

Dear [REDACTED],

I hope you are well and that the adjustments to live under the Corona measurements are not too hard on you and your family.

I am writing you because of an issue concerning my application to become a British citizen.

In February 2019 I was granted EU Settled Status. This Indefinite Leave to Remain allows me to apply for British citizenship. Because I am married to a British citizen, I could do so immediately without waiting a year, so in July 2019 I submitted my application and on 8th August I enrolled my biometric information at the UK Visa and Citizenship Application Services (UKVCAS) in Croydon.

As per the Home Office deadlines I knew the application could take 6 months. Of course I hoped to hear something sooner but I tried to forget about it, until I would hear from the HO. One day before the 6 months were up, on the 7th February this year, I received an email from the HO, saying that it was not possible to decide on my application just yet.

It has now been over 9 months and this weekend I came across news that the government nationality policy guidance has been updated (you can find this [here](#)). In the section on EEA and Swiss nationals I was shocked to see a rule that possibly may result in my application being rejected. I am talking about the requirement for having had to have a so called Comprehensive Sickness Insurance (CSI) (see p.28 of the policy). I will explain a bit of the background and why I am so worried.

Applicants who have been studying or self-sufficient and did not have comprehensive sickness insurance (CSI)

CSI is a legal requirement for EU, EEA and Swiss students, self-sufficient persons and their family members who are residing in the UK with them. The form asks the applicant if they had comprehensive sickness insurance during their time spent in the UK. Those who answer no should have provided an explanation in the box provided. This will include people who previously applied for permanent residence and were refused on the basis of not having CSI.

You must consider why the applicant did not have comprehensive sickness insurance. Where someone has been granted ILR under the EUSS but has not been resident here in accordance with the EEA regulations (prior to grant of pre-settled status or settled status) due to a lack of comprehensive sickness insurance you should consider whether it is appropriate to exercise discretion in their favour.

Some applicants will have previously had an application for a document to confirm their permanent residence refused, on the basis of not having CSI. You must assess the reasons given for this, and why they did not then obtain it, and consider whether there are compelling grounds to exercise discretion.

Other EEA or Swiss nationals

Before the beginning of 2017 practically nobody ever heard about CSI. However, after the Brexit vote, many EU citizens tried to apply for Permanent Residency (PR). This is something that stems from the EU freedom of movement directive. It was only then that many like me found out they could not apply for PR. Namely, those who were not economically active (like students and those in the category 'self-sufficient') found out that unless they had something called this comprehensive sickness insurance they were not 'exercising their treaty rights'. It never was clear to me that I needed this CSI. I was treated for breast cancer at the NHS in 2012-2013, and not once I was asked about this insurance. In fact I did not need it, because as an EU citizen I had access to the NHS, like British citizens. You can see how confusing this is, that in order for me to get a paper stating I was in this country lawfully, I needed it, while at the same time to be here and access healthcare I did not need it.

I and many EEA citizens were very worried about our legal status after Brexit. Maybe you can remember, because suddenly this CSI issue was getting a lot of media and press attention in 2017 – 2018. I have spoken about this with your predecessor Jo Johnson many times. You can imagine the relief I felt, when the UK government promised that CSI would not be a requirement for the new EU Settled Status.

So when I got my Settled Status last year, I was fully under the impression the road to naturalisation was open to me. However, as you can see the in the update of the government nationality policy guidance on p. 28 it states: “CSI is a legal requirement for EU, EEA and Swiss students, self-sufficient persons and their family members who are residing in the UK with them”. It gives the case worker ‘discretion’ if the applicant does not have it, but they “must consider why the applicant did not have Comprehensive Sickness Insurance”. This does not reassure me, because will the fact that I was not aware of anything called CSI be a valid reason to exercise discretion and allow me citizenship?

I also am confused to read that applicants are asked whether they had CSI. However, my online form in July 2019 did not have that question, nor is CSI mentioned in the applicants’ guidance.

So, I applied in good faith and near certainty that I met all the requirements. But I am quite upset realising that the CSI issue may be back to haunt me and am very anxious that my application will be refused on this issue. Not only will the refusal itself be devastating, but the application plus the related test have also cost me £1399.20 GBP and I hear that people who are refused do not get a refund.

I wonder if there is anything you can do for me, and see where my application is in the light of this updated information.

I am happy to give you any further information or details if you need.

Thank you very much for your time reading this and I remain with best regards,

██████████