



Brexit Research by the European Children's Rights Unit

ECRU response to Call for Evidence for Further Inspection of the EU Settlement Scheme, August 2020.

1. This evidence is informed by research conducted by members of the European Children's Rights Unit relating to the impact of Brexit on children. The European Children's Rights Unit (ECRU) is an academic research, training and campaigning unit, based in the School of Law and Social Justice, University of Liverpool. ECRU's founding director, [Professor Helen Stalford](#), is a leading expert on the rights of children in a European context and established (in partnership with Coram and The Children's Society) the Brexit and Children Coalition in 2017 to draw Parliamentary and public attention to the implications of Brexit for children. She has co-authored various reports and Briefings to inform parliamentary debates, including [Making Brexit Work for Children](#) and [The EU Settled Status Scheme and Children in Conflict with the Law](#).
2. Our work directly informs and builds on recent research and campaigning efforts that have drawn attention to children's potential to fall through the gaps when it comes to registration under the EUSS either because of a lack of awareness on the part of them, their parents or carers that that they need to be registered, or because of a lack of documentary evidence relating to

nationality and residence which is required to meet the eligibility criteria.¹ Other children are holding criminal convictions that may mean they fail the suitability criteria.² That research has pointed to how gaps in data mean that many of the most vulnerable children who are required to register for the EUSS are invisible to the authorities: nationality data is not routinely collected and retained for looked after children or for children in the criminal justice system.

3. These concerns which were raised alongside other civil society organisation in the course of our joint lobbying and awareness-raising activities, have prompted some action on the part of the Government. In particular, in 2019, the Home Office commissioned ECRU to develop child-focused communications to raise children's awareness of and access to the EUSS to supplement the (very adult-focused) EU information currently available. We were particularly interested in engaging with communities of children that are vulnerable to falling through the gaps in registration, namely: children in care and leaving care; children outside of mainstream education; children in Roma communities; young carers; and children with special educational needs and disabilities. The first phase (conducted June-August 2019) involved consultation with 54 children and young people aged 10-18 across 8 different regions of England, Scotland, N. Ireland and Wales from June-August 2019. The purpose of the first phase was to gather information on behalf of the Home Office about young people's awareness, understanding of and access to the EUSS with a view to producing recommendations for the development of child friendly information and support. The second phase of the project, aimed at piloting the child friendly information resources developed in response to phase 1, was due to begin in September 2019. However, this was

¹ These issues are detailed in Coram Children's Legal Centre, '[Uncertain Futures: the EU settlement scheme and children and young people's right to remain in the UK](#)', March 2019; Lagrue, M. Bourthoumieux, C. and Layonu, J. '[Children Left out? Securing Children's Rights to Stay in the UK beyond Brexit](#)' Coram Children's Legal Centre, July 2020.

² Hollingsworth, K. and Stalford H. (2019) [Briefing - The EU Settled Status Scheme and Children in Conflict with the Law](#), Newcastle University and The University of Liverpool. See also [Unlock Briefing: EU national, settled status and criminal records](#) (September 2019)

delayed by the Home Office due to the general election, and then delayed again due to the Covid-19 lockdown. We have since adapted the methods to enable us to pilot the information resources online but the Home Office is yet to confirm its intention to complete the project and deliver on the child friendly communication strategy.

4. Informed by this work and our associated desk-based research,³ our submission focuses on three issues:
 - i. The need to ensure that children who are required to register for EUSS receive appropriate, tailored information and support to enable them to do so;
 - ii. The specific vulnerabilities of children from the Roma community to falling through the registration gaps;
 - iii. The importance of facilitating the rights of EEA children to register as British citizens, either in addition or as an alternative to EUSS registration.

The need to inform children of their EUSS rights

5. Current information and advice relating to the EUSS overwhelmingly targets adults. We have argued that this is problematic for a number of reasons:
6. First, it presumes that children will have the adult support necessary to secure their registration. This has been raised as a key issue in relation to the estimated 9,000 EEA children who are under the care of the local authority,

³ Detailed in two forthcoming research briefings: Stalford, H. and Humphreys, D. 'EU Roma Children and the EU Settled Status Scheme: Awareness, Access and Eligibility' (August 2020) European Children's Rights Unit Research Briefing; and Stalford, H. and Humphreys, D. 'EEA Children and British Citizenship: Why it is important to focus on Roma Children' (August 2020) European Children's Rights Unit Research Briefing

prompting the Home Office to issue guidance and training to Local Authority practitioners relating to the EUSS.⁴

7. Focusing on children's understanding of and access to the EUSS is a critical means of securing their parents' and wider community's access to the scheme. Contrary to the presumption on which the EUSS operates - that parents will manage their children's EUSS registration - evidence suggests that low levels of technical, language and literacy skills and resources among many migrant communities mean that adults are often dependent on their children to navigate such processes.
8. The failure of the Home Office to engage and empower children directly when it comes to EUSS registration has contributed to proportionately lower rates of registration among children, leaving them vulnerable to becoming undocumented. According to the [Migration Observatory](#), there are an estimated 966,000 children of (non-Irish) EEA/Swiss nationals currently living in the UK.⁵ The obligation to register under the EU settlement scheme before the deadline of 30th June 2021 applies equally to children⁶ as it does to adults. Whilst most parents can and will complete EUSS registration for their children, older children (16 years or over) can register on their own behalf. In most cases this is relatively straight forward but, as of March 2020 412,820 under 18s - less than 50% of children eligible for the EUSS - have been

⁴ Home Office '[EU Settlement Scheme, Looked after children and care leavers: local authority and health and social care trust guidance.](#)' (April 2020)

⁵ Migration Observatory, '[Unsettled Status? Which EU Citizens are at Risk of Failing to Secure their Rights after Brexit?](#)', 2018

⁶ We use this term to refer to the minor (under 18) dependant of an EU migrant who falls under the scope of the EU free movement provisions (Directive 2004/38 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC, *OJ L 158, 30.4.2004, p. 77–123*. This may also include children who have been born in the UK to EU migrants following their arrival in the UK.

registered.⁷ This indicates that a proportionately much higher number of eligible children remain unregistered than adults.

9. Another reason for viewing EUSS through the perspective of children's rights and interests relates to the fact that distinct protections available to children under EU immigration and nationality law can be harnessed in the context of the EU settlement scheme. Notably, there is a statutory duty on public authorities to safeguard children's welfare and promote their best interests in *all* immigration decision make under [s.55 of the Borders, Citizenship and Immigration Act 2009](#). This extends to the need to take children's interests **and views** into account when determining the immigration status and potential deportation of their parents ([ZH \(Tanzania\) v SSHD \[2011\] 2 AC 166](#)). In the same vein, under UK nationality law, special rules and concessions apply to children as regards their eligibility for British citizenship which could benefit not just the child, but their parents and other family members or carers (see below). Children themselves need to be made aware of these rights if they are to be engaged directly and meaningfully in enforcing them.

The specific vulnerabilities of children from the Roma community to falling through the registration gaps

10. Whilst we welcome attempts in recent civil society campaigns, inspectorate reports and parliamentary debates to shine a light on the impact of the EUSS on children, such efforts have focused almost entirely on looked after children.⁸ Our work has revealed another, potentially significant more

⁷ [Home Office EU Settlement Scheme quarterly statistics tables, March 2020](#)

⁸ See notably, the Coram Children's Legal Centre, [Briefing: Settlement for European children in care](#), March 2018; the [report](#) by Macdonald, M. and Holland, S. supporting the Westminster Hall Debate on 'EU settlement scheme in relation to looked after children and care leavers', 3 September 2019; The Children's Society, ['Looked After Children and the EU Settlement Scheme: A guide for local authorities'](#); Refugee and Migrant Children's Consortium, ['EU Settlement Scheme – European looked](#)

vulnerable group that are falling through the gaps in EUSS registration: children from the Roma community.

11. Children in the Roma community are potentially more vulnerable than all other children to slipping through the gaps when it comes to EUSS registration. They are part socially and economically marginalised group with less routine engagement with public services, less stable employment and accommodation arrangements, and proportionately higher rates of criminal conviction. Roma children and their parents, therefore, are more likely to struggle to meet the conditions for EUSS registration.

12. The Roma community will be especially vulnerable to poverty, social exclusion and even deportation if they fail to register under the EUSS before the deadline of 30 June 30th 2021, with particular implications for their children. They will lose any entitlement to access employment and training, any entitlement to access public services on the same basis as nationals (such as schools, healthcare, leisure facilities and housing), and will have no recourse to public funds, such as social welfare assistance. This is compounded by the fact that the UK will lose the majority of wider EU-level support and funding that has so far benefited Roma integration and progression.⁹ In that sense, it has been suggested that Brexit presents a *“triple whammy of risks” : uncertainty over their future legal status, rising concerns about hate crime, and a potential loss of EU funding for integration and support services*.¹⁰ The administrative delays, restrictions on travel, and economic insecurity presented by Covid-19 pose an additional threat to Roma people’s access to, eligibility under and rights arising from the EUSS.

[after children and care leavers](#)’ Briefing, May 2019; and Home Office, Looked-after children and care leavers: local authority and health and social care trust [guidance](#).

⁹ Detailed further in our briefing Stalford, H. and Humphreys, D. ‘EU Roma Children and the EU Settled Status Scheme: Awareness, Access and Eligibility’ (August 2020), available on request.

¹⁰ Morris, M. [‘Roma Communities and Brexit: Integrating and Empowering Roma in the UK’](#) The The Institute for Public Policy Research (IPPR), October 2016

13. Whilst data relating to the registration of children under the scheme is patchy,¹¹ **data relating to the registration of Roma people is non-existent.** This is primarily because immigration data – including EUSS data – is disaggregated according to nationality rather than ethnicity. In addition, many applicants do not identify as Roma when it comes to registration. As such it is impossible to state with any certainty how many Roma people, let alone Roma children, have registered for the EUSS.
14. In terms of estimating how many Roma people are eligible for EUSS registration, the Council of Europe suggests that approximately 225,000 Roma live in the United Kingdom, accounting for 0.36% of the entire population.¹² Most Roma migrants in the UK come from the Central and Eastern European states that joined the EU in 2004¹³ and 2007¹⁴ respectively.
15. The only statistical indication of Roma registrations available to date is provided by the Roma Support Group, in its June 2020 report, '[Brexit, EU Settlement Scheme and the Roma communities in the UK](#)'. Of the 30 organisations providing EUSS-related support to Roma people, by the end of February 2020, over 7,000 had been informed of the scheme of whom approximately 3,000 were supported to make applications. Whilst these numbers only reflect information provided by one fifth of the organisations currently working with the Roma, they provide a worrying indication of the

¹¹ Home Office data on child registrations is limited to all those under 18; it is not disaggregated further to reflect registrations of different childhood age groups, making it impossible to identify if registration gaps are more prevalent in different age groups (such as very young children or older teenagers, for example).

¹² Cited in Tileagă, C. and Professor Aldridge, J. *Roma Community Perspectives On Migration To The UK*. (Loughborough University, 2019)

¹³ Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia became members of the EU on 1 May 2004.

¹⁴ Romania and Bulgaria joined the EU on 1 January 2007. Roma people are known to have migrated to the UK from those countries with large Roma communities, particularly Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia.

number of Roma registrations still outstanding: potentially well in excess of 150,000.

16. Evidence so far suggests that the Roma community face distinct and substantial challenges in accessing the EUSS, arising out of a lack of awareness of the scheme, lack of access to the internet to complete the application, lack of language and literacy, including technical skills to understand and complete the application, and lack of access to appropriate and trusted support to assist their application. This is confirmed by Roma Support Group in its recent review of Roma applications to the EUSS, that “a considerable part of the community is still not aware of the EUSS process or could not make an application yet”¹⁵

17. There were 33 Roma children involved in our Home Office consultation aimed at developing a EUSS Child Friendly Communications strategy. During phase 1, we asked the young people about their knowledge of the EUSS, few had received any information about it. Of those young people who did know about the EUSS, there was a sense that they will be supporting their parents through the EUSS process because of their parents’ limited technical and language literacy, not the other way around. This was a particularly evident in the Roma young responses:

“My parents won’t know....They can speak for work and stuff and for doctors, but they won’t know for anything else. I don’t think out parents got much education”

[Esther, Roma Latvian]

18. Only two of the 54 young people in our sample had registered for the EUSS. None of the 33 Roma children involved in the study had even applied.

¹⁵ RSG, June 2020 ‘[Brexit, EU Settlement Scheme and the Roma communities in the UK](#)’, p. 4

19. Roma children's limited knowledge of and access to the EUSS is compounded by the difficulties Roma people face with evidencing residence and meeting suitability requirements. These issues are detailed by the Roma Support Group in their report¹⁶ but issues specific to children are worth highlighting here, drawn from the academic research. In particular:

- it is often difficult for a Roma applicant to the EUSS to prove residence on the basis of educational records insofar as, after key stage 4 (usually aged 16), a quarter of Gypsy, Roma and Traveller children fall out of education and employment
- Roma children are 4-5 times more likely to be excluded from school than their peers, leading to significant gaps in their education.¹⁷

20. Roma children and their parents may find it more difficult to satisfy the suitability conditions of the EUSS too, insofar as they are more likely to have been involved in the criminal justice system:

"Even on the lowest estimates ... it is clear that prisoners of Gypsy, Romany and Traveller backgrounds are significantly over-represented in the prison population....Our survey findings suggest that the proportion might be as high as 5% – the same proportion as women prisoners – and much higher than this in some establishments, particularly those holding children."¹⁸

¹⁶ Above note

¹⁷ [UK Parliament, Tackling inequalities faced by Gypsy, Roma and Traveller communities, 2019 Report](#)

¹⁸ [People in prison: Gypsies, Romany and Travellers A findings paper by HM Inspectorate of Prisons](#), February 2014, p.11.

21. This is supported by David Lammy's independent review of the criminal justice system:

“Though Gypsies, Roma and Irish Travellers represent just 0.1% of the wider population, they are estimated to account for 5% of male prisoners”¹⁹

22. Specifically: ‘serious or persistent criminality’ will affect an application under the EUSS.²⁰ Moreover, periods of imprisonment break the continuity of residence required for settled status. This means that applicants in prison/detention cannot apply for settled status unless they have already accrued 5 years of residence prior to being detained. This seemingly applies to children as well as parents.²¹
23. Some have argued that the failure to facilitate the registration of eligible EEA/Swiss nationals under the EUSS could signal a second Windrush scandal: it would render them undocumented and leave those with limited means to pay for legal advice and representation vulnerable to deportation.²²
24. We suggest that the failure to respond to the specific needs and vulnerabilities of EU Roma people, including children, is not just presenting the possibility of a second Windrush emerging; it has the potential to be significantly worse than Windrush both in scale and its effects. In terms of scale, RSG and the network of EUSS advice and support organisations

¹⁹ [The Lammy Review An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System](#), September 2017, p.11

²⁰ Whether to grant settled or pre-settled status to those who have a history of serious or persistent criminality is determined on a discretionary case-by-case basis

²¹ See further Hollingsworth and Stalford above note 2.

²² See Commons Select Committee [‘Settlement Scheme risks repeat of Windrush Scandal’](#) 30 May 2019

connected with the Roma community have supported approximately 2,600 people to register for the EUSS scheme. This is drop in the ocean given that there are an estimated 200,00 eligible claimants, representing a mere 2.6% of those likely to require registration. If we look at these figures against the backdrop of EUSS registrations more generally, whilst data is contradictory, the latest Home Office statistics (as of June 30th 2020) indicate that 3,402,000 EEA/Swiss migrants have been granted settled or pre-settled status so far. Set against the most recent estimates²³ of the EEA/Swiss migrant population living in the UK of around 3.72 million people who were nationals of other EU countries living in the UK, this implies that approximately 91% of those potentially eligible have registered, significantly higher than the estimated proportion of registered EU Roma migrants.

25. Whilst further disaggregation and analysis is necessary, Roma people are likely to constitute a significant proportion of those yet to be registered or of those whose claims have been rejected or invalidated. This exposes the potential for the EUSS to operate in an indirectly discriminatory way insofar as it is so much more difficult for Roma people to access the scheme and meet the eligibility requirements than for other EEA migrants.
26. This is compounded by the fact that Roma children and their families have limited financial means to pay for the appropriate legal advice and representation should their application for EUSS be refused for failure to meet the eligibility criteria. Any government support and concessions to date do not fully meet the complex practical and legal issues emerging from the Roma community. Specifically, legal aid is only being reinstated for unaccompanied children's immigration and nationality claims,²⁴ the

²³ UK Labour Force Survey and are published in an ONS annual statistical release on 'Population by Country of Birth and Nationality', cited in House of Commons Migration Report Published 05/06/2020

²⁴ <https://www.childrenslegalcentre.com/separated-children-legal-aid/> ; and https://www.childrenslegalcentre.com/wp-content/uploads/2019/03/EUSS-briefing_Mar2019_FINAL.pdf, p.5

claims of children and families who remain together, no matter how vulnerable, remaining out of scope.

The importance of facilitating the rights of EEA children to register as British citizens, either in addition or as an alternative to EUSS registration.

27. There has been a perceptible failure by the Government to consider and facilitate the British citizenship rights of children affected by the EU Settlement scheme.²⁵ Indeed, a [recent report by the Migration Observatory](#) notes that EU citizens have traditionally been less likely to apply for British citizenship than citizens from non-EU countries, largely because their status under the free movement provisions offered sufficient security prior to Brexit.

28. Children benefit from particular concessions when it comes to applying for citizenship under the British Nationality Act 1981.²⁶ This is a complex area of law which requires specialist advice and support. There is a clear risk that the deadline for registration under the EUSS, coupled with a lack of awareness of registering for British citizenship will compel children to register for an immigration status rather than confirm the British citizenship they already possess or have a right to register for by entitlement or at discretion.²⁷ This likelihood is compounded by the fact that the EUSS is being administered online as a fast-track process by staff

²⁵ See further [PRCNC and Amnesty International Briefing on the Immigration and Social Security Co-ordination \(EU Withdrawal\) Bill 2019-2021](#), House of Lords Second Reading July 2020

²⁶ The various routes to children being recognised as British citizens with examples of how this affects Roma children are detailed in our fuller briefing Stalford, H. and Humphreys, D. 'EEA Children and British Citizenship: Why it is important to focus on Roma Children' (August 2020) available on request.

²⁷ This issue is developed further by Coram Children's Legal Centre in its recent '[Children left out](#)' report, pp.7-10.

who are not fully qualified, regulated nationality law experts. There will, therefore, be limited opportunity or expertise to identify and refer children who may have or be entitled to apply for British citizenship to specialist support. This issue is estimated to affect hundreds of thousands of children. As Coram note in their '[Uncertain Futures](#)' report (pp.5-6):

An estimated 239,000 EU national children were born in the UK. Some may be UK citizens automatically and about 169,000 will have a parent who had been in the UK for five or more years, but in light of the difficulties faced in securing permanent residence documents in recent years, it is not a given that the parents will be able to prove their permanent residence.... ²⁸

29. This also emerged as a key issue in the focus groups conducted during the course of our project. At least a quarter of the children we consulted indicated that they were either already British citizens (though not documented as such), entitled to British citizenship or could register for British citizenship at the discretion of the Home Secretary.
30. Moreover, a significant proportion of children included in our most recent Home Office study were either born in the UK following their parents' migration, or migrated with them over 10 years ago, and a number were from the Roma community. Whilst this is only a very small sample, the findings reflect a [recent analysis](#) of population data by the Migration Observatory estimates that approximately 129,000 EU citizen children under the age of 18 have been in the UK for at least 10 years but have not applied for British citizenship. This includes approximately 66,000 foreign

²⁸ Above note, p.5-6

born children, and 63,000 children born in the UK after their parents' migration.

31. Indeed, broader research on EU family migration suggests that many long standing EEA nationals in the UK who are more likely to qualify as British citizens are from the accession states that joined in the EU in 2004 and 2007 respectively, many of which have large Roma communities.
32. The UK was one of only three²⁹ established EU Member States not to impose transitional restrictions on free movement and to immediately open up its labour market to nationals from the 2004 accession states. This had a profound effect on the regional distribution of migration from the new 8 Member States to other parts of the EU. Bulgaria and Romania joined the EU in 2007 and, even though restrictions were imposed on migration for an initial period,³⁰ the UK still ranks fourth and fifth as a destination country for Romanian (4%) and Bulgarian (6%) migrants respectively.³¹ The popularity of the UK as a migration destination for the newer accession states, including those with a large Roma population, continues today: according to 2018 ONS data: Poland is the largest country of origin of EU-born residents in the UK (832,000 people, equivalent to 23% of the total EU-born population in the UK), followed by Romania (392,000 people, equivalent to 11% of the total EU-born population in the UK).³²

²⁹ In addition to Sweden and Ireland

³⁰ Fearful of a further migration influx due to their relative economic instability, the UK imposed immediate restrictions on labour mobility from Bulgaria and Romania until 2014 allowing only highly skilled and skilled workers, and implementing a quota based scheme for low-skilled work in the agricultural and food processing sectors. After those restrictions were lifted in 2014 Bulgarian and Romanian workers were permitted to enter and reside in the UK for work on the same basis as all other EU nationals.

³¹ Fic, T. 'Commentary: Migration from Bulgaria and Romania to the UK', *National Institute Economic Review* No. 224 May 2013, 4.

³² ONS, Population by Nationality and Country of Birth, cited in Vargas-Silva, C. and Fernández-Reino, M. 'EU Migration to and from the UK' (September 2019, The Migration Observatory)

33. Although migration statistics are not disaggregated according to ethnicity, it is a fair assumption that many Roma people migrated from the 2004 and 2007 accession states with their young children or had children after their arrival in the UK. Whilst other categories of EU migrants to the UK – and certainly those from the 15 established EU Member States prior to 2004 – moved largely for the purposes of work, study or to pursue a relationship,³³ the migration of those from less developed EU economies was motivated more by a desire to improve their life chances and to offer their children better opportunities than what was available in their home country. The social and economic motivations for migrants from the 2004 and 2007 accession countries (and particularly Roma) are more pronounced given that those economies are significantly less developed and the socio-economic marginalisation and stigmatisation of Roma more marked.³⁴
34. Young EU migrant children, in particular, tend to adapt quickly to new surroundings, which becomes a powerful reason for parents to stay and raise their children in the UK.³⁵ Those children have never experienced life elsewhere; many identify as British but may lack the knowledge, resources or documentary evidence to register for British citizenship.
35. Our research indicates that young people are more likely to register for the EUSS instead of pursuing a claim for British citizenship. When asked about what status they would prefer (British citizenship or EUSS) all of them stated that they would opt for the EUSS because of the cost implications. EUSS registration is free whereas the current fee for

³³ Ibid

³⁴ Marczak, J. Sigle, W. and Coast, E. 'When the grass is greener: Fertility decisions in a cross-national context' *Journal of Population Studies* 72(2) 2018 pp. 201-216

³⁵ White, A. 'Family Migration from Small-town Poland: A Livelihood Strategy Approach' in K. Burrell (ed.), *Polish Migration to the UK in the New European Union: After 2004*, (Aldershot: Ashgate, 2009) at p.82; Trevena, P. McGhee, D. Heath, S. 'Family matters: migration and childbearing decisions of 'new' Poles in the UK' *NORFACE Migration: Global Development, New Frontiers* (2013). (University College London), p.2

registering children as British Citizens is £1,012 in most cases. It is important to note, however, that EU migrant Roma children under 18 **who were born in the UK** to at least one British or settled parent (e.g. with indefinite leave to remain [ILR] or settled status) at the time of birth are automatically British citizens **and do not have to pay any fees for their citizenship application**. Those who have an automatic right to British citizenship are often not be aware of their right to a fees exemption.

36. For those children who are entitled to British citizenship and subject to fees, the fees are prohibitive. This is particularly so for children from poorer socio-economic backgrounds such as those from the Roma Community.
37. A number of the children involved in our study were in their mid-to-late teens. By focusing exclusively on EUSS registration, they may be losing valuable time to register for British citizenship before they turn 18. There is a concern, therefore, that even if eligible children did decide to pursue their British citizenship registration, they would fail to secure this before the deadline for EUSS registration, leaving them in legal limbo. Whilst registering for the EUSS does not preclude an application for British citizenship thereafter, none of the children we have spoken – or, indeed, those responsible for their care, advice and support in relation to the EUSS – appear to appreciate that the concessions available for children to apply for British citizenship will expire once they reach the age of 18.³⁶ Furthermore, none of the children we spoke to could see the added *legal* benefits of registering as a British citizen.³⁷

³⁶ For detailed information on the conditions under which children can register as British citizens and the cost-related obstacles and arguments, see Valdez-Symonds, S. 'Children's Pathways to British Citizenship' in Prabhat, D. (ed) *Citizenship in Times of Turmoil? Theory, Practice and Policy*, 2019 Edward Elgar Publishing, p.79; PRCBC and Amnesty International UK, [Briefing on Fees for the Registration of Children as British Citizens](#) March 2019; Ealing Law Centre and PRCBC: 'SYSTEMIC OBSTACLES TO CHILDREN'S REGISTRATION AS BRITISH CITIZENS' Legal Research Report, November 2014

³⁷ Further discussion of the benefits associated with British citizenship is presented in our briefing 'EEA Children and British Citizenship: Why it is Important to Focus on Roma Children' (August 2020), available on request.

Conclusions

38. The Home Office has recognised the specific need to raise children's awareness of and access to the EUSS as an important route to empowering their parents and families to register for the scheme. Such resources are not just useful for children; parents, organisations and professionals supporting registration for the EUSS have expressed a desire for more accessible information to assist applications for children. **We are very concerned that the Home Office's hesitation to follow through on their commitment to produce the child friendly resources and engage in a child-focused dissemination strategy will leave a disproportionately high number of children without EUSS registration.**
39. The vulnerabilities of the Roma community, including Roma children, to falling foul of EUSS registration requirements have been almost entirely ignored in parliamentary debates and Home Office strategies. Our research reinforces the work of the Roma Support Group suggesting that the Roma community are likely to feature prominently in the rejected and incomplete EUSS applications and in the numbers that have yet to register at all. The Home Office needs to engage in a proactive strategy of awareness raising and support in partnership with organisations that have built relationships of trust with those communities. Such a strategy must focus on building Roma children's awareness of the EUSS since they commonly have greater language and literacy skills to navigate the process.
40. Whilst [litigation](#) is ongoing regarding this issue, further pressure needs to be put on the Home Office to issue a fees waiver or reduction for children who are eligible for British citizenship registration so that they can make an informed choice between applying for the EUSS and/or applying for

British citizenship. The deadline for EUSS registration is pushing children into a less secure immigration status, with the risk that they will age out of the more secure nationality status offered by British Citizenship. This is particularly important for Roma children who will benefit from the integration, identity and financial (including higher education fees) benefits attached to citizenship.

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