



Refugee Citizenship Changes: what you need to know

In February 2025, the Home Office made changes to the [Good Character guidance](#) for citizenship applications. The changes will directly impact many refugees in the UK who wish to apply for British citizenship.

This document will set out some basic information on the changes and what they could mean for you.

What has changed?

One of the requirements for an application for British citizenship, if you are aged 10 or over, is that you are a person 'of good character'.

Whether a person meets the *good character* requirement can be affected by, for example:

- whether they have any **criminal convictions**;
- their **financial circumstances** (including if they have failed to pay taxes or they have significant debt);
- whether they have been **dishonest or deceptive** when dealing with the UK government;
- whether they have **breached UK immigration laws**.

Before 10 February 2025, the Good Character guidance stated that a person would normally be refused citizenship if they entered the UK without permission ('illegal entry') in the last 10 years. However, the Home Office regularly used their discretion for British citizenship applications made by people who had been recognised as refugees in the UK.

From 10 February 2025, the Home Office have made significant changes to the Good Character guidance. For applications made on or after 10 February 2025, **a person will normally be refused citizenship if they previously entered the UK without permission, no matter when this happened** (including those who made a dangerous journey to the UK - for example, by travelling on a small boat or concealed in a vehicle).

We understand that many refugees travel to the UK irregularly and make dangerous journeys because there is no legal and safe way for them to enter the UK. The UK government's policy changes mean that most refugees in the UK will no longer be considered to meet the *good character* requirement for British citizenship.

How do the changes affect refugees in Scotland?

If you applied for British citizenship before 10 February 2025 and you are waiting for a decision on your application, the policy changes will **not** affect you.

If you are currently living with Refugee Status or Indefinite Leave to Remain in the UK as a refugee, **the policy changes will not affect your current immigration status**. However, you may be unable to become a British citizen in the future, unless you entered the UK with a valid visa.

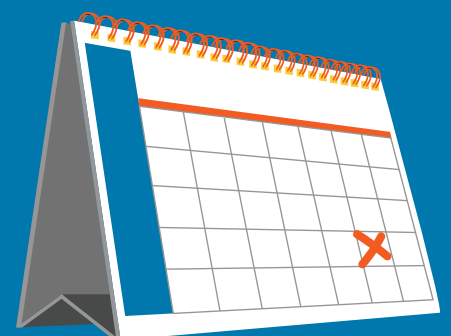
Are there any exceptions?

The guidance does not set out specific exceptions but it is important to note that:

1. The Home Office will normally exercise discretion for children where a breach of immigration law was not their fault. For example, if a child entered the UK without permission because of a decision made by their parents or traffickers, the guidance recognises that they should not be penalised for it.
2. The Home Office has the discretion to grant citizenship in exceptional cases. The guidance does not give much information about when this will apply. However, it gives an example of an exceptional case where someone applying for citizenship entered the UK without permission 14 years before the application was made and was later granted refugee status and recognised as a victim of trafficking.

The fact that the guidance does not set out specific information about exceptions means that whether the Home Office will use discretion will depend on the individual circumstances and whether there are reasons to argue that a case is exceptional.

It is important to remember that if you ask the Home Office to make an exception, there is a risk that your application might still be refused.



What happens if my British citizenship application is refused?

If you apply for British citizenship and your application is refused, you will not have a right of appeal against the decision.

It is important to note that you will not receive a refund of the application fee.

However, it may be possible to request a review of the decision, or to challenge the decision through a court process called 'judicial review'. This is only possible in limited circumstances.

If you apply for British citizenship and the application is refused, you should seek legal advice as soon as possible.

Legal Advice

If you are considering applying for British citizenship and you previously entered the UK without permission, we recommend that you seek legal advice before making a citizenship application.

Your solicitor can advise you on whether the recent policy changes apply to you and whether there are exceptional circumstances in your case.

You can find immigration solicitors through the Law Society of Scotland's website: <https://www.lawscot.org.uk/find-a-solicitor/>. You can choose "immigration and asylum" from the drop down menu.



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