Legal Action for Women

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To whom it may concern:

My name is Niki Adams. I co-ordinate Legal Action for Women. I am writing to confirm that X has the right to reside in the UK.

Ms X is a Romanian national and is therefore a national of the European Economic Area (‘EEA’). She is self-employed and as such she is exercising her treaty rights.

Ms X is a self-employed sex worker. I have known Ms X for over six months. During that time she has been working as a sex worker in Edmonton. This is her current work.

Ms X is entitled to self-employed status as an “independent provider of services”’ (*Tilianu v Secretary of State for Work and Pensions* [2010] EWCA Civ 1397 paragraph 8).

EEA nationals who are self-employed for even as little as three to four hours per week have a right to reside in the UK, even if they have not registered their self-employment with Her Majesty’s Revenue and Customs (see [2009] UKUT 58 (AAC) (11 March 2009)).

Additionally, the European Court of Justice (now known as the Court of Justice of the European Union) has clearly established that for the purposes of EU law, sex work performed on a self-employed basis must be treated as ‘self-employment’ (see Case C-268/99 *Jany & Ors (External relations)*, paragraphs 48-50, 61).

If you have any questions, please contact me at the address above.

Yours sincerely,

Niki Adams