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To: Home Office Public Enquiries public.enquiries@homeoffice.gov.uk

Cc: Mr Kevin Foster

By email: Kevin.foster.mp@parliament.uk & MinisterforImmigration@homeoffice.gov.uk

Dear Sir/Madam and Kevin Foster MP,

UK Government “Visa Check” Website

We are the Young Europeans Network, the youth-wing of the3million, an organisation supporting and advocating on behalf of young Europeans. Our aim is to ensure there is clear and accessible information where possible so that our members can make the informed decisions regarding their life in the UK.

We are regularly approached, in particular, by EU students about their status and access to education in the UK. Most recently, our members have noticed that the latest “visa check” on the Government’s website may lead to misinformation, an issue we hope to remedy by bringing your attention to the matter. We are referring to the “Check if you need a UK visa” page under the Brexit section (<https://www.gov.uk/check-uk-visa>).

We welcome the availability of the visa check in supporting migrants and UK visitors to have information regarding the documents they require to enter the country, especially since the introduction of the Immigration System has brought many policy changes into effect. We can speak with confidence that EU communities currently in the UK and those planning to enter in the future appreciate the efforts in place to ensure their needs are taken into account.

With that in mind, we would like to bring your attention to a few improvements we believe the “visa check” may benefit from. They are:

1. The visa check does not, at any point, ask whether the person completing it has status in the UK. It assumes that everyone completing this form has never before lived in the UK, and hence has no immigration status in the country.

Although it is likely the case that most people completing it will fall into that category, we are also aware of many EU nationals with pre or settled status temporarily residing in an EU country due to the coronavirus pandemic. An example of this group is EU students continuing their degrees remotely.

If someone in that situation was to complete the check, the result page would tell them they need to have a visa to enter the UK when in reality they are allowed to re-enter the country with their retained rights under the Withdrawal Agreement. In fact, the same applies to non-EU migrants with other forms of status in the UK.

This, we fear, will create unnecessary anxiety amongst those EU residents who have had to leave the country during the pandemic and may come to believe, through this visa check, that they need a new visa to re-enter the country. The consequence will be that many will apply for visas they do not require.

2. The visa check does not ask whether one has an EU family member currently residing in the UK with pre or settled status. As you are aware, an EU resident with retained rights can be joined by EU and non-EU family members in the UK. Hence, a person using this check, for example, a student who has a grandparent with settled status in the UK, would not be made aware of the possibility of applying for the EU Settlement Scheme as a family member.

Once again, we believe that this will lead many to apply for visas they do not in fact require.

We raise these concerns because we believe they can be easily fixed to avoid unnecessary anxiety and misinformation amongst migrants seeking immigration information through the Government website.

We thus ask that the issue of requiring a visa is not an additional concern for students with pre or settled status. We suggest changing the text on the landing page (<https://www.gov.uk/check-uk-visa>) to avoid unnecessary confusion, as follows:

“You may need a visa to come to the UK to visit, study or work.”

to

“You may need a visa to come to the UK to visit, study or work.

If you are an EU, EEA, Swiss citizen or a non-EEA family member who can qualify under the EU Settlement Scheme, you do not need a visa as your rights are protected under the Withdrawal Agreement. Please check the EU Settlement Scheme [<https://www.gov.uk/settled-status-eu-citizens-families>] page for more information.”

We are asking for this change to be implemented to ensure EU citizens have access to clear information, whether they are working, studying or joining family members in the UK.

We would be grateful if you could provide us with a reply as soon as possible, as this is a time sensitive matter. Our Young Europeans are also available for further consultation on any of the above points.

Your sincerely,

Lara Parizotto and Alexandra Bulat

Young Europeans Network Co-Chairs
the3million