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# Roma EU citizens and the United Kingdom's EU settlement scheme: Another 'Windrush scandal' in the making?

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## Abstract

Roma in Europe have long been racialized and marginalized, both in their countries of origin and their adopted home states. But for many Central and Eastern European Roma, European Union (EU) citizenship afforded them the opportunity to at least try to pursue a better life elsewhere, including in the UK. And although the free movement regime, as it was applied in the UK, contained a neoliberal logic that withdrew rights from some economically 'inactive' EU citizens, those *exclusions were not definitive*; individuals could access rights once they met the economic conditions. This situation changed following Brexit and the UK's decision to require individuals to *actively acquire* a new status via the so-called EU settlement scheme (EUSS). Drawing on original 2023/24 research, we show how historical marginalization made it particularly difficult for many Roma to successfully navigate the 'digital by default' EUSS in order to *acquire* a 'settled' status and, once acquired, *use* their new 'digital only' status in everyday life. Notably, those who were unable to acquire a new status, including many who probably had a legal right to status, risked a *definitive loss of rights* post-Brexit. We highlight the potential for a repeat of something like the 'Windrush scandal', but this time with racialized Roma EU citizens—rather than the Caribbean-origin 'Windrush generation'—as its victims.

**Keywords:** Roma; EU citizens; Brexit; EU settlement scheme; Racialization.

## 1. Introduction

The UK government undertook to end the European Union (EU) free movement regime in the UK as part of a broader commitment to respect the outcome of the Brexit referendum. A widespread politicization of free movement as an issue—including the racialization of some EU citizens (Fox, Moroşanu, and Szilassy 2012)—had significantly contributed both to the calls for a referendum on EU membership and its outcome (Sobolewska and Ford 2020; Parker 2023). As intended, Brexit made it far more difficult for EU citizens who were not resident in the UK before Brexit to legally come to live and work in the UK. At the same time, both the UK and EU undertook, via the so-called Withdrawal Agreement (WA), to ensure that the rights of EU citizens resident in the UK and UK citizens resident in

the EU before Brexit (before the end of 2020), would be retained post-Brexit. On the UK side the government did so via the so-called EU settlement scheme (EUSS).

There are an estimated five million EU citizens resident in post-Brexit Britain (Portes 2021); a higher population of EU citizens than in at least eleven EU member states. While the psychological impacts of Brexit were profound for many resident EU citizens in the UK (Bueltmann 2019), most were able to retain their residency rights via the EUSS. However, many marginalized and socially excluded EU citizens struggled to navigate the EUSS. Despite the provision of government support of various kinds for ‘vulnerable’ EU citizens, many encountered difficulties acquiring status via a ‘digital by default’ system and using and proving status via a ‘digital only’ process (which are outlined below).

Drawing on our 2023/24 research, this article explores those struggles with reference to the experiences of resident Roma EU citizens from Central and Eastern European Countries (CEECs). It draws on and makes an empirical contribution to the scholarly literature focused on the challenges faced by Roma migrants resident in western ‘EU-rope’ (among others, Parker 2012; Yildiz and de Genova 2017; Magazzini and Piemontese 2019), including in a pre-Brexit Britain (Dagilyte and Greenfields 2015; Nagy 2016; Clark 2017; Dinu and Scullion, 2019; Duncan 2022). We introduce to this literature a concern with the *additional challenges* posed by the post-Brexit ‘digital’ EUSS. At the same time our research contributes to the burgeoning, mainly socio-legal, academic literature on the EUSS and ‘vulnerable’ EU citizens (among others, O’Brien 2021; Barnard *et al.*, 2021; Jablonowski and Pinkowska 2021), with our original focus on a particular racialized minority. More broadly, our case study will be of interest to a migration studies literature concerned with the racialization of migrants in the UK (e.g. Shilliam 2018) that has not engaged with the ‘digital turn’ in migration governance, and a science and technology studies scholarship on race and migration (e.g. Leurs 2023) that has not focused on digital governance of resident migrants in the UK case.

Our findings invoke the possibility of a future repeat of something like the co-called ‘Windrush scandal’—which refers to the manifold injustices perpetrated against legally resident Caribbean origin migrants who were unable to prove their status in the UK in the 2010s (Gentleman 2019; Goodfellow, 2019)—but this time with racialized migrant CEEC Roma as its victims. The findings also offer important lessons in relation to the UK government’s broader and expanding ‘digital by default’ approach to the governance of migration, in particular, its 2024 rollout of eVisas (modelled on the EUSS) to all non-EU legally resident migrants (UK Gov 2022).

The article proceeds in six steps. First, it considers the literature on the racialization of migrant Roma in western Europe and the UK, acknowledging the significance of definitional debates and noting that while the precise population size in the UK is difficult to estimate, it is significant. Second, it provides an overview of the EUSS, describing its origins in the Brexit WA, tracing its design and development, and summarizing the key extant academic literature on the EUSS. The third part offers an overview of our research design and methodology. The fourth and fifth parts present the findings from our research, highlighting the issues arising for Roma in relation to, respectively, *acquiring* and *using* their migration status. In a final section we reflect on the broader implications of our findings for racialized Roma EU citizens in the UK—drawing the aforementioned parallels with the ‘Windrush generation’—and for many other migrants (both EU and non-EU) likely to be impacted by the UK’s broader ‘digital by default’ approach to migration governance.

## 2. Roma EU citizens in Western Europe and the UK

The term ‘Roma’ has been used by a variety of actors in different contexts and in different ways to denote a heterogeneous and diverse group (Vermeersch 2014) that has in common certain shared cultural and linguistic roots (Hancock 2010; Matras 2014). It is important

to recognize that definitions of Roma can, even when well-intentioned, contribute to the further marginalization of those designated or identified from the outside as Roma. Indeed, a critical literature has identified the 'sociopolitical and legal orders in which [Roma] 'difference' has been enduringly inscribed as a figure of pathologized otherness' (Yildiz and de Genova 2017: 432). It has highlighted, for instance, the processes by which a 'Roma problem' or a 'Roma minority' has been constituted in Europe, often by European institutions that are unable to confront the structural factors that led to Roma marginalization (Sigona and Trehan 2009; van Baar 2011; Sigona and Vermeersch 2012). Of particular relevance for current purposes, a related literature focuses on CEEC Roma migrants in western European states, pointing to the ways in which their treatment exposes the limits of an ostensibly progressive, inclusive, or cosmopolitan EU citizenship/free movement regime (Parker 2012; Parker and Lopez Catalan 2014; Yildiz and de Genova 2017). Such literatures note that a conditional EU citizenship and its application in western European member states, permits the exclusion of the economically 'inactive'—in accordance with a neoliberal logic—but marginalized migrant Roma are *often already produced as* economically delinquent—in accordance with a racializing logic.

A neoliberal logic is present within the EU free movement regime and the national laws that implement it. For instance, the 2004 EU Citizenship Directive states that after an initial period of residence of up to three months, '[p]ersons exercising their right of residence should not [ ... ] become an unreasonable burden on the social assistance system of the host Member State'. An EU citizen must thereafter usually fulfil one or more of the following conditions to remain legally resident in another member state: (1) be a worker or self-employed person; (2) have sufficient resources not to become a burden on the social assistance system of the 'host' Member State; (3) be enrolled in education; or (4) be a family member of an EU citizen satisfying one of the other conditions (see Commission 2004, Article 7). Although there is much legal debate on the proper interpretation of this framework (see e.g. O'Brien 2017), in practice EU citizens resident in a member state other than their own have often lost their 'right to rights'—for instance, their right to claim certain welfare benefits—and even their 'right to reside' legally in that state, on the basis of an adjudication of their economic status.

As for a racializing logic, it refers, for our purposes, to the widespread, 'sociopolitical dynamics of Roma subjugation, marginalization, and criminalization within the EU' (Yildiz and Genova 2017: 431), which are themselves built on a deep historical legacy of stereotyping, prejudice, and anti-Gypsyism (Hancock 2010; Gómez 2019; ERGO 2020). In both their countries of nationality and residence Roma have often been territorially segregated and educationally and socially excluded. The EU's Fundamental Rights Agency in 2021 highlighted that 80 per cent of Europe's Roma were at risk of poverty and nearly half faced severe material deprivation (FRA 2021). For migrant Roma in western Europe, racialization solidifies an outsider status, limiting access to stable housing, education, and work, leaving them prone to falling foul of the neoliberal conditionality enunciated above. When social and economic rights are withheld on that basis, the cycle of deprivation continues, often across generations (Beluschi-Fabeni et al. 2019). In summary, we can say that the rights associated with EU citizenship—the core right to be treated in broadly the same way as nationals of the member state of residence—are often withheld from Roma because they are designated as economically delinquent, but they are economically delinquent because they have been (historically and contemporaneously) racialized as 'problematic Roma'.

Scholars have documented how such dynamics played out in the UK context before Brexit. Motivated by the prospect of economic gain and social mobility for themselves and/or their children (Pantea 2012; Duncan 2022), many Roma were able to move to live in the UK relatively easily, particularly following the EU enlargements to the CEECs. But as in other member states, they were—in accordance with the above intersecting neoliberal and racializing logics—often marginalized and excluded (Poole and Adamson 2008; Dagilyte

and Greenfields 2015; Brown *et al.* 2016; Nagy 2016; Clark 2017; Grill 2018; Mullen 2018; Beluschi-Fabeni *et al.* 2019; Dinu and Scullion 2019; Humphris 2019; Duncan 2022). They struggled to meet the economic conditionality contained in EU law, which was applied in a particularly restrictive manner in a particularly neoliberal UK. Indeed, those conditions were toughened in the pre-Brexit UK via a raft of 2014 reforms which effectively required EU nationals in the UK to be more virtuous economic subjects than their British counterparts in order to access many social rights (O'Brien 2017: 267). Roma consequently often struggled to access even in-work welfare and found themselves in situations of severe deprivation and susceptible to labour market exploitation (and, if homeless, even deportation).

The economic struggles of these migrant Roma in the UK were themselves born out of the broader racialization of Roma in Europe, while they simultaneously fuelled further racialization in the UK context. This occurred via the British tabloid press, wherein stereotypical images of Roma families and children often loomed large in broader 'xeno-racist' critiques of EU migrants in the pre-Brexit period. Those critiques had been at least partially legitimated across the political spectrum in response to the rise of Nigel Farage's UKIP (Fox, Moroşanu, and Szilassy 2012; Parker 2023). One particular moral panic reached fever pitch in 2013, shortly before UK labour markets were due to be fully opened to Romanian and Bulgarian citizens, with Sheffield's mainly Slovak Roma cast as an irrevocable 'other' by a senior Labour politician (Grayson 2013). Racialization was also apparent in the discriminatory policies of local agencies—including schools and children's services—in those areas with significant Roma populations (Searle 2017; Beluschi-Fabeni *et al.* 2019). Indeed, such dynamics both underpinned and consolidated the precarity encountered by Roma in the neoliberal pre-Brexit UK, even as a move to the UK still offered up important opportunities for many.

The 2016 Brexit referendum had adverse psychological impacts on resident EU citizens, including Roma. As Patel *et al.* (2023) note, summarizing their focus group work with Roma in South Yorkshire, 'for EU migrants of Roma heritage, the [Brexit] Referendum period represented both a continuation *and a magnification* of the same forms of 'status crisis' that were unpleasantly novel for other EU groups' (see also Clark's (2020) discussion of Roma in Glasgow). Brexit raised the spectre of possible eviction and forced return—experiences that were all too familiar for many Roma—but most expressed a desire to remain in the UK given their families were settled (Patel *et al.* 2023). The WA was supposed to ensure that such a desire would be fulfilled. However, as we discuss below, the EUSS posed significant challenges for many Roma in relation to both securing and using a new 'settled' status, often reifying the exclusionary impacts of the intersecting neoliberal and racializing logics identified above.

It is not easy to establish a clear sense of the scale of the issues that we identify below because the size of the CEEC Roma population in the UK is disputed. Research conducted in 2012 estimated that there were approximately 200,000 migrant Roma in the UK (Brown, Scullion, and Martin 2013), although some believe that to have been an overestimate (see, for instance, Matras 2015). The 2021 census—which usefully disaggregated Roma (mostly CEEC) from 'Gypsy and Traveller' (mostly British) populations for the first time—suggested a population of around 90–100 000 (ONS 2021), but those figures are also likely to be inaccurate. On the one hand, it is probable that some individuals incorrectly self-declared as Roma. On the other hand, many CEEC Roma, if they were able to complete the census at all, were likely reluctant to declare their ethnicity.<sup>1</sup> In summary, while it is very difficult to 'count Roma' (Messing 2014)—and such counting is always susceptible to misuse in the context of anti-Roma prejudice (Sardelic 2021)—we believe there to be a sizeable population of anywhere between 150 and 300 thousand Roma, constituting 3–5 per cent of all resident EU citizens. These mainly CEEC Roma come from different member states—including, in order of (probable) population size, Romania, Slovakia, Czechia,

Poland, Bulgaria, and Hungary—and self-identify with a range of different Roma subgroups (including, among others, Romungre, Lovari, and Kalderash).

### 3. The EU settlement scheme and 'vulnerable' EU citizens

The majority of EU citizens resident in the UK prior to the end of 2020 were able to remain and live and work in the UK if they wished to do so. Indeed, in the context of the Brexit negotiations, both the EU and the UK government made a commitment to protect the rights of EU citizens in the UK and UK citizens in the EU. The WA enshrines protections for EU citizens who 'exercised their right to reside' before the end of the transition period (11 pm on 31 December 2020) 'and continue to reside there thereafter' (Article 10). Those who have '*resided legally*' in the host State in accordance with Union law for a continuous period of 5 years ... shall have the right to reside permanently in the host State' (Article 15, WA). Those residing in the host state before the end of 2020, but for less than 5 years, were to be given 'the right to acquire the right to reside permanently' (by residing for 5 years) (Article 16 WA). The WA also protects the family members—as defined in EU law, so including spouses, children, parents, and grandparents—of those EU citizens. The rights to be granted to such citizens are similar to those they enjoyed as EU nationals, including a right to residence and non-discrimination (in accordance with relevant EU law, particularly Directive 2004/38). Notably, the WA has legal supremacy over the various laws, rules, and regulations that seek to implement it. Those EU citizens not covered by the WA would no longer be able to benefit from the full free movement rights that they had before Brexit. But they would, as the Home Office guidance put it, 'continue to [be able to] visit the UK without applying for a visa and in most cases ... stay for up to six months'. Those stays could be for the purposes of tourism, visiting family and friends, short-term study, or business-related activities, such as attending job interviews, meetings, events, and conferences ([UK Gov undated](#)).

Under the terms of the WA, the UK government had the choice of a declaratory approach—which would not have required legally resident EU citizens to acquire a new status—or a constitutive approach—which would require them to actively register for such a status in order to maintain the right to reside. As [O'Brien \(2021: 442–443\)](#) highlights, the EU's endorsement of a constitutive approach represented a 'pivotal departure from the custom of EU law' wherein 'residency rights are typically vested in the meeting of key conditions'. Such endorsement was apparently at the insistence of the UK government, which would opt to implement a constitutive approach via the EUSS ([UK Gov 2018](#)). In the context of the government's broader 'hostile environment' approach to migration, this trajectory was perhaps not surprising: it would afford a greater possibility to monitor migration status and EU migrants in the UK. Notably—and ironically in light of our below findings—the government justified such an approach by claiming that it would help to avoid a repeat of the Windrush scandal, because it would provide individuals with evidence of status ([Javed cit. O'Brien and Welsh 2024](#)).

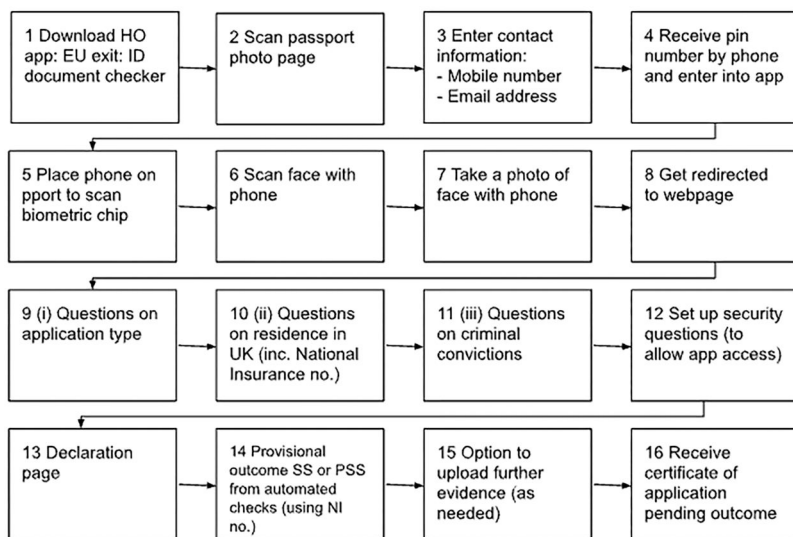
The government did try to offer support for potentially 'vulnerable' EU citizens in the UK who may encounter challenges in navigating the EUSS. It developed the 'safeguarding user group team' and developed a communications programme, *Stay Informed*, to raise awareness of EUSS and make clear that they would need to take action as well as developing lines of communication via Local Authorities and civil society organizations working locally. A resolution centre was established to support both those struggling with applications and those offering advice and support and by 2023 a total of £19.5 million had been provided to seventy-two grant-funded organizations (GFOs). These initiatives provided local authorities and community actors with resources to offer legal advice and resolve issues encountered disproportionately by the most vulnerable EU citizens. Such support was granted to organizations equipped to provide immigration advice and support at different

levels (regulated by the Immigration Advice Authority (IAA),<sup>2</sup> advisors are accredited at tiers 1–3). While the achievements of government and local actors in supporting vulnerable EU citizens through the EUSS process were certainly significant, many EU citizens fell through the gaps (perhaps inevitably) as we discuss below. Moreover, the targeted funding for community level support for EUSS was being wound down in 2023 and 2024 and was due to end in 2025, in a broader context of severe capacity issues in the immigration advice sector (Wilding, Mguni, and van Isalcker 2021; Wilding 2023).

Under the EUSS, those able to prove continuous residence of 5 years or more prior to the end of transition were granted settled status—which offered them indefinite leave to remain (ILR)—while those able to only prove residence for a shorter period were granted a less secure so-called pre-settled status (that would later need to be ‘upgraded’ to settled status—see below). Notably, the UK government offered a more lenient approach than that possible under the terms of the WA with respect to proof of residency. While the WA referred to *legal* residency in accordance with EU law, the UK government only required proof of continuous *physical* residence in the UK (largely for administrative ease). In other words, in order to acquire status it was not necessary for EU citizens in the UK to demonstrate that they were exercising EU treaty rights on 31 December 2020 (i.e., it was not necessary to provide proof of having been a worker, jobseeker, self-sufficient person with comprehensive sickness insurance, etc.); it was only necessary to prove physical residence prior to that date. This was beneficial for those who may not have had a legal right to reside pre-Brexit—for instance due to lacking worker status—but through physical residence could prove a right to EUSS status (that said, the problematic notion of a ‘true’ and ‘extra’ cohort—discussed below—at least cast doubt on the extent of those benefits).

One important disadvantage for those granted pre-settled status was that they would be subject to a right to reside test—a check that they are workers,<sup>3</sup> self-employed or jobseekers—in order to be eligible for benefits. After a series of legal challenges questioning such a policy (see O’Brien 2022) it was determined that a refusal of benefits to those with pre-settled status could be legitimate only if it could be ascertained that the fundamental rights of the individual concerned—as contained in the EU’s Charter of Fundamental Rights—would not be placed at risk (see the case of *SSWP vs AT (AIRE Centre and IMA intervening)*). In other words, the DWP must, as of 2024, conduct individual assessments and award Universal Credit (UC) if not do so would mean a claimant with pre-settled status living in a situation without dignity (Williams 2022). At the time of our research this approach was not yet being implemented.

Crucially, there also remained significant doubt as to whether some individuals with pre-settled status had WA rights at all. As noted, in certain respects, the EUSS scheme was more generous than the WA when it came to assessing a right to acquire status. This meant that some people who were eligible and able to acquire status could potentially be conceived as outside the scope of the WA. In other words, some individuals with status could be interpreted as being part of what the government called an ‘extra cohort’ (as opposed to the ‘true cohort’), if they were not ‘exercising treaty rights’—or had no ‘right to reside’—at the end of December 2020 (O’Brien and Welsh 2024). Such a concept would, if confirmed, raise the alarming possibility that many with pre-settled status—and conceivably even some with settled status—would not in fact be covered by the WA. The individuals concerned will be *entirely unaware* that they are in a situation which effectively means that they have no recourse to public funds in the UK until, that is, they seek to make a claim for such funds. Moreover, it will become increasingly complex over time for authorities and individuals to evidence which cohort they belong to. At the time of writing in early 2025 the very concept of an ‘extra cohort’ without WA rights was being legally challenged. It was hard to avoid the conclusion that this convoluted approach—and the very concept of an ‘extra cohort’—was intended, in accordance with the prevailing neoliberal governing



**Figure 1.** Applying for settled status.

logic in the UK, to prevent often already marginalized individuals from accessing benefits (O'Brien and Welsh 2024).

As to the process for applying for settled status, it was 'digital by default' and proved straightforward for many EU citizens (see Fig. 1). But it did rely on a certain level of English language proficiency and digital literacy. For those able to rely on the automated checks of DWP and HMRC databases (step 14 in Fig. 1) to acquire settled status, this tended to be granted fairly quickly. For those who needed to upload further evidence to prove 5 years of continuous residence (step 15 Fig. 1) things could be more complicated (as discussed below). Notably, the Home Office had opted to exclude Working Tax Credit, Child Benefit, and Child Tax Credit from the automated residence checks because it was thought that, 'their payment does not provide reliable evidence of UK residence'. The 2020 Home Office Equality Statement stated that women may be at 'a particular disadvantage as they are more likely to be receiving these payments' (Home Office 2020). Such a disadvantage extended to all vulnerable EU citizens in receipt of these benefits, including many Roma EU families. Indeed, the same statement recognized, more generally, that 'digital evidence of status may place at a particular disadvantage people from the Roma community' (Home Office 2020).

The cut off period for applying for status was 30 June 2021, although some flexibility was applied to late applications in accordance with the WA (Article 18(1d)), which invoked the importance of assessing whether there were 'reasonable grounds' for missing a deadline. Caseworker guidance suggested that 'reasonable grounds' for a late application would include a general lack of awareness of the scheme and case workers were encouraged to give the benefit of the doubt to late applicants. Between 1 July 2021 and 30 June 2023, 184,000 late applications were allowed (albeit not all of those would ultimately be successful) (Free Movement Blog 2023). Those individuals were issued with certificates of application (COA) which allowed them to work in the UK pending the outcome of their application.

The permissive approach towards late applications changed from August 2023. A new two-step approach was introduced in which late applications would, in a first verification step, be assessed far more strictly and potentially rejected before a full eligibility assessment was undertaken (Home Office 2024a). Indeed, new caseworker guidance required far more

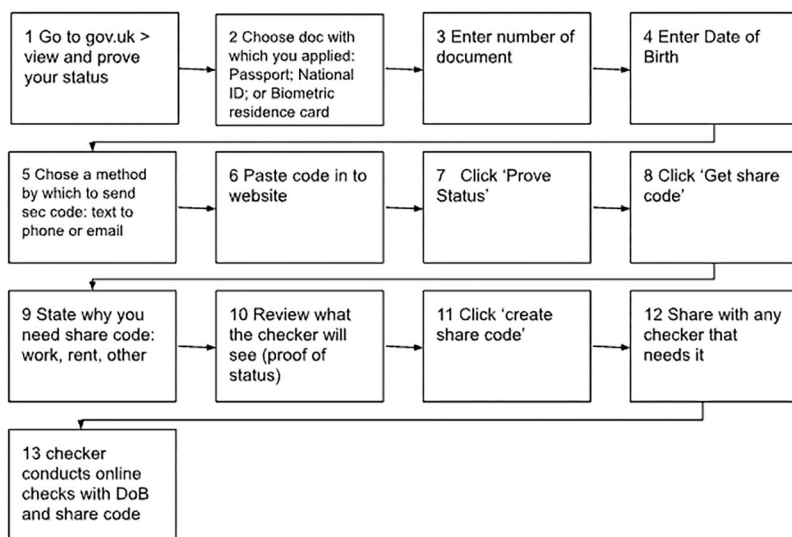
detailed evidence to justify a late application. Notably, a lack of awareness of the scheme, limited English, or lack of digital proficiency in this context, ‘will generally *no longer be considered reasonable grounds* for their delay in making [an] application to the scheme’ (Home Office 2024a). The implicit HO justification for these changes seemed to be that significant and adequate efforts had been made to raise awareness of the scheme and nobody could any longer *reasonably* claim to be unaware of EUSS (although whether this was true of the most marginalized is questionable, as we discuss below). Notably, in 2024 even when individuals passed the verification stage and received a COA, they faced issues with travel outside the UK, finding that their COA was often not regarded as sufficient to permit their re-entry (e.g. O’Carroll 2024).

To maintain their status, those with pre-settled status were initially required to submit a further EUSS application upon reaching 5 years of continuous residence, which would, in principle, upgrade them to settled status. If they did not apply for settled status they risked losing their status. This policy was successfully challenged in the High Court as being in breach of the WA.<sup>4</sup> In response to the ruling, the HO undertook, from September 2023, to automatically apply a two-year extension for pre-settled status holders and in May 2024 it increased that to 5 years. The government also undertook to apply automatic checks and automatic upgrades to settled status where HMRC/DWP records could demonstrate 5 years of continuous residence. Many of the most marginalized would not have such records and therefore not benefit from upgrades and still need to actively upgrade. Moreover, at the time of writing in early 2025 EU citizens’ advocates remained concerned about the possibility that pre-settled status could be curtailed: if such a policy were pursued it would likely involve HO caseworkers contacting pre-settled status holders and asking them to prove 5-years of continuous residence to upgrade to settled. Those unable to engage in such processes for whatever reason would risk having their status cancelled.

Certain family members joining those in the UK with status were able to apply for status themselves, even if they moved to the UK after 2020. Those family members included: children, grandchildren, or great-grandchildren under 21; spouses and unmarried partners where the relationship was durable and predated the end of December 2020; dependent children over 21; and dependent parents, grandparents and great-grandparents. As noted below, where it was necessary to prove a dependency or durable relationship this was very difficult for certain EU citizens where they lacked a digital footprint. Joining family members could come to the UK and apply to the EUSS as a joining family member within 3 months of their arrival or, alternatively, apply for a joining family permit from outside the UK and come to the UK for 6 months (with a right to work) before applying for EUSS (although it was often not easy for the most marginalized to access a family permit in their home states). For children born in the UK after one or more of their parents had acquired settled status things were, in principle, easier as they would acquire British citizenship by birth and could not acquire settled status. However, the process for proving that status and then acquiring a British passport for those children was not always straightforward for marginalized EU citizens, as discussed below.

One particularly controversial aspect of the EUSS was the fact that EU citizens in the UK acquiring status were not issued with a physical residence document. This was in apparent accordance with the WA, which stated that the authorities should provide, ‘a *document* evidencing such status which *may be* in a digital form’ (Article 18(1) emphasis added). However, rather than issuing a physical or digital *document*, the government created ‘a very cumbersome *online process*’ (Hawkins 2024) for proving status (see Fig. 2).

In practice, this means that when asked for proof of status—for instance, by an employer, landlord, or public service provider—EU citizens must provide their interlocutors with a ‘share code’ that can be accessed via their UK Visa and Immigration (UKVI) account. This requirement accorded with a government ‘digital by default’ strategy aimed at removing the need for physical documentation in the governance of migration (Home



**Figure 2.** How to generate a 'share code' to prove status.

Office 2022). While many people were able to navigate this easily, several issues arose in relation to the digital only status.

A growing, mainly socio-legal, academic literature, on the EUSS has highlighted the challenges encountered by EU citizens in acquiring and using a new post-Brexit status via the processes described above. Some have pointed to the vagaries of the digital process for acquiring status (Fig. 1), even for 'desirable' or economically 'virtuous' migrants, highlighting the ways in which some such individuals held more secure 'digital doubles'—in other words, a clearer digital footprint demonstrating residency—than others in a similar position (Juverdeanu 2024). Others focused on the use of status once acquired (Fig. 2), highlighting the various technical glitches in the system that have impacted numerous status holders, denying them job opportunities or making travel difficult (Jablonowski 2023). More recently, research on the use of EUSS status highlighted the discriminatory practices of 'status checkers' when confronted with the demands of digital-only processes for verifying status (Meers et al. 2025).

Closer to our own focus, critiques of the constitutive nature of the EUSS pointed to the risks of a loss of status and a right to reside legally in the UK, especially for already marginalized groups (Barnard et al. 2021; O'Brien 2021). Jablonowski and Pinkowska (2021: 12) pointed to four key categories who may be particularly at risk: those who were unaware of a need to apply; those unable to autonomously apply; those with limited capacity to complete the application; and those unable to assemble the necessary evidence. Individuals falling into one or more of these categories included those with limited English or digital capabilities; those with patchy formal work histories, such as long-term carers (disproportionately women); and those dependent on someone else for their status such as 'third country nationals' (TCNs) (non-EU citizens who had acquired EUSS status via, for instance, EU partners) (see, among others, O'Brien 2021; Tomlinson, Maxwell, and Welsh 2022; Barnard and Costello 2023; Barnard et al. 2022). This extant work on EUSS has not, however, focused on the issues encountered by already racialized groups of EU citizens in the UK or resident Roma (aside from early interventions from Martin (2021) and Brown (2022)). As will become apparent, significant numbers of Roma fall into one or more of the vulnerability categories highlighted by Jablonowski and Pinkowska (2021) and many were still struggling to

acquire and use an EUSS status in 2024, more than 3 years after the official deadline for applications had passed.

#### 4. Methodology

To investigate Roma experiences of the EUSS we adopted a mixed method, but mainly qualitative, approach that allowed us to engage with individuals who had been supporting Roma populations and also directly with those self-identifying as Roma. There were three main parts to our research: (1) advisor interviews; (2) an advisor survey; and (3) a Roma community survey (conducted in ‘information sessions’). The research (and paper author) team was made up of a British non-Roma academic (Parker) and two Roma; one Romanian (Bica), who works for the Roma Support Group (RSG), the leading charity supporting CEEC Roma across the UK, and one Czech (Fuseini), who works as a project assistant on various Roma related projects, especially in South Yorkshire. The research was conducted in late 2023 and throughout 2024.

We initially conducted, recorded, formally transcribed, and coded a series of ‘advisor interviews’ with fifteen Roma/EUSS support workers. These interviewees included five individuals offering higher tier EUSS advice and ten providing community level advice, most commonly to Roma communities. All had been working on EUSS-related matters since the scheme’s inception. The community advisors were based in cities with significant Roma populations, particularly the neighbouring Sheffield and Rotherham (which have the highest lower tier local authority Roma population in England and Wales, mainly of Slovak origin (ONS 2021)) and Glasgow, which has a similarly sized population of primarily Romanian Roma, concentrated in the Govanhill area. We also spoke to London-based advisors working with primarily Romanian and Polish origin Roma, as well as drawing (in the case of one of the co-authors) on our own experiences supporting Roma with EUSS nationally. Higher tier (in terms of IAA accreditation) interviewees were located mainly in and around London, but they supported complex EUSS cases throughout the country and all advisors had engaged with cases involving Roma from CEECs. Adopting a snowball sampling technique, we thereafter had more informal online and in-person discussions with a significant number (more than 10) of other local and national-level EUSS advisors (drawing, for instance, on contacts developed via the ‘EUSS Alliance’ of civil society actors coordinated by New Europeans UK in which we participated and to which we presented early findings). Several of the individuals formally or informally interviewed in that context themselves identify as Roma. These further informal interviews allowed us to confirm and add nuance to our initial findings. Coding of the formal interviews was based on the identification of common issues that the interviewees highlighted.

The identification of key issues via interviews informed the creation of a subsequent online ‘Roma advisor survey’ of thirty-six frontline advisors/advocates conducted in 2023/24 (see Fig. 3 below). Drawing on a collaboration between RSG (Bica) and University of Sheffield (Parker), we targeted individuals based on RSG contacts lists, most of whom work directly or indirectly with Roma populations in relevant local areas (usually for community organizations, or Local Authorities). The majority of individuals reported assisting Romanian or Slovak/Czech Roma, but some also said they were supporting Polish Roma and some were assisting more than one group (Bulgarian and Hungarian were also mentioned). Many of these advisors have been actively supporting Roma since the EUSS was first rolled out in 2018/2019. While this was a relatively small-scale survey, the number of respondents is likely to represent a high percentage of those in the UK directly supporting CEEC Roma and these Roma supporters had collectively assisted many thousands of Roma with their EUSS-related issues. The survey provided useful confirmation of our interview findings, while allowing us, through the generation of rudimentary quantitative data, to better establish the scale of the issues identified.

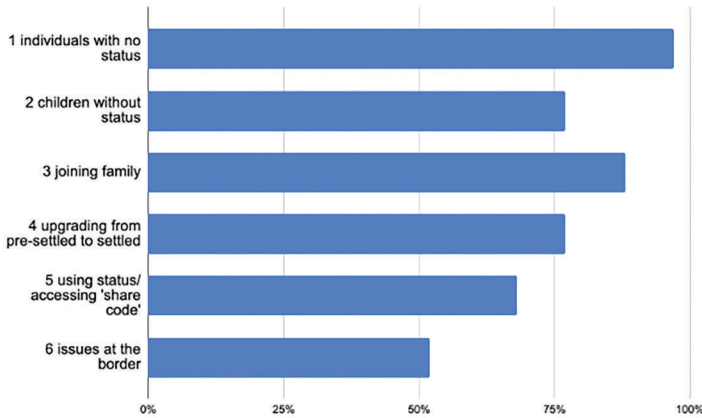
Finally, we conducted several 'information sessions' in the Sheffield and Rotherham area (Page Hall, Darnall, Eastwood, and Ferham) and London (East Ham) in the spring and summer of 2024 with around fifty Roma in total. While there was an element of convenience to this sampling—given the location and connections of the researchers/authors—they each focused on areas with a high concentration of Roma and allowed us to engage with Slovak, Romanian, and Polish Roma. Roma partners led the recruitment to these sessions, with the RSG leading recruitment of Polish and Romanian Roma in London and co-author Fuseini working with local organizations to lead recruitment of Slovak/Czech Roma in Sheffield and Rotherham. The sessions included a visible mix of ages and genders (although we did not record this information). These sessions were designed with a dual purpose in mind. On the one hand, they allowed us to collect data on these individuals' ongoing experiences with EUSS. We conducted a 'Roma community survey' (see Fig. 4 below), asking participants about their current status (i.e., whether they had settled, pre-settled, or no status) and also presented them with a series of questions designed to measure their understanding of issues associated with the EUSS and their migration status. On the other hand, we designed these sessions to *inform* communities about the ongoing and key issues related to the EUSS (we discussed those issues in the sessions and also produced, for instance, leaflets, videos, and other materials, now all available on the RSG website).

It became apparent early on in our research that the issues that Roma communities faced with respect to the EUSS were broadly similar, regardless of their country of origin, demographic differences, or their geographical location in the UK. That said, some more established Roma communities (notably Poles in London) did demonstrate a very slightly greater knowledge of the EUSS and some had another form of ILR that did not require them to apply to the EUSS.<sup>5</sup> There were also certain differences between the experiences of Roma in England and Scotland due to a slightly less 'hostile' approach in the latter (mentioned below). Finally, it is important to acknowledge that there are Roma communities in the UK that are even more marginalized than those with whom we engaged, particularly in areas where there is limited local support and therefore fewer organizations via whom we could organize our research and outreach activities.

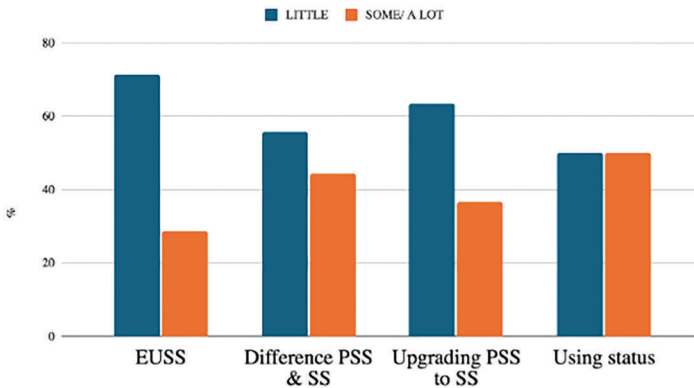
## 5. Findings I: Roma struggles acquiring status

Research during the initial period of the EUSS rollout revealed that many Roma had very little knowledge or awareness of the EUSS and, even when made aware, acquiring evidence of residence was a major challenge (RSG 2020). Many Roma work in informal cash-in-hand employment, do not have bank accounts, and live with extended family so their name is not on rental agreements or utility bills. In short, they lack an easily accessible 'digital footprint' and so the automated residency checks (see Fig. 1, step 14)—which usually worked very well for the socially and economically integrated—were often not effective for marginalized Roma. They frequently relied on evidence from GPs or schools that was not always easy to obtain. The most marginalized Roma—rough sleepers, some children, and, disproportionately, women who had not worked—often had no evidence and were the most likely to fall through the cracks of the EUSS. Limited English language and digital literacy represented an additional significant hurdle. Notably over 80 per cent of Roma who participated in our 2024 Roma community surveys (Fig. 4) told us that they had required support to apply for status. Such support had not always been easy to access around the time of the covid pandemic and was, as noted, being cut in 2023/24.

Each aspect of our research revealed that Roma continued to struggle to navigate EUSS over 3 years after the formal 2021 application deadline. Results of our 2024 advisor survey show the particular issues Roma advisors and supporters were still encountering on a regular basis. Figure 3 ranks those in order, from the issue that was identified by advisors as the most common to the issue identified as least common, and also shows the percentage of



**Figure 3.** Which issues are you [Roma support workers] still encountering in relation to Roma and EUSS? (36 respondents).



**Figure 4.** Roma community knowledge of EUSS among fifty respondents.

workers regularly encountering each issue. In 2024, the most common issues still related to acquiring status, whether for a first time adult applicant with no status, for a child without status, or for a joining family member. Our advisor interviews confirmed that many Roma—in particular, those who had been resident in the UK before 2020 and many of their joining family members—were still, in principle, eligible for status. However, a significant number of those individuals encountered difficulties proving that eligibility. Many were also struggling as a result of the aforementioned stricter late application process after August 2023, which meant that eligible applications were in some instances wrongly deemed ineligible. Individuals in this situation required support, often from GFOs, to overturn such decisions (but, as noted, such support was in short and diminishing supply in 2024).

Many Roma were also encountering difficulties upgrading from pre-settled to settled status. The challenges gathering evidence meant that even when they were able to acquire status, 'Roma were more likely to receive pre-settled status in comparison with their non-Roma counterparts. Some 62 per cent of Roma people had received pre-settled status [in the first couple of years of the EUSS] in comparison with 41 per cent of non-Roma people' (Brown 2021). Some advisors noted that men were more likely to acquire settled status than women, given work and welfare (particularly tax credit) histories and evidence.

Notably, even in 2024, 40 per cent of the Roma who we surveyed still had only a pre-settled status. Moreover, over 60 per cent had little knowledge about how to go about upgrading from pre-settled to settled status (Fig. 4). A Glasgow community worker noted that, '[w]e continue to support people with pre-settled status to save settled status residence evidence safely electronically for future settled status applications' (Glasgow EUSS advisor 1). Those unable to access such support would often only realize there was a need to upgrade following a refusal of UC. They subsequently struggled to produce evidence of 5 year's continuous residence and often required support to do so. In mid-2024, 78 per cent of community workers that we surveyed were actively supporting Roma with upgrading (see Fig. 3), but even with assistance it was proving difficult in some cases to upgrade. Many Roma were at risk of the future curtailment of their migration status (see the above discussion of potential curtailment), even where they had in many cases been long term residents in the UK.

Many children (some of them now adults) did not acquire status in the early years of the EUSS, usually because parents/families had failed to apply separately for them, wrongly believing that their own status would also automatically cover their children. In those cases, children were generally granted status when their parents were supported to apply (even after August 2023), but it was impossible to quantify the number of children whose parents/families had not applied for them. We do know, however, that in 2024 a number of Roma families in England (but not Scotland where the approach is different) were receiving invoices for NHS treatment for their children where children had no apparent status. In many of those cases the children were likely to be eligible for an EUSS status or automatically British—for instance because they were born in the UK to a parent with settled status—but they needed support to acquire or evidence that status. Where children were confirmed to be British, Roma families struggled to acquire British passports for them due to the UK's strict countersignature rules on passport applications, which require a *professional* who has known an individual for at least 2 years to verify an individual's identity. This is another administrative system designed without regard to marginalized populations' needs.

Our interviews confirmed that some Roma EU citizens in the UK, particularly those who had arrived after the end of 2020, were very unlikely to be eligible for status (although this is very difficult to quantify for Roma, or any other EU citizen). Those applying before August 2023 had though, in most cases, been able to acquire a COA (see above), which gave them a right to work pending the outcome of their application. After August 2023, these late applicants were, as noted above, often rejected earlier at the new eligibility stage in the process. Advisors reported that most Roma—whether they arrived before or after 2020—had very limited knowledge of the details pertaining to Brexit and the EUSS, including the differences between a COA, pre-settled and settled status. They were unaware, for instance, that their COA only granted them temporary rights and the rejection of their application came as a shock. Our Roma survey confirmed this lack of knowledge (see Fig. 4).

As one advisor noted, '[Roma] still want to come and work here and I don't know whether they understand Brexit ... they were amazed when I said, actually, you know, "You are only eligible for the scheme if you've lived here before 2020"' (Sheffield EUSS advisor 1). Individuals were often following friends and family members who had previously moved to the UK (they were usually able to enter visa free as visitors) without knowing that they had no right to reside. It is impossible to quantify the numbers of Roma whose rights expired following the rejection of a settled status application given a lack of ethnicity data, but our interviews suggested that at least a significant number of Roma were in this situation.

Another group of Roma without status and struggling to acquire it were newly arrived partners (often women) joining individuals with status (often men) in the UK. Those who had been partners prior to 2020—and so technically eligible for an EUSS status under joining family rules—often had difficulties proving it to the satisfaction of HO decision

makers. And those who had entered into relationships after 2020 did not understand that they had no status—they often assumed that their partner’s status would protect them—but they in fact had little prospect of acquiring an EUSS status. As a Glasgow community worker noted, such individuals often had, ‘babies or young children who [had] status’, but were themselves ‘living in fear of removal with no access to legal work or benefits. Reports [suggest] some are begging, vulnerable to exploitation and domestic violence’ (Glasgow EUSS advisor 1). One frontline Roma worker expressed the concern that some pregnant Roma women in this situation were not engaging with NHS maternity services for fear of incurring charges (Sheffield EUSS advisor 3) (although, notably, this was not an issue in Scotland, where individuals engaging with the NHS were not being asked to prove their migration status (Glasgow EUSS advisor 2)). Routes to status outside of the EUSS—particularly the so-called family member/‘appendix FM’ route—were theoretically possible, but not straightforward for most of these individuals to navigate due to the tough conditions around minimum income, which increased from £18,600 to £29,000 in April 2024.<sup>6</sup>

It is likely that many Roma would remain in the UK regardless of status, particularly those in marriages and with family. As a Glasgow support worker noted: ‘I can still see why people are making a choice to ... come to a place where they can work and get money in their pockets and get by, regardless of the ... niceties of immigration law as they might see them’ (Glasgow EUSS advisor 1). In many instances, Roma would also have very little to return to in their countries of origin. As one national Roma legal advocate explained:

people were telling them, ‘Oh but you’ll be alright—just move to England’. They sell everything in their countr[ies] of origin and they move with the whole family here and then they have really big difficulties to actually get the status and they don’t get it. So, they [actually have] nowhere to go ... because they don’t have anything in [their] countr[ies] of origin. They don’t have family there, they don’t have any belongings there anymore, they don’t have [a] house. Nothing. (national EUSS advisor 2)

A Sheffield-based community worker, expressed concerns about what this would mean for such individuals: ‘it’s always worried me, that there [are] going to be ... destitute people now because, you know, they are allowed to cross the border ... But actually at some point they’re going to have their application rejected and they’re renting [a] house, they’re working ... kids in school. So, what are they supposed to do now?’ (Sheffield EUSS advisor 1).

## 6. Findings II: Roma struggles using status

The challenges for marginalized EU citizens navigating the EUSS did not end with the application process and the acquisition of status. Using a ‘digital only’ status also proved problematic for many. Due to their social and educational marginalization, issues relating to digital accessibility and literacy were particularly acute for Roma communities. A 2020 RSG survey of sixty-five Roma confirmed those difficulties (RSG 2020). At that point, 42 per cent of those surveyed had already been asked at some point to prove status. Of those, one-third said that they were able to do so on their own. A further third said that they were able to do so only with support from family, a charity, or by paying someone. And around a third said that they could not do it at all. In 2022 a further RSG London survey found that 70 per cent needed help to access their status (Bica, Sale, and Platchetkova 2024).

Our 2023/2024 research confirmed that such issues were ongoing in 2024. Roma struggled to access a ‘share code’ (see Figs 3 and 4), which was needed to prove status in the UK in the context of, for instance, taking on a job, claiming benefits, or renting a property (although, notably, right to rent checks do not apply in Scotland). Steps 2 and 5 in the process for generating a share code (see Fig. 2) proved particularly problematic for Roma given

their often-limited digital literacy and/or tendency to regularly change contact information. Step 2 requires the EU citizen to input their identity details. Advisors highlighted a number of cases where Roma had renewed passports or ID cards, but not updated the details in their UKVI account, and not kept a record of old numbers (an issue that will surely impact many EU citizens and also, in future, many non-EU citizens with an eVisa). In order to access the system individuals must call the Home Office and answer pre-agreed security questions. Advisors noted that in many cases, Roma were unable to recall the answers to those questions.

As to step 5 in the process (see Fig. 2), it asks where the share code should be sent: to a phone number or an email account. Again, this created significant problems for many Roma. In the context of applying, many did not have an email address and had to rely on outside support to create an account. As to using phone numbers to receive share codes, this was also an issue for many Roma. As one local actor noted: '[m]ostly these families ... didn't have computers, they share a phone in a family and it [only] gets turned on when somebody wants to use it. And so the idea that it is all digital by default was just a problem' (Sheffield EUSS advisor 4). A specific issue in the Roma community also related to a tendency to frequently change phone numbers: 'the [practice] around mobiles is to change [the] phone without porting numbers [typically, in order to acquire better deals] and without taking email account log in details off old and onto new phones. I would say this is likely to be a long-term issue' (Glasgow EUSS advisor 1). Notably, close to 70 per cent of support workers that we surveyed in mid-2024 said that they were often supporting Roma to access a share code (see Fig. 4). A number of advisor interviewees lamented the lack of a physical proof of identity that had existed for EU citizens prior to Brexit—in the form of their EU ID cards/passports or permanent residence card—and Roma who we engaged with in the information sessions expressed the desire for a physical proof of migration status.

Even where individuals were able to access 'share codes', those with pre-settled status often struggled to access benefits (due to failing the abovementioned 'right to reside' test). Notably, even those with settled status often encountered difficulties navigating the benefit system. As one advisor noted: '[UC] is a system designed to make it incredibly difficult for people to actually access benefits, you know, who aren't literate, who can't speak English, who can't engage digitally ... It has made it difficult for people. So, lots of people have been sanctioned, lots of people [are], you know, struggling to engage, needing a lot of practical support' (Glasgow EUSS advisor 3). Moreover, we know that foreign nationals, including Roma, were particularly susceptible to having their benefits suspended in the context of controversial automated DWP risk reviews (Cracknell 2022).

Finally, Roma with status encountered difficulties returning to the UK after a period abroad. Over 50 per cent of support workers surveyed in mid-2024 reported advising on 'issues with entering and leaving the UK' in their work with Roma populations (Fig. 3). Romanian and Bulgarian Roma were particularly likely to encounter difficulties, which aligns with the figures on those EU nationalities that were most likely to be refused entry at the border (O'Carroll and Goodier 2023). Those with status, but unable to prove it had in some cases changed their passport/ID, but not updated the relevant information in the UKVI system. This meant that neither Border Force nor the individual were able to view status (Sheffield EUSS advisor 1). This was likely to remain a significant long-term issue, not only for Roma, but for all EU citizens (and non-EU citizens with eVisas). In some cases difficulties arose not in the UK, but even before Roma EU citizens boarded a flight to the UK. This was because airline carriers often did not want passengers to board out of a fear that they might be refused entry at the UK border because in such circumstances the carrier would be liable for a fine or required to return passengers at their own expense. Here economic and racializing logics intersected to render Roma with no physical proof of status particularly vulnerable to exclusion in a way that they had not been prior to Brexit.

These difficulties at the border for EU citizens—and particularly vulnerable and ethnic minority EU citizens—were likely to be compounded in the context of the rollout of the Electronic Travel Authorization (ETA) system in the UK for all EU citizens by the end of 2024 (a further pillar of the ‘digital by default’ approach to migration governance (Home Office 2024b)). This requires that all EU citizen visitors to the UK obtain a digital permission—an ETA—in order to travel to the UK. This may make things slightly easier for Roma EU citizens visiting the UK temporarily, certainly if they are able to acquire an ETA. However, for those with settled or pre-settled status, including many Roma, the ETA system could make travelling more difficult. EU citizens with status in the UK will not be required to, or able to, acquire an ETA, in principle because they do not need one. But this will increase the need for EU citizens to prove their status at the border. Whereas, in the past, airlines and border officials might have allowed individuals to enter as visitors where there was some doubt about their status, they will no longer be able to do so. If an individual has not linked a new passport to their EUSS/UKVI online account then their status will not be clear. As Monique Hawkins of *the3million* noted, airlines may in such circumstances be more likely to ‘do their own risk assessments, perhaps profiling’ (House of Lords 2024). As we know, racialized Roma will be among the most susceptible to such practices. There is a real risk, therefore, that many Roma with a right to live and work in the UK will encounter a practical struggle to return.

## 7. Discussion and conclusion

As noted above, Roma in the UK and elsewhere in Europe have long been racialized, marginalized and excluded, but the EU citizenship regime affords them important opportunities: in particular, the opportunity to move to a different state and at least try to pursue a better life for themselves and their children. That free movement regime has, as discussed, always been exclusionary in important respects in the UK context, imposing a neoliberal conditionality that withholds rights from the economically ‘inactive’. But, crucially, an individual could move from the inactive (illegal) to the active (legal) category and back again, typically depending on whether they were in ‘meaningful’ formal work or not. They could also frequently leave and return to the UK, which was important for many EU citizens, including many Roma families engaged in circular migration.

Our research shows how this situation changed with Brexit and the adoption of a constitutive ‘digital by default’ approach for establishing a new post-Brexit migration status. Intersecting neoliberal and racializing governing logics that had intertwined to constitute historical Roma marginalization, made it difficult for significant numbers of Roma to successfully navigate the EUSS application process and acquire a ‘settled’ status in post-Brexit Britain. Roma who had been produced as economically ‘delinquent’ lacked the ‘digital doubles’ (Consterdine 2024)—the digital records of economic ‘virtue’—that would have eased their transition to the new ‘settled’ status. And they struggled to navigate the alternative, more laborious, processes for evidencing their long-term residence.

Many of those who were not, for whatever reason, able to acquire a new status faced a far more *definitive loss* of rights than they had done before Brexit (see also O’Brien 2021: 437–438). Roma in this category included some who ought to have been able to acquire the new status, but could not evidence their residence, and some who thought they had a right to the new status—for instance, based on time spent in the UK historically—when in fact they did not (typically because they were not resident in the UK at the end of 2020). Our findings showed that the evidentiary bar for EUSS applications of all types was significantly raised in 2023. It is little wonder then that the demand for advice and support remained very high in 2024. Regrettably, the supply at all levels was diminishing and interviewees confirmed that cuts to free advice were opening gaps that ill-advised or sometimes unscrupulous ‘advice sharks’ were filling.

Our research points to a set of concerning potential future scenarios for CEEC Roma in the UK. Some Roma will have no EUSS status, but clearly have WA rights. This could include, for instance, individuals who were in the UK as children when the EUSS was rolled out, but their parents/guardians failed to apply for them. They may only realize that they do not have a status when applying for a first job, or seeking to rent a property. At that point it may prove extremely challenging to gather the evidence needed to acquire status. Some Roma will have an EUSS status, but disputed WA rights (due to being part of the aforementioned 'extra cohort'). Even those who have acquired a 'settled' status may have their rights to status challenged in the future if the government maintains the distinction between a 'true' and 'extra' cohort. Many Roma with pre-settled status may end up without status, potentially after many years of residence in the UK. Their status could be curtailed either because they could not evidence the 5 years of continuous residence needed to upgrade to settled status or because the HO moves to push individuals to upgrade, but messages are not received or understood by the most marginalized. Finally, some Roma will have no status, no WA rights, and little prospect of acquiring any kind of status, but they may be unaware of their situation until engaging with public services or potential employers. This will include some joining family members—often female partners who joined after 2020 and whose male partners and children will in many cases have status—whose applications fail and for whom there are no clear alternative avenues to acquiring a migration status in the UK. It will also include those who moved to the UK after 2020—often following in the footsteps of family—and lived and worked using a COA (often thinking they had status), but then had their applications rejected at the verification stage and lost their rights.

As we have shown, even those who were able to acquire an EUSS status encountered new difficulties post-Brexit, often struggling to navigate the new digital process for proving migration status to various 'status checkers'. Roma with status were also struggling to return to the UK after travel abroad when they could not easily prove their status to airline and border officials (and this issue was likely to be exacerbated in the context of increasingly strict digitized border regimes). In short, marginalized Roma struggled to use various digital systems for proving status and the human implementation of those systems often targeted racialized Roma. Given the UK government's 2024 replacement of all physical proof of status documents with so-called eVisas (and UKVI online accounts) for *all non-EU* legally resident migrants, such difficulties were very likely to be experienced by various other marginalized migrants (ILPA 2024; Jayanetti 2024; ORG 2024).

Many Roma in the UK have long struggled to access secure employment even with a settled and accessible migration status. For those permanently or temporarily without a provable status, either now or in the future, things will be far tougher. Many will be forced into informal and potentially highly exploitative forms of work, with no recourse to public funds, likely leading to further poverty and destitution. The prospects of social mobility for their children—even if those children themselves have a status—will be severely diminished (Beluschi-Fabeni et al. 2019); already poor health outcomes will worsen (Orton et al. 2019); financial pressures on local authority NRPf (no recourse to public funds) funds will be exacerbated (Wilding 2023); and the likelihood of social and childrens' services interventions will increase (Boyce et al. 2024). The latter issue became highly politicized in the UK in 2024 in the context of the so-called 'Harehill riots' in Leeds, triggered by the removal of Roma children from their family. While the full details of that particular case were not in the public domain at the time of writing, the ongoing issues related to migration status that our research has highlighted will create the conditions for further such cases, fuelling pre-existing anti-Roma prejudice. Indeed, as elsewhere in Europe, there is a vicious circle between the exclusion, poverty and destitution faced by Roma and their ongoing racialization.

The precarious status of Roma in post-Brexit Britain recalls their past precarity in contexts of historical state transformation in Central and Eastern Europe (see, for instance, [Kochenov 2007](#); [Sardelic 2015](#)). As noted, important parallels can also be drawn with the recent experiences of other racialized minorities within the UK, notably the black Caribbean origin ‘Windrush’ generation (named after the ship on which they arrived). Both Roma and Windrush migrants arrived in the UK with a clear right to reside, but a racializing domestic politics—encapsulated, respectively, in the figures of Farage and Powell—drove, in both cases, restrictive changes to immigration frameworks. Those changes required migrants in these groups to *pro-actively acquire* a new status; a requirement that would leave many without an accessible provable status. The UK’s explicitly ‘hostile environment’ ([Gentleman 2019](#); [Goodfellow 2019](#)) punishes that lack of proof, leaving many vulnerable to social and economic exclusion, and even deportation. The injustices of the so-called ‘Windrush scandal’ at least prompted apology and introspection on the part of the British government ([Williams 2020](#); [Home Office 2024c](#)). But the prospect of a repeat of those injustices for other marginalized migrants—not least, racialized CEEC Roma—loomed large in post-Brexit Britain.

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## Conflict of interest statement

None declared.

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## Ethical approval

Research for this study—and a larger study of which this was part—was granted ethical approval by the University of Sheffield (see approval 012709 and the additional supplement).

## Notes

1. This can be seen in Sheffield, the lower tier English local authority with the highest number of self-declared Roma. While the census suggested a resident Roma population of 2,710, we know that there were 11,760 Slovak applications to the EUSS between 2018 and 2023 and that a majority of Slovak in Sheffield are Roma (and there are also smaller populations of Roma from other CEEC countries in the city).
2. Before January 16, 2025, the IAA was known as the Office of the Immigration Services Commissioner (OISC).
3. Meeting the 'minimum earnings threshold' (£242/week at the time of writing).
4. Independent Monitoring Authority successful in landmark High Court challenge against Home Office. 21 December 2022. [https://ima-citizensrights.org.uk/news\\_events/independent-monitoring-authority-successful-in-landmark-high-court-challenge-against-home-office/](https://ima-citizensrights.org.uk/news_events/independent-monitoring-authority-successful-in-landmark-high-court-challenge-against-home-office/)
5. Although these individuals also encountered difficulties as a consequence of the rollout of the EUSS, which we do not have space to elaborate here, but which are outlined in a policy report by two of the authors of this paper (Parker and Bica 2024).
6. Those with a British child, or a child who had lived in the UK for 7 years, were sometimes eligible to have the income requirement (and the requirement to speak English) waived. Crucially, however, pursuing such complex legal routes would in nearly all cases require an increasingly scarce higher level free legal support (or expensive legal support).

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