



# BACKGROUND INFORMATION

## Children's Right to Citizenship

### *The human rights issue*

#### **The price of British citizenship**

Children in the UK, under the age of 18, are entitled to British Citizenship if they meet certain conditions.

There are an estimated 120,000 children in the UK who don't have British citizenship or immigration leave to enter or remain. Many of these children are entitled to British citizenship and are, or could be, negatively impacted by not being a British Citizen.

The current registration fees for under 18s to apply for British citizenship are £1,012.

Of the £1,012, only £372 constitutes the cost of administration. The remaining £640 is a direct profit to the Home Office.

The price of British Citizenship is prohibitive and essentially prevents children in the UK from accessing their full range of rights.

### *The human rights impact*

#### **Children's rights being taken away**

Being prevented from registering and becoming a British Citizen can have many negative impacts on children including, and not limited to:

- Psychological impact of questioning their identity
- Uncertainty concerning their future
- Not having a British passport
- Being subject to immigration rules and powers
- Risk of being deported
- Not having the right to work
- Higher student fees and limited access to higher education funding
- Not having the right to vote
- They face being refused access to healthcare, employment, education, social assistance and housing

### **Amnesty's position**

- All children have the right to citizenship.
- British citizenship is a right, not a benefit.
- Children who cannot enjoy their right have an uncertain future.

Amnesty thinks that a £1,012 fee for a child to register as a British citizen is exorbitant and prohibitive and calls for:

- The profit element of the fee in children's registration cases to be removed altogether.
- A waiver for children whose carers are unable to afford the fee to register.
- No fee to be charged for a child for whom a local authority is exercising responsibilities under the Children Act 1989 to register.



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### **In UK law**

#### ***British Nationality Act 1981***

The British Nationality Act 1981 is a legal document about British nationality and the conditions to acquire it.

This document clearly states that children born in the UK with parents registered as British citizens or settled during their childhood, and children born in the UK who lived in the UK for the first ten years of their lives are entitled to British citizenship.  
<https://www.legislation.gov.uk/ukpga/1981/61>

### **In international law**

#### ***Universal Declaration of Human Rights***

“Everyone has the right to a nationality”  
The Universal Declaration of Human Rights states in article 15 that “We all have the right to belong to a country and nobody can prevent us, without a good reason, from belonging to another country if we wish”.

#### ***United Nations Conventions on the Rights of the Child***

This right is in place in international law as stated in article 8 of the United Nations Convention on the rights of the Child (UNCRC): “Every child has a right to an identity. Governments must respect and protect that right, and prevent the child’s name, nationality or family relationships to be changed unlawfully”.

### **Definitions**

#### ***British citizenship***

British citizenship means you can live and work in the UK without any restrictions. As a British citizen, you also have the right to vote and to stand for office. Finally, being a British citizen gives you access to a British Passport.

#### ***Entitlement***

A child is entitled to British citizenship, meaning that it is their right to be a citizen, under several conditions including if the child was born in the UK with parents becoming British citizens or settled, and children who were born in the UK and have lived in the UK for the first ten years of their lives.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/680291/Registration-as-a-British-citizen-children-v2.0EXT.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/680291/Registration-as-a-British-citizen-children-v2.0EXT.pdf)

#### ***Settlement***

Settlement, also called indefinite leave to remain, means you can stay in the UK without any time restrictions.

<https://www.gov.uk/settle-in-the-uk>

#### ***Naturalisation***

The legal process by which a non-citizen in a country may acquire citizenship. Children under 18 cannot be naturalised. In the case of children, they can either be a British citizen already or have a right to register by entitlement or discretion.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/665387/naturalisation-as-a-British-citizen-by-discretion-v2.0EXT.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665387/naturalisation-as-a-British-citizen-by-discretion-v2.0EXT.pdf)



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### Useful Links

#### Amnesty International UK's Children's Human Rights Network

Amnesty International UK campaigns on behalf of children all around the world.

- **Join the network:**  
<https://www.amnesty.org.uk/join-ourchildrens-human-rights-network>
- **Twitter:** [@AmnestyUK\\_CHRN](https://twitter.com/AmnestyUK_CHRN)
- **Facebook:**  
<https://www.facebook.com/AmnestyInternational.ChildrensHumanRights>
- **Read the blog:**  
<https://www.amnesty.org.uk/blogs/childrenshuman-rights-network-blog>
- 
- **Get in touch for further information:**  
[childrensnetwork@amnesty.org.uk](mailto:childrensnetwork@amnesty.org.uk)

#### Project for the Registration of Children for British Citizens (PRCBC)

<https://prcbc.wordpress.com/>

#### Government Website

##### **Naturalisation as a British citizen:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/665387/naturalisation-as-a-British-citizen-by-discretion-v2.0EXT.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/665387/naturalisation-as-a-British-citizen-by-discretion-v2.0EXT.pdf)

##### **Become a British citizen by entitlement:**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/680291/Registration-as-a-British-citizen-children-v2.0EXT.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/680291/Registration-as-a-British-citizen-children-v2.0EXT.pdf)

##### **British Nationality Act 1981:**

<https://www.legislation.gov.uk/ukpga/1981/61>