

County Council

20 July 2018

Agenda Item 6(d) – Notice of Motion by Mrs Mullins

Cost of Citizenship for Children - Briefing Note

Children may have leave to remain in the United Kingdom but without the benefits of citizenship. These include the right to live permanently in UK, the automatic right to care through the National Health Service, the right to hold a UK passport and the right to vote. Citizenship helps in securing access to higher education, training and employment.

The Home Office fee for a child's application to register as a British citizen is £1,012. The administrative cost of processing such applications (£372) is known from reporting of a judicial review brought by the Project for Registration of Children as British Citizens and Amnesty International UK.

With regard to those children for whom the County Council has a legal responsibility as children in care and care leavers, some will have been born in UK without automatic citizenship rights, others may have come to UK as unaccompanied asylum seekers. These differing origins should not affect the County Council's approach to supporting children in care and care leavers.

Although it has no formal written policy on this particular issue of supporting citizenship applications, as a corporate parent the County Council is committed to the welfare of children in its care, having regard to all their needs and their future prospects. This includes paying for citizenship applications where necessary. Additionally, asylum-seeking children often qualify for legal aid, but the County Council would underwrite relevant costs for children in its care.

However, children in care without British citizenship automatically receive the protection of the state and, on leaving care, will receive five years' leave to remain in the UK. At the end of this period they can apply for Indefinite Leave to Remain. If successful, they are then entitled to apply for citizenship.

This means that the vast majority of former care leavers exercising this right will be over 21 years of age, and therefore no longer in the care of the County Council. A very few may have been brought to this country by their family and subsequently become looked after. We are only aware of two cases of care leavers to which this would have applied in the last three years.

Although recent legislation (Children and Social Work Act 2017) now requires local authorities to offer Personal Advisor support to all care leavers up to age 25, this does not include a requirement to make financial undertakings to those over the age of 21.

Kim Curry

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