

R (on the application of O (a minor, by her litigation friend AO)) (Appellant) v Secretary of State for the Home Department (Respondent)

Case ID: 2021/0062

Case summary

Issue

Can the Secretary of State lawfully make the exercise of a child's right to be registered as a British citizen conditional on their payment of £1,012?

Facts

Under the Immigration and Nationality (Fees) Regulations 2018 ("the Regulations"), the Secretary of State charges a mandatory fee of £1,012 to all children applying to be registered as British citizens under various provisions of the British Nationality Act 1981.

The Appellants argue that, as the fee is unaffordable for a significant number of children, and so makes their statutory right to be registered as British citizens meaningless in practice, the Regulations must be unlawful. The High Court and the Court of Appeal rejected that argument. The Appellants now appeal to the Supreme Court.

Judgment appealed

[\[2021\] EWCA Civ 193](#)

Parties

Appellant(s)

O (a minor, by her litigation friend AO) The Project for the Registration of Children as British Citizens

Respondent(s)

Secretary of State for the Home Department

Appeal

Justices

Lord Hodge, Lord Briggs, Lady Arden, Lord Stephens, Lady Rose

Hearing start date

23 June 2021

Hearing finish date

24 June 2021

Watch hearing

23 June 2021 [Morning session](#) [Afternoon session](#)

24 June 2021 [Morning session](#)