



Mr Simon Hoare MP
Chair, Northern Ireland Affairs Committee
House of Commons
London
SW1A 0AA

27 January 2022

Dear Simon,

During the evidence session on 8 December, I agreed to write to the Committee to clarify the position on deprivation of British citizenship, and the Good Friday Agreement.

The British Nationality Act 1981 provides for the Secretary of State to deprive a person of their British citizenship on the grounds it is conducive to the public good or if they acquired their citizenship as a result of fraud. However, the deprivation power is over a century old.

Deprivation on conducive grounds is used in cases where an individual has been involved in terrorism, espionage, war crimes, serious and organised crime, or unacceptable behaviours such as extremism or glorification of terrorism.

Any British citizen may be deprived where it is conducive to the public good, and they would not be made stateless.

A naturalised individual may be made stateless as a result of deprivation on conducive grounds, if they have conducted themselves in a way which is seriously prejudicial to the vital interests of the UK (or the Channel Islands, the Isle of Man or any British overseas territory), where the Secretary of State reasonably believes that the person is able, under the law of another country or territory outside the United Kingdom, to become a national of that country or territory.

Deprivation on conducive grounds is used sparingly and in accordance with domestic and international law. The Home Office will always consider an individual's rights under the Belfast (Good Friday) Agreement in any relevant deprivation decision, which always comes with a right of appeal.

The Nationality and Borders Bill does not seek to make any changes to the policy. Clause 9 of the Bill simply allows for the Home Office to deprive citizenship without prior notification, but only in exceptional circumstances, for instance, if someone is in a war zone or if informing them would reveal sensitive intelligence sources. It does not change any other existing rights, such as the right of appeal, or the reasons for which a person could be deprived of their citizenship. Nor does it target any particular ethnic minorities or other nationalities. But it is

vital, including to our national security, we ensure just because we cannot immediately tell a person they are to be deprived of British citizenship, it does not make the decision any less valid or prevent the deprivation order being made.

With my very best wishes,

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