

## LONDON ASSEMBLY BREXIT DIRECTIVE 1 – EU Citizens

For the Mayor of London to deliver to Government

Len Duvall AM,  
Chair of the GLA Oversight Committee

City Hall  
The Queen's Walk  
London SE1 2AA  
Switchboard: 020 7983 4000  
Minicom: 020 7983 4458  
Web: [www.london.gov.uk](http://www.london.gov.uk)

**Sadiq Khan**  
Mayor of London

(Sent via email)

6 September 2017

Dear Sadiq,

You will be aware that on 19 July, the London Assembly EU Exit Working Group heard from EU citizens and expert speakers about their concerns following the vote to leave the EU, and the practical support they now need. While we received a range of powerful testimony, I am glad to say that the discussion didn't repeat the arguments about Brexit. It did, however, produce a wealth of feedback, suggestions and views. This letter brings these together, along with recommendations to inform your work in ensuring a positive outcome for London post-Brexit.

The overall message, a year on from the referendum, was while EU citizens would have preferred Brexit not to have happened, their key wish now is for a smooth transition and one which is as administratively simple as possible. As Mayor, you have an important role to play in making that happen and in ensuring that these Londoners continue to feel welcome.

The full transcript of the meeting is [here](#) and you can also view a [webcast](#).

### **The Mayor should press Government for a good deal for London and its EU citizens**

On the 26 June 2017, the Government published a policy paper outlining its proposals for EU citizens living in the UK.<sup>1</sup> These proposals were a key area of discussion at our meeting. You will be aware that the paper suggests a hierarchy of possible statuses, including settled status; temporary status (for those that have not yet accrued five years' continuous residence); and different arrangements for students, dependents and those who arrived in the UK after the

---

<sup>1</sup> [The United Kingdom's Exit from the European Union. Safeguarding the position of EU Citizens living in the UK and UK Nationals living in the EU.](#)

‘specified date’. The Government “intends to set fees at a reasonable rate” and “to use existing government data [...] to minimise the burden of documentary evidence required”.<sup>2</sup>

Despite these assurances, the proposed system has caused a high degree of anxiety among those who spoke at our meeting. Two main problems were identified: the uncertainty that may be created; and the administrative burden that the process poses, both for applicants and for those responsible for the processing of applications. Both speakers and Assembly Members spoke of an “*administrative cataclysm*” as immigration services try to cope with large numbers of additional applications and a new set of criteria.<sup>3</sup>

*“There will be a great deal of confusion during this period of change. Whatever EU nationals’ rights are, those rights will be rendered meaningless if they are not administered properly and they are not enforceable.”<sup>4</sup> – Dr Charlotte O’Brien.*

Speakers suggested that instead there needs to be a streamlined and simple system:

*“It is about a focus on the light-touch system that would not be onerous for applicants, and then the advice and communication to ‘harder-to-reach’ groups and the advice that is needed for ‘difficult’ groups”.<sup>5</sup> – Sunder Katwala, British Future.*

In your conversations with the Secretary of State for Exiting the European Union, **we recommend:**

1. that you explore whether a more simplified system to establish the status of EU citizens following Brexit might be in the interests of both applicants themselves and the economy. There is a need to make the system accessible and clear
2. that you alert him to the risks of banks refusing credit applications (particularly mortgages) from EU citizens (see below)

Speakers also spoke in favour of the need for a new post-Brexit devolution settlement with Government. This should include:

- a new London Growth Fund to replace the ESF/ERDF funds devolved to Mayor/GLA
- devolution of the employment and skills budgets and commissioning powers to ensure we have a targeted local skills strategy to replace lost workers from the EU
- the development of a ‘Council of Mayors and metro-Mayors’ from across England to ensure that the city regions have a voice in a new legislative framework alongside devolved bodies.

---

<sup>2</sup> [The United Kingdom’s Exit from the European Union. Safeguarding the position of EU Citizens living in the UK and UK Nationals living in the EU.](#)

<sup>3</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 5.

<sup>4</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 6.

<sup>5</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 23.

## **The Mayor and London boroughs must lead the way in making EU citizens feel welcome**

Many of those who spoke felt “*suspended in uncertainty*” since the referendum and reported growing levels of discrimination.<sup>6</sup> Several said they felt they were becoming second-class citizens who will lose the rights they currently take for granted and which they were apparently granted for life back in 1973. Clearly the community is looking for some reassurance.

In terms of your record in providing this, our guests were positive about your immediate response and the public statements you issued following the referendum. But there is a view that you have been silent of late, with the exception of the *LondonisOpen* campaign. That needs to change. We strongly urge you to show further leadership on this issue to ensure that EU nationals can continue to make London their home.

### **We recommend:**

3. continuing with the *LondonisOpen* message and campaign. This does seem to have struck a chord and is well received. The campaign could be enhanced to develop a ‘counter narrative’, which is needed to challenge the negativity many guests reported experiencing. As one of our speakers said, “*if you do not have secure status in a country, then your psychological feeling of belonging and integration is incredibly disrupted*”<sup>7</sup>
4. using TfL advertising space to continue to communicate these messages. While we accept there are limits to the amount of space you can reserve for Mayoral communications, using poster sites to push a message of openness and welcome seems to be critical in the current climate

As we heard, for some London boroughs, EU citizens make up a high proportion of the electorate (for example, 20 per cent in LB Brent). London boroughs have a key role in making these residents feel more welcome. There are good examples of London boroughs showing strong leadership and politicians in all boroughs need to follow suit—regardless of their stance on Brexit—to ensure that EU nationals, who are so critical to our economy, can stay and feel secure.

We heard about a range of practical ways to do this, including tailoring services specifically to the needs of different European communities; nominating community champions; and celebrating European cultures. LB Brent has started to take a lead on this and their Chief Executive, Carolyn Downs, told us that “*we need to be celebrating the cultures of European communities in our boroughs and so we are giving that message constantly that these are communities that we welcome, that we celebrate and that we want to remain with us*”.<sup>8</sup>

---

<sup>6</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 17.

<sup>7</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 22.

<sup>8</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 32.

Bearing in mind that the pattern of migration is mixed across London, it is also paramount that each borough understands the number and nationality of its EU citizens so it can plan for their needs.

**We recommend:**

5. that you and the Deputy Mayor for Social Integration, Social Mobility and Community Engagement use your influence with London boroughs to:
  - raise the priority of this issue and the need for action
  - recommend that they develop an accurate profile of their local population in order to understand the needs of EU citizens and be able to support them
  - encourage them to develop engagement strategies with a view to ensuring that EU citizens feel welcome and integrated into local communities

**There are a range of practical steps the Mayor can take to support EU citizens**

Within the context of a strong community leadership role for you and the London boroughs, there is also a range of practical steps we would urge you to consider.

While policing and crime issues were not the focus of the discussion, several guests mentioned the rise in hate crime immediately after the referendum which has continued since:

- One guest recounted how *“some ... are saying: ‘I don’t dare go out in the street anymore because when people hear my accent, suddenly they start banging into me’”*.<sup>9</sup>
- She also described that *“EU citizens are saying ‘I felt at home here. This was my country of choice. I put my roots down. This is my home, and now I cannot consider myself welcome anymore. I cannot even feel safe anymore.’”*<sup>10</sup>
- Another guest highlighted that individuals and organisations are concerned that there may be a backlash in terms of hate crime when a solution is agreed for EU citizens.

This is perhaps the most worrying message that we heard and we agree with one guest who said that London needed to lead the way in showing the rest of the country how to look after its EU nationals.

We welcome your commitments to tackling hate crime set out in the Police and Crime Plan. Sunder Katwala, Director at the think tank, British Future, highlighted the need to encourage people to report hate crime. He said that *“anecdotally, we think that quite a lot of people maybe for A8 countries do not think that being abused in the street because you are foreign is the sort of thing you take to the police”*.<sup>11</sup> He emphasised the importance of encouraging

---

<sup>9</sup> Meeting of the EU Exit Working Group, 19 July 2017, page 10.

<sup>10</sup> Meeting of the EU Exit Working Group, 19 July 2017, page 10.

<sup>11</sup> A8 Countries: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia.

*“vigilance without alarmism”*.<sup>12</sup> A guest from Migrant Voice reported that they have found it particularly helpful to work with police forces on tackling hate crime, and that it would be useful if MOPAC and the Met engaged further with organisations working on this issue. There needs to be greater awareness of this important issue.

We were also concerned to hear about evidence of increasing discrimination against EU citizens in relation to accessing services. Dr Charlotte O’Brien, of York University, found that some EU citizens experienced difficulties in accessing private rented housing, banking and employment. Some landlords, banks and employers have become nervous about the longer terms status of applicants from the EU, and no longer consider them a safe bet. This may not have been deliberate or maliciously driven but was, as Dr Charlotte O’Brien put it, *“discrimination that stems out of confusion”*.<sup>13</sup> These examples, and the ongoing uncertainty about their status, have, we heard, contributed to mental health issues among EU citizens.

To compound matters, we heard that the current offer of advice and support was paltry. There seems to be an *“advice crisis”*.<sup>14</sup> Samia Badani argued that *“there is going to be a need for the provision of those services, and the London Assembly should recommend that appropriate resources are put in place”*.<sup>15</sup> The current network of agencies which offer advice—law centres, advice centres, CABs, etc.—are stretched and also lack the specialist knowledge, particularly around immigration status. We heard powerful testimony about groups of people with complex needs, for example, the Roma community, those with poor English skills, or those who are carers or disabled. Such groups are already starting to face hurdles in terms of clarifying and resolving their status, which are likely to be magnified as a result of a lack of resources or support.

### **We recommend:**

6. that you devise a campaign to raise Londoners’ awareness of hate crime and how to report it. This should be disseminated through the network of organisations that support EU nationals
7. that in responding to the Migration Advisory Committee’s call for evidence on the role EU nationals play in the UK economy and society, the GLA highlights the key issues relevant to London and takes the contents of this letter into account
8. that you lead the way in combatting discrimination against EU citizens by:
  - working through your schools’ network to provide advice as to how to recognise, record and tackle any anti-EU sentiment
  - supporting advice agencies to provide a monitoring service to track cases of discrimination against EU citizens

---

Meeting of the EU Exit Working Group, [19 July 2017](#), page 24.

<sup>12</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 24.

<sup>13</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 4.

<sup>14</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 6.

<sup>15</sup> Meeting of the EU Exit Working Group, [19 July 2017](#), page 16.

9. you commission an audit of the advice sector to map what provision is available for EU nationals, where the gaps are and what specialist advice and funding might be required

## **Conclusion**

I know you agree that the one million EU nationals living in London contribute a huge amount to our economy and the culture of the city. Everyone involved in London government needs to do their utmost to ensure they feel welcome, combat any discrimination, address hate crime and allow them to continue to make their contribution which is so vital to our city.

We will continue to monitor the impact of Brexit on London. In October, we will explore what needs to replace the European Structural and Investment Funds in London when they come to an end in 2020. And we will meet with you for an update on your progress in putting London's case to the Government. The Assembly remains very much committed to the need for further devolution of services and taxes to London and looks forward to continuing to work with you on this important agenda.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Len Duvall', written in a cursive style.

**Len Duvall AM,  
Chair of the GLA Oversight Committee**