

Written evidence submitted by Bart Oonk (ISSB14)

Dear House of Commons Public Bill Committee,

I understand you will be considering the Immigration and Social Security Co-ordination (EU Withdrawal) Bill.

As part of this I would like you to make aware of the unfairness of the application itself as well as the rights attached to the Settled Status scheme, which is currently in it's public test phase. I therefore plan NOT to apply for it until most or all of these issues have been addressed.

1.

It is secondary legislation which means that the rights can be changed at any time by the Government without involvement by Parliament....

EU citizens rights should be ring-fenced - rights should not be taken away from law abiding citizens, who built their lives and contribute to society in good faith, often for decades (in my case 30 years);

2.

Having to consent for the Home Office to share my personal details (biometric details, fingerprint, facial recognition etc.) with 3rd party organisations, within the UK as well as overseas.

After a request made by the 3million group under the Freedom of Information Act, the Home Office has refused to reveal who these 3rd parties are.

How secure is this data with these undisclosed 3rd parties? I think there would be a public outcry and revolt if that would be done to Brits -

so is it fair to law abiding EU citizens who came here in good faith? (For more info see: https://www.whatdotheyknow.com/request/settled_status_app_data_privacy);

3.

Proof of Settled Status is not a physical document, but it's only a digital link. This causes uncertainty whether it works at crucial times, it's unnecessary complicated, it's troublesome for anyone who needs to check it, e.g. the the NHS, potential employers, banks or landlords (who might not understand the system, and naturally will be concerned to select someone with appropriate rights in order not to be fined, so might choose an applicant with straight forward papers instead) etc, and is potentially open to IT issues as well as hacking/Identity theft;

4.

The Government said that they would be looking for "reasons to approve rather than to reject", and that the application will be "simple and straightforward".

Unfortunately there are many many cases of applicants experiencing incredible problems with their application, only in order to be able to carry on with their lives.

The groups called "the3million" (<https://www.the3million.org.uk/>) and "In Limbo" (<http://www.ourbrexitblog.eu/blog/category/in->

[limbo/](#) and <https://www.facebook.com/inlimboproject>) will be able to provide many shocking examples.

And a large group of self-employed applicants like myself will be by definition refused, until at least one document for each of the 6 months of each of the last 5 years are uploaded (that is at least 30 documents! - although the app only allows 10 documents to be uploaded), which is not at all "simple and straightforward" as many bills are now online only and don't go back that far.

I have been living, working, raising a family, volunteering and generally be a very integrated and caring member of my local community in the UK for 30 years legally, and the Home Office has access to my HRMC records, DWP records, Council Tax records, Border Control records and I'm sure other records too.) When I came to the UK in 1989, I was very surprised there was no registration system in the UK at all like in most EU countries. Many years later "Permanent Residency" was introduced, but that too was incredibly and unnecessary complicated, and the website specifically stated that for "EU citizens there really was no need to apply"... but somehow I now am obliged to apply and jump through these hoops after nearly 3 years of uncertainty which is the cause of much anxiety?

5.

Applicant who received Settled Status will have to tell the Home Office every single time they change their mobile phone number, email address etc.

Would any UK citizen be happy to do so? And it's bound to catch out well-meaning and law abiding citizens. (Not least the elderly and the vulnerable)

For more info see: https://twitter.com/uk_domain_na.../status/1094521331880783872

But more importantly, every time you obtain a new passport, you will need to send it off to the Home Office by post. Any of us is not particularly happy to send a passport by post in case it gets lost. And the Home Office won't tell how long it will take to get back. What about if you have to travel urgently to see family abroad at short notice?

Before you start

You'll need the details of the document you used to prove your identity when you applied to the EU Settlement Scheme. This will be one of the following:

- passport
- national identity card
- biometric residence card (BRC)

You'll be sent a security code to confirm your identity to either the email or mobile number you used in your application.

[Start now](#)

What you need to know

If you've got a new identity document you'll need to send this in the post - you'll be told where to send it in the service.

Last updated: 7 February 2019

6.

Uncertainties and changes to pension rules (for example if an EU citizen retires to their country of origin or indeed another EU country).

(Boris Johnson, Michael Gove and Pritti Patel promised in early June 2016 as part of the "Vote Leave" campaign:

"There will be no change for EU citizens already lawfully resident in the UK. These EU citizens will be automatically be granted Indefinite Leave to Remain in the UK and will be treated no less favourably than they are at present");

7.

Losing Residency rights, e.g. after leaving the UK for over 2 (or is is 5?) years (contradictory information);

8.

Dual Nationals will loose future Family Reunion rights;

9.

I think it's wrong that our current voting and standing rights in local elections will be taken away from EU citizens;

10.

EU citizens living in the UK and paying tax in the UK, should be able to vote in general elections and referenda;

11.

If the application is refused, the applicant has no right to find out what data/information has been held on the applicant, so it will be very difficult to fight the refusal;

12.

I think it's wrong that it's an application (which can be refused) rather than a simple registration;

13.

I think it's wrong to only register "foreigners" rather than everybody (as most countries do) as it creates division and feeds xenophobia...;

14.

How insensitive to give the scheme the unfortunate name" of "SS". Or is it part of the hostile environment to deliberately scare law abiding citizens?

I am hoping you will understand the unfairness of it all and the uncertainties (and so anxiety) it causes to EU citizens, and that you'll manage to overturn most of these problems.

I came to the UK because of its fairness to all and I have always celebrated the wonderful people from the UK, its customs and felt pride to be part of it, I hope this will stay the same...

I would like to end with a couple of video's explaining some of these issues, you might like to watch.

<https://youtu.be/LdKkIto5nnE>

<https://youtu.be/eRdGpZN1O6o>

Yours sincerely,

Bart Oonk

February 2019

"There will be no change for EU citizens already lawfully resident in the UK. These EU citizens will automatically be granted indefinite leave to remain in the UK and will be treated no less favourably than they are at present."

Michael Gove, Boris Johnson, Priti Patel and Gisela Stuart, 1 June 2016



Vote Leave

#SettledStatusIsNothingLikeThis
