



Home Office

Kevin Foster MP  
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Programme Director – Refugee and Migrant Rights  
Amnesty International UK

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25 July 2022

Dear Solange and Steven,

Thank you for your letter of 28 June concerning the recent changes which have been made in respect of the fees charged for child citizenship registration.

As I outlined in my Written Ministerial Statement which accompanied the laying of the associated Regulations on 26 May, I believe these changes represent a positive step in improving children's access to British citizenship, and I am pleased they have been welcomed by the Project for Registration of Children as British Citizens (PRCBC) and Amnesty International. I also note the specific points you have raised in your letter and will address each of these in turn.

Regarding the question of the fee level, the department continues to believe setting fees above cost for immigration and nationality products and services represents the right approach to reduce the burden on the UK taxpayer, and to support the sustainable funding of the borders and immigration system. This includes the fee for an application to register as a British citizen by those under the age of 18, which continues to be set in line with the principles set out in Section 68 (9) of the Immigration Act 2014 as well as the framework for charging established by the Immigration and Nationality (Fees) Order 2016, both of which were approved by Parliament.

Where individuals do face issues in paying the fee, however, the department has introduced the affordability-based fee waiver to ensure they are still able to access citizenship. This reflects our belief the waiver offers the most targeted and effective means of addressing the situation of individuals for whom the fee may represent a practical barrier, while continuing to protect the funding which underpins delivery of the department's key functions.

In terms of the steps which have been taken to raise awareness of the fee waiver and exception, we have focused initially on engagement with local authorities, including through the Local Government Bulletin, the Government Communications Service's local

network and the Local Government Association. We are also using established channels to facilitate engagement with individual authorities and are monitoring take-up of the exception across local authority areas to identify where further communications may be useful.

More broadly, we are working with the department's established stakeholder engagement groups to raise awareness of the waiver and address any questions, and this will be an ongoing process over the coming months. I am pleased to say we have already seen significant engagement with the new provisions, with over 1,000 waiver applications received since 16 June and with the first grants having already been made, which hopefully provides some assurance these changes are beginning to reach their intended beneficiaries.

On the question raised around plans to amend the British Nationality (General) Regulations 2003, it is the department's view this is unnecessary to give effect to the intention those who turn 18 while their fee waiver request is being considered are not prevented from making a subsequent application under the relevant provisions of the British Nationality Act 1981.

The British Nationality Regulations 2003 state a nationality application must contain the person's name, date and place of birth, and a declaration confirming the contents are true. This information is contained in a fee waiver request, so fee waiver requests can be treated as an application for citizenship on the date they are made. No change to the 2003 Regulations is therefore required.

Similarly, regarding the publication of the Section 55 assessment, the department's view is this is unnecessary and would run contrary to usual practice for policy advice of this nature. In taking steps to better facilitate access to citizenship for children through the introduction of the fee waiver and exception, the Secretary of State has recognised it is in children's best interests to apply for British citizenship where they are eligible and willing to do so, and for the fee not to represent a significant barrier to an application.

Furthermore, as I outlined in my statement of 26 May, the department clearly acknowledges the particular value British citizenship can have for children who have been born here or spent a substantial part of their lives in the UK, particularly those intangible benefits in terms of the sense of identity and belonging which develop during an individual's formative years, along with the impact this can have on their wider wellbeing. There can therefore be no doubt regarding the Government's position on this matter.

I do welcome PRCBC and Amnesty International's engagement on these issues, and hope this response is helpful in addressing the points raised.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Foster', with a large flourish at the end.

**Kevin Foster MP**  
**Minister for Safe and Legal Migration**