

Deprivation of Citizenship Orders (Effect during Appeal) Bill: factsheet

What is 'deprivation of citizenship'?

- Removing someone's British citizenship, also known as deprivation of citizenship, is a vital tool that is used to preserve the UK's national security. It is used against those who obtained citizenship by fraud or where it is conducive to the public good, against the most dangerous people, such as terrorists, extremists, and serious organised criminals.
- The power to deprive a person of British citizenship on 'conducive to the public good' grounds means that it is in the public interest to deprive an individual of British citizenship because of their conduct and/or the threat they pose to the UK. It is used sparingly, complies with the UN Convention on the Reduction of Statelessness, and always comes with a right of appeal.
- Decisions to deprive a person of British citizenship where it is conducive to the public good are taken personally by the Home Secretary.

What are we going to do?

- The Bill will prevent a person who has been deprived of British citizenship from regaining that status automatically when their appeal is successful, until further appeals have been determined.
- This replicates the approach in respect of asylum and human rights appeals, where asylum is not granted until further appeals have been determined, and extends it to appeals to the Supreme Court.
- The Bill does not change any existing right of appeal or widen the reasons for which a person could be deprived of their citizenship.
- Should the Home Secretary be unsuccessful in the appeal and no further appeals are possible, British citizenship is reinstated with immediate and retrospective effect.

Why are we doing it?

- Maintaining our national security and keeping the public safe is the first duty of Government.
- This Bill is extremely narrow in its scope and intent, focusing solely on closing a loophole in the existing deprivation of citizenship process.
- In the recent case of *N3 (ZA) v Secretary of State for the Home Department* [2025] UKSC 6, the Supreme Court held that if an appeal against a deprivation decision is successful, the initial order will have had no effect and the person will be considered as having continued to be a British citizen. This means that people

who have been deprived of British citizenship will automatically regain that status before further avenues of appeal have been exhausted.

- There are strong justifications for preventing a person regaining their British citizenship until all further appeals are determined, withdrawn, or abandoned. These include:
 - preventing a person who is outside the UK and who poses a risk to the UK's national security from returning until further appeals have been determined;
 - preventing a person who has been deprived of citizenship on the grounds that it is conducive to the public good from renouncing their other nationality and putting themselves in a position whereby, if further appeals are successful, a further deprivation order would render them stateless;
 - preventing another state from interfering with the UK's use of deprivation powers by their removal of the person's alternative citizenship so that if further appeals are successful, a further UK deprivation order would unlawfully render the person stateless; and
 - allow for the use of immigration powers such as detention and immigration bail while an onward appeal is outstanding.

Key Facts

- From 2018 to 2023 (the latest figures on record), on average 12 people a year were deprived of their citizenship where it was conducive to the public good.
- From 2018 to 2022 an average of 151 people a year were deprived of citizenship on the ground of fraud.