



Amnesty International UK

Submission to Independent Chief Inspector of Borders and Immigration

Further inspection of EU Settlement Scheme July 2020

Introduction:

1. The Project for the Registration of Children as British Citizens (PRCBC) and Amnesty are grateful for the opportunity to meet with inspectors on 23 July 2020 to discuss the rights of children and young people to British citizenship in connection with the EU Settlement Scheme and the further inspection of that scheme.
2. Our overriding concern is that everyone with rights to British citizenship should be aware of and able to exercise those rights. These rights to British citizenship are given by Act of Parliament. The Home Office should regard the statutory rights of acquisition of British citizenship by birth, adoption, commencement and registration under the British Nationality Act 1981 as of primary importance.¹ These rights to citizenship are intended to ensure that all people connected to this country share in the security and sense of belonging that is provided by having its citizenship.² That was the intention of Parliament in passing the British Nationality Act 1981. Parliament then recognised the harm that would be done to individuals and to race relations if that intention was not fulfilled. The Home Office is the department responsible for fulfilling that intention. It is responsible for confirming that a person is a British citizen; and the department responsible for registering rights to British citizenship given under the Act. It should regard these responsibilities as of particular importance.³
3. The EU Settlement Scheme arises from the withdrawal of the UK from the European Union and the ending of EU free movement rights in the UK occasioned by that withdrawal. The scheme reflects a need to address the status of people in the UK, who have before now been free from immigration controls by reason of their exercise of free movement rights. Many people losing EU free movement rights in the UK are, however, already British citizens; and many others have rights to register as British citizens. Before the referendum decision in 2016, people – including parents and local authorities – may not have appreciated there to be any concern regarding the

¹ PRCBC's leaflet provides information on the key provisions concerning rights to British citizenship. To view all of these rights, it is necessary to review Part 1 of the British Nationality Act 1981. The leaflet is available here: <https://prcbc.files.wordpress.com/2019/04/leaflet-british-citizens-rights-of-children-born-to-easwiss-nationals-.pdf>

² See Journal of Immigration, Asylum and Nationality Law, Vol 34 (2), 2020, pp139-157, *Reasserting Rights to British Citizenship Through Registration*, Valdez-Symonds & Valdez-Symonds

³ See PRCBC's commentary on the *Hansard* debates on the Bill that became the British Nationality Act 1981: https://prcbc.files.wordpress.com/2019/07/commentary_-hansard-bna-1981- registration aug-2018-2.pdf

security and freedom of people of EEA/Swiss nationality and/or parentage in the UK. The referendum and decisions since then have changed that. The rights to British citizenship of the people affected have not changed because those rights are not determined by EU law. However, EU withdrawal has greatly accentuated the importance and urgency for many people to be aware of their rights to British citizenship and able to enforce those rights.

4. PRCBC has with partners produced a comic to highlight several of the rights to British citizenship that are so relevant to many children and young people of EEA/Swiss parentage.⁴ Further information is available on PRCBC's website.⁵
5. Ministers have written to us explaining that where it becomes apparent that a person applying under the scheme is a British citizen, the person's application under the scheme will be treated as void:

*"The online application process for the scheme makes it clear British citizens cannot apply, and the system seeks to prevent them from doing so. If, however, during the caseworking process it becomes apparent an applicant is a British citizen, their application is treated as void and we write to them to explain this."*⁶

6. However, there is no information as to how this process will or can identify that a person was born in the UK to a parent who at that time was either a British citizen or settled. Without knowing whether the EEA/Swiss national parent was settled at the time of their child's birth, it cannot be established whether their child was born a British citizen (unless the other parent was known to be a British citizen or settled at that time).⁷ PRCBC has direct experience (see e.g. case study below of Julia) where the Home Office or Passport Office has failed to notify a person of their right to British citizenship in circumstances where it is clear that the person is so entitled and wishes to exercise that right. We have also raised these concerns directly with Home Office officials responsible for nationality decision-making and policy.
7. The Appendix to this submission provides a summary of the relevance to the matters addressed here of the origins of what has become known as the Windrush scandal.
8. This submission does not concern naturalisation. That is the means by which an adult migrant to the UK may seek to make her, his or their connection to the UK by applying to become a British citizen. The decision to naturalise is at the discretion of the Secretary of State. As such the rights of acquisition by birth, adoption, commencement and registration, which were given as rights to ensure recognition by citizenship of all people connected to this country, must be distinguished from naturalisation.⁸
9. The remainder of this submission highlights discrete problems and failings that continue to contribute to these concerns. The case studies provided are each taken from the casework of PRCBC. They are anonymised in ways to protect the identity of the child or young person to whom they relate.

⁴ See: <https://prcbc.files.wordpress.com/2019/05/belonging-british-citizenship-rights-of-children-on-eea-and-swiss-nationals.pdf>

⁵ Briefings, correspondence and other information concerning children and young people of EEA/Swiss parentage is available here: <https://prcbc.org/information-leaflets/>

⁶ See: <https://prcbc.files.wordpress.com/2020/06/letter-of-reply-may-2020-1.pdf>

⁷ Section 1(1) of the British Nationality Act 1981

⁸ As recorded in PRCBC's commentary *op cit* that distinction was expressly made.

Failing to raise awareness of British citizenship rights and action by the Home Office that has undermined those rights:

Case Study: Matteo

Matteo was born in the UK to Italian parents. He has lived here all his life save for a few visits with his parents to Italy; and a gap year in Europe immediately before going to university. Matteo contacted PRCBC shortly after the EU referendum and shortly after he had become an adult. He was very distressed and afraid for his future in the UK, the only country he knew and which he regarded himself to belong. He had discovered he was not regarded as a British citizen when refused inclusion on the register for voting in a general election and when twice refused a British passport. He had received poor legal advice before contacting PRCBC. That advice had included that he should apply for settled status when the EU Settlement Scheme was fully open; and that he could in future apply to naturalise as a British citizen but that this would have to wait because of his gap year. PRCBC assisted Matteo to firstly investigate whether either of his parents was settled in the UK at the time of his birth (which would mean he was British at birth). Having concluded it was not possible to establish this, PRCBC assisted Matteo to register his entitlement to British citizenship under section 1(4) of the British Nationality Act 1981. Nobody had previously advised him of this right. Matteo suffered serious mental health breakdown around this time.

10. Matteo's case exemplifies circumstances that are well known to PRCBC through its casework. It is commonly the case that many children and young people grow up in the UK unaware that they are not British citizens; and, on becoming aware, unaware of their rights to register as a British citizen. Children and young people often discover their circumstances around the time of reaching adulthood as a result, for example, of investigating their options for higher education and obtaining a student loan; or applying for a British passport. The impact can be devastating and frightening. There are very few sources of expert information, advice and assistance available. All of this increases the prospect that British children and young people do not exercise their British citizenship rights but register with the EU Settlement Scheme – something that Matteo was advised to do.
11. Matteo's case also highlights the difficulty of establishing the status of a parent at the time someone was born in the UK, years after their birth. This is exacerbated in the case of EEA/Swiss parents who have – under EU free movement rights – not been required to obtain documentary evidence of their being settled (which under those rights an EEA/Swiss national would have become after five years in the UK exercising free movement). In this regard, it was especially wrong of the Home Office to publicly discourage people from applying for a permanent residence document. This was done with no warning as to the potential disastrous consequences for the child born to someone who had not confirmed by such an application when she, he or they become settled. The Home Office did this in the period leading up to the department's introduction of the EU Settlement Scheme.
12. An unknown number of children will have been born to parents who have, therefore, neither confirmed that they were settled previously nor confirmed when they became settled. Proving this and thereby establishing the British citizenship of these children is now highly problematic. It is a particular problem for many children in care and other children from separated and single parent families because the child may have no contact with the parent in question or the parent may be deceased. In some cases, even where it is possible to trace the parent, this is not practical or safe. Either

the parent is a risk to the child (or the child's other parent) or the parent is unwilling to assist.

Home Office not working effectively with local authorities to secure citizenship rights of children and young people in care:

13. Many of the concerns we highlight in this submission could and should, in the case of children and young people in care, be addressed by proactive working by the Home Office with local authorities. That should be done to identify children who are British citizens but need confirmation of their citizenship. It should also be done to identify children who are not British citizens but have rights to British citizenship that need to be registered. It should facilitate the confirmation or registration of these children and young people's citizenship rights. Mercedes' case (below) highlights both what is not happening and the potential consequences of this to children and young people in care – and to their children.

Case Study: Mercedes

Mercedes was born to a Spanish mother who was in and out of work in the UK. Mercedes' father (who was British) abandoned them at the time of Mercedes' birth. Her mother was abusive, and Mercedes was taken into care before becoming a teenager. The local authority did nothing to address Mercedes' citizenship (which is consistent with PRCBC's experience that the status of EEA national children in the UK was generally not considered before the decision of the UK to withdraw from the EU and end free movement rights in the UK). Shortly before Mercedes was turning 18 and the local authority were intending to end their care for her, the local authority did contact PRCBC. At this time, Mercedes was pregnant. Her father could not be traced so it was impossible to identify whether he was British or settled. Her mother could be traced but became hostile and would not provide sufficient information to identify if she was settled at the time of Mercedes' birth. It was, therefore, no longer possible to evidence that Mercedes was born a British citizen. The local authority did not want to pay the fee for Mercedes to register as a British citizen. PRCBC sought to advise and persuade the local authority as to the best interests of Mercedes (and her as yet unborn child). Ultimately, PRCBC had to make formal complaints before the local authority did pay the fee and Mercedes was registered as a British citizen under section 1(4) of the British Nationality Act 1981. Had that not happened, not only would Mercedes be without her British citizenship. Her child would have been born without British citizenship too.

Refusal or failure to confirm material facts from Home Office records or other official records:

Case Study: Piotr

Piotr was born in the UK and taken into care as a baby. His mother was a British citizen by naturalisation when he was born. When the local authority took Piotr into care it held a copy of the mother's certificate of naturalisation. It submitted this to the Passport Office and applied for a British passport for Piotr. This was refused. The Passport Office demanded the original. The local authority did not pursue the matter. Piotr was adopted by parents from Greece. Piotr's adoptive parents were advised to register Piotr under section 3(1) of the British Nationality Act 1981 at a fee of £1,012 but only if and when they had become naturalised as British citizens (for which they would have needed to apply and pay fees). They wanted to take him to see their family in Greece. They then contacted PRCBC. PRCBC assisted Piotr to make

another passport application with the copy of his natural mother's certificate of naturalisation. Against, the Passport Office insisted the original was needed. PRCBC then issued a letter before claim (i.e. a letter required prior to the issue of legal proceedings in the High Court for judicial review). Ultimately, in response to that threat, the Passport Office issued Piotr with a passport.

14. Piotr's case provides example of a recurring experience of PRCBC. Both the Home Office and Passport Office are unwilling to confirm information from their own records. The impact on a child may be devastating. As Piotr's case highlights, this is often done in circumstances where there is evidence provided to establish the fact in question. Aminata's case (below) provides another example.

Case Study: Aminata

Aminata applied for a British passport on the basis that her estranged father was a British citizen. She included with her application a DNA report that had been commissioned by the Child Support Agency that demonstrated that he was her father. She also submitted evidence of her father being on the electoral role and her mother provided a sworn statement that she had seen Aminata's father's British passport before he had become estranged. The Passport Office refused the passport stating both that the DNA report did not establish parentage and that Aminata must prove her father's British citizenship. PRCBC assisted Aminata with a letter before claim to which the Passport Office responded that it had now confirmed from its records that he was a British citizen but that it required the evidence held by the Child Support Agency on the basis of which the DNA report had been issued. Aminata had no access to that. This was explained to the Passport Office who maintained its position. Only after PRCBC had issued another letter before claim and then issued legal proceedings in the High Court for judicial review did the Passport Office relent and issue the passport.

15. However, in PRCBC's experience, the Home Office and Passport Office does identify information from their records to refuse an application, including where the information cannot justify that refusal. Ada's case (below) provides example.

Case Study: Ada

Ada's application for a passport was supported by both her parents even though they were separated. Her mother, with whom Ada lived, was not settled in the UK. Her father, however, was a British citizen but now lived in Germany. The Passport Office refused the passport and relied on information it had obtained from the Home Office immigration records, which showed that Ada's mother had previously applied and been refused leave to remain on the basis of a proxy marriage to another man. Had that marriage been valid, Ada's father for the purposes of the British Nationality Act 1981 would have been the husband of that marriage (he was not a British citizen or settled in the UK). PRCBC assisted Ada (and her mother) to obtain the mother's Subject Access Records from the Home Office. This confirmed that the Home Office had refused to accept the marriage was valid. If the marriage was not valid, Ada was born a British citizen. When PRCBC put this to the Passport Office it ultimately issued Ada with a passport. However, much time and resources were demanded before it was possible to put this right.

16. Among the particularly vulnerable groups of people, upon which the current inspection is to focus, are children and young people in care. Whereas PRCBC and Amnesty are concerned about the impact of these practices on all children and young people, they are especially problematic in circumstances where a child is in care or otherwise estranged from one or both parents. The child will often not be in a position to obtain evidence of the matter that the Home Office or Passport Office is able but refuses or fails to confirm. Alternatively, like Piotr, the child may be unable to secure the evidence in the form the Home Office or Passport Office demands (e.g. an original document belonging to a parent from whom the child is estranged).

Case Study: Pieter

Pieter and his elder brother share the same parents, a Polish mother and British father. They were each born before July 2006 and their parents were never married. Accordingly, neither Pieter nor his brother were British citizens at birth, but each acquired a right to register as a British citizen under section 4G of the British Nationality Act 1981 (a provision introduced to remedy the injustice of denying citizenship merely by reason of being born out of wedlock). Pieter's brother's birth certificate recorded his father, but Pieter's birth certificate did not (because the parents had by then separated). PRCBC obtained sworn statements from both parents and with other evidence applied successfully to the General Records Office to replace the Pieter's birth certificate with one recording his father. Nonetheless, the Home Office refused to accept that Pieter's father was his father (albeit accepting the parentage of his brother) and demanded DNA evidence be provided.

17. These difficulties compound the risk that a child, a child's parent or a local authority gives up on the child or young person's British citizenship rights and, in the context of the EU Settlement Scheme, elects to register the child or young person with an immigration status.

Failure to inform a person of their citizenship rights

18. The cases of Julia and Tommy (see below) provide a striking example of the failure of the Passport Office to act on information known to it in circumstances where it clearly should have done so.

Case Study: Julia

Julia was born to an unmarried British father and Romanian mother. Her sibling was born to the same parents. While Julia was born before 1 July 2006, her sibling was born after that date. Julia's father applied for a passport for both children. He provided the Passport Office with the information confirming the parentage of the children, that their parents were not married at the time of their birth and of the dates of their birth. The Passport Office issued Julia's sibling a passport and refused a passport to Julia. The reason for this is that from 1 July 2006 (save where the mother is married to someone else), it makes no difference whether a child is born to parents who are married or not. If either parent is British or settled when a child is born in the UK, the child is born a British citizen. However, as the Passport Office must also know, a child born before 1 July 2006 to unmarried parents is entitled to register as a British citizen.⁹ When refusing to issue the passport, the Passport Office made no mention of Julia's entitlement. Julia's father contacted PRCBC. He was very worried

⁹ Section 4G of the British Nationality Act 1981

about Julia's future; and confused as to why one of his daughters had been issued a passport and the other refused. Moreover, he was concerned that he would have to apply to register Julian pay £1,012 (see below) to do so. PRCBC was able to confirm for him that not only is Julia entitled to register as a British citizen, she is entitled to do so without payment of any fee.¹⁰

Case Study: Tommy

Tommy was 16 when his father contacted PRCBC. Tommy had applied for a British passport and been refused in circumstances essentially the same as Julia (see above). Tommy was born in the UK to a British father who was not married to Tommy's French mother. The passport was refused because Tommy was born before 1 July 2006, yet no information had been given to Tommy or his father to indicate Tommy's entitlement to register as a British citizen for free under section 4G of the British Nationality Act 1981.

19. At the meeting on 23 July 2020, inspectors asked about the adequacy of information provided on the Home Office webpages concerning rights to British citizenship. As we then explained, the information is both hard to find and inadequate for many people. As some of the case studies show, even information and advice given by the Home Office or by lawyers is often inadequate or inaccurate. Simone's case study (below) highlights just how confused many people can be. This confusion puts children and young people's rights to British citizenship at risk and can cause immense distress.

Case Study: Simone

Simone contacted PRCBC anxious about her daughter, who was born in the UK. Simone is Austrian and was not settled in the UK at that time. She was not married to her daughter's father (who was a British citizen) and so her daughter, born before 1 July 2006, was not born a British citizen. Simone had looked at the Home Office webpages. She thought she would need to register Simone under section 1(3) or 1(4) of the British Nationality Act 1981. This would require a fee of £1,012. When advised that she should register her daughter under section 4G of the Act, without payment of the fee, she explained that she thought this would mean her daughter would be born a British citizen by descent (and so any child born to her daughter outside the UK would not be born British). This is wrong. However, it highlights some of the complexities with which people are often left to struggle for want of expert advice and clear information.

Registration Fee

20. PRCBC and Amnesty have previously drawn attention to the fee for a child to register as a British citizen.¹¹ The fee is currently £1,012. In the case of an adult, the fee is

¹⁰ Applications under section 4G are an exception in the Immigration and Nationality (Fees) Regulations 2018, SI 2018/330 to the fee.

¹¹ The chief inspector has responded to these concerns in his April 2019 report concerning fees: <https://www.gov.uk/government/publications/an-inspection-of-the-policies-and-practices-of-the-home-offices-borders-immigration-and-citizenship-systems-relating-to-charging-and-fees>

£1,206.¹² Only £372 of this fee is said to represent the cost to the Home Office of registering someone with British citizenship.¹³ We object to this fee on several grounds. It is not justifiable to charge an above-cost fee for someone to be able to exercise what is their right to British citizenship. Moreover, it is unnecessary and unreasonable to demand any fee from a local authority to register a child or young person in their care. This is simply a demand to transfer public funds from local to central Government with the risk that the fee deters the exercise of a child's rights. Given the nature and importance of these rights, we also consider it improper to prevent any child registering her, his or their right to British citizenship by reason of a fee the child cannot pay.¹⁴

21. The Home Office failure to consider these matters is also reflected in its failure to consider them in the context of the EU Settlement Scheme. It has not – at least not so far as we are aware (and it has not suggested anything to the contrary in correspondence with us)¹⁵ – made any assessment as to the impact of that scheme, which is free from any fee, upon the rights to British citizenship and people's readiness and ability to exercise those rights. PRCBC has many good examples of local authorities whom it has assisted to register children. However, it has poor examples too; and the fee (see below) is a concern.

Case Study: Lilya and Lucas

Lilya and Lucas are siblings with an Estonian mother. They were taken into care under a full care order shortly after PRCBC had been instructed to assist them to register as British citizens. The fact of the full care order was in itself demonstrative of the generally critical factor in the registration of any child under section 3(1) of the British Nationality Act 1981: being where the child's future clearly lies. Lilya and Lucas' futures were now clearly in the UK. However, despite PRCBC agreeing to represent the children for free, the local authority remained inactive or unsupportive and was generally unwilling to pay the children's registration fees of £1,012 each. PRCBC spent months advising the local authority and seeking to persuade it to act on the children's rights; and was forced to make complaints. In the end, the local authority did pay the fees and each child is now a British citizen.

Good character

22. PRCBC and Amnesty have previously drawn attention to the injustice of the good character requirement and the way it is applied by the Home Office to the registration application of any person aged 10 years or older.¹⁶

¹² These fees are set by the Immigration and Nationality (Fees) Regulations 2018, SI 2018/330

¹³ Home Office transparency data provides what is said to be the unit cost relating to the fee. The data is available at the following link; and it reflects the underlying error at the Home Office in failing to distinguish nationality rights from its immigration powers that fees for people with rights to British citizenship by registration are to be found in a table with the title 'visa fees', see:

<https://www.gov.uk/government/publications/visa-fees-transparency-data>

¹⁴ The legality of the fee remains the subject of litigation. In *R (PRCBC, O & A) v Secretary of State for the Home Department* [2019] EWHC 3536 (Admin), the High Court found the current (and previous) fee to be unlawful for having been set without proper consideration of the best interests of the child.

¹⁵ Letters to Ministers in September 2019 and February 2020 and the Minister's response of May 2020 are all available on PRCBC's website here: <https://prcbc.org/information-leaflets/>

¹⁶ The chief inspector has responded to these concerns in his reports on the good character requirement of July 2017 and April 2019: <https://www.gov.uk/government/publications/inspection-report-of-the-home-offices-application-of-the-good-character-requirement-july-2017> and

Case Study: Marcus

Marcus was born in the UK and has lived here all his life. He was born to a German mother. Shortly after his birth, Marcus became known to social services because of domestic abuse in Marcus' home. Marcus has spent years in and out of care. He has had several short-term foster placements; and at times there has been intensive social services support for him and for his mother. His father abandoned the family when Marcus was very young. Later, Marcus mother lived with another man who was abusive. Marcus' life in the UK has been extremely distressing and he has many times run away from home. Nobody has considered Marcus' citizenship rights until very recently. Marcus is now a young man with a criminal record from his later teenage years. His father cannot be traced, and it is difficult to establish his mother's status at the time of his birth. Marcus may be a British citizen, but it may be that this cannot be proved. Marcus certainly has the right to register as a British citizen. At the latest, he acquired this right (under section 1(4) of the British Nationality Act 1981) when he was ten. However, Marcus now faces the prospect that he may be refused British citizenship because his citizenship was not registered before his offending.

23. PRCBC's experience is that the good character requirement for registration as a British citizen is a barrier that disproportionately affects children in care. This is so for both children of EEA/Swiss parents and children of other parentage. The failure to register children at the earliest opportunity (or to secure confirmation that a child is already a British citizen) can prove catastrophic for a child or young person. Abuse, exclusion and marginalisation is often at the heart of why a child comes to be in care, yet this is exacerbated by exclusion from British citizenship and the threat or reality of immigration detention or deportation in later life.

Conclusion:

24. PRCBC and Amnesty would urge the chief inspector to consider the impact of the EU Settlement Scheme – the way it has been introduced, promoted and implemented – upon rights to British citizenship. Our concerns are that thousands more children and young people will continue to be effectively deprived of their British citizenship because the Home Office has not considered the impact of this scheme on these rights. Whereas the concerns we express are largely shared by children and young people of all parentage (not merely of EEA/Swiss parentage), this scheme and the way the Home Office have introduced it highlights the department's underlying failure to recognise and respect citizenship rights under the British Nationality Act 1981 and indeed the best interests of children possessing these rights.
25. We finally draw attention to the Ministerial correspondence referred to above. The continued treatment of leave to remain as an adequate substitute for recognition of a child or young person's rights to British citizenship underlines all that is at the heart of our concerns. If we can assist inspectors further, we should be very pleased to do so.

Appendix – relevance to origins of Windrush scandal¹⁷

1. It is relevant to compare this context to that in the 1980's over the years following the commencement of the British Nationality Act 1981 on 1 January 1983. The immediate effect of that legislation was, firstly, to create British citizenship; and, secondly, (coupled with legislation passed prior to that Act) to give that citizenship automatically on the Act's commencement to only some of the then current British population of the UK. Overnight, many people ceased to have citizenship of Britain. One of the many rights of registration created by that Act was specifically to ensure that people affected by this could secure British citizenship and continue to share in the citizenship of their country. However, the Home Office did not do what it should have done to ensure everyone who needed to register their citizenship did so. Indeed, as Wendy Williams' Report of the Windrush Lessons Learned Review confirms, the Home Office chose to discourage applications for registration.¹⁸ Many people did not register; and because the particular registration right that applied to them was time limited, they lost their right to do so. People remained settled, which meant that although their presence in the country was lawful, they remained subject to immigration control. Over the decades that followed, immigration policy changed. The severe consequences for people are now well documented – including the insult felt by many people at no longer being recognised as British. This is not the place to rehearse the racist motivations behind the laws, policies and practices that led up to loss of people's citizenship rights. However, the impact on race relations of what we now know as the Windrush scandal is clear.
2. We have rehearsed the foregoing concerning the origins of the Windrush scandal because that scandal highlights the grave injustice done by failing to promote and facilitate the exercise of rights to British citizenship – particularly by registration. It is significant because that failure continues in respect of the many rights to British citizenship that remain under the Act, including rights for children born and/or growing up in this country to do so.¹⁹ This affects many children and young people born and/or growing up in the UK, including but far from limited to children and young people of EEA/Swiss parentage. It is, however, relevant to how the Home Office has introduced, promoted and operates the EU Settlement Scheme because this has been done without any or adequate care to British citizenship rights. There is, therefore, a huge risk that many British children and young people of EEA/Swiss parentage will be wrongly led to not have their British citizenship confirmed or register for that citizenship to which they are entitled. This is because they are being encouraged to apply under the EU Settlement Scheme.

¹⁷ These origins are more fully discussed in Amnesty's submission to the Windrush Lessons Learned Review: <https://www.amnesty.org.uk/files/Resources/AIUK%20to%20Home%20Office%20Windrush%20Lessons%20Learned%20Review.pdf>

¹⁸ See pp12 & 57 of Wendy Williams' report: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874022/6.5577_HO_Windrush_Lessons_Learned_Review_WEB_v2.pdf

¹⁹ This is highlighted in the press briefing issued by Amnesty on the one year anniversary of the Government's apology: <https://www.amnesty.org.uk/press-releases/windrush-one-year-scandal-far-over>