

## **Annex L - DRAFT LETTERS FOR USE IN NULLITY CASES**

### **A. Draft letter to a registered or naturalised person or his agent**

I am writing to you about you/your client's nationality status. You (He/She) applied for naturalisation/registration as a British citizen/citizen of the United Kingdom and Colonies on [date]. You (He/She) gave your (his/her) name as [name]. On the basis of this information a certificate of naturalisation/registration number [...] was issued in those particulars on [date]. However following further examination of the application/when you (he/she) were (was) interviewed (by an immigration officer) at [location] on [date] it has become clear that/you (he/she) explained that

#### **GIVE DETAILS OF THE RELEVANT FACTS**

[[In cases of impersonation] In the light of the information now provided, the Secretary of State is satisfied that the naturalisation/registration was obtained by means of impersonation.

The implication of the Court of Appeal's decisions in R v Secretary of State for the Home Department ex parte Parvaz Akhtar [1980] 2 All ER 735 and R v Secretary of State for the Home Department and Governor of Horfield Prison ex parte Sultan Mahmood [1981] 3 WLR 312 is that you/your client did not benefit from the issue of that certificate of naturalisation/registration (i.e. you/he/she did not become a citizen of the United Kingdom and Colonies/British citizen on [date]). Consequently, you/[client's name] are/is not, and have/has never been, a citizen of the United Kingdom and Colonies/British citizen. The naturalisation/ registration certificate, number [...], is therefore null and void and should be returned to this office for cancellation.]

As [name] is/are not a citizen of the United Kingdom and Colonies/British citizen it appears that [name] is/are not eligible for United Kingdom passport facilities. United Kingdom passport number [...] which was issued at [name of

*office*] on [*date*] and all other United Kingdom passports which have been issued on the basis of the ineffective naturalisation/registration, should therefore be surrendered immediately. Would you please send them to me so that they can be forwarded to the United Kingdom Passport Service, which has been/is being informed of the position.

**B. Draft letter to IPS (Headquarters)**

On [date], we issued a certificate of registration as a citizen of the United Kingdom and Colonies/British citizen under section [...] of the British Nationality Act 19[ ] in the particulars of [*name, date of birth, place of birth*].

The certificate number was [...].

The registration/naturalisation [was obtained by impersonation and] is now to be regarded as a nullity.

It appears that a United Kingdom passport number [...] was issued at your [*name of office*] office on [date] on the basis of the ineffective naturalisation/registration. You will no doubt wish to note the nullity on your records.