



ZJEDNOCZENIE POLSKIE W WIELKIEJ BRYTANII. FEDERATION OF POLES IN GREAT BRITAIN C.I.O.

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The Rt Hon Boris Johnson, MP,
Prime Minister,
10 Downing Street,
London SW1A 2AA

4 June 2021

Dear Prime Minister,

Our member organizations of the Federation of Poles in Great Britain which has been the voice of the Polish community in Great Britain since 1947, are increasingly dismayed and alarmed by your government's treatment of our community, as well as of other EU minorities, following the unheralded but foreseeable consequences of the UK leaving the EU. As a committed historian and author of a book on Winston Churchill, you will remember that we are the children, grandchildren and cultural heirs of those Polish servicemen who served alongside the British Armed Forces against a common enemy in the hour of need, and our generations have since made a valuable contribution to British culture and to the UK economy, both before and after Poland's accession to the European Union.

We understand how your commitment to Brexit had to lead inevitably to the termination of free movement of labour between the UK and the EU countries and to the subsequent need to impose a new status for EU citizens who have settled in this country over many years. However, we feel that your government's determination to impose June 30th as the deadline for applying for settled or pre-settled status is harmful to the EU citizens here whom you promised many times to protect, both during the referendum campaign and later as Foreign Secretary. It would also be harmful to your relations with your European neighbours and to future social harmony in this country.

We have taken the liberty to list ten specific problems arising from your government's current policy and practices towards genuine EU residents in the United Kingdom:

1/ Although, according to the latest published figures, 5.11 million EU citizens (including 911,240 Polish citizens) have successfully applied for either settled status or pre-settled status, there are still some 300,000 applicants awaiting a decision. There are also a further unknown number who have still not been able to make the application because of the exceptional constraints in the traditional social communication channels resulting from the COVID-19 restrictions. The very fact that at least 5 million have applied when there were originally only believed to be some 3.5 million EU citizens in this country, illustrates how little information the Office of National Statistics actually has about the number of EU citizens present in this country who may still not be accounted for. It is still a common occurrence to come across Polish citizens even now, who have not heard at all about settled status or the deadline. Sticking to the 30th June deadline now will leave the Home Office with the enormous task of tracing an unknown number of previously legally resident EU citizens and UK taxpayers whose presence would now become illegal, and will cause many of these hitherto legal residents to enter a clandestine existence that would make them vulnerable to criminal pressures and blackmail.

2/ We accept that your government has generously agreed recently to allow late applications after June 30th on what you called reasonable grounds, either because of being unaware of the legislation or being deliberately prevented from applying. Yet, the success of these late applications, except in cases of recorded slavery or protected children, will still be dependent on a subjective judgement by the relevant Home Office case officer and could only add to the confusion over the future status of the EU citizen in question.

3/ Polish citizens who had not yet applied for settled status but who chose to live out the COVID-19 crisis with their families in Poland may not be able to return here in time to make their application on UK soil, due to Poland being still on the amber travel list.

4/ Likewise Polish citizens granted pre-settled status who chose to live out the COVID-19 crisis with their families in Poland will have unwittingly broken the terms of their future eligibility for settled status because they are unlikely to be able to spend a full 6 months in the UK during 2020 or 2021, especially if Poland remains on the amber travel list. We trust that this will be taken into consideration when those EU citizens do apply for full settled status.

5/ Similar problems face Polish and other EU children who are being cared for by local authorities, 61% of whom have not yet had an application for settled status submitted by their local council, mostly because of lack of time to bring all the documentation together. These vulnerable young people could therefore find themselves unwittingly without any legal status to work, study or live in this country, when they achieve adulthood.

6/ We are also mindful that a number of Polish parents had remained unaware until recently that they must arrange an application for settled status for their children as well, for whom they now need to obtain a new Polish passport.

7/ It is still unclear how EU citizens who have applied for settled status but have not yet received a decision from the Home Office, will be treated in practice in the period after June 30th as they await the Home Office's decision. Many of the applicants have complicated case histories, sometimes involving minor criminal convictions and often requiring a higher level of legal advice not readily accessible to many of the agencies approved by the Home Office to process settled status applications. It is likely that in the interim period a number of these citizens will therefore experience rejection from poorly informed institutions, employers or landlords, on the basis that they cannot show clear evidence of their right to stay legally in this country.

8/ We regret that the government has still not authorized the issue of a written document confirming settled status. The absence of such a certificate makes a legitimate application for a job or for accommodation that much more difficult, especially with cautious landlords or employers unsure of current legislation. The importance of providing written evidence of their legal status to live and work in this country should be appreciated by a government which has already accepted the principle that any future COVID-19 passport should exist as a written document as well as a phone record. A recent judicial review of your government's decision not to issue printed back up certificates of settled status failed only on the grounds of it being premature before 30th June, and could yet be reinstated with the courts after that date.

9/ For similar reasons we consider it discriminatory that EU citizens, unlike UK citizens, were not able until now to have access to their Home Office records when appealing against a decision to refuse settled status. This has now been challenged successfully in a judicial review, but we were surprised that the government had to await this judgement before agreeing to give such a basic right to EU citizens with a legitimate right to stay in this country.

10/ We were appalled too by the large-scale issue of letters to long term naturalized UK citizens, who were also EU citizens, threatening them with loss of the right to work, receiving benefits and free medical help on the NHS, and then only mentioning in the sixth or seventh paragraph of the letter, that they should ignore the letter if they are UK citizens. All UK citizens who were recipients of such a letter felt it to be an insulting example of possessing only second-class citizenship status in this country in the eyes of the Home Office.

We recognize that EU citizens newly arriving in this country after December 31st 2020 are no longer eligible to have settled status. However, our members were surprised at the harsh treatment by the UK Border Agency of these EU citizens who had been unaware of their new reduced status in this country. They were often handcuffed and detained in detention centres without proper explanation. Some had arrived with the promise of a college or employment interview or on the invitation of their relatives and could certainly have been granted a more courteous explanation of what their current rights entailed. We are certain that the UK government would be concerned if UK citizens were to be treated in this way by the border guards in EU countries. It is also likely to reduce the number of EU citizens who may want to travel here as tourists once the COVID-19 restrictions are lifted.

Whatever the merits of the decision to leave the European Union, this decision should never have led to such hostile treatment of EU citizens who barely two years ago had been treated in the United Kingdom in same way as British citizens.



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We are convinced that an extension of the deadline is still required into a period without lockdown to ensure that our community organizations and local authorities can trace those EU citizens who are still unaccounted for. A decision not to extend the June 30th deadline for EU citizens to apply for settled status, will not only bring misery and uncertainty to many who until now had lived legally in this country, but will also create a bureaucratic nightmare for UK institutions who could be confronted with a possibly huge increase in recently delegitimized citizens and their families seeking to eke out an existence outside the confines of the law. All normal lines of communication to such people, often with a poor knowledge of English and with no access to the internet, were severely disrupted during the COVID-19 crisis and could only be restored after the restrictions of lockdown were removed. It will also be important to ensure that all residents in this country have had legitimate access to the anti-COVID-19 vaccination campaign which could be hampered by the fear and suspicion of eventual deportation or loss of employment rights to some of these residents.

We believe that so many of these problems and potential injustices would be removed by extending the June 30th deadline for a further 6 months, in a period without COVID-19 restrictions. We are sure that such an extension will improve EU-UK relations and will improve the social harmony between EU based national minorities and other citizens in the UK.

Yours sincerely,

President, Federation of Poles in Great Britain, CIO

On behalf of the Trustees of the Federation