Purple text on a white background

Description automatically generatede-Visas

The Home Office are changing the way migrants can view and prove their immigration status. The Home Office plan is to remove the physical documents such Biometric Residence Permit (BRPs), Biometric Residence Card (BRC) EU Settlement Scheme (EUSS). This is part of the Home Office developing a border and immigration system that is digital which they believe will be more secure and efficient.

Home Office full time staff have been reduced and cost of hiring temporary agency staff had tripled on the last two years. It seems a significant amount of amount of time is spent in producing new hard-copy cards and the delay for the process has created disorder in the Home Office. They are hoping moving to digital will also help with this situation.

eVisas are accessed via a UK Visas and Immigration (UKVI) account, which visa holders create as part of the process of transitioning to an eVisa.

The e-Visas is for all migrants living in the UK. Foreign residents of the UK no longer get a residence permit and need to move to digital to access their status. An e-Visa is a digital record of a person’s immigration status. It can be viewed online and accessed by people and organisations who need to check someone’s legal residence. This includes - by providing the share code which automatically given to the individual – for Employment purposes, landlords/tenants or Government Departments such DWP/Job Centres for social security reasons and other services in the UK. The e-visas are also used for entering the UK after travel. Border Control/Home Office will ask for ID at the airport and the e-Visas can be provided.

The share code will automatically provide the applicant with a letter, and this can be used for a few months and will expire after a certain time. There is a date on top of the letter stating the expiry date which is needed to extract another ‘share code’ to be used for another 3 months or so.

The Home Office initially set a date to replace residence permits between 31 October 2024 and 31 December 2024 when most are due to expire.

The Home Office makes the case that there are benefits of an e-Visa as it cannot be lost, stolen or damaged like BRPs. Visa holders can prove their rights instantly, accurately and securely to anyone who requests it while sharing only necessary information. With an e-Visa, fewer people will need to leave their passport with the Home Office while awaiting a decision. If you have e-Visa, you will no longer need to collect documents like BRPs or wait for these documents to be sent to you.

With a UKVI account, visa holders can easily keep the Home Office updated with any changes in their details or documentation. For example, they can change their name and nationality, travel document (such as passport), email, telephone and postal address contact details.

However, since the change was introduced, migrants have encountered many problems with accessing their details online and reports of difficulties have increased about e-Visas. The majority -of reports of difficulties with the new system from refugees and migrants has been at airports. The Home Office appears to have considered how this will affect migrant communities and a lack of training for airline staff to help them understand this change is evident. Home Office has assured most of the complainants that the transition will be handled smoothly but there is a lot of evidence to the contrary.

An online system might sound beneficial as portrayed by the Home Office. However, the issue has escalated, and many migrants have been unable to travel or abroad or check-in to flights at check-ins points. Official and/or staff from carriers’ do not appear to have been properly trained on how to automatically check the status of an individual nor are they willing to accept the digital system as proof of their immigration status. Many other migrants who have not been refused travel have faced unnecessary delays or have been ‘put aside’ to enable Border Control staff to check their immigration status.

This is not also a digital literacy issue, but many migrants are not fluent in English as English is not their first language. Many migrants do not have reliable internet access, or their access is limited. These people are amongst the most vulnerable people in our society, and it can be difficult for them to follow the process of filling in the online application or even knowing their rights to assistance which can be provided for them. While others may have filled in the application, their immigration status is not visible or shows incorrectly and face other technical issues.

Furthermore, hacking has also been a problem as the migrant community are not familiar with phishing attempts to steal their identity.

Without proof of immigration status, visa holders are unable to receive benefits, access GPs, enrol in education or even open a bank account and are limited in accessing other services and supports for everyday life. This also includes evictions from their homes as they cannot prove their status.

In many cases, migrants have experienced discrimination through not being allowed to travel and therefore lose their ticket money. Due to lack of digital awareness and confidence migrants have not been represented to fight for their rights. Many migrants have reported that they feel anxiety at the airport check-ins as they know they will be treated unpleasantly due to their immigration status as they worry about the unknown.

Further, there are reports that travellers from France, Germany, Malawi, Egypt, Cyprus and Canada are struggling with the system to prove their UK immigration status, and some have been denied entry to the UK. These people might not have legacy documents as they have not been in contact with the Home Office for a long time.

Despite these challenges millions of people are still waiting to receive their e-visas inside and outside of the UK. Whilst they wait, they are unable to prove their immigration status as their physical documents have expired on 31st December 2024. These people have the legal rights to live, work and study in the UK but could be seen as illegal migrants as they cannot prove their immigration status. These new issues must be considered on top of the many existing bureaucratic, legal and financial processes to get their human rights respected in this country.

The Home Office have not anticipated that these issues would arise and therefore have recently announced to extend the deadline date. However, when the new announcement for this digital change occurred in 2024, they stated they would not be liable for any issues which might occur. This illustrates that they knew their may well be technical issues from the beginning.

However, following pressure from migrant rights organisations the UK Government has announced that they will revisit the e-Visas rollout timetable and extend the deadline to 31st March 2025. This means that those migrants whose ID or visas have expired in December 2024 have been extended to this date. The date has been extended due to the concerns that e-Visas issues could lead to a “Digital Windrush Scandal”.

The end date is subject to ongoing review by the Home Office – this means that a BRP which expired on 31st December could still be considered valid evidence or permission to travel. The statistics from the Home Office website states that stats that 3.1 million people have until now transitioned to e-Visas but millions are still waiting for this transition. We understand that the Home Office has not completed an Equality and Human Rights Impact Assessment (EHRIA) into the rollout of e-Visas to understand the effect on refugees and migrants’ communities. This includes a data protection impact assessment (DPIA).

In summary, it appears that the digital process has been rushed by the Home Office and lack of regard for migrants has been a major issue. The delay to the scheme shows that major problems have arisen and these had not been considered in advance by the Home Office – for example, the DPIA is essential for governmental departments and the public to understand what has gone wrong and how their policies affect them.

It appears that the Home Office and Government are not fulfilling their equalities and human rights duties. It is clear there has been lack of training for staff and an lack of engagement with migrants before the launch of this scheme.

The public and human rights organisation are unaware of what kind of assessment has taken place before and after issues that have arisen with e-Visas.

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The UK Gov website has recently updated their website to assist migrants digitally to fill their application if they are not confident in using computer or mobile device or do not have access to them, or do not have internet access. The support includes phone support from an advisor or face to face support in person

**We Are Group** visa@wearegroup.com

Text ‘VISA’ and a number to call you on to 07537 416 944 Telephone: 03333 445 675

Monday to Friday, 9am to 6pm

In September 2024 the Home Office announced up to £4million in new UK wide grant funding for the four national and dozens of local organisations to support this initiative by helping migrants to fill in the online application.