Stop the e-Visa scheme and prevent a digital Windrush scandal

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What is the e-Visa scheme?

Until recently, migrants from outside the EU had physical documents to prove that they and their families could live, work or study in the UK. These could be physical cards, such as Biometric Residence Permits (BRPs) or Biometric Residence Cards (BRCs), or stamps or stickers in people's passports.

The Home Office is replacing these physical documents with e-Visas by the end of December 2024. This will affect up to four million people in the UK, and could lead to a digital Windrush scandal, where people who have the right to be in the UK can no longer prove their status because of flaws in the scheme's rollout and implementation.

What are the problems with the e-Visa scheme?

Flaws in the rollout

The scheme has been poorly communicated, and many of those affected have not been directly contacted about applying for an e-Visa. In August – with just four months to the cut-off – the Government said people no longer need an email invitation to apply for an e-Visa. But many people don't know they need to apply because there has been no public awareness campaign and the Government has failed to engage with migrants' groups.

There are particular concerns around 200,000 people who have legacy documents who may not have had recent contact with the Home Office. As with the Windrush scandal, these are likely to be older people who may have been in the UK for decades and have an unquestionable right to be here.

All BRPs are set to expire on 31 December 2024 even though holders' right to be in the UK extends later than that date. There is no backup plan for the transitional period when potentially thousands of people have an expired BRP but may not have an e-Visa in place.

Accessibility problems

In order to create a UKVI account, people need a smartphone that can make contactless transactions. Not all migrants have access to such a phone.

The scheme poses challenges for older people, people with learning difficulties, and people for whom English is not their first language. There is little or no support for those with specific vulnerabilities, such as people experiencing homelessness, older people, those living in care, and those with complex mental health needs.

Technical glitches and flaws

Previous schemes, such at the EU Settlement Scheme, demonstrated that digital schemes are susceptible to incorrect data, system crashes and Internet outages. When these happen, people can be left unable to prove their right to work, study, rent or even just to be in the UK. New proposals to compel international travel carriers to check people's immigration status prior to travel could leave thousands of people stranded outside of the UK.

What next?

The scheme needs to be stopped now to prevent a second digital Windrush scandal. We are calling for the Home Office to:

- Stop the e-Visa scheme and provide emergency alternatives or extend the use of expired BRPs and BRCs.
- Allow physical documents and digital proof of the right to be in the UK.
- Consult with civil society about a new scheme.
- Ensure that any future e-Visa system works offline to ensure that people can always prove their rights.

For more information about this campaign, visit **openrightsgroup.org/campaign/stop-e-visas** or contact Sara Alsherif, Migrant Digital Justice Programme Manager, Open Rights Group: **sara@openrightsgroup.org**