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**This letter is sent jointly from the Scottish Government's Minister for Culture, Europe and International Development, the Welsh Government's Minister for Social Justice, and the Northern Ireland Executive's First and Deputy First Ministers.**

Dear Kevin

### **Physical proof of status for EU citizens**

Now that the deadline for the EU Settlement Scheme (EUSS) has passed and the real life implications of the scheme play out, we write to request that you grant EU citizens the option of receiving physical proof of their settled or pre-settled status. There are a number of difficulties some EU citizens face in not having physical proof of status. Below we outline the reasons why we believe that this safeguard is now necessary.

A physical document will help prevent discrimination. All other groups of people who choose to make the UK their home and to contribute to our communities and economy are given physical proof. It cannot be right to deny EU citizens the reassurance that is offered to other migrant groups. Having two types of proof for two groups will lead at best to confusion and at worst to discrimination. This less favourable treatment is wrong in principle but also in practice. We all have an obligation under the European Union (Withdrawal Agreement) Act 2020 to ensure that EU citizens are treated fairly.

Digital only proof makes it difficult for EU citizens to prove their status to employers. As you know, currently EU citizens must request a digital code and send this to the employer who then checks the citizen's immigration status on the UK Government's website. This process may be considered bureaucratic and slow, and deter employers from offering work to EU citizens. Faced with two candidates – one with physical proof and one with digital proof –

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employers may find it easier to offer work to the former. Employers will also be mindful of the threat of civil penalties for failing to conduct right to work checks correctly.

A physical document will help vulnerable citizens prove their status more easily. We are particularly concerned about the elderly and people with mental and physical impairments. Some people have poor digital literacy skills, while others simply do not have routine access to the internet (all of which has been evidenced throughout the EUSS process). An individual's vulnerability can change overtime, including their digital skills. People in controlling or abusive relationships may be particularly harmed by the lack of physical proof. Perpetrators of domestic violence take control of victims' email accounts and phones.

The UK Government offers a physical back up to digital vaccine passports. The digital NHS COVID Pass enables people to share their vaccination records but people can also request a paper copy of their pass. If the UK Government can offer safe and secure paper vaccine passports, it can do the same for EU citizens' immigration status and QR technology means such documentation is extremely hard to tamper with or forge.

To be clear, we are not calling for the abandonment of digital proof. We recognise that digital proof has many positive attributes. Over time more interactions between the state and citizens will be conducted online. We are simply calling for an additional safeguard - not for all EU citizens but only for those who request physical proof.

Given the above, we strongly urge you to provide EU citizens with the opportunity to request physical proof of status, should they wish. This safeguard will provide reassurance to vulnerable EU citizens, prevent discrimination and assist employers and other service providers. We would be happy to meet you to discuss this request further and we look forward to an early response.

Yours sincerely



**PAUL GIVAN MLA  
FIRST MINISTER**



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**MICHELLE O'NEILL MLA  
DEPUTY FIRST MINISTER**



**JANE HUTT MS  
MINISTER FOR SOCIAL JUSTICE**



**JENNY GILRUTH MSP  
MINISTER FOR CULTURE, EUROPE AND INTERNATIONAL DEVELOPMENT**

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