



## Statement about the case of Marcus Decker

Settled is a registered charity, accredited to give immigration advice at OISC level 3. In the last 4 years Settled has provided immigration advice directly to more than 40 thousand EU citizens: in-person, online or through telephone helplines. Settled's purpose includes addressing the needs of EU citizens and their families for advice, support and reassurance on the right to reside in the UK following its departure from the European Union. Put simply, we help EU citizens who made a home in the UK before Brexit, to secure their immigration status and continue to feel at home here.

Settled has been asked to make a statement on the case of Marcus Decker, a German national with pre-settled status under the EU Settlement Scheme, who is in prison facing the revocation of his immigration status and deportation to Germany. Deportation comes with a 10-year re-entry ban. The deportation notice follows after Mr. Decker, a climate change activist, was convicted for public nuisance and given a two years and seven months prison sentence, for his participation in a public protest for 'Just Stop Oil'.

Mr. Decker must respond to the Home Office's deportation notice with reasons why he should not be deported before a final decision is made on his case. The Home Office has the power to *certify* Mr. Decker's case. If they do so, then Mr. Decker would be deported to Germany before his appeal is heard by an independent tribunal in the UK.

The law mandates that deportation is automatic in cases with a prison sentence of 12 months or more because the law contains a presumption that such an individual's presence in the United Kingdom is not conducive to the public good.

As far as we are aware, this is the first time in the UK that the power of deportation has been used after a criminal conviction flowing from a protest. From the information that has been made available to us about the case of Marcus Decker, Settled believes that deportation is a disproportionately harsh response in this case.

Furthermore, Settled is concerned about the alarm that this case is likely to cause among other EU citizens who call the UK their home and wish to play an active role in civil society.

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