



Citizenship Review

18th January 2008

In October 2007, the Government launched a review led by Lord Goldsmith QC, the former Attorney General. Details of the review and some supporting material are available on the website at:

<http://www.justice.gov.uk/reviews/citizenship.htm>

Lord Goldsmith's introductory remarks on the website begin with:

"Citizenship is an important common bond. We have shared rights as citizens – and shared duties as well. However, despite the importance of citizenship, it has not historically been a central element in how we talk about ourselves in the UK.

"The Review is an opportunity to address that. Over the next few months, I am hoping to articulate more clearly the significance of citizenship, and develop recommendations to ensure that our approach to citizenship is appropriate for modern issues of migration, identity and civic participation."

ILPA information service

funded by JRCT

www.ilpa.org.uk/infoservice.html

Steve Symonds

ILPA legal officer

020 7490 1553

steve.symonds@ilpa.org.uk

Immigration Law Practitioners' Association

www.ilpa.org.uk

T 020 7251 8383

F 020 7251 8384

Information sheets provide general information only.

ILPA members listed in the directory at www.ilpa.org.uk provide legal advice on individual cases. ILPA does not.

Terms of reference

The terms of reference are available in full on the website. They include:

- to clarify legal rights and responsibilities, as a basis for defining what it means to be a British citizen
- to consider differences between various British nationality categories
- to examine incentives for long-term residents to become British citizens
- to explore the role of citizens and residents in civic society

Supporting material

Three pamphlets have been produced in support of the review. Each of these is available on the website. The three pamphlets set out the views of particular individuals or organisations on the following:

- the skills and knowledge that may be useful for settled migrants who may become British citizens
- how volunteering and mentoring can assist individuals to become active in civic society
- how citizenship ceremonies may be linked more closely to local communities

Citizenship and nationality

The UK has complex nationality laws, and there are many types of British nationality each with differing entitlements. Several categories of British national do not have the right of abode in the UK. The 'right of abode' means the right to live in the UK and freely come and go. There are, therefore, a significant number of people who hold British passports, which do not entitle them to freely enter or reside in the UK. British citizens (one type of British nationality) do have the right of abode.

There are further anomalies. For example, British nationality laws have in the past discriminated against women British citizens by precluding them from passing on their nationality to their children born abroad in circumstances where a man could pass his nationality to his child born abroad. Although the law has changed, older people may still face discrimination as a result of this.

In recent years, the Government has extended powers to deprive people of their British citizenship. As the circumstances in which someone's citizenship may be taken away grow, the incentive for seeking to become a citizen in the first place may well diminish.

The means by which a person may become a British citizen are also fairly complex. There are some circumstances in which a person is a British citizen at their birth, whereas in other circumstances a person (or by his or her parent) may need to apply to be registered or naturalised as a British citizen. Some of the complexities in these rules mean that there are circumstances in which a child, in respect of whom an application is not made in time, may be left stateless (i.e. they have no nationality, whether British or of another country).

ILPA's submission to Lord Goldsmith

ILPA has provided a detailed submission for the review. That submission is available at:
<http://www.ilpa.org.uk/submissions/Citizenship%20Review.doc>

The executive summary to the submission sets out 27 proposals, each of which is discussed in the main body of the submission. In the main, the proposals aim to reduce or remove anomalies in the UK's nationality laws, removing historical and current discrimination in these laws on grounds of race, gender and marital status.

Generally, it seems unlikely that there can be any consensus of understanding of what it means to be British where so many anomalies continue to apply to so many people.

Taking part in the review

Lord Goldsmith is to report to the Prime Minister in March 2008. If you would like him to consider your views about the review, you may contact him at:

Lord Goldsmith QC
Citizenship Review
Steel House
11 Tothill Street
London SW11 9LJ

Tel: 020-7210 2868

Email: citizenshipreview@justice.gsi.gov.uk