

The Lord Jay of Ewelme GCMG
House of Lords
London
SW1A 0PW

02 October 2025

Dear Lord Jay,

Deprivation of Citizenship Orders (Effect during Appeal) Bill

I am writing to you about the Deprivation of Citizenship Orders (Effect during Appeal) Bill. I would like to begin by thanking you for attending the drop-in session on 16 September and by expressing my appreciation for your thoughtful consideration of the Bill. I hope this letter provides reassurance on the points you raised as to its intent and scope.

The purpose of the Bill is to ensure that people who have been deprived of British citizenship do not automatically regain that status upon a successful appeal, until all further avenues of appeal have been exhausted. This approach mirrors existing procedures for asylum and human rights appeals, where any final determination is pending until the conclusion of any appeal, but extends this principle to appeals before the Supreme Court.

The Bill does not alter any existing rights of appeal, nor does it expand the grounds upon which deprivation of citizenship may be pursued. Furthermore, it does not create any new impacts on individuals as a result of a deprivation order. Its sole focus is on maintaining the effect of the deprivation order in the potential period between a successful appeal and final determination of the case. The proposed changes are designed to prevent people who pose a significant threat to public safety from returning to the UK before the full legal appeal process has concluded.

I can confirm that the Bill applies uniformly to any decision to make a deprivation order that is subsequently appealed, regardless of whether the person is located within or outside the UK. Limiting to those outside the UK would undermine the intent of the Bill by creating an incentive or loophole for individuals who have entered the UK to renounce their other citizenship, rendering further deprivation action impossible.

It is also worth noting that while the deprivation power is used more frequently against those who have obtained their UK citizenship fraudulently, the Bill is unlikely to affect such cases, as a deprivation order on these grounds is not made until a person has exhausted their right of appeal. The numbers impacted are therefore likely to be very low.

You asked about the impact of a deprivation order on any children of a deprived person. Where a child holds British citizenship, the deprivation of their parent's citizenship has no bearing on the child's nationality status. In cases where a child is born after the parent has been deprived of citizenship, their entitlement to British citizenship will depend on various factors, including the status of the other parent.

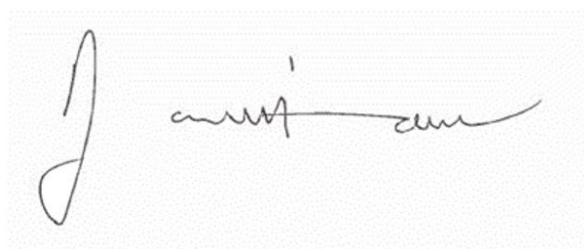
Furthermore, the Supreme Court's judgment in *N3 & ZA v Secretary of State for the Home Department* [2025] UKSC 6 confirms that if a child would have been entitled to British citizenship but for the deprivation of their parent's status, a successful appeal by the parent results in the child automatically acquiring British citizenship. The Bill does not change this principle but would extend the period in which the child and their parent are without British citizenship until the appeal is finally determined.

You also asked whether a child's nationality is affected by whether they were born in the UK. This is, of course, outside the scope of this narrowly focused Bill, but I would like to clarify that birth in the UK does not, in itself, confer British citizenship. A child born in the UK will only be a British citizen at birth if at least one parent is either a British citizen or settled in the UK at the time of their birth. Children may also acquire citizenship through registration, for example if a parent later becomes settled or British, or if the child resides in the UK for a qualifying period. Each case is assessed individually, based on the specific circumstances. But, as I have set out above, deprivation orders can be made against individuals who are physically located either in or outside the UK.

Finally, you also queried the timelines for the appeals process. We recognise the importance of timely resolution in deprivation appeals. Provisions already exist to enable the courts to expedite such appeals where appropriate, and it remains within the judiciary's discretion to determine the suitability of such measures.

In closing, I wish to reiterate that the primary objective of the Bill is to safeguard the UK from individuals who pose some of the greatest risks to national security or public safety. I hope this letter provides you with reassurance as to its scope and effect. I would, of course, be happy to speak further should that be helpful to your consideration of the Bill.

I will arrange for a copy of this letter to be placed in the Libraries of both Houses to ensure that other Noble Lords are informed on the issues you have raised.

A handwritten signature in dark ink, appearing to read 'J. Hanson', written on a light-colored, textured background.

Lord Hanson of Flint