



PROJECT FOR THE REGISTRATION OF CHILDREN AS BRITISH CITIZENS (PRCBC) & AMNESTY INTERNATIONAL UK

PRESS RELEASE

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UK: SUPREME COURT RECOGNISES HOME OFFICE FEE EXCLUDES LARGE NUMBERS OF CHILDREN FROM THEIR CITIZENSHIP RIGHTS

Supreme Court rules in favour of the Home Office stating that Parliament has authorised the fee to be set at a level that many children cannot afford

Home Office will continue to profit from child citizenship fees of £1,012 unless it changes its policy or until Parliament acts

Administrative costs are £372 per application – meaning £640 profit is made by Home Office from each child

Lawyers and campaigners call for fee change to be realised through the Nationality and Borders Bill

‘We remain determined to bring an end to this injustice’ - Solange Valdez-Symonds

Spokespeople available for interview on request

The Supreme Court has today upheld the findings that the £1,012 fee to register children as British citizens excludes large numbers of children from their rights, following a legal challenge brought by the Project for the Registration of Children as British Citizens (PRCBC) and a child, known as O.

In the final ruling following a four-year long legal battle, the Supreme Court decided to rule in favour of the Home Office, stating that Parliament has authorised the Government to set the fee at a level many children cannot afford.

With the current administrative processing cost at £372 per application, a profit of £640 is made by the Home Office for the registration of each child.

The judgment also records the High Court and Court of Appeal findings that the current fee has been unlawfully set because the Home Secretary did not give consideration to the best interests of children. This remains outstanding.

The legal challenge to the fee was heard by the Supreme Court on 23-24 June last year. The appeal to the Supreme Court was brought by the Project for the Registration of Children as British Citizens ([PRCBC](#)) and a child known as O.

A “mass of evidence” was presented by the Project for the Registration of Children as British Citizens, from which, as the judgment records, it is now undisputed that a large number of children cannot afford the fee. The evidence has also revealed that the impact of this is far-reaching – making many children born in the UK, or brought here at a young age, feel alienated, excluded and isolated.

As the Court of Appeal had stated, and the Supreme repeated, children like O of single parents on benefits cannot afford the fee.

Child O said:

“At school, I have lots of friends, they are all British. It makes me sad that I was born here and I’m now 14 but do not have citizenship. I’m no different to my friends but I can’t share my feelings about not having my citizenship as I worry that they won’t accept me. I feel very let down and alone.”

Lawyers and campaigners are now calling for Parliament to intervene - limiting the fee to administrative costs or scrapping it altogether for children in care and those who cannot afford it.

Solange Valdez-Symonds, CEO at PRCBC, said:

“It’s been more than two years since the High Court found that this huge fee has been depriving many children of their citizenship rights – causing them to feel alienated, excluded and isolated in their country of birth and home, often the only place they know.

“The Home Secretary has since done nothing to correct the appalling impact this fee has on young people.

“We are profoundly disappointed by today’s decision, but we remain determined to bring an end to this injustice and secure the rights of all children connected to the UK to have the citizenship that is their right by Act of Parliament.”

Amnesty International UK continues to support PRCBC’s work on citizenship rights and intervened in the Supreme Court proceedings on the position of stateless children born in the UK, whose statutory rights to citizenship are also made subject to payment of this fee.

PRCBC and Amnesty are now calling for changes to the fee to be made through the Nationality and Borders Bill.

Steve Valdez-Symonds, Amnesty International UK’s Refugee and Migrant Rights Director, said:

“This fee deprives thousands of children of their citizenship rights, yet the Home Office has chosen to keep overcharging, despite the alienation and exclusion this is causing.

“We are calling on Parliament to bring an end to this once and for all by passing an amendment to the Nationality and Borders Bill.

“The Home Office is using the fact that some British children must formally register their citizenship to impose a tax that other British people do not have to pay – it is a form of exploitation though sadly one the Supreme Court has today ruled is permitted under current legislation.”

Last Thursday (27 Jan), members of the House of Lords, from across the political spectrum, moved an amendment to the Nationality and Borders Bill to reduce the fee to the level of administrative costs and to exempt children in local authority care from the fee altogether.

The previous Home Secretary, Sajid Javid, described the fee as “a huge amount of money for a child to pay” but failed to do anything about it before leaving that office. His successor, Priti Patel has maintained the fee at the same level of £1,012.

Maria Patsalos, Partner at Mishcon de Reya who acted for PRCBC said:

"This is a disappointing decision and will have a resounding detrimental impact on children.

"Over the last four years, it has been a privilege to have championed the rights of young people seeking fair and equitable access to British citizenship.

"Wealth should never be a barrier for these children to access their rights and we hope that Parliament takes the opportunity now to resolve this deeply unfair situation."

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