their Team Manager to decide whether the paying parent meets the criteria for this action. ECM should request Team Leader approval before continuing. This check is done offline.


 Where CMEL7209 has been issued previously do not refer to Team Leader until receiving parent contact is received or 14 day wait period has been allowed.

### Team Leader Action


13. Review the offline case file and decide whether:
  - The criteria for sanctions have been met
  - You need any more information to make a decision

For more information on sanctions please refer to the Policy, Law and Decision Making Guidance 

14. If you are not authorising it explain what information you need or if sanctions are not appropriate. Return the completed hard copy of the CDDL Suitability Proforma CMEL9295 to the owning case manager. For more information refer to **Business Control System Checks**.

 ECM should have a further case conference with their Grade 7 before referring a case to FIU.


### Case Manager Action





15. If your line manager has approved the next step of CDDL action, refer the case to FIU to investigate the paying parent's ability to pay and continue to **Step 17**. For further information refer to **Investigative Action**.
16. If they have rejected the action close the **Sanctions Eng SR** using the amendments functionality. For more information refer to **Case routing - Enforcement**. Scan a copy of the returned Suitability proforma into the system. For more information refer to **Scanning - Local**.
17.  Update the **Status** to **In Progress**. From the activity plan, select the activity **Send letter of intent for pending Escalation to Court**, then send letter CMEL9294, which includes the Money In/Money Out form to the paying parent to warn them that the case is being referred for sanctions. Record the issue of the Money In/Money Out Form in **SR Notes**.

 The paying parent is not required to return the Money in/Money Out form, but it gives them an opportunity to provide evidence of their financial circumstances that the Child Maintenance Group may not previously have been aware of.

18. Select **Update Form/Document** to update **Enforce Forms** and update **Letters to NRP Date**, then set a **Wait** period in the SR for **14 days** and change the SR **Status** to **Wait** and the **Sub Status** to **Issue Warning Letter**.
19. On the due date, change the SR **Status** to **In Progress**. Check if the paying parent has responded and take the relevant action:
  - Arrears paid in full, arrears agreement made or the paying parent returns the Money in/Money out form – go to **step 20 and 21**
  - No response from the paying parent – set a wait period on the case for 3 months for FIU to conclude their action. If there has been no reply from FIU after 3 months, contact FIU to determine how long they expect their action to take and set a new wait period. Once this is concluded, record this in **SR Notes** and go to **step 23**


20. If the paying parent makes an arrears agreement or pays the arrears in full, close the **Sanctions Eng SR** after recording the reason in the **Notes** field. Decide if enforcement action is still required. For more information refer to **Enforcement Action – Consider (E and W)** and **Enforcement Action – Consider (NI)**. If an arrears agreement is made, Sanctions would no longer be appropriate so ECM should cancel all FIU action.

Discuss the case with your line manager prior to making a decision whether it is appropriate to proceed. Refer to the Policy, Law and Decision Making Guidance for further information on the criteria for Sanctions, and on assessing and completing the **Decision on PP's Ability to Pay** proforma 

21.  Contact the receiving parent to advise of the outcome.
22.  If the Paying Parent returns the Money In / Money Out form CMEL9294 you will need to assess the evidence they have provided, and make a decision on whether to proceed with CDDL action, based on their ability to pay. Call the paying Parent to discuss the contents of the form, and their current circumstances, this also presents the opportunity to make an arrears agreement. In some cases you may identify a change of the paying parent's circumstances as a result of the information in the Money in/Money Out form. If this is the case refer to the procedure for **Maintain Case Overview**. For further guidance, and select the relevant procedure to guide you through the change of circumstances. Refer to the Policy, Law and Decision Making Guidance for further information about a change of circumstances in this situation 
-  The paying parent does not have the right of appeal against decisions made based on the evidence they provide on the Money In/Money Out form, but will be given an opportunity to speak in court.
23. Record your decision on the paying parents ability to pay within the Sanctions SR and complete the form CMSF5572.
24. Generate a further ad hoc Team Leader authorisation check within the initial preparation activity plan. Select **CTRL+S** to send the check to your line manager's inbox. Retain a copy of the CMSL5572 as this will be required for the CPO. Pass the completed hard copy of the **Decision on PP's Ability to Pay** proforma to you line manager.




### Line manager action

25. From your Inbox open the **Sanctions Eng SR** created by the case manager and update the **Status** to **In Progress**. View the case details and notes and:
- Consider if all the criteria for sanctions have been met
  - Whether all the evidence provided by the Paying parent has been considered
  - Review the **Decision on PP's Ability to Pay** proforma
  - Whether any more information is required to make a decision




For more information on sanctions please refer to the Policy, Law and Decision Making Guidance 

26. Update the **More Info Action** button to confirm whether you are authorising the next stage of sanctions action. If you are not authorising it, record your reasons in the **SR Notes** field. Explain what information you need or if sanctions are not appropriate. For more information refer to [Business Control System Checks](#).

### Case manager action

27.  If the line manager has approved the next step of CDDL action, send letter CMEL9291 to the Paying Parent and go to **Step 29**.
28.  If your line manager has rejected the action send letter CMEL9292 to the paying parent and close the **Sanctions Eng SR** using the amendments functionality. Refer to **Case routing - Enforcement** for further detail on making an amendment. Scan a copy of the **Decision on PP's Ability to Pay** Proforma into the system. For more information refer to **Scanning - Local**.
-  If you identified a potential change of the Paying Parent's circumstances when reviewing their Money In/Money Out form, aim to complete this action within 28 days. It is important that this is completed prior to the court hearing date.

### Continue with Action

29.  Print a copy of the offline letter CMEL7207 and ask your team leader (TL) to authorise it. Update the **SR Notes** to show that your team leader has authorised the CMEL7207. Then continue assembling the court file.
30.  Complete CMEL7211 and CMEL7223 if required. CMEL7223 may be requested by the court presenting officer (CPO). These are off system letters. For more information refer to **Letters (outbound) - Off system**.
-  Ensure CMEL7211 is saved in Rich Text Format for future issuing to court; failure to do this will result in content within the form being lost.

Associate them with the CMEL7207 along with the relevant documents:

- Bailiff report and Nulla Bona if appropriate
- LO Documentation
- Face to face/compliance inspector interview reports

- Final charging orders if appropriate
- Final or Interim third party debt orders if appropriate
- The registry trust limited documents
- Land Registry notices/restrictions/charges/cautions if available
- County court order/maintenance order if obtained
- All evidence of wilful refusal/culpable neglect
- Screen prints from **CRA details** tab - These prints will also need to be scanned and attached to the case. For more information refer to the [Scanning - Local](#) and [CRA interface overview](#) page
- Copy of CMEL9294 warning letter sent to the paying parent
- A copy of the authorised CDDL suitability proforma CMEL9295
- A copy of the paying parent money in/money out form CMEL9294
- A copy of CMEL9291 proceeding letter to paying parent
- A copy of the authorised Decision on PP Ability to Pay proforma
- Order For Sale decision not to pursue if appropriate

31. Select **CTRL+S** and the CMS System will generate the activity plan for **Authorise Check San E W**.

32. Select the activity plan outcome **Initiate**. Change the SR **Status** to **Pending Approval** and **Sub Status** to **Pending Approval - TL**. The system will send an authorisation request to your TL. When you receive a response, go to **step 33**.




To prevent the casegroup moving segments whilst you are awaiting TL authorisation, set the Lock Assignment Flag. For more information refer to [BOM - Segments Summary](#).

## Authorise Court File

### Team leader action

33. Go to your inbox and open the **Sanctions Eng** SR created by the case manager. View the case details and notes and decide whether:

- The criteria for sanctions have been met
- You need any more information to make a decision

For more information on sanctions please refer to the Policy, Law and Decision Making Guidance 

34. Update the **More Info Action** button to confirm whether you are authorising sanctions action. If you are not authorising it, record your reasons in the **Notes** field. Explain what information you need or if sanctions are not appropriate. For more information refer to [Business Control System Checks](#).

## Action team leader response

### Case manager action

35. Check the **Sanctions Eng** SR for your TL's response.

- Sanctions not authorised – go to **step 36**
- Sanctions authorised – go to **step 37**

36. Complete the action requested by the TL if sanctions action was not authorised:

- More information required, gather the information and resubmit the case for authorisation
- Sanctions not appropriate close the SR to complete this process recording a reason why Sanctions was not appropriate and a welfare of the child decision.

37. Update the activity plan outcome to **Approved**, to show that your team leader has authorised the court file.




38.  Call the receiving parent and explain the CMG is applying for sanctions against the paying parent and manage the receiving parent's expectations regarding the outcome and timescales involved.



You may already have spoken to the Receiving Parent earlier in the process and discussed sanctions or issued CMEL7209, in which case this call will be a courtesy to update them. Where the receiving parent wishes to continue with sanctions action or there has been no contact with the receiving parent send the court file to Specialist Services Support Team (SSST).

## Send court file to Specialist Services Support Team (SSST) and monitor progress

### Case manager action

39. Change the SR Status to Wait and Sub Status to Monitor outcome of Hearing. Update the Initiate Court Presentation outcome to Initiate to generate the Court Presentation SR.
40. Go to the **Child SRs** view and open the Court Presentation SR. Change the **Status** to **Pending Assignment** to send the SR to the SSST.
-  The system will send the SR to the SSST automatically, along with the court file. For more information refer to **Court Presentation** in related items.
41. Monitor the case for a response from the SSST. Set a **Wait** period in the **Sanctions Eng** SR for **three months** to allow time for a court hearing to be arranged.
-  The SSST will update the system with the current status of the case, including the court hearing date once it has been arranged. View the **Court Presentation** SR on the system to see this information.
42. While you are waiting for the court hearing, monitor the case for any changes to the case such as:
- Payments from the paying parent
  - An arrears agreement made with the paying parent
  - Changes to the arrears balance due to a change of circumstances, revision or appeal
  - The list is not exhaustive
-  Notify the SSST/CPO if there are any changes that affect the legal action. For more information refer to **Case Routing - Enforcement** in related items.
43. The CPO will contact you via the SSST once an outcome has been reached. If you haven't received an update within 3 days of hearing date, contact the SSST and discuss a suitable wait period.

## Take relevant action following final outcome

### Case manager action


44. Update the **Sanctions Eng** SR **Status** to **In Progress** when the SSST contacts you with the outcome.
45. Review the court file attached and check what action you need to take. If the case was dismissed, the CPO may ask you to provide evidence to support an appeal.
- If the paying parent is to be imprisoned, send them letter CMSL7215 warrant to imprison
  - If the paying parent did not attend the court hearing, send CMEL7296 warrant of arrest to the Bailiff and CMEL7228 to the receiving parent to tell them a warrant for the paying parent's arrest has been assigned
46. Select the **Update form/document** tab and record the outcome by updating the relevant fields in **Enforce Forms**:
- **Sanc Order End Dt** – Complete if an order is awarded for a specific time period, this field contains the end date of that period
  - **Hearing Outcome** - If the hearing outcome is **Suspended Sentence**, then the caseworker needs to select **G/I Committal Sentence**, **GI Hold/Obtain DL**, **GI Hold/Obtain TA** from the list of values dropdown. Update the SR **Notes** with 'The outcome is committal sentence for XXXX (paying parent name)
  - **Outcome Granted Reason** – use if **Hearing Outcome is Given**
  - **Case Dismissed Reason** – use if the Hearing Outcome is **Dismissed** or **Withdrawn**
  - **Final Outcome Date** – may be **Sanction Hearing Date** – Update with the date of the courts decision
  - **Length of Sentnc Day** – use if Outcome Granted is **Immediate Committal or Sentence** or **Immediate Disqual Driving Lic** (leave **Length of Sentnc Yr/Mnth** blank)
47. Update the activity plan to confirm whether the court has granted an order to pay:
- Order to Pay – go to **step 49**
  - Commitment/disqualification, go to **step 54**
  - Application refused/not granted, go to **step 56**
48. Set up the court enforced schedule by selecting **Yes** in the **Has Court Imposed Schedule** line of the activity plan. The CMS System will generate and take you to a child SR with the values:
- **Process = Arrears**
  - **Area = Arrears management**
  - **Sub Area = Action Missed Payment**


49. Input the Court enforced schedule details into this SR, then go to the **Create SR** Drop down and select **Schedule Only**. The CMS System will generate a further SR with the values:

- **Process = Perform Calculation**
- **Area = Payment plan only**
- **Sub Area = Arrears negotiation**

 The schedule you set up will include the order to pay by the court and any ongoing maintenance and arrears the paying parent is liable to pay. For more information refer to [Arrears Negotiation and Missed Payments](#).

50. Select the **Show More** button. This will display further options within the SR. Tick the box for **Court Enforced Schedule**.


51.  After schedule completion, complete CMEL9271 and send it to the paying parent. Create a new Activity Plan step and record the letter was issued.


 The CMEL9271 will explain the order to pay element of the promise to pay schedule and the need to quote the LO reference number. The paying parent will need to set up a separate method of payment from (MOPF) for the order to pay in order to quote this number.

52. Create a New Activity Plan step and record the issue of CMEL9271. Then go to **step 56**.

53. If the outcome was committal or disqualification from driving, contact the SSST if the paying parent subsequently makes a payment. For more information refer to [Case Routing – Enforcement](#).

54. Apply any costs to the case. This step is optional depending on whether costs have been granted against the paying parent in this procedure. For more information refer to [Apply Costs](#).

55.  Send CMEL7205 to the receiving parent if the court has refused the application. Send CMEL7214 if the court has granted the application.

56.  Call the receiving parent and explain the outcome. If the court has granted an order to pay, explain this and manage the receiving parent's expectations on when they will receive payment. If the court has refused the application explain that we will look again to see if there is any further action we could take.

57. Record details of the action you have taken in the **Notes** field and close the SR, from the dropdown select:



- **Status = Closed**
- **Sub Status = Complete**

58. Consider other enforcement options when payment of the arrears has not been secured. For more information refer to [Enforcement Action – Consider \(E and W\)](#) and [Enforcement Action – Consider \(NI\)](#).

NICMS to replace CMG throughout

**Step 2:** Check the Paying Parent's address. Ensure that they live within the jurisdiction of Northern Ireland.

**Step 10:** Once you have completed the standard validations in Steps 1-9 you must consider whether it is appropriate to continue with Sanctions action against the paying parent. Enforcement of Judgements Office (EJO) action must be considered on all cases for each period of LO debt. For more information refer to [Enforcement of Judgements Office - Actions](#).

 Where EJO action has not been considered and there are no exceptional reasons for this and action under article 35 of the Child Support (Northern Ireland) Order 1991 has not been taken, the Sanctions Eng SR should be closed. Refer to the Policy, Law and Decision Making Guidance for further information on the criteria for Sanctions. 

**Step 30:** Complete CMEL7213 and CMEL7295. These are off system letters. For more information refer to [Letters \(Outbound\) - Off System](#) for further guidance. Associate them with the CMEL7207 along with the relevant documents:

- Warning letter sent to the paying parent
- Enforcement of Judgments Office (EJO) registration letters
- Details of action taken by EJO
- Details of enforcement action taken
- This list is not exhaustive

[CMSF5572 Decision on PP's Ability to Pay form](#)

This is an internal form and is held off line

[CMEL7205 Your child maintenance update – action refused](#)

Tell the receiving parent that driving licence or commitment action has been refused.

Under the sub heading 'What this means for you' select one of the following:

- If we can ask the court to consider action again or can take another action, use paragraph **TM\_09439\_E** 'We might be able to ask the court to consider this action again, or we might be able to take different action if we think it will make [paying parent's name] pay'

- If we have no more chances to ask the court to consider sanctions but could take another action, use paragraph **TM\_09440\_E** 'We have asked the court to consider this action as many times as we can. However we may be able to take a different action'
- If we have no more chances to ask the court to consider sanctions and have no other options left, use paragraph **TM\_09441\_E** 'We have asked the court to consider this action as many times as we can. We might not be able to take any more action at the moment because we have tried everything we can'

Enter any additional information specific to the case in the any additional information specific to the case freetext field.

#### CMEL7207 Off system letter, not finalised, unable to check content

(off system letter)

Referral for committal

#### CMEL7209 Your child maintenance update – commitment or disqualification

Tell the receiving parent we plan to apply for disqualification or commitment

All fields in this letter are system generated, no manual intervention is required.

#### CMEL7211 Off system letter, not finalised, unable to check content

(off system)

Summons

#### CMEL7214 Your child maintenance update - court decision

Inform the receiving parent that we have a warrant for commitment/order of disqualification/ suspended warrant for commitment/suspended order of disqualification.

Under the sub heading 'What this means for you' if disqualified, enter the length of disqualification in the enter time free text field.

#### CMEL7215 Warrant to imprison

(Off system letter)

Tell the paying parent they will be imprisoned unless aggregate amount outstanding is paid.

#### CMEL7223 Submission for committal from holding or...driving licence

Off system letter.

Submit file to solicitor for committal/disqualification.

Under the sub heading 'Submission for commitment to prison or disqualification from holding or obtaining a driving licence' enter the name of the court in the Court Name free text field.

#### CMEL7228 Your child maintenance update - We have a warrant to arrest

Tell the receiving parent that we have a warrant to arrest the paying parent because they didn't attend a hearing.

All fields in this letter are system generated, no manual intervention is required.

#### CMEL7273 Form of order of disqualification from holding...driving licence

Notification to the paying parent of disqualification of driving licence until full payment is made.

Off system letter – Enter court name, today's date, paying parent's name and address, total LO amount outstanding. Review letter before sending.

#### CMEL7295 Please execute a warrant of commitment...immediately

(off system letter)

Defaulted suspended sentence / Order of disqualification: action for court

Enter court name, today's date, paying parent's name and address, total LO amount outstanding. Review letter before sending.

#### CMEL7296 Warrant of arrest

Warrant of arrest.

Under the heading 'Warrant of arrest' enter the name of the court in all of the Name of court free text fields and the date in the date free text field.



Enter the total arrears in the Total sum of arrears free text field.

Enter the date application for the warrant/order was made in the date application for warrant/order made free text fields.

Enter the name of the bailiff in the name of Bailiff free text field.

If bail has been granted, select the paragraph 'If Bail granted' and enter the name of the court in the free text field.

#### CMEL7356 Committal referral form

Default committal referral form

Committal referral form – additional information (England and Wales) This form is completed entirely by the referring case manager, and has no system interaction. The case manager should complete all of the fields.

#### CMEL9273 Clerical template

Off system letter. This is a clerical template, content entirely set by the user.

#### CMEL9295 CDDL suitability proforma

This is an internal form and is held off line. A brief summary of actions confirmed in this form should be provided in the case history.

#### CMEL9294 Money in / Money Out form

Off line form sent to the Paying Parent to allow them to provide evidence of their income prior to proceeding with CDDL action

#### Apply Costs

#### Arrears Negotiation and Missed Payments

#### Bailiff

#### Business Control System Checks

#### BOM - Segment Summary

#### Business Control System Checks

#### Case Routing - Enforcement

#### Court Presentation - Magistrates Court

#### Default (E, W and NI)

#### Enforcement Action - Consider (E and W)

#### Enforcement Action - Consider (NI)

#### Investigative Action

#### Letters (Outbound) - Off System

#### Letters (Outbound) - Contingency Summary

#### Scanning - Local

#### Terminology Changes

#### Wilful Refusal/Culpable Neglect

#### When completing CMEL9295 what should be included in the case history?

The case history should provide a brief summary of pertinent information required to confirm answers on CMEL9295. Not all questions will require further detail but some examples that are key to the building of evidence are:

- Where there is sufficient evidence to demonstrate wilful refusal/culpable neglect ECM's should consult the case to confirm if there is evidence recorded. If no evidence is recorded or there is insufficient evidence, ECM should examine contact information and financial information (agreements/arrangements made that were broken) to provide a summary of evidence in case history.
- The ECM may come across evidence where there are outstanding parentage/paternity issues' or paternity was disputed but was then resolved. This information and the outcome should be recorded in the case history.

#### What is a sanction?

Sanctions are powers available to CMG to encourage a paying parent to pay, the magistrate's courts will be responsible for imposing the sanctions such as removal of driving licence or commitment to prison.

