# Legal challenge targets Home Office over refugee citizenship ban for irregular entry



## Legal Challenge Launched Against New Citizenship Rules for Refugees

Recent changes to British citizenship laws have ignited a significant legal challenge, with new guidance from the Home Office showcasing a troubling retreat from compassion towards refugees arriving via irregular routes, such as small boats or hidden in vehicles. The policy, implemented on February 10, 2025, declares that individuals entering the UK illegally will "normally" be denied the chance to pursue citizenship, effectively punishing people for desperate circumstances.

Three refugees, already granted indefinite leave to remain, are stepping forward to contest these regulations through legal action led by Duncan Lewis Solicitors. Central to their claim is the assertion that the policy unlawfully discriminates against refugees, potentially breaching the Equality Act 2010. This challenge threatens to put the legality of these draconian regulations under judicial scrutiny, especially as they impact around 70,000 refugees striving for British citizenship.

The repercussions of this policy shift have sent shockwaves through advocacy groups. Charities warn that the new rules will have a “devastating impact” on vulnerable populations, particularly survivors of sexual violence and trafficking. Maya Esslemont, director of After Exploitation, highlighted the absurdity of penalising modern slavery survivors, many of whom were coerced into perilous journeys. Rather than being judged by their treacherous routes to safety, these victims ought to be afforded a fair opportunity to present their cases.

Critics of the Home Office’s approach argue that this policy drives harmful stereotypes and deepens the marginalisation of already vulnerable individuals. Emily Burnham, a caseworker at Women Against Rape, pointed out that research shows at least 70% of women escaping their home countries have endured gender-based violence. The warning is clear: these new rules risk creating a society where only a privileged few receive the full rights associated with British citizenship, while others remain in limbo due to outdated and prejudiced judgments about their worthiness.

Moreover, Carita Thomas from the Anti-Trafficking and Labour Exploitation Unit expressed grave concerns about the chilling effect this policy has on survivors, many of whom had begun to envision a future within the UK after years of hardship. The notion that their past experiences could obstruct their path to citizenship is seen as a betrayal by those who sought refuge from threatening conditions.

The Home Office defends its rigid stance by claiming these tougher regulations signify a strong approach to immigration control, aimed at deterring illegal entry into the UK. Yet, such narratives fail to resonate with many, particularly as the government's recent proposals to reinforce deportation measures against those entering irregularly foster an atmosphere of uncertainty and fear.

Legal representatives of the claimants, like Jeremy Bloom from Duncan Lewis, argue that these changes are not only misguided but threaten the very foundation of asylum as a beacon for the persecuted. Bloom stressed that individuals recognised as refugees—following rigorous evaluations—should not face additional barriers simply because of the manner in which they fled grave dangers.

As discussions around this contentious issue unfold, the impending court ruling will not only determine the future for thousands of refugees but also set a crucial precedent concerning the UK's obligations under international human rights laws. Advocates, echoing sentiments from across the political spectrum, believe in the inherently dignified right of refugees to rebuild their lives, free from punitive restrictions that reflect a lack of empathy and understanding in new policies.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.independent.co.uk/news/uk/home-news/small-boat-refugees-british-citizenship-home-office-b2746288.html> - Please view link - unable to able to access data
2. <https://www.theguardian.com/uk-news/2025/feb/19/british-citizenship-rule-change-refugees-legal-challenge> - The UK government's new policy, effective from February 10, 2025, denies British citizenship to refugees who entered the country via irregular routes, such as small boats or concealed in vehicles. This change has faced its first legal challenge from a 21-year-old Afghan refugee, highlighting concerns over its legality and potential discrimination against vulnerable individuals. Critics argue that the policy breaches international human rights laws and creates a two-tier society, while the Home Office maintains that it reinforces existing measures against illegal entry.
3. <https://www.theguardian.com/politics/2025/feb/11/uk-home-office-citizenship-refugees-dangerous-journey> - The UK Home Office has updated its guidance to refuse citizenship applications from individuals who have made 'dangerous journeys' to enter the UK, including those arriving by small boats or hidden in vehicles. This policy change, effective from February 10, 2025, has been criticized by refugee organizations and some MPs, who argue it unfairly penalizes vulnerable refugees and breaches international conventions. The Home Office asserts that the guidance strengthens existing measures against illegal entry and its consequences for citizenship applications.
4. <https://www.refugeecouncil.org.uk/latest/news/refugees-prevented-from-being-granted-citizenship-refugee-council-response/> - The Refugee Council has condemned the UK government's new policy that prevents refugees who arrived via 'dangerous journeys' from obtaining British citizenship. CEO Enver Solomon stated that the policy contradicts public sentiment, as many refugees have successfully integrated and contributed to British society. He urged the government to reconsider, emphasizing that the policy could create a two-tier society and hinder refugees' ability to rebuild their lives.
5. <https://www.forbes.com/sites/freylindsay/2025/02/20/uk-citizenship-ban-for-refugees-faces-first-legal-challenge/> - A 21-year-old Afghan refugee has initiated the first legal challenge against the UK's new policy, effective from February 10, 2025, which denies British citizenship to individuals who entered the country via irregular routes, such as small boats or concealed in vehicles. The legal action raises questions about the policy's legality and its potential to discriminate against vulnerable refugees, with critics arguing it violates international human rights laws and creates a two-tier society.
6. <https://www.euronews.com/2025/02/12/uk-to-deny-citizenship-to-migrants-who-arrive-via-dangerous-routes> - The UK government has introduced new guidance stating that individuals who enter the country illegally, including those arriving by small boats or hidden in vehicles, will 'normally' be refused British citizenship. This policy change, effective from February 10, 2025, has been criticized by refugee organizations and some MPs, who argue it unfairly penalizes vulnerable refugees and breaches international human rights laws. The Home Office maintains that the guidance strengthens existing measures against illegal entry.
7. <https://www.ft.com/content/3c0db82d-a17d-4fa5-8510-f3bee2b4590a> - The UK has introduced new immigration rules barring refugees who arrive via irregular routes or make 'dangerous' journeys from claiming citizenship. The Home Office now instructs that those who enter the UK illegally from February 10, 2025, will normally be refused citizenship. This includes those arriving by small boats or concealed in vehicles. The move is part of a broader strategy by Sir Keir Starmer's government to present a firm stance on migration and border security amidst competition from Nigel Farage's Reform UK party.