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## **“so this is not a game” - Brexit as a ‘situation of uncommon precarity’ for migrants of Roma heritage in the UK**

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# **“so this is not a game” - Brexit as a ‘situation of uncommon precarity’ for migrants of Roma heritage in the UK**

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## **Abstract**

Following the 2016 Referendum on UK membership of the EU, the British government indicated that providing evidence of consistent, regular working histories would form the basis of applications by EU migrants seeking to remain in the country long-term. (Home Office, 2018, 2020). In doing so, it made evidence of legal, paid employment central to obtaining legitimate status in the country, but those struggling to produce such information face potentially precarious futures (e.g. Sumption & Kone, 2018). The vulnerability of migrants of Roma heritage to insecure, low status, (and sometimes exploitative), employment conditions in the UK has been highlighted by various studies (e.g. Poole & Adamson 2008; Brown et al., 2016). Such patterns of employment have frequently been described as ‘precarious labour’ in other parts of the European Union (e.g. Apostolova et al., 2014; Vincze, 2015). Studies have suggested that, given the specific disadvantages faced by Roma migrants in the UK, the aftermath of ‘Brexit’ posed enhanced risks an intensification of the precarity they already experience (e.g. Brown et al., 2018). Drawing on interviews conducted with EU migrants of Roma heritage in two different locations in 2019, this paper assesses the implications of Brexit for their continued residence. It argues that for Roma in the UK, Brexit represents a contemporary, but expanded example of precarity, encompassing not only work, but also family and future, hopes and aspirations.

**Keywords:** Roma, precarity, employment, migration, Brexit

# **"Así que esto no es un juego": el Brexit como una "situación de precariedad poco común" para los inmigrantes de origen Romaní en el Reino Unido**

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## **Resumen**

Tras el referéndum de 2016 sobre la pertenencia del Reino Unido a la UE, el gobierno británico indicó que proporcionar pruebas de antecedentes laborales constantes y regulares constituiría la base de las solicitudes de los inmigrantes de la UE que buscan permanecer en el país a largo plazo. (Ministerio del Interior, 2018, 2020). Al hacerlo, hizo que la evidencia del empleo legal y remunerado fuera fundamental para obtener un estatus legítimo en el país, pero aquellos que luchan por producir dicha información enfrentan un futuro potencialmente precario (Observatorio de Migración, 2018). La vulnerabilidad de los migrantes de origen romaní a las condiciones de empleo inseguras, de bajo estatus (y en ocasiones de explotación) en el Reino Unido ha sido destacada por varios estudios (por ejemplo, Poole & Adamson 2008; Brown et al., 2016). Estos patrones de empleo se han descrito con frecuencia como "trabajo precario" en otras partes de la Unión Europea (por ejemplo, Apostolova et al., 2014; Vincze, 2015). Los estudios han sugerido que, dadas las desventajas específicas que enfrentan los inmigrantes romaníes en el Reino Unido, las secuelas del 'Brexit' plantearon mayores riesgos y una intensificación de la precariedad que ya experimentan (Brown et al., 2018). Basándose en entrevistas realizadas con inmigrantes de la UE de ascendencia romaní en dos lugares diferentes en 2019, este documento evalúa las implicaciones del Brexit para su residencia continua. Sostiene que, para los romaníes en el Reino Unido, el Brexit representa un ejemplo contemporáneo, pero ampliado, de precariedad, que abarca no solo el trabajo, sino también la familia y el futuro, las esperanzas y aspiraciones.

**Palabras clave:** Roma, precariedad, empleo, migración, Brexit

The scope and application of the concept of precarity in the social sciences has grown rapidly in recent decades. While the multi-faceted nature of the topic has been explored across various disciplines, work remains the original, and predominant frame of reference, with the increased breadth and depth of precarious employment - in the Global North, at least - often regarded as an intrinsic feature of neo-liberal economic models (e.g. [Castles, 2011](#)). An important part of this has focused on the role of migration in creating and maintaining precarious work and precarious workers (e.g. [Anderson, 2010](#)). In the words of Schierup & Bak Jørgensen, “A growing body of research has pointed to migration as an important element in this broader process of the erosion of social and labour rights propelling a sweeping ‘recommodification’ of the labour force ([2016](#), p. 3).

One perspective has sought to analyse the relationship and congruencies “between precarious labor (sic) and precarious life” ([Millar, 2017](#), p. 5); that is, how particular forms of work and structural employment conditions create ‘ways of being’. Those ‘ways of being’ are seen as so intrinsic to the employment experiences of the migrant, that the expansion of precarious labour, (e.g. temporary / zero-hour contracts, agency work, forced labour, informality, etc.), into the general workforce has been termed a process of the latter ‘becoming migrant’ ([Schierup & Bak Jørgensen, 2016](#)).

While many EU migrants in the UK are vulnerable to precarious work, (e.g. [Lewis et al., 2015](#)), existing research suggests migrants of *Roma heritage* are disproportionately at risk. This is partly the product of racial discrimination and exclusion in countries of origin, (e.g. [ERRC, 2007](#)), but it also connected to the structures of migration themselves (e.g. [FRA, 2009](#)). Kozce described the crucial intersecting effects of “processes of migration, racialization and neoliberalism” ([2018](#), p. 459), in producing the marginalisation of Roma migrants within the EU. Many researchers have identified precarity as an *essential* feature of Roma life (see below).

In this paper, I examine the impact of Brexit on the precarity of migrants of Roma heritage. While the features of the precarious labour that Roma migrants in the UK engage in may have been reported, (e.g. [Brown et al. 2016](#); [Tileaga et al., 2019a, 2019b](#)), only limited assessment of the role of ‘Brexit’ in expanding this precarity has been undertaken (e.g. [Migration Yorkshire, 2017](#); [Nagy, 2018](#)). Demonstrating evidence of regular,

documented and consistent working histories is at the heart of the process for those EU citizens wishing to remain. Assessing the implications of labour precarity among Roma is crucial to understanding how Brexit renders their future position. In doing so, it adds to the growing literature on migrant precarity after Brexit (e.g. [Botterill et al., 2019](#); [Duda-Mikulin, 2019](#)).

However, I also argue that the factual detail of work histories is insufficient to understand the true extent of what precarity looks like for migrants of Roma heritage in this period. To address this, I draw on Miller's idea of the symbiotic link between precarious labour and precarious life, to analyse their experiences in the period since the Referendum. By describing how they "respond to this condition and what they make of life in the present—and whether and how they imagine it otherwise" ([Allison & Piot, 2012](#), p. 5), we can open up further perspectives on how "precarious labour and precarious life intersect in particular times and places." ([Millar, 2017](#), p.5) These dynamics are essential to comprehending aspects of migration, work and contemporary society in the UK, and without them, our understanding of precarity remains circumscribed.

The article commences with a brief review of the relevant literature on CEE migration and the UK labour market and references to precarity, followed by specific focus on migrants of Roma heritage within the UK, and the situation pre and post Brexit.

### **CEE Migrants and the UK Labour market**

The expansion of the European Union in 2004 and 2007 enabled large numbers of Central and Eastern European (CEE) citizens to enter the UK as working migrants under freedom of movement regulations (Directive 2004/38/EC). In 2014, the Migration Advisory Committee calculated that a million EU migrants had taken up low-skilled jobs in the UK since 2004, half of which were from Central and Eastern Europe ([MAC, 2014](#)).

While they can be found in many different occupations, a significant percentage has filled roles at the lower end of the labour market (e.g. [Anderson, et al., 2006](#)). This was supported by analysis, which found that migrants from A8/A2 accession countries "were overrepresented in low-skilled occupations, such as entry-level services or trades positions", of which factory and construction jobs formed a significant proportion

(Fernández-Reino & Rienzo, 2019, p. 8). CEE migrants recorded the lowest earnings and featured higher rates of non-permanent contracts (Clarke, 2017; Rolfe & Hudson-Sharp, 2016). In a general analysis of UK Quarterly Labour Force, Spreckelsen and Seeleib-Kaiser (2016), found that while young EU migrants, aged 20-34, from Central & Eastern Europe, (where most migrants of Roma heritage in the UK originate), had higher rates of employment, they worked much longer hours, in lower quality positions, and were far less likely to have a permanent contract than their UK peers. Significantly, they highlighted a clear stratification of labour market position based on the conditions in employees' country of origin.

Alongside these statistical assessments, over the last 20 years a substantial body of qualitative research has explored different aspects of EU migrant workers' experiences, revealing that many were engaged in insecure employment, often on zero hours, agency contracts and were vulnerable to exploitation (e.g. Anderson & Rogaly, 2007). This has often been highlighted as evidence of 'precarious' forms of employment. Lewis et al. (2015) defined it as 'hyper-precarity, while Pradella and Cillo stated that the UK labour market was increasingly a place of unstable, short term and low paid employment which "is negatively affecting immigrant and BME (Black and Minority Ethnic) workers employed in low-skilled, precarious jobs and vulnerable sectors of the economy." (2015, p. 51). More recently, Vickers et al. suggested CEE migrants could be characterised by three 'dynamics of precarity - 'surplus', 'rooted', and 'hyper-flexible' (2019, p. 703).

## **Migrants of Roma heritage in the UK**

Studies of migrants of Roma heritage in the UK have indicated that escaping racial discrimination in their countries of origin was a key motivation to move here (e.g. European Dialogue, 2009, Cook et al., 2011; Grill, 2018). Their endemic exclusion from all but the most menial jobs, (e.g. refuse collection, street cleaning), and the exploitative and marginalized conditions of much employment has been amply documented (e.g. Barany, 1994; ERRC, 2007, Brown et al., 2015). This has been regularly described as exemplifying 'precarization' (e.g. Vincze, 2015).

Improved employment prospects have been a primary driver of migration to western EU countries, including the UK (e.g. [Piemontese et al. 2013](#); [Martin et. al., 2017](#); [Martin et al., 2018](#)), and is an essential aspect of the ‘search for a better life.’ However, studies suggest employment precarity is often the norm in countries of destination (e.g. [FRA, 2009](#); [Vlase & Preoteasa, 2012](#); [Cherkezova & Tomova, 2013](#); [Apostolova et al., 2014](#)). Evidence given to Poole and Adamson (2008) suggested that the overwhelming majority of Roma migrants in Govanhill, Glasgow, were working in jobs characterised by low pay (often below the minimum wage) long hour and hard physical tasks. A contemporary study noted the same pattern of “menial, low skilled jobs with short-term contracts” ([European Dialogue 2009](#), p. 58), with nearly all finding work via private employment agencies.

Subsequent studies suggested little had changed a decade later (Brown et al., 2016, 2018; [Migration Yorkshire, 2018](#)). Tileaga et al. stated “Roma people are usually employed in temporary jobs and with poor working conditions” (2019a, p. 2), adding that women faced even greater vulnerabilities. Similarly, Dagilyte and Greenfields reported how employment support workers confirmed Roma clients “appeared willing to undertake any form of low paid employment and also the precariousness and harsh working conditions”, with intensive, often dirty factory work common (2015, p. 5).

The impacts of such irregular and vulnerable employment in terms of accessing work related benefit entitlements and even on continued residency have also been emphasised. Greenfields and Dagilyte (2018) examined how Roma struggled to navigate the system for claiming unemployment benefits, and faced disproportionate risks of being asked to complete Habitual Residence Tests (HRT) or Right to Reside tests (RTRT), with the attendant threat of deportation from the UK to their country of origin.

### **EU Migrants Pre- and post-Referendum**

Implementing further restrictions on the entitlements of EU migrants resident in the UK was central to the British government’s demands leading up to the Referendum. By the time of the vote, migration had become the

central issue. On 23rd June 2016, 52% of voters opted to leave the EU, with 'Remain' achieving 48%.

Following the Referendum, one of the aspects which remained uncertain for a long period was the rights and status of citizens of other EU countries living in the UK. "The biggest difference which the UK's departure from the EU will cause in this field is disruption to EU citizens' and UK nationals' migration and mobility rights on the territory of the other." (Grutters et al., 2018, p. 10)

After protracted negotiations, the UK formally left the EU in January 2020. A Withdrawal Agreement between the two parties approved a one-year period, during which transitional arrangements would apply, and both parties would negotiate the rules on their future relationship. Describing the transition period as "business as usual" for its citizens, in early 2020 the European Commission stated that the twelve months would be used to finalise the details their future relationships. In a 'Questions and Answers' document, the EC commented that "Protecting the life choices of those citizens and their family members has been the first priority from the beginning of the negotiation". (EC, 2020, p. 4). This spelled out in detail the clauses protecting EU migrants in the UK. In a section entitled 'What has been agreed on citizens' rights?', the EC reiterated that after the transition period ended, individuals and their family members would continue to exercise their rights as EU citizens, "for the rest of their lives, where those rights are based on life choices made before the end of the transition period." (EC, 2020, p. 4). The existing 'substantive conditions of residence' that had pertained would still apply – that is, those who work or have sufficient financial resources and sickness insurance could remain and benefit from Union law on workers' rights, but access to social security would be dependent on the conclusion of other agreements. It expected the UK to introduce a form of registration for EU citizens in order to give them some recognised immigration status but warned this needed to be as simple as possible for applicants to navigate, adding that the UK's treatment of EU migrants would be monitored and if necessary investigated, with the possibility of legal interventions should contraventions occur.

However, none of these protections would apply to those arriving "after" the end of transition, who would need to prove earnings over £20k per annum and qualifications and skills in certain areas of the labour market.



Finally, even if the registration process was simple, it still had to be completed in order to be officially provided with the relevant documentation confirming an individual's position.

Following the Referendum result, the UK government began to institute measures to replace freedom of movement with bureaucratic immigration processes to assess EU migrants' validity to remain. In 2019, the EU Settlement Scheme (EUSS) was introduced. Any EU citizen that moved to the UK up to the end of the transition date, [December 30<sup>th</sup>, 2020], would have until 30th June 2021 to apply. As it stands, the Home Office offers two options under the EUSS – 'pre-settled status' and 'settled status'. This requires applicants to provide evidence of a) proof of identity & nationality [usually by passport or national identity card] and b) proof of continuous residence. The latest guidance on proof of residence [Published 22 October 2020] asks the applicant to first submit their "National Insurance number to allow an automated check of your residence based on tax and certain benefit records". (Home Office, 2020)<sup>1</sup>. Those who cannot provide this are asked for between one and ten documents, but ideally those showing "a longer period of time between 2 dates". The guidance highlights twelve examples of acceptable documents, of which six relate to employment, such as an "annual bank statement or account summary, showing at least 6 months of payments received or spending in the UK" or an "employer letter confirming employment and evidence that the employer is genuine, for example, their Companies House number". Employment histories are therefore a central part of the administrative requirements in securing status.

Various reports and articles have attempted to describe the options that EU migrants may be presented with post Brexit, (e.g. James & Mohay, 2019), and a number have highlighted those groups "most" at risk of not securing their long-term residence. Alberti and Barbulescu predicted that "it will be harder for precarious migrants with less linear pathways to obtain settled or pre-settled status." (2018, p. 1). Studies have highlighted Roma as belonging to that group (Guma and Jones, 2019), with Morris (2016) arguing that Roma should be regarded "as a priority vulnerable group" (p.7), because existing fragilities such as poverty, insecure employment, tightening restrictions on welfare access and rising levels of hate crime were likely to be aggravated by new immigration criteria. Brown et al. (2018) stated that Roma were likely to face serious challenges providing the necessary

evidence of continued residence, whether that be work related (HMRC tax, national insurance records) or alternative forms of proof such as bank statements, tenancy agreements, etc. Analysis by the UK based Roma Support Group confirmed this, with most clients unable to complete applications without support and a significant percentage lacking the necessary evidence, or the digital skills (RSG, 2020a, 2020b). Women, older people and those in receipt of health-related benefits were particularly affected.

### **Methodology**

Data is drawn from 15 qualitative interviews with EU migrants of Roma heritage, resident in two urban settings in northern England. Interviews were undertaken in 2019. This sample size was intended to act as a pilot for larger study, which inevitably means the data is “illustrative rather than representative” (Pemberton & Scullion, 2013, p. 449).

Inclusion was partly determined by the UK government’s eligibility criteria for EU migrants applying for ‘pre settled’ or ‘settled’ status. Prospective interviewees should not have taken British citizenship but could have applied for pre- or settled status, and ideally should have completed, or be near to completing, five years of residence.

Fieldwork was undertaken by two workers of Eastern European Roma heritage who had moved to the UK from CEE following A8/A2 accession. Using researchers of Roma heritage helped to ‘minimise the gap’, between participants and academic research in several ways. Firstly, both were multi-lingual in Romani, Hungarian, and Romanian and English. At the recruitment stage, they were able to verbally explain the study, relevant information and consent processes to potential participants in their preferred language, which was important to address any literacy issues. These materials were also translated into Hungarian and Romanian. The fieldworkers conducted the interviews in the preferred language [including Romani] and transcribed the audio into English. One fieldworker was male and one female, with a view to reducing any extra gender-based barriers to participation.

Respondents were originally from Slovakia, Romania or Hungary with an age range between 27 and 58. Ten were male, and five female. Length of

residence ranged from 6 months to 11 years, with most between 4-6 years. A semi-structured questionnaire was employed. The topics loosely followed the UK Home Office settlement requirements, with questions focusing on:

- Working history over past five years, including recruitment pathways– (e.g. agency, family, etc.), periods of unemployment or informal employment, etc.).
- What documentation they have received or possess (if any), regarding work and related fields.
- Knowledge of Brexit and its implications.
- Experience of applying for settled status or expectation of doing so.
- Future plans.

The study was granted ethical approval via the University of Salford's internal ethics panel. Participants are identified using the following code (participant number, gender, age, country of origin, date of arrival in the UK), when first cited.

## **Findings**

As providing officially recognised proofs of consistent employment is a core part of the process of securing settled status post Brexit, examining working histories is important for understanding how Brexit has extended 'the reach' of precarious labour, and how it has 'bled' far further into the life journey and existential hopes for the future than previous studies conducted pre-Brexit have emphasised. Brexit provides a specific opportunity to analyse this question, because it brings to a crisis a whole series of pending precarities, and demand resolutions.

### **Working histories**

The evidence from respondents demonstrates the multiple features of precarious labour, which many Roma living in the UK remain, engaged in, even long after first arriving. For most of the sample, precarious employment was the norm, never having had consistent, formalised employment in the UK. Of the fifteen interviewed, ten were 'active' in the labour market and five unemployed at the time of interview. However, the

boundaries of employment status were complicated by the fact that many were on temporary, zero hours contracts and only worked when an agency called to offer opportunities, or when they managed to find intermittent pieces of work themselves<sup>1</sup>. It is notable that of the five women interviewed, three had never worked in the UK, despite each having least four years residency; a fourth had had periods of ill health which had prevented her from working at various times in her four years in the country, while the fifth had only been in the UK six months.

Those who were self-employed had no guarantee of regular work, either. While self-employment could include running one's own business, it could also apply to an individual working for a company, but technically classed as a form of sub-contractor [a status which has created considerable uncertainty, even for legal specialists – see CIPD, 2020]. As one described it, “I was never employed; it was always self-employed and not really, I didn't get a contract.” (Participant 7, M, 39, RO, 2013).

The type of employment was overwhelmingly low status. Of the ten deemed ‘active’, five were cleaners (Participants 2, 10, 11, 12, 14). Two were in some kind of factory work (3, 9), one was involved in gardening (15) and one did not specify the work they were involved in (7). The exceptions to this were a qualified mechanic (1) and a qualified engineer (6). The former had worked for some time in a car garage but had also done car washing and construction and was currently unemployed. The latter continued to work in the engineering industry, but all his jobs over the last five years had come via agencies and recruiters, and had involved temporary contracts, resulting in periods of unemployment between opportunities (Participant 6, M, 32, RO, 2010).

Multiple *concurrent* jobs continued to be the norm. One man who had worked “constantly” in his family cleaning business had previously combined this with warehouse work obtained via an agency (Participant 10, M, 54, HG, 2012). A woman related how she was a self-employed cleaner while also packing products. (Participant 14, F, 58, HG, 2015).

Agencies were the main way respondents sourced work. Eight had previously been, or were currently employed, via an agency. One man stated that if he was unable to get work through one agency, he would “just go and ask for different ones, so I kept on doing that, even in (the) present.” (Participant 3, M, 35, SK, 2015). In the four years since arriving in the UK

from Slovakia, he had worked in the food industry, as a painter, at a car wash, in construction, and picking and packing in a factory. Agency work remained unstable for many. “I had all sorts of jobs through the agency in construction or labour, [...] I've got a working contract with the agency. I do not get any holidays paid as it's a type of a zero hours contract.” (Participant 1, M, 36, SK, 2015)

Periods of unemployment were frequent. For some, the balance was skewed towards unemployment, with Participant 11 (M, HG, 42, 2013) having had no work for 50 to 60% of the time. In of itself, this uncertainty was demonstrative of precarity. To compound this, for a number of interviewees work had been interrupted by periods of ill health.

The picture of employment, although tentative, raises a number of key points. Firstly, that informality and precarity were evident from the start. Secondly, accepting multiple short term, low status jobs, (either concurrently or consecutively), was common. In many accounts the irregular, exploitative nature of the work, (at least at the start), was clear. One participant commented: “this was all temporary jobs without really a contract, being paid between £10 to £30 a day from morning until evening.” He had since found work via an agency, which paid the National Minimum Wage - albeit on a zero hours contract. “Therefore, if there's no work required then they'll just ask me to stay at home.” (Participant 2 M, 31, SK, 2014).

The challenges in securing and maintaining work, the ever present risk of Habitual Residency Tests or Genuine Prospect of Work tests (12/15 had been asked to undergo one or other, with four confirming they failed), the informal nature of much employment and the risk of exploitation - and the fact that there had been little improvement, for those with longer residencies - confirms that migrants of Roma heritage face considerable risks in securing their long term status in the UK. For many families, the ability to carry on finding work, and earning a living is in jeopardy. Such jeopardy is even greater for those with interrupted, or no working histories - and women, carers and those with ill health and disabilities are extremely vulnerable in this regard.

## **Brexit**

Among respondents, the Referendum result had come as an unpleasant surprise. Most recalled their initial responses as ones of shock and fear. The word ‘scared’ was used by multiple respondents. This fear was linked to uncertainty about what exactly it meant. As one put it: “We all got very desperate as we had no clue what may happen to us after Brexit and what decisions they may make.” (Participant 12, M, 27, HG, 2012)

Fear/uncertainty was expressed in the shock at the result, whether eviction/deportation would occur, or if evidence was sufficient to remain, and whether and how family members would be affected. “For us, we are more than ten years in England, and our children go to school here, but we are still scared that we might need to return abroad, even though we don’t want to.” (Participant 8, F, 47, SK, 2015)

Such recollections were invariably framed within the context of the family – ‘we’ or ‘us.’ Deportation was a common fear, which had not diminished since the Vote to Leave: “I keep on asking people, are they going to just evict us? Are they going to send us home?” (Participant 1)

The repeated reference to ‘eviction’ or forced departure in participants’ testimonies echoed the reaction by those interviewed shortly after the Referendum result (*Migration Yorkshire, 2017*). While fears of transiency appeared in all testimonies, they were especially pessimistic for women (or in references to them) and were often linked to employment. Not knowing what to do for the best was constant refrain throughout all the interviews.

Precarity of information about what to do next was another manifestation. Most had not applied for ‘pre-settled’ or ‘settled’ status, remaining unsure about the evidence needed, the exact timescales or who to ask and all suggested that other members of their family would need to acquire it. Participant 1 suggested that he was waiting until September 2019 to see whether someone at the local community centre, other professionals “or maybe some Roma” could help. He “thought he had heard” a passport was needed, but he only had an ID card; being unsure of his status, he needed “some help from somebody” to complete the forms. This tallies with the experience of Roma Support Group (*2020a*), many of whose clients were reliant on formal or informal support to navigate the EUSS system.

Participants 3 and 5 (F, 29, SK, 2015) indicated their social worker would assist them and their family members to apply, while Participant 4 (F, 36, SK, 2014) was hopeful a local advice bureau would help. Participant 7 stated “our family” normally paid other Roma from Romania or local ‘Asian people’ for advice, which was a fall-back strategy for Participant 8, should other members of the Slovak Roma community, or her family, be unable to help. The latter had not applied yet and was “waiting to see who is going to help us to apply, maybe next year we will apply.”

While most were aware there was *some* type of application process, knowledge of the exact procedures was often imprecise. Participant 13, (M, 27, HG 11 years) had heard of the settlement scheme, but was unsure of what to do to apply, while Participant 12 had no knowledge of where to seek advice or guidance on the issue. Nevertheless, others were aware that employment was the key to securing status here. Participant 7 commented: “We still work and we plan to apply for residency next year. Maybe if we get refused, we will have to go back to Romania.”

Even for those in professional jobs and possessing a reasonable understanding of what they were required to do now faced a more precarious future.

Yes, I know what we need to do. I need to apply for the residency test, but even though I have more than five years in this country, I cannot prove them all legally, due to my employment status. I always worked as a self-employed person and not every year I made a profit. Therefore, I'm hoping that maybe next year I will have five years with income that I can prove, and I can apply for the settled status. (Participant 6)

The reference relates to the need to provide a minimum of 5 years residence in the UK, usually through records of employment. This individual had ended up leaving for another EU country, where employment was more secure but had left the remainder of his family in the UK. His parents were dependent on him, and his departure placed them in a very precarious situation. As soon as he attained the 5-year threshold, Participant 2 would “make sure because we have this deadline until next year to apply.” (i.e. 2020) For those who had not worked at all, their situation, and that of their family, was far more precarious. Participant 8 had been in the UK for four years, joining family present for more than a decade. Both she and her

husband (who had formerly worked full-time) were full time carers, “therefore we cannot find a job”. She added, “We are scared because Brexit means will send us home, if you don't work, and we don't work, because we have to look after our children with disabilities and needs.”

She added that of the more than 100 family members in the UK “at least half of us cannot prove our status in this country, even though we are here more than ten years.” Like her, Participant 5 was also a full-time carer for a disabled child. This question of family status also affected Participant 7, who while active in the labour market himself, was more scared about his wife “she didn't really work a lot... and my daughter, who goes to school in England and settled down here.” Despite passing an earlier residency test and having worked nearly five years in the UK, he remained uncertain he would reach a threshold for settlement because he had not made a profit every year. These anxieties were linked to work, but also time.

However, while Brexit may have created new forms of precarity, this was not being passively accepted. As Participant 3 stated:

We don't want to go home. That's why we came here. We fight for a better life and this is our children's future in place here, so this is not a game.... therefore I will fight to prove to the Home Office and provide the documents required and hopefully we will continue to exercise the same rights. (Participant 3)

Expressions of such sentiments contained both fears of ‘forced mobility’ but also coping, waiting a refusal of one future and resolve to choose another.

I definitely want to stay in England, and I will make sure we will complete the relevant forms. For my family, we will prove, and we will submit all the required documents and hopefully they will be satisfied with what we will send, but the fear won't go away. We still have the fear that something might happen, and they will oblige us to go back to our home country. As long as we stay here I will try to do my best to prove that we are legally living in the UK and that our children are going to school, and their future is in this country. (Participant 1)



While many quotes exemplify how the precarity of labour is linked to the precarity of status and a wider precarity of imagined futures, they also hinted at less pessimistic feelings of hope, ambition and even agency. Despite having never worked in the UK, Participant 4 was defiant: “I won't go home just because some people will tell me that I am Roma and I need to go home. We will prove to them that, we will show them the documents that they are asking us.”

## Discussion

Within Roma studies, a significant body of theoretical work has analysed how specific, racialized forms of neo-liberalism have created and governed precarity in the lives of Roma communities in the EU, both in their countries of origin, and as migrants (e.g. Van Baar, 2017; Kozce, 2018). This has included the ‘biopolitical bordering’ of Roma, in which neo-liberal structures establish citizenship inclusion criteria which are far harder to attain by those already disadvantaged by racial exclusion, thus effecting further marginalisation. In this framework, the architecture of migration remains racially loaded. For example, writing about Roma migrants, Nagy has argued the Referendum and the subsequent Leave vote “created new insecurities for EU citizens living in the UK.” (2018, p. 127), one in which “neoliberal state recognition has become based on legal economic activity and social citizenship” (2018, p. 131). The centrality of regularised employment to securing post Brexit status offers a specific opportunity to study how the neo-liberal racialized governance of migration functions in practice for those who are among the most exposed to its operation. Brexit may therefore be seen as an “intensified management of migration and borders”, an extension of surveillance, which borrows some of the regulations of freedom of movement even as it seeks to close it down. (Van Baar, 2016, p. 217).

However, I suggest that the racial governance which Brexit poses for migrants of Roma heritage produces forms of precarity that are both *quantitatively* and *qualitatively* different than others. It is *quantitatively* different, because it has created inclusion criteria that are far harder to attain for migrants of Roma heritage than many other EU migrants.

However, I also suggest the precarity engendered by Brexit is *qualitatively*, (or existentially), different, in that the precarity represents a threat to identities, meanings, purposes and futures that are different as well, because they are seen as possible only in the UK, in contrast to other places, and take forms specific to the experiences and aspirations of Roma. It is worth considering the character of these forms of precarity.

Theorising the ‘biopolitics of the self’ under migration, McCormack & Salmenniemi (2016), ask, “How does precarity or a sense of vulnerability affect meanings of labour, the self and risk, and how does precarity shape *modalities of agency*?” (p. 3). The testimony collected for this study allows us to examine how this precarity acts existentially – how it affects meaning and interpretations of self, place and time and how it can expand and contract their possibilities, both in positive and negative ways. Allison & Piot draw attention to the precariousness and risks of ‘dream-making’ and ‘imaginings’: “what happens to sensibilities of time—whether or not their horizons of expectation are oriented to the present or future...” (2012, p. 4)

Interviewees confirmed the finding of earlier studies (Brown et al. 2016; Grill, 2018), that the UK (unlike countries of origin), represented a space of existential *possibility* even while it creates precarity. The imagined destination of a ‘better life’ remains a common refrain among respondents in studies of Roma migrants in the UK. Work was a practical function of this: employment, even if low status – still provided a greater facility for such possibilities to be realised. But it is exactly the existential threat that Brexit poses to this that creates such fear and uncertainty, because it introduced a new time limited bureaucratic imperative, (albeit one that has been somewhat open ended), an imperative that imperils the security of family, identity and futures. The extended period of time between the vote and final departure – a ‘no man’s land’ - has placed whole lives in a ‘holding pattern.’ The negative temporality of this Brexit precarity is evident in the sense of limited time remaining to apply or for the extension period to run out - “we’ve only got one year left” - or the need to prove certain years’ worth of work. For migrants of Roma heritage, ‘Brexit precarity’ has its own temporality.

Fears of being forced to leave the UK were expressed throughout. Van Baar has written about the specific ‘logics’ of evictability/deportation which have often been applied to EU citizens of Roma heritage within the borders

of the Union. This, he argues is a part of a discourse which is “considerably anchored in processes of neo-liberalization” (Van Baar, 2016, p.15) and “governed on the basis of their alleged contribution to the productivity, health, wealth, and security of the EU’s population.” (p. 6). There were striking examples of this throughout the interviews. Leaving was not a matter of choice, but a form of eviction or ‘unfree mobility’ (Yildiz & de Genova, 2017). In this way, it can be ranked as another racialized crisis of EU migration, alongside the Italian ‘nomad emergency’ and the French deportation crisis, which began under the Sarkozy government (e.g. Parker, 2012).

Brexit had also extended precarity of information by requiring a whole new arena of knowledge to be absorbed by those who wish to remain in the UK. Participants were often unsure about what they needed to secure their residency status and indicated they would have to rely on others for assistance to complete. This, as well as the digital and literacy barriers, (the application process is online), creating a significant preliminary barrier even before the bureaucratic challenges associated with providing evidence of work histories.

Yet at the same time, many refused to accept the inevitability of this outcome. Pulay (2018) has cautioned that ‘resistance’ is a loaded term to describe the willingness to challenge externally imposed solutions, implying that Roma do not want inclusion in the same social structures as others, and says more about academics’ own attitudes to neo-liberalism than about Roma’s own views. Writing about migrants of Roma heritage in the UK, Nagy observed “coping strategies in line with constantly changing screening and exclusionary practice.” (2018, p. 131). ‘Coping’ also implies a negative response to the situation. While many may indeed be managing as best they can, the term “agency” may be more useful in exploring the practical contingencies Roma have developed in response to Brexit. Examples revealing the ‘modalities of agency’, which Allison and Piot describe, were evident in many testimonies: “I am trying to solidify our future here so we can stay here continuously. I am trying to get hold of all necessary documents and also trying to work more.” (Participant 11)

Such temporal urgency to secure the correct information and sufficient evidence could be a source of resolve.

In this way, Brexit “creates” new forms of agency, characterised by affective responses that display urgency, determination and purpose. Part of what drives those responses is the sense of time reversing - ‘going back’- to places which limited hope and magnified fear yet stretched time without purpose; in essence places of almost total precarity and the very reason for migration to the UK in the first place.

Often fear/uncertainty and hope/agency were co-existent. This was particularly the case when it came to the future prospects facing family members. In every testimony, the family was core to articulating a space of agency to what seemed, at times, the inevitability of departure. The importance of family connections among migrants in the UK has been noted, (e.g. [Ryan et al. 2009](#)), but its particular relevance for Roma should not be underestimated.

Family members were the source of employment opportunities in the beginning, but also the first port of call for advice and support to enable them to remain. They were also a temporal source of hope in the form of imagined futures - the educational achievements of children and young people were of equal, if not greater value to their own career prospects. Previous consultations with Roma migrants (e.g. [Brown et al., 2016](#); [Migration Yorkshire, 2017](#)) have also highlighted how, this identity was rooted in places with family relevance, represented by both the past (e.g. burial of relatives here) and the future (children’s/grandchildren’s education). Such examples of agency align with the perspective that:

“accounts and experiences of Roma migration also reveal an emerging self-emancipation repertoire mobilised around the idea of self-expression, more control over one’s own destiny and means of self-affirmation and self-definition.” ([Tileaga et al., 2019a](#), p.3)

Interviewees’ testimonies demonstrates their continued determination to fashion a better future here in the UK. Brexit continues to render that fragile, but it is determined. Overall, we can agree with [Boterill et al \(2019\)](#) that post Brexit an “expanded concept of belonging” will be valuable, one which is not restricted to legal and bureaucratic definitions but encompasses “informal, emotional, and affective bonds and encounters in everyday life.” (p. 3).

## **Conclusion**

The period from the Referendum to the present has represented a notable political and social watershed for the UK, one that has introduced a dilemma for many working migrants from the EU living in the country. Even after the UK's transition period came to an end on 31st December 2020, the implications of Brexit for their longer-term futures in the UK continue to be unclear. The final shape of the landscape is still unknown, but Brexit will bring considerable changes in the status of all EU citizens.

Proposed changes – whether high-income thresholds, tight permanent residency rules etc., - are very likely to leave already vulnerable workers even more exposed. The potential of EU labour regulations being dispensed with is also a possibility. In that regard, this paper is very timely.

Focusing on EU migrants of Roma heritage allows us to see that this vulnerability is not evenly distributed. Although a small sample, the evidence of precarious labour which many were engaged in, plus the lack of work for others, (particularly women), means the fears of many researchers that Brexit will exacerbate the specific precarity of Roma migrants are being realised. Successfully securing longer-term status through the EUSS is heavily dependent on formalised evidence of regular work patterns, but also in having the necessary information and skills to navigate the online processes. In that sense, the earlier experiences of undergoing Habitual Residency Tests or Genuine Prospects of Work (GPoWT) tests were 'dry runs' for many Roma, prefiguring the EUSS scheme, in the challenges they faced proving consistent employment histories and in understanding a complex institutional process. Analysis of EUSS applications suggest Roma are far more likely than other groups to be granted the more limited 'pre settled' rather than 'settled' status; holders of 'pre settled' status must apply for indefinite leave to remain (ILR) after five years. (RSG, 2020c).

The social impacts of Brexit for migrants of Roma heritage in the UK are likely to be profound. Early studies indicate that even after acquiring 'settled' or 'pre-settled' status, individuals are now being asked to provide proof of residency when applying for healthcare, education and benefits applications, partly the result of a lack of understanding on the part of frontline workers (RSG, 2020c). This poses a heightened risk of losing entitlements to services as well as exploitation by those claiming to be able

to resolve such problems. This may well create extra demand on services if Roma are pushed further into crisis.

This paper has sought to demonstrate how Brexit has deepened and reshaped existing precarities while creating new forms beyond practical considerations of work. In doing so, it has placed whole lives in a precarious position. It has compressed precarity of time, extended precarity of information and reawakened precarities of belonging (as expressed in the fear of eviction). At the same time, by forcing individuals to address precarity of identity and place it has, paradoxically, reduced their existential fragility. Determination and agency are re-inforced, and imagined futures, particularly family prospects come into ever sharper focus. Analysing the responses of the people interviewed for this study to Brexit suggest that alongside the fear and pessimism is a powerful sense of agency, to do what it takes to remain in the UK. These responses also show the continuation of hopes and dreams for a better life for themselves and their families.

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### **Notes**

<sup>0</sup> The phrase ‘situation of uncommon precarity’ is taken from Allison, A., Piot, C. (2012), p.7 – full details of this publication are included in the references.

The 2016 Referendum on EU membership offered UK voters a single question ‘Should the United Kingdom remain a member of the European Union or leave the European Union? The 51.6% majority who chose to leave are colloquially referred to as the ‘Leave Vote’, and the process of leaving as ‘Brexit’ [Britain/British-exit]. ‘Brexit’ is here used to denote the process from the Referendum campaign to final departure.

The term ‘Migrants of Roma heritage’ is used throughout to recognise the diversity (national, cultural, educational, and linguistic etc.) present across the communities who identify as Roma and to avoid the ethnicity based essentialising criticised by many scholars.

<sup>1</sup> “The immigration status granted under the EU Settlement Scheme is either indefinite leave to enter (ILE) (where the application is made outside the UK) or indefinite leave to remain (ILR) (where the application is made within the UK) – also referred to for the purposes of the scheme as ‘settled status’ – or 5 years’ limited leave to enter (LTE) (where the application is made outside the UK) or 5 years’ limited leave to remain (LTR) (where the application is made within the UK) – also referred to as ‘pre-settled status’.” EU Settlement: EU, other EEA and Swiss citizens EU, and their family members, version 7.0, p8. Published for Home Office staff on 24 August 2020

<sup>2</sup> The situation is further complicated because the main out of work benefit in the UK, Universal Credit, allows claimants to work while still receiving a reduced welfare payment, if their earnings are below an income threshold. UC payments are calculated on the basis of these earnings– in effect a top up and can rise and fall with earnings. However, claimants are still encouraged to look for work in the part of the working week they are not employed or find work whichwork, which pays above the threshold for claiming. However, to claim you need to have settled or pre-settled status. Further detail is available at:

<https://www.gov.uk/government/publications/universal-credit-and-you/draft-uc-and-you>

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