



Belonging

British Citizenship Rights of
Children in the UK born to
EEA and Swiss Nationals

Ana is born in Spain.
Her mum is a single parent.
She is a Spanish national.



Ana and her mum move
to the UK.



Mum meets her partner.
He is a Spanish citizen
also living in the UK.



Mateo is born to Mum
and her partner.



Isabelle is born to Mum
and her partner.

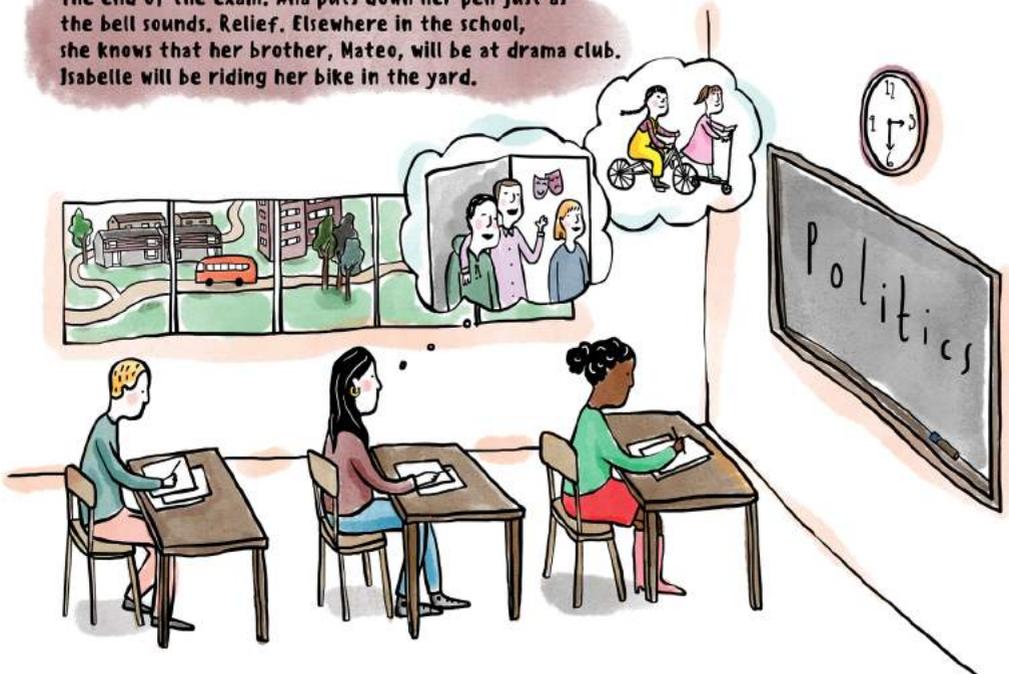


Mum gets permanent status
in the UK.



Present: Ana is 11, Mateo is 13 and Isabelle is 12.

The end of the exam. Ana puts down her pen just as
the bell sounds. Relief. Elsewhere in the school,
she knows that her brother, Mateo, will be at drama club.
Isabelle will be riding her bike in the yard.



What are you looking forward to most about being 18?

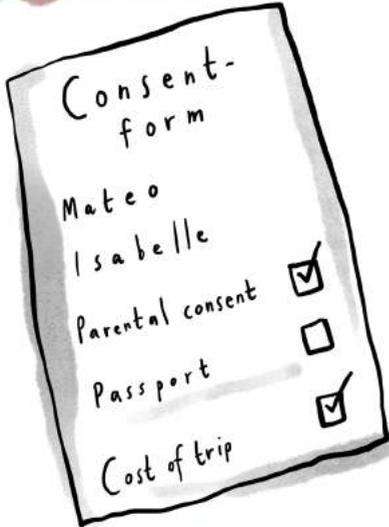
I can't wait to go clubbing on your birthday!

I'm really looking forward to getting more involved with politics. Voting is the first step!



Ana wants to register to vote in the next general election. She dreams of changing what she sees: of going into politics to help others.

Mateo and Isabelle want to go on a school trip to France...



But neither have passports.

They decide to apply for British passports.



The three forms are sent...



But only Isabelle's is accepted.



They said no to Ana and I because we aren't British citizens? But I was born here!

I am on the electoral register but I can't vote in the next general election!



So how come Isabelle gets a British passport but I don't? How can she be a British citizen if I am not?

I have no memories outside the UK!



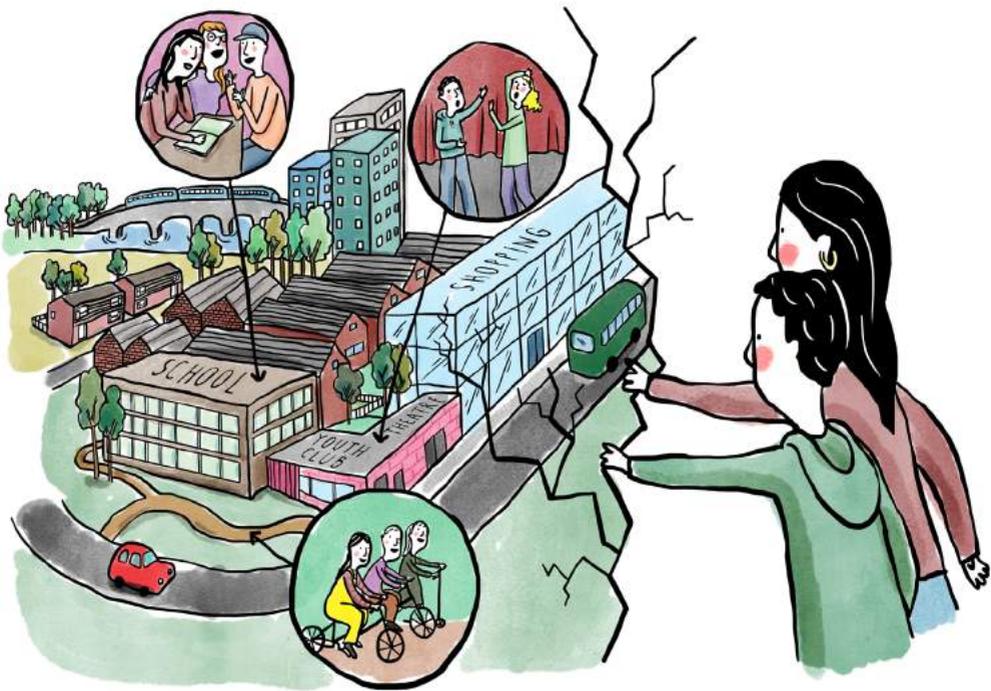
Why don't I get a passport but Isabelle does?

You and Isabelle were both born here - surely you should both be British citizens?

Wouldn't our permanent residence mean you should also have got a British passport?



They hadn't thought about British citizenship before this.





Isabelle was born a British citizen, because she was born in the UK after 30 June 2006 to a father with permanent residence. She has been issued with a British passport to confirm this.

Although both Isabelle and Mateo were born to a father with permanent residence, and born to unmarried parents, because of a change in British nationality law from 1 July 2006, the younger child (Isabelle) was born a British citizen and the older child (Mateo) was not.



Ana was born in Spain and is not a British citizen. She can apply to register as a British citizen, at the discretion of the Home Office. However, if she wants to make the application, she should act quickly before she turns 18, as this right only applies to minors.



Mateo was not born a British citizen because he was born before 1 July 2006 and his parents were not married. Only his mother's status was relevant to him, and she did not have permanent residence. But he has the right to register as a British citizen:

1. Because he was born in the UK before 1 July 2006 to unmarried parents, and to a father who had permanent residence at the time of his birth, he can register by entitlement. There is no Home Office fee to pay.
2. Because he was born in the UK and has lived in the UK for his first 10 years, he can also register by entitlement. There is a Home Office fee to pay.
3. Because he was born in the UK and his mother got permanent residence after he was born, he can also register by entitlement before he turns 18. There is a Home Office fee to pay.

Once registered as a British citizen, Mateo can apply for a British passport.

For more information about EEA and Swiss national children and their rights to British citizenship, please see: www.hoganlovells.com/british-citizenship-leaflet



This comic was produced in collaboration between Hogan Lovells International LLP, The Project for the Registration of Children as British Citizens (PRCBC) and PositiveNegatives.

Hogan Lovells International LLP has produced the comic on a pro bono basis as part of our commitment to access to justice and strengthening the rule of law. We work alongside our Citizenship team and our Social Enterprise team who focus on business as a force for good.

Find out more about our work here:

hoganlovells.com/en/citizenship/pro-bono

The Project for the Registration of Children As British Citizens (PRCBC) is the first and only organisation to focus directly on children and young adults and their right to British citizenship. Find out more here:

prcbc.org

PositiveNegatives has been producing literary comics, animations, and podcasts about contemporary social and human rights issues, since 2012. They combine ethnographic research with illustration and photography, adapting personal testimonies into art, advocacy, and education materials.

Artwork by Gabi Froden. Find out more about our work here:

positivenegatives.org

The comic is for information only. It is not intended to create, and receipt of it does not constitute, a lawyer-client relationship.

This comic is not maintained for changes in law, after publication on 8th May 2019.