



**BREXIT**  
BRITS ABROAD

# **What Does Brexit Mean for British Citizens Living in the EU27?**

Talking Brexit with the British in Spain

Professor Karen O'Reilly

This is an initial fieldwork report produced by Professor Karen O'Reilly (Department of Sociology, Goldsmiths) based on her conversations with Britons living in Spain in October 2017. Any enquiries about the report should be directed to her by email [k.oreilly@lboro.ac.uk](mailto:k.oreilly@lboro.ac.uk).

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Further information about the project is available on the project website (<http://brexitbritsabroad.org>) and at RCUK's Gateway to Research (<http://gtr.rcuk.ac.uk/projects?ref=ES/R000875/1>)



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The **UK** in a  
**Changing Europe**

## SUMMARY

*In this interim research report from the BrExpats research project, Professor Karen O'Reilly (Department of Sociology, Goldsmiths) draws out the initial themes from her conversations with Britons living in Spain about what Brexit means for the British living in the EU27. The research on which the report is based was carried out in Spain, October 2017.*

- **British abroad are a far more diverse group than are represented by the mass media, politicians and commentators.**
- **Our research is generating an overwhelming response.**
- **Brexit is affecting people now - financially and emotionally.**
- **There is a lot of fear, anxiety and confusion, for British abroad over how to legally secure their future residence rights.**
- **Registering, the Padron, and Residencia: the facts.**
- **Brexit is causing British abroad to ask fundamental questions about their identity.**

## Key areas of concern

- **What their residence rights will be.**
- **What the cut-off date will be for the right to remain.**
- **What their health entitlements will be.**
- **Whether the payment of social care benefits will continue.**
- **Whether there will be continuing free movement.**
- **If they return to the UK will they be able to bring partners or children born in other European countries with them?**
- **Whether the EHIC will still be available.**
- **If they own a home in Spain, how many months of the year will they be able to spend there.**
- **About the right to work and the translation of professional qualifications .**
- **Whether, if they choose to become a Spanish Citizen, they will be allowed to return to the UK in the future.**
- **What voting rights they will have, and whether they will still be allowed to vote in local elections.**

## Karen's research in Spain

I have been a regular visitor to Andalusia since 1993 when I did 15 months ethnographic fieldwork for my PhD and for the book *The British on the Costa del Sol*. I have talked with hundreds of British people over the decades since then and published numerous research papers and reports. I share with them a passion for Spain, for its culture and way of life, and have established some long-term friendships as a result of this commitment to my research field. You can [read this interview with me](#) in The Sur in English, if you want to hear more.

In October 2017, I spent some time in Fuengirola, Mijas and Alhaurin El Grande, talking to British people about Brexit, and I continued these conversations over Skype and phone when I returned home. I have had in-depth, recorded conversations with over 20 people to date, and informal discussions with many more. I spent time at Lux Mundi Ecumenical Centre, catching up with old friends and new; attended events at Mijas Foreign Residents Department; and I spoke with journalists from the Sur in English and Euro Weekly News.

I will be returning in January and again later in 2018 to continue these conversations with British people there. Because of the overwhelming response we have had to this research, we also offer the opportunity for people to share their thoughts and feelings via any media they choose: social media, email, sending in photos or film, talking over the phone, or even letters will be accepted. Follow this link for more information about our [Citizens Panels](#). This massive and passionate response to the research is evidence of the strength of feeling around Brexit.





## Who are the British in Spain?

Officially 308,000 British live in Spain all year round, but there are many more (two or three times as many, on some official estimates) spending much of the year there, owning a property there, living between the U.K. and Spain, or perhaps even living partly in a third European country. Also, it is important to note this population is not evenly spread; some parts of Spain have no British residents while others have a noticeable number. Mijas, in the Costa del Sol, for example, has a population of 89,000 and 40% of those are foreign. Among this foreign population are 12,000 registered British. In Benitaxell, in Alicante province, there are 1,177 British residents in a population of 4,104.

There are now many academic publications describing the lives of British people in Spain. We especially recommend Caroline Oliver's book *Retirement Migration*, Russell King and colleagues' *Sunset Lives*, as well, of course, as my own *The British on the Costa del Sol*.

### **The British abroad are a far more diverse group than are represented by the mass media, politicians and commentators**

Despite the visual evidence to the contrary, and despite the assumptions made by mass media, politicians and commentators, there are people of all ages and all family types living in Spain. Just to note - retired people have more time to get involved in care work and associational life, to visit cafes

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during the day, and to spend time relaxing during the day, and so are seen more readily by those who simply make a fleeting visit to Spain. During this field trip, I spoke to (among others):

- **A man in his seventies who has just moved to Fuengirola from France**
- **A woman in her forties who runs a business in Spain**
- **The manager of a large company in Spain, in his forties**
- **A school teacher in her thirties, married with three children – all living in Spain.**
- **A freelance journalist in his fifties**
- **A woman in her thirties, married to a Spanish man, who first moved to Spain as a teenager**
- **An 84 year old woman whose husband recently passed away, and who has been living in Fuengirola for over thirty years**
- **An 18 year old woman who was educated in Spain but may wish to return to the UK in the future**
- **And even a 16 year old on his way 'home' to London to study for his GCSEs**

Each of these has their own reasons for feeling the way they do about Brexit. Some feel very secure and relaxed about it, while others worry about finances, tax regulations, health insurance costs or treatment, where 'home' might be in the future, whether they can continue to feel (or to be) European, what might happen to their parents if they are not free to move as before, and so on.

## **An aside on sample selection in qualitative research**

Qualitative researchers do not aim for the people they include in their research to be distributed in the same proportions as in the wider population; our goal is to map the properties and dimensions of the issue at hand. That is to say, we are not seeking statistically representative samples. Instead, we aim to represent the range and diversity of experience relevant to the topic of interest. If there is only a minority of younger people in the wider population of interest (British abroad, in this case) this does not mean we overlook those because they are numerically of less interest. Instead, we see them as human beings with their own specific sets of issues and concerns (in this case, in relation to Brexit). So, our aim is to understand what types of

people are affected by Brexit in what ways and then to ensure our research includes people of all relevant types. At the moment, we know we need to include more diversity in terms of age, ethnicity, health, social class, and regional distribution, and so as we continue our fieldwork we will actively seek out more of this relevant diversity.

### **Our research is generating an overwhelming response**

I have been absolutely overwhelmed by the response from British people wanting to take part in our research. It is the first time I have ever known research participants to so willingly volunteer themselves for a project to the extent that we are struggling to find time for everyone. Despite the fact that a small number of people did tell me they are not interested in, or bothered by, Brexit, there is no doubt that many, many people feel their lives are fundamentally affected - turned upside-down even - by the process itself and by their anxieties about the future.

### **Brexit is affecting people now - financially and emotionally**

Brexit is affecting people now. It is not helpful to say Brexit hasn't happened yet. People I spoke to are certain that the fall in the value of the pound is a direct result of the Brexit vote, and those who rely on income, a pension, and/or investments from the UK have seen a massive reduction in the amount they have to live on. I met people who, while officially retired, are having to work a little where they can to boost their pension income, or are returning to the UK periodically to earn a little extra money. One of these was singing in bars in Spain, another was doing some freelance teaching in the UK.

Similarly, they are having to make choices now about how or where they might live in the future. I met parents of teenage children who have decided to return to the UK to finish their education because they don't know if they have a future in Spain. If they decided their future was in Spain, they were concerned it might then be difficult to return to the UK at a later date. I met women married to Spanish men who had assumed that they could return to the UK at some point in the future but now fear they may not be able to – and the same applies to their children. *'We are having to decide now whether we are British or Spanish, and that choice affects us for the future'* Janet told me, *'and, of course, having Spanish citizenship doesn't make me Spanish, but I feel as if Britain doesn't want me anymore'*, she continued.



The Brexit process itself is leading to crippling fears and anxieties, that at times felt like a sense of panic. I don't need to be a mental health expert to know that too much anxiety is not good for people, and yet I was absolutely blown away by the levels of anxiety people displayed when they spoke to me about Brexit, their lives, their families, their hopes and dreams (or inability to shape any), their fears, and their overwhelming feelings of frustration and helplessness.

## Key areas of concern

To illustrate a few key areas of immediate concern, British people living in Spain need to know:

- **What their residence rights will be. Who will be allowed to remain, and for how long? Will this apply to those with temporary or permanent residence permits, or those registered on the Padron, or anyone not registered at all?**
- **What the cut-off date will be for the right to remain. Will they need to have registered or obtained a residence permit by a specific date?**
- **What their health entitlements will be. Who will have access to the SI cover and what sort of cover will be included? Will they need health insurance top-ups as well? How long will this agreement last?**
- **Whether benefits such as Disability Living Allowance, Carers Allowance, Personal Independence Payment, and Winter Fuel Allowance will continue, for whom, under what conditions, for how long?**
- **Whether there will be continuing free movement. That is, will they be entitled to move from Spain to another EU country in the future?**
- **If they return to the UK will they be able to bring partners or children born in other European countries with them?**
- **Whether the EHIC will still be used so that their visitors from the UK can still visit regularly?**
- **If they own a home in Spain but don't live there more than half the year, or don't want to become a full resident, how many months of the year will they be able to spend in Spain?**
- **About the right to work and the translation of professional qualifications**
- **Whether, if they choose to become a Spanish Citizen, they will be allowed to return to the UK in the future**
- **What voting rights they will have, and whether they will still be allowed to vote in local elections.**

This illustrates just a small amount of the complexity of the issues raised during my conversations with British people in Spain, and with people who work with or for them as councillors, in foreign residents' departments, and in charitable organisations and voluntary groups. The personal stories below illustrate the complexity of the issues with reference to real people and real lives (noting that some details may have been changed to protect people's anonymity).

**David and Graham, have recently retired to Spain. They had planned the move for many years, had bought a house in Spain a few years ago and have completely sold up in the UK. Despite Brexit, they decided to proceed with their plans as they had put so much time and effort and research into it. They love their new lives, are settling in well, learning Spanish and making friends with their neighbours. Their plan was to settle there permanently. However, this couple fostered a young man ten years ago - a man who is now an adult but has suffered severe personal difficulties and mental health issues. On moving to Spain, the couple were sure this young man could join them at any time should he need to. Now, they are not sure they can continue to offer him this security, and this is making them feel very torn about their decision.**





## **There is a lot of fear, anxiety and confusion, for British abroad over how to legally secure their future residence rights**

The first ten conversations I had led to ten different rules or regulations about whether and how to register as a resident. This is despite the best efforts of some organisations and groups to give clear advice. The fact is, the situation is not a simple one and depends on individual circumstances. Generally, people are being advised to 'get legal', but what this means in practice is unclear. But people are getting mixed messages. Even the Consul for Andalusia and the Canary Islands said at a meeting to launch a new support website, that the consulate themselves find it difficult to advise people as 'we don't know anything yet... nothing is agreed until everything is agreed'. I also overheard a council official advise a woman of pension age, who lives partly in the U.K. and partly in Spain, to decide where she wishes to be domiciled for health reasons (that is to say, to choose which health service she wishes to rely on, British or Spanish) and then to register as a resident in Spain if she preferred Spain. This is counter to the official advice, which is to 'get legal' (see below). Later, at the same meeting, a lawyer advised a British man, who didn't know whether or not to register as a resident in Spain, to choose where he wished to be domiciled for tax purposes.

**Mary is married to a Spanish man and has lived in Spain for over thirty years. She is absolutely fluent in Spanish and is completely settled, with Spanish friends, a full and varied life, and interesting work as a publisher and teacher. But Mary has always thought of herself as British. Though she has Spanish citizenship this doesn't make her feel Spanish, and she still misses the sounds and smells of her hometown by the sea. She doesn't know whether or not, one day, she may wish to return to the UK to live out her later years or simply to feel at home for a while. But Mary doesn't know if she will be able to return. She wonders if she will become a third country national in the UK and not permitted to live there again. And even if she is permitted to, will she be able to bring her husband or her children with her? Mary was not eligible to vote in the referendum.**

**Francis is 84 years old and moved to Spain in the 1960s, with her husband who passed away two years ago. In recent years Francis's daughter, Chris, has been spending more and more of each year in Spain to help her mother out, and now she feels she practically lives there. But Chris is a freelance worker whose work mainly originates from the UK. As such she has not registered as living in Spain and is not officially domiciled there for tax or for health purposes. Now, Francis and Chris are at a loss as to what to do. Francis needs Chris's help, Chris cannot afford to move to Spain officially as she has daughters at home, and anyway she is unsure whether she would have the right to remain given she is not registered. They are considering selling the house and moving back but Francis is very anxious about moving to a country she no longer thinks of as home, and so late in life. Also, the property prices where she lives in Spain have dropped far below the prices in the UK, and so she is not sure she could even afford to return. Francis was not eligible to vote in the referendum.**

This is not exactly legally wrong or misleading advice, but it does run counter to the message to become legal to assure one's future residence status. And if the agreement that is eventually made applies only to those currently (at whatever cut-off date) registered as resident in Spain, then those people above may make decisions that are not in their own best interests.

Furthermore, it is possible that any agreement applies only to those with permanent residence, and that is only available to anyone who has been resident for five years.

The truth is, no one really knows what is going to happen, and this is what is causing so much confusion and anxiety.

## **Registering, the Padron, and Residencia: the facts**

Our advice is to check with a lawyer, with the foreign residents' department of the Town Hall (Ayuntamiento) where you reside, the Embassy or Consulate, and/or the UK Government website. Do not rely solely on the advice of friends and neighbours.

All those with a second home in Spain, with a rental contract in Spain, or living there even part-time should register on the local town hall register, the Padron (this is known as **empadronamiento**, and is not the same as Residencia or residence). The padron lets the town hall know you are there and means they can claim money for you, for services the Town Hall provides. It is usually necessary to renew this registration from time to time, but the situation varies by town and by circumstance. In any case, the Government requires Town Halls to update this information every five years. In some towns empadronamiento even comes with local benefits.

Anyone resident in Spain for more than 3 months consecutively or for more than 186 days in one calendar year is obliged to register with the police as resident. This is known as **Residencia**. You will be given a temporary residence permit in the first instance, and after five years you should reapply and then you will be granted permanent residence. To obtain Residencia you will need to show that you have social security or health insurance and enough money to live on. But check with your own Police Station as their requirements might differ.

This as much as we know about the situation in Spain. Things are, indeed, confusing, ever-changing, and unpredictable.

Denise has had a Residence Permit since 2013 (so, for four years). She can apply for a permanent permit (Permanencia) when she has had her temporary permit for five years, but she will need then to prove she has enough to income or savings to support herself. She has a basic state pension, and asks, 'what if they decide it is only those on permanencia who can stay, and they say my pension is not worth enough because with the fall in the pound it has gone down in value about a quarter. To be honest, I don't have enough to live on any more'. Denise is very fearful she will have no choice but to return to the UK, and yet she has no home or family to go back to.

## Brexit is causing British abroad to ask fundamental questions about their identity

Finally, many of those I spoke to are really questioning their sense of who they are and where they belong, which nation has the right to and the ability to represent them, which nation they feel has their best interests at heart. Living outside of the UK, they see how others view 'us' as a nation, and they are not particularly happy about it. David told me,

*"I think in other European countries most of what gets reported is that Britain didn't want immigrants... so that's what, I think, EU citizens think about us".*

Later he talked about the frustration at having to choose whether to be British or Spanish,

*"We are being told, because we are British we can no longer be, or feel, European".*

Mary, who is married to a Spanish man, said in a tone of frustration,

*"My Spanish friends here think we are all mad, partly to care so much about Brexit but also why we did it! They can't understand it, they think I can explain, but I can't".*

Above all, there is a strong sense that the UK has let them down. The Brexit vote has the potential to shatter their lives and yet many of those who live in Spain were not even allowed to vote. This is summarised in an email I received one morning after talking with a lovely couple about their lives in Torremolinos.

*"I woke this morning thinking that I had not expressed to you my anger and dismay at having been dragged unwillingly into Brexit. The whole thing seems so much worse because I believe that the process was extremely badly handled, that the campaigns were poor on both sides, that the media fed us untruths and that very little was done to educate us about an extremely complex decision. The BBC should have been charged with undertaking this educative role and I think they could have done much better than they did. If we were now facing Brexit following a properly run referendum that had resulted in a clear cut decision with a good turnout, I would not like it, but I should have to accept it with a good grace."*

Once a British person has lived abroad for 15 years they are no longer permitted to vote in national elections or in referendums in the UK. Listen to our podcast on this.

Episode 5: About the legal position of UK citizens resident in the EU27

## Acknowledgements

I would like to end by sending my heartfelt thanks to all those who have taken part in the research so far. You have been very generous with your time, and in sharing your thoughts, feelings and experiences. I look forward to continuing conversations with yourselves and with many others in the coming months, and I hope we can do justice to at least some of the complexity and urgency of this live issue.



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