



Home Office

Rt Hon Brandon Lewis MP  
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Guy Verhofstadt  
Member of the European Parliament  
Brexit Co-ordinator and Chair  
Brexit Steering Group  
European Parliament Office  
1047 Brussels

13 September 2019

Dear Guy,

## **CITIZENS' RIGHTS AND IMMIGRATION**

I saw your tweet on 11 September claiming that Home Office treatment of EU27 citizens is unacceptable and settled status isn't working. I wanted to write to put the correct position on record, and to express my disappointment and frustration that there continues to be misunderstanding about the EU Settlement Scheme. Such misconceptions, along with inaccurate press coverage, undermine the reassurances we are seeking to provide to EU citizens in the UK, generate uncertainty and cause unnecessary worry and stress for individual citizens.

Above all, the UK Government wants to reassure EU citizens in the UK that they are welcome to stay and that we are committed to protecting their rights. Even if we leave the EU without a deal, the Prime Minister has made clear that EU citizens living in the UK will have the absolute certainty of the right to live and remain.

We have launched the EU Settlement Scheme to give EU citizens their rights in UK law, to ensure that they can continue living in the UK after we leave the EU – deal or no deal. The scheme is set out in Immigration Rules made under the Immigration Act 1971. The status granted under the scheme – settled status (indefinite leave to remain) or pre-settled status (five years' limited leave to remain) – is a status under UK immigration law and will guarantee the person the same access to work, study, benefits and services as they currently have under EU law on free movement.

The secure evidence of that UK legal status which the EU Settlement Scheme also provides will ensure that, years from now, EU citizens and their family members can continue, easily, to prove their status and exercise the rights and access the entitlements which, deal or no deal, are protected.

The facts are that the EU Settlement Scheme is working well. More than 1.5 million people have now applied, according to our internal figures, and by the end of August more than 1.1 million applicants had been granted status under the scheme. There is plenty of time to apply – until at least 31 December 2020 – but we are keen for people to apply as soon as possible and will shortly be renewing our communications campaign, with a particular focus on supporting the vulnerable.

There has been much media speculation about grants of pre-settled status, including allegations that we are deliberately seeking to grant pre-settled status to people who are eligible for settled status. I would like to emphasise that nobody has been granted pre-settled status without first being offered the opportunity during their application to submit evidence that they qualify for settled status.

Pre-settled status aligns with EU law whereby someone generally only acquires permanent residence status after five years' continuous residence. As soon as EU citizens and their families have accrued five years' continuous residence, they can apply for settled status, which gives them leave on an indefinite basis. The proportion of those being granted settled and pre-settled status is broadly in line with expectations, based on the Annual Population Survey figures for the UK's resident EEA population.

If any EU citizen feels they or their family member have erroneously been granted pre-settled status – or if they need help with any other aspect of their application – I would encourage them to call our dedicated helpline 0300 123 7379. It is open seven days a week and there are hundreds of staff standing by, ready to assist with queries.

I hope you can agree that the arrangements described in this letter honour the obligations and commitments the UK Government has made in respect of citizens' rights, including safeguarding the employment status and social entitlements of EU citizens resident in the UK.

I trust you will be urging the EU27 to adopt similarly generous approaches that will provide UK nationals in the EU27 with the certainty and security that they need. It would be good to see the EU27 matching our offer of a fee free process and a deadline of at least 31 December 2020 for UK nationals to secure their status.

A handwritten signature in black ink, appearing to read 'Brandon', with a long horizontal flourish extending to the right.

**Minister of State for Security and Deputy for EU Exit and  
No Deal Preparation**