

Research Briefing

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Ukraine: UK immigration concessions



Summary

- 1 Constituency casework: useful resources
- 2 People with British/UK-based family ties
- 3 People ineligible under the Ukraine Family Scheme
- 4 Calls to abolish the visa requirement
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Summary

This is a fast-moving situation and this information should be treated as up-to-date at the point of publication. The '[UK visa support for Ukrainian nationals](#)' page on GOV.UK is regularly updated in line with policy developments.

Visa requirements

Ukraine is on the UK's list of visa national countries. All Ukrainians must apply for a visa before travelling to the UK for any purpose. Visa application facilities in Ukraine are closed so Ukrainians are being directed to use those in neighbouring countries.

The Government's response to the crisis

The Government's initial response focused on supporting British nationals living in Ukraine and their families. It has since introduced an expanded visa route for Ukrainians and relatives who have family in the UK. It also intends to launch a sponsored visa route for Ukrainians without family links in the UK.

It is not known how many people might be eligible under the visa measures announced so far. The Government has not set any numerical limits.

The Government continues to come under pressure from Members across the political divide, the Welsh and Scottish Governments, and many campaigners, to help a wider range of people leave Ukraine.

Some campaigners argue that Ukrainians' difficulties accessing UK visa routes illustrate that bespoke immigration routes are an inappropriate and inadequate response to refugee-producing situations. There have been some calls for the UK to adopt a broader humanitarian response, based on the principles of international refugee law, to enable more people fleeing Ukraine to access protection in the UK.

Bespoke visa options for people in Ukraine

People with UK family ties

The Ukraine Family Scheme is a new visa route for immediate and extended family members of British nationals and non-British nationals living in the UK. The UK-based relative must have indefinite leave or pre-settled status. The Home Office is considering extending eligibility to relatives of people with temporary permission to stay (such as students and workers).

Successful applicants are given three years' permission to stay in the UK, with the right to work, study and access public funds. The visa is free of charge.

From 15 March, Ukrainian applicants who have a biometric passport will be able to complete the entire visa application process online without having to attend a visa application centre. Applicants who do not have a biometric passport will still need to attend a visa application centre.

People without family links in the UK

The Government intends to establish a new 'humanitarian support pathway'. This scheme will enable Ukrainians who do not have family connections in the UK to be sponsored to come by communities, charities, and businesses in the UK. It will be led by the Department for Levelling Up, Housing and Communities. It is not yet known when it will open to applications or what the eligibility criteria will be.

Calls to abolish visa requirements

A public petition on the Parliament website calling on the UK Government to waive all visa requirements for Ukrainian passport holders will be debated on 14 March.

Restrictions on which relatives are eligible for Ukraine Family Scheme visas, and reports of applicants encountering practical difficulties when trying to apply, have contributed to calls for the Government to abolish the visa requirement for Ukrainians.

Campaigners argue that this would be the fastest and simplest way to increase the speed and scale of the UK's response to people fleeing Ukraine.

The Government has consistently rejected these calls. It cites concerns about security risks and emphasises the importance of verifying applicants' identities through biometric checks. However, it has broadened the eligibility criteria for the Ukraine Family visa several times and taken various measures to increase the speed, accessibility and efficiency of the visa issuing process. It continues to keep arrangements under review.

Supporters of removing the visa requirement argue that security and biometric checks would still be undertaken if Ukrainians had the same visa-free access to the UK as certain other nationalities.

In comparison, Ukrainians with biometric passports have been able to travel to most European countries and stay for up to 90 days without a visa for several years. Ireland (a non-Schengen country) lifted its visa requirement for Ukrainian nationals with effect from 25 February. EU Member States have also recently decided to implement the Temporary Protection Directive for people displaced by the military action in Ukraine. This establishes various EU-wide minimum standards for their treatment, including a legal status in the host state for up to three years.

Visa concessions for Ukrainians in the UK

The Home Office has announced some temporary concessions for Ukrainians in the UK who have expiring visas and are unable to leave.

The usual restrictions on extending visas or switching immigration category whilst in the UK are being relaxed. But Ukrainians are still subject to the other eligibility criteria and conditions attached to the visa they are applying for. These may include, for example, having no recourse to public funds and restrictions on rights to work and bring family members to the UK.

How many Ukrainians live in the UK?

Preliminary figures from the 2021 Census in England and Wales identify approximately 37,530 people who were born in Ukraine and were ‘usual residents’ in England and Wales in March 2021.

1 Constituency casework: useful resources

1.1 Raising cases with UKVI

On 1 March the Home Secretary announced that UK Visas and Immigration (UKVI, part of the Home Office), will establish a caseworking team on the parliamentary estate. This will enable Members of Parliament to raise constituency cases with UKVI directly.¹

1.2 Home Office helpline

UKVI has established a dedicated helpline for people in Ukraine and Ukrainians in the UK in need of assistance:

- **For Ukrainians with family in the UK:** +44(0) 808 164 8810 (select option 1). This option is available 24 hours a day 7 days a week. There is an alternative number for people who cannot call UK 0808 numbers: +44 (0)175 390 7510.
- **For Ukrainian nationals already in the UK:** 0808 164 8810 (select option 2). Lines are open Monday to Thursday (excluding bank holidays), 9am to 4:45pm and Friday (excluding bank holidays), 9am to 4:30pm. UKVI advises that the helpline is a free phone number, but network charges may still apply.

1.3 Other resources

Government announcements

- GOV.UK, [UK visa support for Ukrainian nationals](#) – official UK government web page providing an overview of temporary visa concessions, updated in line with further announcements.
- GOV.UK, [Russian invasion of Ukraine: UK government response](#) – collates all official UK government announcements, press releases and guidance.

¹ [HC Deb 1 March 2022 c919](#)

Signposting to professional legal advice

- Work Rights Centre, [Solidarity with Ukraine](#) – lists some resources relevant to people in Ukraine wishing to flee to neighbouring countries or the UK, and Ukrainians in the UK.
- [Ukraine Advice Project UK](#) – a website established by some qualified UK immigration lawyers to help Ukrainian citizens affected by the invasion of Ukraine obtain free UK immigration and asylum advice.
- [Settled](#) – a charity which usually gives advice and information on the EU Settlement Scheme, and has established a dedicated email advice route for EU citizens in the UK who have family from Ukraine: ukrainefamilyscheme@settled.org.uk
- The Immigration Law Practitioners' Association [publishes a directory](#) of specialist immigration practitioners.
- GOV.UK website pages on '[Find an immigration adviser](#)'.

Constituents offering help to refugees

As described in section 2.3, the Government is developing a new immigration route to enable people in the UK to sponsor people displaced by the military action in Ukraine. The Department for Levelling Up, Housing and Communities is yet to confirm the details of how the scheme will operate.

Resources which might be of interest to some constituents in the meantime are:

- GOV.UK, [Ukraine: what you can do to help](#) – links to information sources about various ways members of the public can provide support.
- Commons Library, [Organising humanitarian aid and help for Ukraine](#), 8 March 2022 – signposts sources of information and advice about donating cash and goods in response to the military invasion.
- NACCOM, [Host a refugee in your home](#), – a page where members of the public can register interest in offering a spare room to refugees and asylum seekers and be put in contact with local hosting projects.
- [Reset](#) – UK charity established to support and coordinate the growth of community sponsorship across the UK. Its website has guides for volunteer individuals and charities interested in sponsoring resettled refugees.
- GOV.UK, [Help people who have come to the UK from Afghanistan](#) – not specific to Ukrainians, but potentially of interest to members of the public keen to offer housing, work or integration support to newly arrived refugees.

2 People with British/UK-based family ties

2.1 Background

The Home Office's initial response to the crisis in Ukraine focused on "supporting British Nationals and their families who want to leave Ukraine."² A concession introduced on 17 February applied to non-British immediate family members of British nationals living in Ukraine. It enabled them to apply, free of charge, for a family visa to come to the UK.

People who thought they were covered by the concession were directed to phone UK Visas and Immigration (UKVI)'s helpline before applying. UKVI would then confirm whether the person was eligible for a family migration visa and provide details of how they could apply. This included completing an online visa application form and uploading supporting documents (or paying a fee to upload documents at an application centre). Applicants were also required to attend a Visa Application Centre (VAC) to provide biometric information (fingerscans and photograph) as part of the application process.

The original family visa concession excluded non-immediate family members, and family members of British or non-British people living in the UK. In the days that followed, the Government came under pressure from Members across the political divide, the Welsh and Scottish Governments, and many campaigners, to help a wider range of people leave Ukraine.³

On 1 March the Home Secretary, Priti Patel, announced some further measures which she described as "phase two" of the UK's "bespoke humanitarian support package for the people of Ukraine".⁴

These included a new Ukraine Family Scheme visa route, which now collectively caters for immediate family members of British nationals usually resident in Ukraine, and immediate and extended family members of British nationals and some non-British nationals resident in the UK.

² Home Office, press release, '[Home Secretary announces visa concessions for Ukrainians](#)', 24 February 2022

³ Politics Home, '[Senior Tory says UK's Ukrainian Refugee Policy "Doesn't Cut It" As Crisis Escalates](#)', 3 March 2022; Scottish Government, '[First Minister: Waive visas for Ukrainians](#)', 1 March 2022

⁴ HC Deb 1 March 2022 c916; Welsh Government, '[Written Statement: Statement on the war in Ukraine, 1 March 2022](#)'

2.2

Ukraine Family Scheme

The Ukraine Family Scheme came into effect on 4 March. It is currently operating outside the Immigration Rules, but a forthcoming statement of changes to the Immigration Rules will bring it within the scope of the rules.⁵

Applications under the Ukraine Family Scheme are free of charge and exempt from the Immigration Health Surcharge. Successful applicants are granted up to three years' permission to stay in the UK, with permission to work, study and access public funds.

The terms of the scheme in effect from 4 March differ in some respects from announcements made by Ministers in the run-up to its launch. Initial statements had implied that it would be limited to immediate family members of British citizens and people settled in the UK and would initially grant 12 months' permission to stay.⁶ Announcements since 4 March have further extended the range of relatives eligible under the route (e.g., to include aunts, uncles, cousins, nephews and nieces). The Home Office is continuing to consider the case for further possible changes.

Eligibility criteria

Practical details about the eligibility criteria and how to apply are summarised on GOV.UK: [Apply for a Ukraine Family Scheme visa](#).

The [policy guidance for UKVI caseworkers](#) about the scheme contains some more detailed information.

As at 9 March, the scheme is available to people who:

- are applying to join or accompany a UK-based family member; and
- are Ukrainian or the immediate family member of a Ukrainian national who is applying to the scheme; and
- have been residing in Ukraine prior to 1 January 2022 (including those who have now left Ukraine).

The UK-based family member must be one of the following:

- a British national
- someone settled in the UK (e.g., holder of indefinite leave to remain, settled status under the EU Settlement Scheme or proof of permanent residence)
- someone who has [pre-settled status](#) under the EU Settlement Scheme and started living in the UK before 1 January 2021

⁵ [HL Deb 2 March 2022 c898](#)

⁶ GOV.UK, '[PM announces further humanitarian aid to Ukraine](#)', 27 February 2022; [HC Deb 28 February 2022 c700-1](#); [HL Deb 2 March 2022 c894](#)

- someone with refugee status or humanitarian protection in the UK.

Relatives of UK-based temporary visa holders (e.g., workers, students) are not currently eligible under the scheme. The conditions attached to some of these temporary visa categories (e.g., Skilled Worker route) allow visa holders to sponsor immediate family members to join them in the UK, but other categories (e.g., Seasonal Worker route) do not. The Home Secretary indicated on 10 March that the Home Office is considering extending visa options for relatives of temporary visa holders.⁷

As indicated above, there is an exception for relatives of UK-based family members who have ‘pre-settled status’ under the EU Settlement Scheme (EUSS). Family members of people living in the UK with settled or pre-settled status under the EUSS might already be eligible to apply for an EUSS family permit (due to rights granted under the UK-EU Withdrawal Agreement). UKVI advises that they can choose which scheme they apply for but should not apply to both.

The applicant’s UK-based family member must be either:

- **an immediate family member** – that means, their spouse/civil partner/fiancé(e)/proposed civil partner; unmarried partner (living together in a relationship for at least two years); child under 18; or parent (if the applicant is under 18).
- **an extended family member** – that means, their parent (if the applicant is over 18); adult child; grandparent; grandchild or partner’s grandchild; or sibling; aunt or uncle; niece or nephew; cousin; parent-in-law; grandparent-in-law; brother or sister-in-law.
- **an immediate family member of an extended family member** – that means, the extended family member’s spouse/civil partner/fiancé(e)/proposed civil partner; child under 18; or parent (where the extended family member is a child under 18).

The related UKVI policy guidance document comments on the scope to consider applications from other family members:

(...)...caseworkers may apply discretion to accept and consider applications from other family members where they are evidenced and there are exceptional reasons to do so. Caseworkers should take a pragmatic approach and consider the applicant’s circumstances as well as what meaningful connection the applicant has to their immediate family unit, their sponsor and the UK. A case may be exceptional where, for example, the decision to refuse would mean separating an individual from their long-term family unit. An applicant should provide evidence of their situation where possible, and all decisions should be made on a case-by-case basis.⁸

⁷ [HC Deb 10 March 2022 c470](#)

⁸ Home Office, [Ukraine Scheme](#), v3.0, 9 March 2022

Applicants are required to provide evidence of their eligibility for the visa, including their relationship to the UK-based family member. There is some scope for decision-makers to exercise flexibility if the applicant cannot do so (such as by contacting the UK-based sponsor or checking against details already held on UKVI databases).

There is no right of appeal or to request an administrative review of a decision to refuse an application under the scheme, but there is no limit on the number of times that a person can apply to the scheme.

How to apply

People must apply for the visa online (in English) and upload supporting documentation. They have also been required to attend a visa application centre (VAC) to provide their biometric details (digital photograph and fingerscans) and, subsequently, to collect the visa.

From 15 March, applicants who have biometric passports will no longer be required to attend a VAC as part of the application process. People who don't have biometric passports (such as those who only have an identity card) will still need to attend a VAC as part of the application process.

UKVI is prioritising applications under the Ukraine Family Scheme and aims to process them “as quickly as possible.”

People who arrive at a UK port without a visa

The UKVI policy guidance states that people seeking entry to the UK under the Ukraine Family Scheme must apply for a visa (entry clearance) in advance of travel.

It also states that it where people arrive at a UK port without a Ukraine Family Scheme visa, immigration officers will be able to consider granting 6 months' permission to enter the UK 'outside the rules' if the person meets the relevant requirements. They would then be able to apply to 'switch' into the Ukraine Family Scheme after-entry to the UK.⁹ However, immigration law practitioners have highlighted that Ukrainians are 'visa nationals' and would be prevented by transport carriers from embarking on a journey to the UK without a visa, because of carrier's liability legislation.¹⁰

People applying from inside the UK

The Home Office has said that it will be possible for people to apply from inside the UK to switch into the Ukraine Family Scheme visa route. At the time of writing UKVI had not published information about how to do that.

⁹ Home Office, [Ukraine Scheme](#), v3.0, 9 March 2022, p.9

¹⁰ Home Affairs Committee, [Home Office policy on Ukrainian refugees](#), 9 March 2022, Q25

3 People ineligible under the Ukraine Family Scheme

3.1 Current position

It is not currently possible for Ukrainians in Ukraine not covered by the Ukraine Family Scheme to apply for a visa to come to the UK in any capacity.

This is because there are no functioning application centres in Ukraine.

Ukrainians who can travel safely to an application centre in a neighbouring country (e.g., Poland, Romania, Hungary, Moldova) can apply for a UK visa from there. Those who have an urgent need to travel to the UK for compassionate reasons are advised to apply for a visa in the usual way and include details of the compassionate circumstances.

A Home Office in the Media Blog post posted on 25 February referred to some UK immigration options available to Ukrainians without family ties in the UK:

There are multiple safe and legal routes available for Ukrainians who are not dependants of British nationals who wish to travel to the UK

- The Home Office has several safe and legal routes under the points-based system which could be used by Ukrainians to reach the UK, if they reach a neighbouring country. Ukrainians can get visas to work and study in the UK through the points-based immigration system, such as via the skilled worker route, graduate route, health and care visa or student route.

(...)

- Ukrainians have visa-free access to Schengen states, which enables them to reach safe neighbouring countries from which they can make their applications.¹¹

Section 4 of this briefing considers current debates about UK visa requirements for Ukrainians in more detail.

¹¹ Home Office in the Media,

3.2

A new ‘humanitarian sponsorship pathway’

On 1 March the Home Secretary confirmed plans to open a new route for Ukrainians who do not have any family ties with the UK.¹² This scheme will be led by the Department for Levelling Up, Housing and Communities.

On 8 March, the Government announced that Richard Harrington has been offered a Life Peerage and made Minister for Refugees. He will be a Minister of State jointly in the Home Office and Department for Levelling Up, Housing and Communities.¹³ During his previous career as a Member of Parliament, Mr Harrington had been Minister for Syrian Refugees during the initial stage of the Syrian Vulnerable Persons Resettlement Scheme.

It has been reported that the Government will provide an update on plans for the humanitarian sponsorship route on 14 March.¹⁴

The intention appears to be for the route to operate as a type of [community sponsorship scheme](#). Individuals, charities, businesses and community groups will be able to volunteer to act as ‘sponsors’ for Ukrainian individuals and families wishing to come to the UK.

People who come to the UK under the scheme will be given permission to stay for 12 months initially, with permission to work.

There will be no numerical limit to the number of places available, although all Ukrainians will need to be matched with a UK-based sponsor. The availability of suitable sponsors, and the nature of the pre-approval process for them, will likely affect the number of places available.

Other practical details about the scheme yet to be confirmed include:

- Will it be available to people who want to act in a personal capacity to offer shelter to people they know in Ukraine, or will it only be available to groups who have received training in community sponsorship?
- Will it be open to Ukrainians who have fled to neighbouring countries as well as people still in Ukraine?
- How will Ukrainians be able to register their interest in being sponsored?
- How will Ukrainians be prioritised for consideration for sponsorship, and which external agencies (e.g., UNHCR, IOM) will be involved?
- How will awareness of the scheme be promoted across communities in the UK?
- What resources and support will be provided to people in the UK interested in sponsoring Ukrainians?
- What role will Local Authorities have in delivering the scheme?

¹² [HC Deb 1 March 2022 c916-7](#)

¹³ GOV.UK, [Ministerial appointments](#): 8 March 2022

¹⁴ The Guardian, [‘UK Government to allow members of public to house Ukrainian refugees’](#), 10 March 2022

- Will people who come to the UK under the scheme be given temporary leave to remain under the immigration rules, or ‘leave outside the rules’?
- What other eligibilities and entitlements will they have whilst in the UK (e.g., to integration support; to access public funds; for student support funding; to sponsor other family members; to extend their immigration permission or switch into other immigration categories)?

Response from stakeholders

Refugee rights campaigners have given a qualified welcome to the proposals, but there is some concern that the scheme does not go far enough. Doubts expressed by some stakeholders include how quickly the proposed scheme will be established, how many people it will benefit, and whether it will be sufficiently resourced to meet the needs of people coming to the UK.¹⁵

Over 50 charities, NGOs and aid agencies signed a [joint letter](#) published in The Times on 24 February calling for a broad resettlement/humanitarian evacuation scheme to provide Ukrainians sanctuary in the UK.

What is Community Sponsorship?

Community sponsorship was launched in the UK in 2016 as a type of refugee resettlement scheme. Over 500 refugees have been sponsored by over 100 community groups since its launch.

The volunteer groups are coordinated and trained by Reset, a charity funded by the Home Office. The Reset website provides a brief overview of how the UK’s [existing community sponsorship scheme](#) works:

Individuals who may or may not already know each other form a group and work together to prepare for and welcome a refugee family to their local area. (...)

The group supports the family through their first year in the UK to live independent lives, learn English, and access schools, benefits, healthcare and employment and participate fully in the community. These groups receive training and support from Reset through every stage of their journey and are also supported by their Lead Sponsor, who takes legal responsibility for the project.

All groups must receive training from Reset to be approved by the Home Office to resettle a refugee family. As part of the formal application process to the Home Office, they must also assign a lead sponsor (usually a charity or Community Interest Company) to take legal responsibility for delivery of the Sponsor Agreement, raise £9,000 funds, prepare a resettlement plan including safeguarding policies, secure approval from their Local Authority, and find suitable housing for the family.

¹⁵ Refugee Council, [Government response to situation in Ukraine – Refugee Council response](#), 1 March 2022

4 Calls to abolish the visa requirement

4.1 The issues in brief

There have been widespread reports of practical difficulties encountered by people trying to apply for a UK visa in the run-up and aftermath of the invasion of Ukraine.¹⁶ These include confusion over the changing eligibility criteria; the lack of translated information; difficulties making online applications, uploading documents and providing supporting documents; limited access to visa application centres and limited availability of appointments; and additional fees incurred at application centres.

[As at 7 March](#), 17,700 applications had been initiated. 8,900 had been submitted, of which 640 applications were available to be processed. Of these, 300 visas had been issued.¹⁷

Some campaigners argue that Ukrainians' difficulties accessing UK visa routes illustrate that bespoke immigration routes are an inappropriate and inadequate response to refugee-producing situations.¹⁸ These echo broader criticisms that the policy objectives in the New Plan for Immigration and the Nationality and Borders Bill would unfairly penalise asylum seekers for not using 'safe and legal' routes of entry to the UK.¹⁹ A recent article on the immigration law and policy blog Free Movement comments:

We have seen with Afghanistan, and are seeing again with Ukraine, that it is simply not reasonable to expect people to wait in danger while new routes that they may not even be eligible for are decided on, set up and operationalised. It is understandable that these arrangements will take a certain amount of time, but it is irrational to expect people to risk their lives by waiting for what, at the point they need it, will be a completely speculative option.

(...). The difficulty and delay in operationalising these "bespoke" schemes is precisely why we have and need the Refugee Convention, as it acknowledges

¹⁶ The Guardian, '[Britain's Ukraine visa scheme is complex and unfair, say critics](#)', 5 March 2022; [HC Deb 8 March 2022 c197-217](#); The Independent, '[UK slammed for 'truly dreadful' treatment of Ukrainian refugees amid confusion over Home Office visa process](#)', 9 March 2022; BBC News, '[Ukraine war: Visas a shambles, Brits with Ukrainian family say](#)', 10 March 2022

¹⁷ Home Office, Transparency data, [Ukraine Family Scheme: application data](#), 7 March 2022

¹⁸ Refugee Council, '[Refugee sector comes together in support of people in Ukraine](#)', 9 March 2022; Free Movement, '[The Refugee Convention was designed for a crisis like the invasion of Ukraine](#)', 8 March 2022; [HC Deb 8 March 2022 c200-1](#)

¹⁹ Home Affairs Committee, [Oral evidence: Home Office policy on Ukrainian refugees](#), 9 March 2022, Q37

the reality that people cannot be expected to wait in dangerous situations, and it protects those who have fled to save their lives.²⁰

Some stakeholders concerned about the speed, scale and efficiency of the UK's response to people fleeing Ukraine have suggested that lifting the visa requirement for Ukrainian nationals would be the quickest and simplest way to resolve these problems and provide protection to a larger number of people. The Immigration Law Practitioners' Association (ILPA) describes lifting the visa requirement as "the single most effective step that the government can and should take to ensure the efficient evacuation and resettlement of refugees fleeing the invasion of Ukraine."²¹

A [public petition](#) on the Parliament website calling on the UK Government to "waive all visa requirements for Ukrainian passport holders arriving in the UK" has attracted over 160,000 signatures and will be debated on 14 March.

The Government's position

The Home Secretary and other Government Ministers have consistently rejected calls to add Ukrainians to the list of non-visa nationals, emphasising security concerns. Speaking on 28 February, Priti Patel said:

Security and biometric checks are a fundamental part of our visa approval process worldwide, and they will continue, as they did for the evacuation of people from Afghanistan. That is vital to keep British citizens safe and to ensure that we are helping those in genuine need, particularly as Russian troops are now infiltrating Ukraine and merging into Ukrainian forces. Intelligence reports also state the presence of extremist groups and organisations who threaten the region, but also our domestic homeland. We know all too well what Putin's Russia is willing to do, even on our soil, as we saw through the Salisbury attack and the nerve agents used on the streets of the UK. The approach we are taking is based on the strongest security advice.²²

Kevin Foster, Minister for Safe and Legal Migration, reiterated that position in response to an Urgent Question on 8 March, further commenting that "sadly, we are already seeing people presenting at Calais with false documents claiming to be Ukrainian".²³

Advocates argue that removing the visa requirement would not prevent security checks from being made. ILPA comments:

Biometric enrolment can occur at the border as it happens for non-visa nationals arriving as visitors. Border checks can identify persons of legitimate concern without forcing ordinary civilians to take risks under gunfire to lodge visa applications. Neither Ireland nor any other European Union country

²⁰ Free Movement, 'The reality of Priti Patel's "bespoke" humanitarian routes', 7 March 2022

²¹ ILPA, [Letter to the Secretary of State for the Home Department and Secretary of State for Levelling Up, Housing and Communities regarding Ukraine](#), 4 March 2022

²² [HC Deb 28 February 2022 c701](#)

²³ [HC Deb 8 March 2022 c197](#)

currently imposes visa requirements on those fleeing Ukraine based on ‘security concerns’²⁴

What are the UK’s visa requirements?

Ukraine is on the [UK’s list of visa national countries](#). This means that its citizens must apply for entry clearance (a ‘visa’) before seeking entry to the UK as a visitor or for a stay of less than six months.

As part of the visa application process, applicants must provide biometric information (digital photograph and fingerscans) and documentary evidence of their eligibility for the visa (discussed further below).

People from non-visa national countries do not need to apply for a visa before travelling to the UK as a visitor. Rather, immigration officers assess their eligibility for permission to enter the UK when they arrive at UK immigration controls. This process includes conducting biometric and security checks.

All nationalities (except Irish) must apply for a UK visa for stays longer than six months or for other purposes.

Biometrics, security checks and the application process

All visa applicants must [prove their identity](#) at an early stage in the visa application process. For most visa categories, this requires applicants to attend a Visa Application Centre (VAC), operated by third-party providers.

Online visa applications are not forwarded to UKVI to consider until after the applicant has paid the relevant application fee and attended a VAC to provide their biometric data (fingerprint and photograph).

The website of TLS Contact, the company that usually operates the VAC in Kyiv, provides a [general outline of the usual stages of the visa application process](#).

People applying in a couple of visa categories (e.g. Hong Kong BN(O) visa) can use a [UKVI smartphone app](#) to verify their identity, instead of attending a VAC.

4.2

Changes introduced to improve the process

Kevin Foster outlined on 8 March some measures being taken by the Home Office to increase the speed of processing visa applications:

²⁴ ILPA, [Letter to the Secretary of State for the Home Department and Secretary of State for Levelling Up, Housing and Communities regarding Ukraine](#), 4 March 2022

- “Surging” staff and biometric kit to key application centres across Europe (particularly Poland).
- Training UK-based casework teams to process applications (including diverting UKVI caseworkers from other business areas).
- Establishing a larger presence in northern France (specifically, a ‘pop-up’ visa application facility in Lille).
- Working with UK embassies “to ensure that we use our diplomatic channels to support our efforts and to provide the latest information.”²⁵

Mr Foster confirmed that the Home Office is also in the process of

- reviewing the requirement for children aged 5 and over to provide biometrics in support of a visa application and
- reviewing whether app-based identity verification technology used to support the Hong Kong BN(O) visa scheme could be adapted for Ukrainian applications.

The Home Office anticipates decision-making performance will improve in the coming days, as various changes it has made to processes and decision-making capacity take effect.²⁶

The Home Secretary announced a further change the following day, in response to a related Urgent Question. From 15 March, the process for applying for and collecting a Ukraine Family Scheme visa will be entirely online for Ukrainians with biometric passports. They will not need to attend a VAC to provide biometrics or collect their visa. Rather, their biometric information will be captured upon arrival in the UK.

The change is expected to free up capacity in VACs for applicants who do not have biometric passports.

Suggestions from stakeholders

[ILPA’s letter to the Government](#) (4 March) makes several further detailed suggestions for improvements to the visa eligibility requirements and processes for Ukrainians, and broader policy changes it would like to see.

A recent oral evidence session held by the Home Affairs Committee considered some of the issues related to visa requirements, security checks and stakeholders’ alternative suggestions: [Home Office policy on Ukrainian refugees](#), 9 March 2022.

²⁵ [HC Deb 8 March 2022 c197](#)

²⁶ [HC Deb 8 March 2022 c199](#)

4.3

What are other European countries doing?

Ukrainians with biometric passports have had visa-free access to European countries in the Schengen Area since June 2017.²⁷ They can enter and move between Schengen states for up to 90 days. Bulgaria, Romania and Croatia (countries in the process of joining the Schengen Area) apply the same policy.

Ireland (a non-Schengen country) [lifted](#) its visa requirement for Ukrainian nationals with effect from 25 February.

On 4 March, the EU Council formally adopted [a Decision](#) to implement the EU's Temporary Protection Directive with immediate effect. The Directive establishes minimum EU-wide standards for protection for people displaced by the military invasion of Ukraine. Briefly, these include rights of access to suitable accommodation, medical care, social welfare payments and to employment. Temporary protection would initially be granted for one year, but would continue for up to two years unless brought to an end sooner. It can be extended to a maximum of three years, subject to a decision by the European Council.

The Directive allows individual member states to provide more generous protection, and to a broader range of people. The European Council on Refugees and Exiles, a pan-European NGO network, has published an [overview of measures taken or announced by European countries](#) to provide access to their territories, asylum procedures and reception conditions for Ukrainian nationals in response to the invasion of Ukraine.

²⁷ European Commission, '[European Commission welcomes the Council adoption of visa liberalisation for the citizens of Ukraine](#)', 11 May 2017

5 Concessions for Ukrainians in the UK

5.1 Ukrainians with visitor, work, study or family visas

On 24 February the Home Office announced some [temporary concessions for Ukrainians in the UK](#) who have expiring visas and are unable to leave the UK.

The usual restrictions on extending visas whilst in the UK are being relaxed: Ukrainians already in the UK can apply to extend their visa or switch into a different visa category without being required to leave the UK. Some of the supporting document requirements are also being relaxed. Applicants are still required to meet the other eligibility criteria for the visa category they are applying for.

These arrangements apply to:

- **Visitors** – can apply to switch to a points-based or family visa category.
- **Skilled workers** – pre-existing immigration rules already allowed them to apply to extend their visa or for indefinite leave to remain (if applicable).
- **Students** – pre-existing immigration rules already allowed them to extend their student visa or switch to a Graduate visa (if applicable).

UKVI has published more detailed policy guidance about how the concessions apply to [Ukrainians applying in work and study routes](#) and [Ukrainians applying in family routes](#). These documents identify which visa categories the concessions apply to. They also summarise the scope for UKVI caseworkers to waive requirements to provide certain supporting document requirements if applicants provide a reasonable written explanation for why they cannot do so. Requirements to provide TB test certificates are also being temporarily waived due to the closure of TB test facilities in Kyiv.

Concessions have also been introduced for certain categories of temporary worker. UKVI will contact Ukrainians with expiring visas in the following categories to confirm that they are eligible to have their visas extended:

- **Seasonal workers** – will be able to stay until 31 December 2022. They will be required to continue working for the same sponsor in a Seasonal Worker job.
- **HGV drivers** – will be able to stay until 31 December 2022. They must continue working in the same occupation with the same sponsor.

- **Pork butchers** – will be able to stay until 31 December 2022. UKVI advises that they could also discuss with their employer if they would be eligible for a Skilled Worker visa (which would allow for a longer stay in the UK).

It is unclear how UKVI is handling cases where Ukrainians with expiring visas cannot meet the eligibility criteria to switch into a different immigration category.

Ukrainians in the UK can raise general immigration queries via UKVI's dedicated telephone helpline (see section 1.2).

5.2 Claiming asylum

People can only claim asylum after they have reached the UK.

UKVI withdrew its published country policy guidance and information for Ukrainian asylum claims on 24 February. Ukrainian constituents who have an outstanding asylum claim or are considering applying for asylum should seek professional legal advice from a UK immigration law specialist.

An article on the immigration law blog Free Movement considers some of the issues that may be relevant to Ukrainian asylum claims arising from the invasion of Ukraine: [Can Ukrainians take refuge in the UK? visas concessions and asylum policy](#), 2 March 2022.

6 How many Ukrainians live in the UK?

The exact number of Ukrainian people living in the UK is not known, but some data is available that provides an approximate picture.

6.1 Preliminary data from the 2021 Census for England and Wales

The 2021 Census was carried out on 21st March 2021 in England and Wales, and asked respondents about their country of birth. Full results from the Census in England and Wales haven't yet been published.

However, the Office for National Statistics (ONS) has released [preliminary 2021 Census data](#) on people born in Ukraine and neighbouring countries. The ONS has explained that it has done this “[to help local and national emergency response planning](#)”.²⁸

The figures that the ONS has published are not final census estimates – they are just counts of responses received. They haven't been adjusted to account for the fact that not everyone responds to the census, and they haven't been through the ONS' usual census quality assurance processes.

These preliminary figures identify approximately **37,530 people who were born in Ukraine** and were 'usual residents' in England and Wales in March 2021.

'Usual residents' are people who either had lived in England and Wales for 12 months or more at the time of the census, or who planned to do so.

The ONS published this data for individual local authorities. The data suggests that around half of Ukraine-born people in England and Wales live in London. Around 19,000 people, or 52% of the Ukraine-born population, were London residents.²⁹

These figures only tell us about people who were born in Ukraine. Not everyone born in Ukraine will be a Ukrainian national. The figures don't include people born outside Ukraine to Ukrainian parents.

²⁸ ONS, [Use of census 2021 preliminary counts in England and Wales to support and inform the response to the Russian invasion of Ukraine](#), 3 March 2022

²⁹ ONS, [Data release: CT21_0001](#), 3 March 2022

The preliminary 2021 Census data is explored in more detail in the Commons Library Insight [How many Ukrainians live in the UK?](#)

6.2 Estimates of the UK's Ukrainian population

Equivalent census data is not available for Scotland or Northern Ireland, but the ONS has previously estimated the size of the Ukrainian population across the UK as part of its [estimates of the UK's population by country of birth and nationality](#).³⁰

The data is based on the Annual Population Survey (APS), a representative survey sample of UK residents. Because the Ukrainian population in the UK is relatively small, the survey estimates are subject to quite a bit of uncertainty.

The ONS estimates that during the year to June 2021, there were on average around 35,000 people living in the UK who were born in Ukraine, with the true value likely to be between 25,000 and 45,000 people.

Given the uncertainty associated with this figure, it is broadly consistent with the preliminary 2021 Census figures for England and Wales discussed above.

The ONS also estimates that in the year to June 2021, there were around 18,000 Ukrainian nationals in the UK, with the true value likely to be between 11,000 and 25,000.

A limitation of the nationality data is that it only reports on one nationality per person – so dual nationals are only counted for one of their nationalities. This may explain why the figure for Ukrainian nationals is lower than the figure for people born in Ukraine. Additionally, not everyone born in Ukraine will have nationality there.

³⁰ ONS, [Population of the UK by country of birth and nationality: individual country data](#), July 2020 to June 2021 dataset, 25 November 2021

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