Your address

Line 1

Town

Postcode

Email

Phone (optional)

[Date]

Dear [Name of your MP],

**Re: Urgent Reform Needed to Address Discriminatory Provisions Against British Citizens Born Abroad**

I am writing to you as a concerned constituent seeking urgent reform of the British Nationality Act 1981 ("the Act"). Current provisions unfairly restrict British Citizens by Descent from passing on their nationality to their children unless they meet arbitrary residency requirements, creating an inequitable two-tier system of citizenship.

**The Issue: Arbitrary Residency Restrictions**

Under Section 3(5) of the Act, British Citizens by Descent must complete a rolling 3-year period of continuous residence immediately before their child's birth to pass on citizenship. This rule disregards any prior long-term UK residence, unfairly penalising citizens who have lived in the UK for many years but do not meet the narrow 3-year timeframe.

* No other category of British citizen faces such restrictions.
* A citizen with 20 years' UK residence could still be restricted from passing on their nationality if they fail the 3-year rule at the time of their child’s birth.

Unlike other British citizens, British Citizens by Descent cannot "upgrade" their citizenship through long-term residence, leaving them permanently restricted under the Act.

**Section 3(2): Additional Hurdles**

Section 3(2) adds a further barrier, requiring proof of a "close and continuing connection" to the UK for a child born abroad to be registered. This subjective and complex test introduces uncertainty and excludes citizens who have lived, worked, and contributed to the UK for decades, but who may struggle to satisfy the Home Office's narrow criteria.

Together, Sections 3(2) and 3(5) unfairly discriminate against British Citizens by Descent, creating hurdles no other category of British citizen faces.

**Reliance on Discretionary Remedies is Inadequate**

While Section 3(1) grants the Home Secretary discretion to register a child in special circumstances, reliance on discretionary remedies is inadequate. It leads to inconsistent outcomes, uncertainty, and denies British Citizens by Descent the security enjoyed by others. Citizenship rights should not hinge on ministerial discretion.

**Statelessness and Dual Citizenship Hardship**

The Act inadequately protects against statelessness. While Section 3(2) allows registration of stateless children, the narrow scope and the obstacles created by Section 3(5) expose children to the risk of statelessness or legal limbo. Dual nationality issues can also arise, where children may be denied citizenship both from the UK and their country of birth, creating serious hardship for families.

**A Legal and Moral Injustice**

The generational limitation placed on British Citizens by Descent is discriminatory and outdated. Other British citizens, whether born in the UK or naturalised, can pass on their nationality without facing such arbitrary hurdles. Penalising individuals based purely on their place of birth is unjustifiable and outdated.

**A System Out of Step with Modern Standards and Recent UK Reforms**

Other nations have recognised the injustice of generational limits. The Ontario Superior Court of Justice ruled Canada’s first-generation limit unconstitutional, finding it discriminatory and harmful. Meanwhile, UK reforms such as the British Nationality (Irish Citizens) Act 2024 now allow Irish citizens with 5 years' residence to pass on nationality — yet no equivalent reform has been offered to British Citizens by Descent.

**The Need for Reform**

I fully support the efforts of [www.britishcitizenbydescent.co.uk](http://www.britishcitizenbydescent.co.uk), which advocates for the following reforms:

1. Allow British Citizens by Descent to **upgrade** their citizenship after a period of UK residency (e.g., 3 or 5 years), enabling them to pass on their nationality to children born abroad.
2. Remove the arbitrary 3-year rolling residency requirement under Section 3(5) and the restrictive hurdles in Section 3(2) if this residency requirement is met, ensuring equal treatment with other British citizens.

**A Call for Action**

The current discriminatory provisions of the Act treat British Citizens by Descent as second-class citizens. Reform is long overdue.

I urge you to support amending the British Nationality Act 1981 to ensure all British citizens are treated fairly and equally, regardless of where they were born.

I look forward to your response and to hearing how you will support these vital reforms.

Yours sincerely,

[Your Name]