



BRITISH CITIZENSHIP THE ‘GOOD CHARACTER’ REQUIREMENT FOR CHILDREN

Not all children born in the UK automatically have British citizenship from birth. But lots of children living in the UK are eligible to become British citizens. Most of them must show that they are of ‘good character’ if they are age 10 or older.



BRITISH CITIZENSHIP

Having British citizenship means that the UK is your home, and you have the right to live, work and belong here. It comes with many rights and benefits, including:

- The right to live and work in the UK forever
- The right to hold a British passport
- Free NHS medical care
- Unrestricted entry to the UK and ability to travel abroad
- The right to vote in UK elections and stand for public office

HOW MUCH DOES BRITISH CITIZENSHIP COST?

Most children who must register in order to become British citizens have to pay an application fee of £1,012, even if they were born in the UK or brought to the UK as babies or very young children.

In June 2022, the government introduced a fee waiver policy. Children in care are exempt from the application fee. Other children who cannot afford to pay the fee can apply for a fee waiver.

GET GOOD LEGAL ADVICE!

We strongly advise seeking specialist legal advice to find out if an application for citizenship is likely to succeed.

British nationality law is complex and it is important to submit the right documents to support an application. KIND UK has assisted hundreds of children to apply for British citizenship. 99% of KIND UK cases have been successful.



ROUTES TO CITIZENSHIP

1. BRITISH AT BIRTH

Children born in the UK **are** automatically British citizens at birth if they have a parent who was British or 'settled' (permanent residence or indefinite leave to remain) in the UK before the child was born.

2. BRITISH BY ENTITLEMENT

Children born in the UK **are not** British citizens at birth **but can become** British citizens if:

- they have lived in the UK for the first 10 years of their life (can apply at any age) or
- one of their parents has acquired British citizenship or 'settled' in the UK (must apply before 18th birthday) or
- if they are and always have been stateless (not considered a citizen of any country) and have lived in the UK for the past 5 years (must apply before 22nd birthday)

There are also continuous residency, good character, and other requirements for some of these categories.

3. BRITISH BY ADOPTION

Children automatically become British citizens if they are formally adopted by a British citizen via an approved adoption procedure.

4. DISCRETIONARY ROUTE

Other children who have a strong connection to the UK may be eligible for British citizenship.



THE GOOD CHARACTER REQUIREMENT

Most children and adults applying for British citizenship have to show they are of *'good character'* if they are 10 or older (but not if applying on the grounds of statelessness).

There is no fixed definition of what *'good character'* means, but some criteria are set out in Home Office guidance:

- The Home Office must consider evidence of *'good character'* as well as serious bad actions.
- The child's best interests should always be considered as a primary consideration.
- Having committed criminal offenses does not always mean a child won't be eligible for British citizenship – it depends on the type of offense, how long ago committed, and other circumstances.
- The Home Office must consider a child's history and any mitigating circumstances which may mean certain behaviour or offenses should be given more or less importance.
- Violations of immigration laws may affect the assessment of an adult's character; but for children, the Home Office will usually disregard immigration breaches outside the child's control.

Below is an example from KIND UK's work of a kid who got in trouble with the police but was granted British citizenship.

KIND UK CASE

MARCO

Marco* was born in the UK and has lived here all his life. His parents were from another country, and he wasn't a British citizen at birth.

Sadly, Marco was abused and neglected, starting when he was a baby. His mum was an alcoholic and died when Marco was 7. His dad has learning disabilities and wasn't able to take care of him properly. In his teens, Marco was taken into care and went to live with a foster family.

Marco was referred to KIND UK for legal advice about his immigration and citizenship issues when he was 16. Marco could apply for British citizenship as a child who had been born and lived in the UK up to age 10. But he had several criminal convictions, youth cautions and had served non-custodial sentences. His offenses included use of harmful/threatening words, anti-social vehicle use, and theft.

To support his application for British citizenship and show that he was of good character even though he had criminal convictions, his solicitor included a detailed letter from Marco's social worker confirming that he was a fantastic young person who was developing practical skills like building, helped his foster family around the house, and was great with children. The letter emphasised the harmful effects of neglect and abuse and that becoming a British citizen was in Marco's best interests.

Letters of support from a children's services team manager also helped to confirm Marco's history and the progress he was making.

Marco's application for British citizenship was granted.

** Name has been changed to protect privacy.*





USEFUL RESOURCES/MORE INFORMATION

1. CHECK A CHILD'S IMMIGRATION/CITIZENSHIP STATUS AND FIND A SOLICITOR

Initial information about a child's immigration status or citizenship and how to find a solicitor can be found on KIND UK's Path to Papers website: [Click here](#)

2. KIND UK Resources

See KIND UK's [resources page on our website](#) for more:

- Explaners about British citizenship.
- Summary of routes to citizenship.
- Briefings on various topics relating to children's immigration and citizenship issues.
- Case studies.

3. Project for the Registration of Children as British Citizens (PRCBC) guide: [click here](#)



ABOUT US

KIND UK (Kids in Need of Defense UK) provides free legal help to children, young people and families as they navigate the UK's immigration and nationality procedures.

In the last year, we partnered with 27 corporate law firms, 3 in-house legal departments and 662 lawyers across the country to ensure the best quality legal advice and representation. In total, we had 781 cases active across the year.

KIND UK is a collaboration between five award-winning, UK based organisations that specialise in children's immigration, asylum, and citizenship law: Central England Law Centre, Coram Children's Legal Centre, Greater Manchester Immigration Aid Unit, JustRight Scotland, and the Migrant and Refugee Children's Legal Unit at Islington Law Centre.

We partner with KIND, a US charity supporting legal representation for children facing deportation proceedings alone.

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For information about accessing KIND UK's services visit:

www.kidsinneedofdefense.org.uk/cases-we-take