

Feedback forum with [Devyani Prabhat](#), University of Bristol Law School

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Proportionality Analysis and the Cancellation of British Citizenship for Conduct by Categories

Abstract

Proportionality analysis involves wide and intensive merits review by courts in cases of interferences with rights. Cancellation of British citizenship for conduct interferes with several rights protected by the European Convention on Human Rights (Articles 2, 6, 8 and 14). Cancellation for conduct operates unequally between different categories of citizens (dual and single nationality holders as well as naturalized and natural born citizens). Intensive proportionality analysis has not taken place in deprivation for conduct cases so far because of a focus on statelessness claims which are determined by examining domestic nationality laws of countries connected factually to the cases. The narrow, technical outlook of the statelessness claims have precluded a full review of all proportionality considerations in courts. Recent changes in law suggest a thorough consideration of the various steps proportionality review for cancellation of citizenship for conduct is now overdue. Going through the steps of proportionality review, this paper argues that cancellation of citizenship for conduct is unlikely to meet the standards of each step. Removal of cancellation for conduct would establish greater commitment to equal citizenship in the UK.