

By email:

Keir Mather MP, Parliamentary Under-Secretary of State (Minister for Aviation, Maritime and Logistics)

CC:

Miranda Biddle, Chief Executive, Independent Monitoring Authority for the Citizens' Rights Agreements (IMA)

21 August 2026

Dear Minister,

Carriers denying compensation to UK residents after incorrect denied boarding

We are writing to ask for your help in ensuring that carriers correctly follow UK Government guidance when it comes to deciding whether to allow UK residents - holding a valid UK immigration status in the form of a digital eVisa - to board a plane back to their home in the UK.

We feel that this may require strengthening of Civil Aviation Authority guidance, in particular around the definition of whether a passenger has 'inadequate travel documentation'. The [UK261 regulations](#) provide protection and compensation for passengers who are denied boarding. The regulation excludes passengers who have 'inadequate travel documentation' from the definition of 'denied boarding' and the compensation requirements that flow from this, but does not define what constitutes adequate travel documentation.¹ Now that permission to travel to the UK is almost entirely digital for not only 11 million UK residents, but also for millions of visitors and other visa-holders who are travelling to the UK, we consider that further clarification of, and guidance on, what constitutes adequate travel documentation would be very helpful.

You will of course be aware that there is a [Civil Aviation \(Consumer Protection and Regulatory Reform\) Bill](#) originating in the House of Lords currently going through parliament.² It has completed its Lords passage, and its Commons first reading is scheduled for 1 September 2026.

Would you be willing to meet with us to discuss a potential government-sponsored amendment to this Bill that could address the issue? We provide some more detail on a potential amendment further below.

About the3million and ILPA, and our interest in this matter

We are writing as Acting CEO of the3million, the organisation representing EU citizens who were resident in the UK since before Brexit, and as Director of Policy and Advocacy at the Immigration Law Practitioners' Association (ILPA). The nearly 6-million strong cohort the3million represent were the first to be granted a UK immigration status (under the EU Settlement Scheme) that was issued as an entirely digital rather than physical status, in the form of an eVisa.

However, since 2024, approximately 5 million more UK residents have been issued with eVisas. the3million, together with ILPA, set up a reporting tool to gather the experiences of people in using their eVisas. We found

¹ <https://www.legislation.gov.uk/eur/2004/261>

² <https://bills.parliament.uk/bills/4125>

that a lot of people reported that they struggled to convince carriers that they were in possession of adequate travel documentation, and that carriers and subcontracted ground staff did not always follow UK Home Office carrier guidance.

The problem of denied boarding and denied compensation

We know that the Home Office has conducted extensive engagement with carriers on the relevant requirements for which we are very grateful. The Home Office has told us they have spoken to nearly 50,000 front line operational staff across 550 organisations at over 600 ports across the world, including around 250 ports worldwide that do not have direct flight connections to the UK. The Home Office provides a Carrier Support Hub that is available 24/7 for carriers to contact if they are in doubt about a passenger's permission to travel to the UK.

Despite this, we are told time and again about extremely stressful experiences where carriers misunderstand the rules, are not aware that UK residents do not have physical visas, do not use the Carrier Support Hub, and do not accept the backup of a 'share code' as set out by the Home Office.

As you can no doubt imagine, there is a power imbalance between a passenger trying to persuade a carrier that they have the right to return to their home in the UK and a carrier who can deny them boarding.

This power imbalance is greatly exacerbated by the fact that the carrier has an incentive to avoid stiff penalties for incorrectly carrying someone to the UK who does not have permission to travel, which is not sufficiently balanced by an opposite incentive to avoid compensation payments for incorrectly denying someone boarding.

We have seen cases where someone had adequate travel documentation (which means they have a valid eVisa and their travel document is correctly linked to their eVisa) however the carrier denied them boarding, and subsequently also refused to compensate the passenger, on the assertion that the passenger had 'inadequate travel documentation'.

This is why we consider that a strengthening of the guidance around having adequate travel documentation is urgently needed, and that the Civil Aviation (Consumer Protection and Regulatory Reform) Bill presents a uniquely well-timed opportunity to address this.

Proposed amendment

We have created a draft [briefing paper](#) with a suggested amendment to the House of Lords Civil Aviation (Consumer Protection and Regulatory Reform) Bill that is imminently due in the House of Commons.³ The briefing also contains more background information and some case studies. Please note this is merely a suggested concept for discussion, we do not want to be specific about the manner in which the issue is addressed.

However, we consider that the resulting guidance and/or legislation should reflect that, in the context of digital-only immigration status, failure of verification is not itself evidence of lack of permission and the burden of carrying out verification should rest on the carrier rather than on the passenger.

We also draw your attention to the following publications:

³ <https://the3million.org.uk/publication/2026070601>

- A [letter from the Independent Monitoring Authority for the Citizens' Rights Agreements](#) (IMA) to the3million, dated 3 August 2026, about travel disruption to passengers with EUSS status.⁴ The letter includes: *"We are concerned about the impact on citizens who may experience disruption when travelling to the UK, including the possibility of being unable to board their flight and becoming stranded in the country from which they are travelling. We are also concerned that this risk may be increased if carriers, seeking to avoid potential fines and other costs associated with transporting individuals who are later found not to have permission to enter the UK, take a more cautious approach when assessing passengers' eligibility to travel."* They go on to say, *"In this case, we intend to engage with the UK Civil Aviation Authority to highlight our concerns about the issues faced at the point of departure by people with EUSS status."*
- A recently published ICIBI ["inspection of refusals and cancellations of permission to enter the UK \(September 2025 – February 2026\)"](#) which includes that *"inconsistent application of rules and reliance on imperfect evidence or data heighten the risk of incorrect refusals [...] is likely to lead to [...] increased complaints, litigation, and potential compensation, and with disproportionate impacts on vulnerable passengers"*.⁵

We look forward to hearing from you as soon as possible and would greatly appreciate the opportunity to meet with you and discuss the extremely time-sensitive opportunity to strengthen passenger protection in the form of amending the Civil Aviation Bill.

Yours sincerely,

Monique Hawkins

Head of Policy and Advocacy and Acting CEO, [the3million](#)⁶

Sabrina Galella,

Director of Policy & Advocacy, [ILPA](#)⁷

⁴ <https://the3million.org.uk/publication/2026080302>

⁵ <https://www.gov.uk/government/publications/an-inspection-of-refusals-and-cancellations-of-permission-to-enter-the-uk-september-2025-february-2026>

⁶ <https://the3million.org.uk/>

⁷ <https://ilpa.org.uk/>