

Ms  
(by email)

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Our Ref: FOI 16378

Your Re:

Date: 29 October 2010

## DEPRIVATION OF CITIZENSHIP – FREEDOM OF INFORMATION REQUEST

I am writing further to your email of 11 October about your request for information regarding deprivation of citizenship statistics.

Your request has been handled as a request for information under the Freedom of Information Act 2000. We are now in a position to provide a full reply to your request.

I am able to disclose all of the information that you requested in your email of 11 October. The following information regarding deprivation of citizenship may also be of general background interest to you.

Under s.40 of British Nationality Act 1981 (as amended by section 56 of the Immigration, Asylum and Nationality Act 2006) **any** British citizen may be deprived of his or her citizenship or status if the Home Secretary is satisfied that:

- the deprivation is conducive to the public good ***and the individual being deprived would not become stateless as a result of the deprivation;*** or
- the registration or naturalisation as a citizen was obtained by means of fraud, false representation or the concealment of any material fact;

As was explained to Parliament during passage of the Immigration, Asylum and Nationality Bill, deprivation of citizenship might be considered appropriate in cases involving national security (including espionage), war crimes; serious and organised crime; and unacceptable behaviours such as glorification of terrorism

"False representation" is understood to imply dishonesty on the applicant's part (i.e. an innocent mistake or omission would not give rise to a power to order deprivation under this provision).

"Concealment of any material fact" means operative concealment (i.e. the concealment practised by the applicant must have led directly to the decision to register or issue a certificate of naturalisation).

The person concerned has a right of appeal to the First Tier Tribunal (Immigration & Asylum Chamber) on both the legality and the merits of the Secretary of State's decision.

Where, however, the decision to make a deprivation order was taken wholly or partly in reliance on information which, in his opinion, should not be made public (a) in the interests of national security; or (b) in the interests of the relationship between the United Kingdom and another country; or (c) otherwise in the public interest, the right will instead be one of appeal to the Special Immigration Appeals Commission.

The effect of deprivation of British citizenship is that the person becomes subject to UK immigration control and, accordingly, may be removed or excluded from the UK. Where, however, an appeal against the deprivation of British citizenship is successful, the Tribunal (or, as appropriate, the Commission) may at its discretion direct that the deprivation order is to be treated as never having had effect.

The Government's highest priority is to protect public safety. We will seek to deprive citizenship to anyone whose presence is not conducive to the public good.

The Government has also made it clear it opposes extremism in all its forms. We will continue to stop those who want to spread extremism and violence in our communities from coming to our country.

To answer to your specific questions, I am providing data in calendar years for 2007, 2008, 2009, 2010 (to date):

2007 – 1 (deprived whilst out of the UK)  
2008 - 0  
2009 - 2 (1 deprived whilst out of UK)  
2010 - 5 ( 5 deprived whilst out of UK)

If for any reason you are dissatisfied with this response you may ask for an independent internal review of our handling of your request. This can be done by submitting your request to:-

Information Access Team  
Home Office  
Ground Floor,  
Seacole Building  
2 Marsham Street  
London SW1P 4DF

e-mail: [info.access@homeoffice.gsi.gov.uk](mailto:info.access@homeoffice.gsi.gov.uk)

The internal review will be conducted by someone other than the person who took the initial decision. If, following the internal review, you remained dissatisfied with the Department's treatment of your request than you may refer your complaint as established by Section 50 of the FOI Act to:

The Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Kindest regards

Linda Bateman  
Nationality Team  
North West Region