

WE NEED PHYSICAL DOCUMENTS TO EVIDENCE (PRE-) SETTLED STATUS

Background

the3million is the largest organisation representing EU¹ citizens in the UK, formed after the 2016 EU referendum to protect the rights of people who have made the UK their home.

Over 3.5 million EU citizens and their families need to apply and acquire settled status or pre-settled status via the EU Settlement Scheme to continue living and working in the UK. It is therefore vital that the scheme works for everyone, so that people are able to easily prove their status and continue to access their rights in daily life.

EU citizens will have no physical proof of status under the EU Settlement Scheme, having to rely instead on a digital-only status to negotiate the 'hostile environment'. They will only be able to see their status online by visiting a web link, inputting their passport number and date of birth along with a verification code sent to them by email or text message.

In contrast, their non-EU family members will receive a physical, credit-card sized document evidencing their settled or pre-settled status.

In the largest survey to date of EU citizens' experience of the EU Settlement Scheme², **the vast majority (89%) expressed unhappiness about the lack of physical proof of their status.**

As the Rt Hon Michael Gove said in a recent House of Lords European Union Select Committee:

*"The moral and social case for it [documentary proof of status] remains as strong as ever"*³

EU citizens need the **option of a physical document** to prove their status:

- To provide **peace of mind**
- To ensure **equal access to opportunity** for everyone

Peace of mind

*"I want a physical document proving my rights. [...] Like a passport, I need this to feel secure in my rights."*⁴

EU citizens, like everyone, want to feel that they have **control over their status and rights**. This is no different from getting a driving licence after passing a driving test, and being able to use it as proof of age in the pub or picking up parcels from the post office.

¹ For brevity, we use 'EU citizens' to also include EEA and Swiss citizens

² <http://www.t3m.org.uk/SettledStatusSurvey>

³ <https://twitter.com/the3million/status/1257687213929893888>

⁴ Quotes from survey at <http://www.t3m.org.uk/SettledStatusSurvey>

“We need physical proof of settled status that we can keep in our possession. Digital status means the proof is only held by the Home Office virtually, not by myself.”⁵

EU citizens do not want to be **dependent on a status in the digital cloud**. This status can be inaccessible, for example for those without a smartphone or computer, for those who struggle with IT, or in circumstances when there is no Wi-Fi or signal. The status can be unavailable, for example there have already been several periods when citizens trying to access their status were faced with the message

“The service is currently unavailable due to maintenance, please try again later”⁶

Equal access to opportunity

The government requires employers⁷ and landlords⁸ to act as delegated border officials, with the risk of unlimited fines and imprisonment sentences for employing or renting to someone who they knew or had ‘reasonable cause to believe’ didn’t have the right to work or rent in the UK.

Millions of people work in the so-called ‘gig economy’, characterised by flexibility, short-term contracts and freelance work. Frequently an employment opportunity will be advertised and filled within hours. Faced with competition from British citizens (who can prove their right to work by showing a passport) and non-EEA citizens (who can prove their right to work by showing their physical residence card), EU citizens have to go through the **complicated hassle** of a 9-step online process then ask the employer to go through a 10-step process.⁹

This is **certain to result in discrimination against EU citizens**, not only for employment opportunities but also when looking for accommodation. Research by the Residential Landlords Association found:

“20 % [of landlords] said that they were less likely to consider letting property to EU or EEA nationals.”

JCWI have also shown via research that:

“Out of 150 mystery shopping enquiries from prospective tenants who asked landlords to conduct an online check, 85% received no response. [...] Only three responses explicitly stated that the landlord was willing to conduct an online check”

EU citizens should be given the same opportunities to work and live in the UK as everyone else. Physical documents will enable that.

⁵ <http://www.t3m.org.uk/SettledStatusSurvey>

⁶ <https://twitter.com/the3million/status/1164170886141939712>

⁷ <https://www.gov.uk/penalties-for-employing-illegal-workers>

⁸ <https://www.gov.uk/penalties-illegal-renting>

⁹ <https://www.the3million.org.uk/physical-proof>