



0330 223 5336

info@settled.org.uk

www.settled.org.uk

R1.3 Riverside House, Newport Market,
Upper Dock Street, Newport NP20 1DD

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A positive future for EU citizens in the UK

21 January 2025

Yvette Cooper M.P.

Secretary of State for the Home Department

Dear Yvette Cooper,

Open letter re: Visas for Ukrainian Minors and Dependents

Our charity Settled wishes to bring to your attention our concerns regarding the position of Ukrainians seeking protection in the UK since the Home Office's unannounced changes to the Ukraine Scheme introduced in February 2024.

Ukrainian minors

After the closure of the Ukraine Family Scheme and Ukraine Extension Scheme in February 2024, the only visa scheme remaining for Ukrainians to enter the UK on humanitarian grounds is the Homes for Ukraine Scheme. From our casework, we have seen that our Ukrainian beneficiaries, in particular parents and their minor children who are stranded in Ukraine, find themselves in a heightened state of vulnerability and disposed to exploitation as a consequence of the February changes.

We have seen that the new requirement that a Sponsor must be a British citizen or settled in the UK to Sponsor a family member left in Ukraine has been extremely disruptive to family reunification as this requirement did not exist when the Ukrainian visa schemes were introduced in March 2022. As this requirement was introduced impromptu and with immediate effect in February 2024 it has had a catastrophic impact on family reunion effectively upending plans for Ukrainian parents in particular. Ukrainian parents with status under the Ukraine Scheme granted between March 2022 and February 2024 were able to sponsor children left behind in Ukraine if the parents had been living here under the Ukraine Scheme for six months. Due to the changes to the rules in February this is no longer possible.

A worrying trend we are seeing since the rules were changed relates to parents seeking to reunite with their children left in Ukraine. Desperate parents are resorting to increasingly desperate measures to transport their minor children to the UK. Their desperation has created opportunities for criminals and rogue advisors to exploit the vulnerabilities of displaced and separated families by offering them a route to flee conflict in Ukraine via an illegitimate path to the UK. A path to the UK commonly exploited is via the Republic of Ireland. This is chosen due to two related factors. Firstly, in February 2022, Ireland lifted the requirement for Ukrainian nationals to hold a visa before travelling to the Republic of Ireland and, secondly, there are no immigration controls at the land border between the Republic of Ireland and Northern Ireland as they are both part of the Common Travel Area. At Settled, we are increasingly contacted by desperate individuals who have paid rogue advisors for advice that results in the affected entering the UK via borderless entry through the Republic of Ireland. Once they arrive to the UK and make applications to regularize their status, their applications are either refused by the Home Office for the reason that they have entered the UK illegally or their applications face prolonged delays during which time these people are left in limbo with no immigration status excluded from social participation or public services. In the cases of children, although they have now been reunited with their parents in a safe country, there are serious concerns for their welfare because they have limited rights in the UK without immigration status and are therefore at risk of further exploitation.

In our view the position so many Ukrainian families find themselves in today, whereby they are separated from their family members despite them having a legitimate expectation that they would be able to reunite with such family members before February 2024, was avoidable. Desperate parents turning to rogue advisers and unaccompanied minors being liable to exploitation by traffickers while they try to reunite with their parents is a scenario that could have been avoided if there had been a process of consultation before the unannounced changes were introduced to the policy on the Ukrainian humanitarian visa scheme in February 2024.

We hope that by bringing these issues to your attention the Home Office will look again at the changes made to the Homes for Ukraine Scheme in February 2024. We are asking for the government to reinstate the right of Ukrainians granted protection in the UK to sponsor a visa that would allow them to bring their dependent family members, and in particular their children, to the UK.

Thank you for giving this your consideration.

Yours sincerely,

Settled