



A positive future for EU and Ukrainian citizens in the UK

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4.8.23

The Rt Hon. Robert Jenrick MP,
Minister for Immigration, The Home Office

And

The Rt Hon. the Lord Murray of Blidworth,
Parliamentary Under Secretary of State for Migration and Borders, The Home Office

Dear Ministers,

Re: The need for enhanced provision for Ukrainian citizens seeking UK visas

Settled is a charity that provides free, multilingual, accredited advice on the UK's Ukrainian visa schemes and the EU Settlement Scheme. We respond to requests from Ukrainian citizens both before and after they arrive in the UK - on securing visas, accessing health, welfare and other services in the UK, and related concerns.

Recently we have seen a marked rise in the number of requests for help and increased levels of anxiety. We believe it is appropriate to rethink the scope of visa arrangements for Ukrainians.

Specifically, we would like to bring to your attention two inter-related issues.

- 1) An increasing number of Ukrainians are contacting Settled from Ukraine who are citing fears of a nuclear incident in Ukraine (for example related to the Zaporizhzhia nuclear power station); but who are ineligible for a visa because they do not have a family member or a sponsor in the UK who can provide them with accommodation. They tell us that the recent destruction of the Nova Kakhovka dam has increased worries of catastrophic attacks, and that Ukrainian television and other channels are carrying regular government information messages about how civilians should react if a nuclear incident is imminent.
- 2) There has been an increase in the number of Ukrainians contacting us both before and after arrival in the UK who have been 'scammed' by criminals who

charge money in return for promising to provide visas and 'permission to travel letters' to the UK which turn out to be fake. Criminals are taking advantage of people's desperation to leave and their inability to secure a visa by other means.

Fake documents can take various forms, but perhaps the most concerning are ones where Ukrainian applicants are led to believe that a Homes for Ukraine host has been arranged for them, when no such person exists. In more than one case of victims of fraud that we have helped, the Ukrainians called the UK Home Office Ukraine helpline to check that their permission to travel letter is bona fide before leaving Ukraine, but could not get detailed clarification because helpline staff cannot access the case database. Instead, when they said 'I have a letter to travel' the helpline staff told them it would be OK to travel.

We have seen extremely sophisticated fake visas, impossible to identify as fraudulent by sight, which were therefore not picked up by airline staff, but only by border officers once in the UK. In many cases they are classed as illegal migrants and granted bail. They are neither granted leave to remain nor recourse to public funds, and because their passports are withheld, they are not able to return to Ukraine. Even if they decide that they wish to return to Ukraine, delays in the Voluntary Return Department mean that it can take months for their passport to be returned.

They are alone in the UK without accommodation, income or any means of supporting themselves and without the right to access public services. Some of the Ukrainians who are in this situation are given the bail condition to make a visa application under one of the Ukraine Schemes, but if a scammer has invented non-existent Homes for Ukraine hosts then it is near impossible for Ukrainians to remedy this, because they know no-one in the UK that can fulfil the hosting requirement. This is compounded by current rules that Homes For Ukraine visa applications can only be made from outside the UK; and yet people in this situation cannot return to Ukraine to apply, as their passports have been withheld by the Home Office.

More happily, in some cases border officers are using their discretion to issue six month Leave to Remain to Ukrainians arriving without correct documents. In such cases there are still challenges to find accommodation, but at least the individuals concerned are able to access public funds to support themselves.

In the last few months alone, Settled has received scores of enquiries from people facing the situations described above. A few examples of real cases are given in the appendix to this letter.

To respond to this emerging demand, Settled suggests four courses of action.

1. Encourage more sponsors.

It is more than a year since the Ukraine Family visa scheme and Ukraine Sponsorship (Homes for Ukraine) visa scheme were launched. For understandable reasons, the rate of people coming forward to offer accommodation to Ukrainians has now slowed. The government and local authorities continue to encourage sponsors to come forward and to encourage private landlords to help with 'move-on' accommodation when hosting ends. We welcome recent announcements of additional funding for both hosting and accommodation solutions.

Settled asks that you continue to encourage colleagues in the *Department for Levelling Up, Housing and Communities*, and in local authorities, to keep finding ways to increase the number of people offering to provide accommodation.

But given the threat to life caused by the war, compounded by increasing fears of serious nuclear or other attacks, we do not think that these schemes alone will address current and future needs.

2. Provide a new Ukraine visa scheme that does not rely on a sponsor.

We believe that the escalation of the security situation in Ukraine now demands the opening up of the visa schemes to Ukrainians beyond those with relatives in the UK or those fortunate enough to find a UK based sponsor. Changes are necessary to safeguard the welfare of vulnerable Ukrainians with well-founded fears of a possible nuclear incident, to reduce the risk of exploitation, and to increase capacity to provide a rapid and safe route to leave Ukraine.

We would like to ask you as the Ministers with responsibility for Ukraine visas to expedite an amendment to the visa scheme that will provide the right for Ukrainians to enter the UK without being required to find their own sponsor in advance or adopting a policy that shifts the responsibility of finding a sponsor from them to a relevant ministerial department. As a minimum, we ask you to consider that such a new visa scheme should be made available for people living in proximity to the Zaporizhzhia power station.

3. Grant Leave to Remain for Ukrainian victims of fraud arriving at UK borders.

We know that Ukrainian nationals who travel to the UK without making an application under the Ukraine Schemes can be considered for six months Leave to Remain outside the immigration rules.

We believe that for Ukrainians who arrive in the UK who are victims of fraud, a decision to grant them six months Leave to Remain is the best remedy to ensure that they can meet basic needs in UK.

We ask that clear guidance be rolled out to all border officers who may encounter Ukrainians in this situation, so that there is greater consistency in providing discretionary Leave to Remain.

4. Publicise information for Ukrainians on the risk of fraud and on the support available.

Settled has produced a Ukrainian language [leaflet](#) summarising how to make free applications for the current UK visa schemes, the dangers of fraudulent 'advisors' and traffickers, and the need to seek reputable accredited advice. We are currently publicising this leaflet online and also disseminating printed copies in Ukraine.

As the Home Office will have far greater reach than Settled, we ask that the UK government also produce information to warn about fraud and to explain the support available to victims.

It would also be helpful if the Home Office could introduce a more detailed and robust checking mechanism so that Ukrainians can verify that their documents are legitimate before embarking on a journey to the UK.

Examples of cases

Attached is an appendix with a few short summaries of cases helped by Settled, to give context to the points that we have raised.

We would be pleased to provide more information if it is helpful; and we look forward to hearing your response. Thank you very much for considering the points raised, which are rooted in our experience of advising many hundreds of Ukrainian citizens.

Yours sincerely,

Signed on behalf of Settled

Appendix: Examples of relevant cases

A and her son (aged 16) are from central Ukraine. They paid a local man, purporting to be a migration advisor, the equivalent of £500 fee to apply for the UK Homes for Ukraine visa scheme, and to find sponsors. Several days later, they were told their visa applications had been granted and that they had been given Permission To Travel letters. They so-called adviser told them to travel to the UK via Dublin, rather than directly.

As she thought this advice was strange, **A** asked a friend in the UK to confirm with the Home Office that the visa was genuine. The friend contacted the Home Office's Ukraine helpline (0808 164 8810) to check this. The helpline adviser was unable to confirm that the visa was genuine as the helpline team does not have access to information on whether applications have been granted; but stated that Ukrainians with Permission To Travel letters can travel to the UK directly.

A and her son decided to fly as they were desperate to leave Ukraine for the safety of the UK, ignoring the instruction to go via Dublin. On arrival at Luton Airport border, they were informed that their Permission To Travel letter was fraudulent. The Immigration Officers held their Ukrainian passports and put them both on immigration bail. **A** then tried to contact the named sponsor on her application form, but there was no response.

A has now independently found a potential new sponsor. However, it is not possible to (re)apply for the Homes for Ukraine scheme from inside the UK; nor can the sponsor be changed on the original application without a passport.

A has since contacted Settled. We have written to the Home Office's Ukraine team asking them to change sponsor details, given the circumstances. We have had a reply simply to submit a new application – which we know not to be possible from the UK.

They cannot return to Ukraine, and have no income in the UK, or ability to work. Settled will continue to liaise urgently with the Home Office on their case.

B is over 50 years of age and is from Kyiv. She was in a similar situation to **A**, but is so distressed that now she wants to return to Ukraine.

B paid an individual to secure her a British visa; and was informed that her application had been granted and that a sponsor providing her with accommodation had been agreed. She too was given a false Permission To Travel letter.

On arrival in the UK, **B** was informed that the letter was fake, and that she would be put on immigration bail on the condition that she makes another application under one of the Ukraine Schemes.

Classed as an illegal migrant and under bail conditions, with no recourse to public funds and no right to work, she was at considerable risk of homelessness. She has therefore made the very difficult decision to try to return to Ukraine. **B** immediately contacted the Voluntary Return department and was told that she may need to wait several months for the passport to be returned. She has been suffering with depression since.

She has contacted Settled and asked us to liaise with the Home Office. We have requested return of her passport as soon as possible to prevent homelessness and destitution in the UK, and to enable her return. The Home Office stated that she should contact the Voluntary Return department, and that it may take several months for her passport to be returned.

We have also contacted the Ukrainian embassy, who have confirmed that they cannot issue her an emergency return certificate as the Home Office have her passport.

In the meantime she has no recourse to public funds, and is not able to work, so also faces destitution.

C is from western Ukraine. Like the other two cases, she learned that her visa was not genuine on arrival in the UK, this time at Stansted airport. Again, she had been duped by a fraudulent individual in Ukraine.

However, unlike the other two cases above, she was granted a six months discretionary Leave To Remain stamp by the border official.

This gave **C** recourse to public funds, and the right to work. She has successfully claimed Universal Credit while she applies for jobs and has recently moved into social housing.

The British Red Cross referred her to Settled. We have confirmed with the Home Office that she is able to apply for the Ukraine Extension scheme visa when this scheme is re-started in August. Settled will help her make this application.