



PRESIDENT OF THE
FAMILY DIVISION

COMMUNICATING WITH THE HOME OFFICE
IN FAMILY PROCEEDINGS

Originally issued December 2002
Re-issued October 2014

- 1) The 'Communicating with the Home Office in Family Proceedings' protocol enables the family courts to communicate with the Home Office (UK Visas & Immigration/HM Passport Office) to obtain immigration, visa and passport information for family court proceedings.
- 2) This guidance has been reissued to replace & amalgamate previous guidance issued in 2002, 2004, 2006, 2010 and 2014 (including the Communicating with the Passport Service 2004) to reflect the new contact details for the Home Office Liaison Officer who has responsibility for administering requests made under the Protocol. It does not alter the nature or purpose of the Protocol.
- 3) Where an order is made against the Home Office in Family Proceedings, the court shall draw up the relevant order. The HMCTS form EX660 should be fully completed (including specifying the details of the relevant family members and their relationship to the child). Parties should provide details of *both* mother and father if known, whether or not they are involved in the proceedings.
- 4) The sealed order and the completed EX660 should be sent immediately to:

Home Office Liaison Officer
Her Majesty's Courts and Tribunal Service
Arnhem House
PO Box 6987
Leicester
LE1 6ZX

Email: homeofficeliasion@hmcts.gsi.gov.uk
Telephone: 0116 249 4177
Fax: 0116 249 4302

- 5) Please note that all information provided in the EX660 will be forwarded to the Home Office. Parties should ensure that any additional information, such as a case synopsis, which it wishes the Home Office to view, has the required leave of the court, set out in the order, to be disclosed to the Home Office. (Note that it is a contempt of court to disclose this information otherwise).
- 6) Where the query relates to the proposed adoption of a foreign national minor, the Home Office Liaison Officer can advise as to the additional information which will be required.

- 7) The order and EX660 should clearly state the time by which the information is required. In order to comply with the agreed four (4) week period in for the Home Office to provide a response to the court, parties and court staff should ensure that the Home Office Liaison Officer receives the court order on the day the order is made.
- 8) Where it will not be possible for court to send the sealed order to the Home Office Liaison Officer on the day it is made, the court when stating the required date of receipt by the court of the information should allow any additional time necessary for the preparation and sending of the order. This is in order to ensure that Home Office has 4 weeks to provide a response from the time it receives the order from the Home Office Liaison Officer. Any reduction in this period may result in a request by the Home Office for further time in which to reply.
- 9) The request or order should identify the questions it wishes to be answered by the Home Office.
- 10) Parties should provide the name and contact details of someone who has agreed and is able to provide further information should it be needed.
- 11) The order and EX660 should be forwarded to the Home Office Liaison Officer together with such information as is sufficient to enable the Home Office to understand the nature of the case, to identify whether the case involves an adoption, and to identify whether the immigration issues raised might relate to an asylum or non-asylum application.
- 12) The Home Office Liaison Officer will then send to an appropriate officer in the Home Office the enquiry, together with a copy of any order made. The Home Office official will be personally responsible for either:
 - (a) answering the query themselves, by retrieving the file and preparing a statement for the court;
or
 - (b) forwarding the request to a caseworker or relevant official with carriage of that particular file.
- 13) The Home Office Liaison Officer will follow up as required in order to ensure that the information is received by the court in time, and will receive the information before forwarding it on as instructed by the judge or court making the request.
- 14) Attached is a sample court order and completed EX660 which should provide further useful guidance.



In the Central Family Court

Case Number: FD05C00345

The full name(s) of the child(ren)

Date(s) of Birth

Child Y

12.02.05

Order

Children Act 1989

UPON HEARING Counsel for all parties

IT IS ORDERED THAT:-

1. In accordance with the President's Protocol of December 2002 the Home Office is requested to provide the following information (also detailed in the attached form EX660) to the court by 4pm on 25 November 2005:
 - a. What is the current immigration status of the father, *adult Y*?
 - b. Does *adult Y* have any outstanding applications pending before the Home Office?
2. There be leave to disclose the case synopsis/summary/background to the Home Office.
3. There be permission granted for any information received from the Home Office to be disclosed to the parties.

Ordered by Mrs Justice Bloggs this 14th day of October 2014
