



## **Families reunited – spousal applications and Appendix FM, Covid 19 related issues to consider**

Reunite Families UK is the only support and campaign group that focuses solely on the impact of Spouse visa rules on families. We have an ever-growing membership and many case studies that highlight the brutal and cruel fallouts of these rules. These are honest, genuine and loving couples and families who, during this time of Covid, have now been plunged into even further uncertainty as they face an immigration system that is not giving them any clarity on where they stand within this. With so much at stake they want to ensure they are within the perimeters of their visas and that common sense concessions and a renewed look at the rules as they stand right now (and beyond) and put in place a plan that means they don't fall foul of the Home Office further down the line when we are out of this.

We have made direct contact with the Home Office regarding the points below in the hope that we could create a constructive dialogue with them and ensure our families are safe and secure in the UK. We have received an interim response but awaiting a detailed response from them.

### Spouses stranded overseas and unable to apply for a spousal visa

The closure of many visa application centres has prevented spouses from making visa applications, leaving parents separated, often creating single parent families just as schools are closed and the UK parent (often the mother) is working from home will caring for the children without support from grandparents etc.

1. Allowing non-visa national spouses to enter as a visitor for the foreseeable future and subsequently apply to switch to Appendix FM when in country applications are up and running. For those migrants who haven't yet entered could present evidence of their relationship to the Immigration Officer, for instance a marriage certificate and copy of their passport. I fully appreciate that this will be more difficult for unmarried partners but some allowance, especially for those with children, would be invaluable.
2. Allowing visa and non-visa nationals to make Appendix FM applications outside of their country of residence, where necessary. If, for instance, a US or Indian national were to travel to a country accepting applications (and if possible given travel bans). We realise that very few VACs are open at present (we believe just Senegal and Zimbabwe) but hope that others will begin to open as we move forward. Jakarta are offering a visa waiver scheme to deal with the issue of family visas. Is an expansion on this under the circumstances a consideration?
3. Ensuring that families who have finally received the spouse visa are not at risk of losing their entry clearance due to not getting to the UK within the specified time frame. I would like to ensure those visas are honoured with no issues.



### Economic issues

4. Some applicants will fail to meet the earnings requirements in Appendix FM as a consequence of Covid-19. Would you consider granting Appendix FM visa, switching and extension applications where a permission would have been granted, but for circumstances relating to Covid-19 and out of the applicant's control?
5. Similarly, the impact of Covid-19 on jobs means that some applicants will find it harder pay for the visa application and IHS for their families. There are also British citizens who had leave the UK due to MIR restrictions have now been blocked even further from entering the UK as borders are closed and work opportunities have been severely restricted. Again, would you be willing to waive all or part of these fees? I appreciate the challenges here, but it would be wrong of me not to raise the issue.
6. Families are being plunged into poverty and the No Recourse to Public Funds is causing more hardship. Could this be lifted this for this period of time without changing the route to ILR from 5 years to 10 years? I realise this may be more for DWP but wanted to raise it.

### Inability to access crucial visa services

7. Families are now unable to access language and medical test centres. Where appropriate can these families show other means of language proficiency or lifting of this requirement for this period with a later date for the test to be taken. Medical tests in the current climate is a tricky one. I am not sure what to suggest on medical tests as I can see they will be more important than ever but anything to make things easier would be great.

### **Operational considerations yet to be clarified:**

- A) Will they bring in a temporary change until end of year regarding financials eg same as maternity where 6 months wage slips up to furlough or sick leave kicks in?
- B) Will there be an exemption for those who can't provide English test before online submission due to centres being closed
- C) Banks aren't stamping them in branch/ bank statements due to limited staff and working at home - can you use online pdf statements?
- D) Tb Test centres are closed abroad so can people be tested at airports on arrival?
- E) Are documents still ok to be submitted up to online application eg submission April 10 but no appointment until May 30 if furloughed or ssp



F) What happens if due to company closing you cannot obtain an employer's letter as HR are closed

G) What happens to fiancés here on visit visa that haven't cohabited before their visit and decide to switch to fiancé visa or FLR M but cannot Marry before they submit online due to not being able to marry before online submission as registry office booking keeps getting cancelled?

H) Can people who have been furloughed or hours reduced etc have employers write on letter that they are in this situation due to Covid 19 and that be accepted

F) If a visa is granted and travel vignette expires due to no flights available or cannot collect passport us to centre closures will applicants be able to get a new travel vignette free and not pay the £200 for a new one?



### Case studies relating to NHS/Care workers:

**Tier 2 visa workers have been given consideration during this time but what happens for those on family visas and what happens - god forbid - to their families if the worst happens?**

**Case study 1** - For the last 10 years, I have been involved as a key worker in the capacity of **support worker/ HCA** and more recently as a healthcare recruitment consultant providing urgent front-line staff to NHS trusts and to care homes. Every day I brave the threat of the virus and take public transportation to the heart of London where my office is based. Why don't I work from home? Many of the front-line NHS and HCAs and Nurses often need one to one support, whether that is help submitting their timesheets, new uniforms and some just want a face to face chat. Some often reliving the horrors they have witnessed first-hand in service. The further lockdown is causing my company to decide whether or not members of our office will be furloughed. The threat of furlough is particularly distressing for us as we have to have made a minimum of £1,550 per month to satisfy the financial requirement.

My wife (foreign spouse) arrived in the country almost 2 and a half years ago and immediately applied for work as an HCA, a job she greatly enjoys. My wife is working in a care home which has sadly suffered many COVID-19 infections. She risks her life 4-5 days a week to work on the front line and provide care for one of the most vulnerable groups in our society.

We have a very young child so we are both mindful that our jobs require us to go out every day, not knowing whether or not we will pass the virus on to each other or our child. This situation is further exacerbated by us booking her English test and the test being rescheduled and eventually canceled. We hope to apply for her FLR visa in the coming week and this English test uncertainty is putting undue stress on an already stressful life.

**Case Study 1A:** I work for the NHS in childrens complex mental health. So I regularly deal with children involved in serious crime and terrorism. I have a pending Visa submitted for my husband to join me from Morocco. We are expecting our first baby together and this should be a happy time. However, the Corona virus crisis has put the application on hold. That in itself is stressful enough. However the lack of correspondence from either the home office or tIs has made the situation completely unbearable and rendered me useless at work. I have repeatedly emailed the home office. Most of the time they do not respond. The one time they did, it was a completely irrelevant copy and paste from the website. TIs are either rude or they simply refer to the ukvi website. I understand that these times are unprecedented, however guidance was decided that the 60 day limit for biometrics was extended but no-one could reply to a single email to advise of this. Just a simple email to advise of this, after spending the large amount on a visa, would have put a pregnant ladies mind at ease. Instead I have had 4 weeks of tears and uncertainty.



**Case Study 1C:** I am a care worker in a care home a private one. I have been off work nearly 1 month now, the first 7 days I was self isolating as it was made known to me that I had been around a colleague who had been ill and tested but her results took nearly 1 week to come back positive, after 5 days of self isolating I got sick. And I've been suffering at home since. I'm starting to recover but because of the laws I cannot get 80% my wages for putting myself in harms way to still provide a key service. Which is very difficult for me to deal with emotionally, mentally as well as financially. I am only entitled to ssp which is less than 1/4 of my normal wage. I am confused about the universal credit whether I'm entitled to apply or not so I'm managing on food donations and my working tax credits. Which is very difficult. I am working to sponsor my partner to join me here on fiancée visa but now with having this time off will affect my income and therefore impact on the ability to meet requirements and apply. Also the high visa fees we're struggling with saving to even apply as I am a working single mum and have a family where I live due to relocating because of domestic violence. So I am hoping the government make a new rule that allows some flexibility in the requirements for those of us whom. Have been affected by the corona virus, which is not our faults why we are self isolated and sick.

**Case study 2:** I wanted to tell you about the vital role my husband is giving as a key worker. He is a repair technician and his role involves repairing tools used for ambulance maintenance etc. He puts his health and that of his family's at risk every day. Although my husband is a non eu on a spouse visa, he is helping this country as it is now his country and is so proud to do so.

**Case study 3:** My wife is in South Africa we have applied before for spouse visa and it was refused for silly reasons after submitting all financial evidence. We were hoping to submit another fresh one in May or June but now it looks like we have been blocked and we stressed can't think of the way forward.

It is not human to block married family members not to be together, we have been married for 5 years now living apart, my wife last year suffered stroke and seizures due to stress and she suffered all the pain alone, I have worked and still work in the UK paying my tax, I really deserve to be treated like a human being and family man, not like someone who is depending on hand outs. It does frustrate to live apart and away from your family, wife and child and Home Affairs telling me on their previous refusal that I can keep going to South Africa to see my wife as I have been doing as such, that was very harsh and proves inhuman against human rights act. If you require evidence, I am very happy to provide an requires information to support this. All I want is to be with my wife and daughter, though my wife is not the real mother of my daughter, but they love each other so very much. We are a family please do not break us, I'm working right now supporting elderly people as a KEY WORKER during his pandemic period. We are doing our best.

**Case Study 4:** On spouse visa, Self Employed Builder, has not lost job but no work right now. Unable to get help from the Self Employment scheme as unclear if this is a public funds, and NRPF applies to this person. NRPF can be lifted but do not want to substitute 5 year route to 10 year route. British wife is currently earning but job is in danger.



**Case Study 5:** I am a British citizen, and a second year Nursing MSc student. My husband is from Syria, and he is here on the Spouse visa. We are due to renew this around November 2020. My student loan (£12,000 a year) is not countable towards the MIR. My husband has over 7 years experience in the NGO field, including working as a Social Worker, and is fluent in 4 languages. He has been working since he arrived in the UK, doing a mixture of precarious jobs including a market trader, and a support worker for children with special needs. In February of this year he began to try to find something permanent that would meet the Home Office requirements. He has been rejected from 3 jobs that he interviewed for, for which he was extremely qualified and experienced to do, and performed extremely well at the interview. I can only presume that these jobs are experiencing a surplus of applications due to mass unemployment.

We are both extremely worried about how we are going to fulfill the MIR for his next visa application. We are faced with the reality that I may have to put my nurse training on hold and try to find a job, as there are fewer and fewer jobs everyday that he is eligible to apply for. We have until July, at the absolute latest, to find a solution for this situation. If neither of us is receiving a paycheck by that time, it will be too late to meet the 6 months MIR. We are extremely concerned. We are unable to go anywhere but the UK, as obviously my husband cannot return to Syria, and we will not have right of residence elsewhere. We cannot afford to be put on the 10 year route to citizenship - the Syrian passport costs £800 to renew every 2 years, and with the added costs of 2+ more visa applications, it would mean financial ruin for us.

Since leaving Syria in 2011 due to the war there, my husband has managed to avoid making an asylum application and has maintained his legal status without seeking (or receiving) state assistance from the 3 countries he has lived in (Turkey, Germany and UK). We are now facing the prospect that we may have to give up on this Spouse visa route, and he may be forced to make an asylum claim.

**Case Study 5A:** Me and my husband have waited 3 years to be in a position to apply for a spouse visa, our baby was born 3 months early in January 2018 and so I was unable to work due to her health, she spent 2 months in intensive care and then required around the clock care by myself.

In September 2019 my husband left his job of 10 years to come to the UK on a visit visa and take care of our daughter so I could work, it was incredibly difficult for all 3 of us to adapt to this but we did it to be together. My husband returned to Peru in February this year and we were due to apply for the spouse visa the 2nd April as we have all of the financial papers ready.

The visa centres are closed in Peru and so we unable to apply. I am a key worker but I'm unable to work currently as I am having an asthma flare up. I've been in isolation with my daughter for 5 weeks, unable to go to the shops or anywhere. Peru is not an option for us as the healthcare system can not meet her needs, she is still under 3 consultants at the hospital.



**Case study** - I am the spouse of a British subject, my spouse visa expires soon and am a careworker. My visa expires in August but still my six month wage wont be met as my salary alone doesn't meet requirement as my husband is furloughed

**Some brief details from families in our group who are key workers:**

**Case study 6:** (The British Spouse) I am a key worker and if my husband wasn't here I'd ne jobless. The only reason I can work and not claim benefits is because he is here. Without him I'd be a drain on the system

**Case Study 7:** I work in a home for people with learning difficulties and my wife is here on a spouse visa and a volunteer on a farm for people with learning difficulties. What happens to us if one of us falls sick or worse?

**Case study 8:** My wife is a care worker and on the front line. Other care homes near have the covid, we are just waiting for this to happen in her care home. Only received PPE yesterday. I'm also a key worker but not as bad as what she does and much lower pay.

**Case Study 9:** I'm a key worker and wouldn't be able to be without my husband, the Visa holder to look after our 3 kids.

**Case study 10:** my husband is Tanzanian and here on a spouse visa, he's an NHS A&E emergency care assistant in Berkshire

**Case Study 11:** My husband is a key worker he works in supermarket and going to work 5 days a week

**Case Study 12:** My hubby is a care assistant (is that technically a key worker) and I'm a full time mum, if he wasn't here I would be a single parent on benefits, due to health conditions

**Case Study 13:** I am a senior carer.. My daughter is laundry assistant.. Both in residential care home with mental health issues.. From Philippines PH

**Case study 14:** I am a senior carer in a residential care home... from Mauritius MU

**Case study 15:** My wife after 4 years off work due to TB infection in her left hip is returning to frontline after successful TB treatment and hip and pelvis replacement last year. She will be working as Clinical Health care assistant at West Middlesex Hospital



**Case study 16:** Both my wife (British) & i (Morroccan) are key workers. My wife works for local government & i work in a food distrubtion centre working with on average 110 other people every day.

**Case Study 17:** People with conditions that can work 20 hours term time can they work whatever now due to covid 19 😞 specifically health care workers.

**Case Study 18:** I am classed as a key worker (registered childminder) but I have had to close my business as I don't have any key worker children on my books. Does this apply to me? ( I have earnt the income threshold April 2019-April 2020) but now I've had to claim universal credits until I can re-open. Don't want the UC claim to go against my husband's 1st spouse visa application

**Case study 19:** my hubby is here on a spouse visa, FLR (fp) we won at court on ECHR article 8 ruling 'right to family life' , he works as a care assistant in residential homes looking after older ladies and gents.

**Case study 20:** I'm the foreign spouse. I'm a social care worker and next month I'll start working at NHS. I'm just scared what will happen in the future although my visa will expire in January I'm already worried about it.

**Case Study 21:** I work for the NHS my shifts have been changed to 12 hours. 3 days on 3 days off. My husband came here on a fiancé visa and we got married just before lockdown. My main concern with visas not being processed is for his mental health. We knew he would not be able to work for 6 months but now that he may not be able to work for 9 months (depending on visa processing times) and cannot leave the house to see anyone or even volunteer I am worried that he is having more days where he is "low". Even if the government would allow people on short term visas to volunteer and give something back then that would be helpful. All he wants to do is help

**Case study 22:** I work in ITU currently looking after Covid patients. My husband works in a take away and has been working 7 days a week since lock down as demand has increased and due to sickness. We are due to apply for our ILR beginning of June . His life in the UK exam has been cancelled twice thus far . Next one is 26th May but even that is looking doubtful. We could apply slightly later as his BRP doesn't expire till August, but obviously we were hoping to apply on the first date possible.

Our concern is if his life in the UK is pushed further back he well have to pass first time or it may be after online submission, would that mean a refusal or would we have to apply for FLRm again at considerable extra cost and wait a further two and a half years to apply for ILR.





When you phone the help line they say keep emails of cancelled appointments and it may be possible to take the risk test after online submission but this is not at all clear and I have seen nothing in writing. We don't want to apply for ILR with the chance of being refused and lose thousands of pounds. If we reapply for FLRm that will cost us thousands of pounds extra and push application for ILR back another two and a half years.

We are both working throughout this pandemic putting our own lives at risk and wondering if at the end of it we will get a refusal

#### **Case studies related to NRPF:**

**If the NRPF is lifted, the applicant and family are taken off their 5 year route and put onto a 10 year route. During this time when families are in need of support they should not be penalised this heavily. The extra cost for those 5 years is extremely high and not fair on those families already dealing with financial difficulties**

**Case study 1:** My partner is self-employed and due to the outbreak of Covid-19, his upcoming job has been cancelled. I imagine he probably won't have any work for the next couple of months until everything is back to normal. He has applied for universal credit, but we're waiting for their decision whether he'll get it or not in early May. The problem is my partner can no longer prove ongoing incomes due to the current situation, which is a requirement too for visa applications. A lot of people were talking about not able to meet the MIR, but I think this is another big issue to many people, especially to those who are self-employed. I hope HO can consider temporarily scrapping not only the MIR for people who are affected, but also the proof of ongoing incomes

**Case study 2:** I'm writing on behalf of my husband who is a carpenter and has been trying to setup his business in the UK, on his spouse visa. He's self-employed and subject to covid19 restrictions has lost all of his work. It looks as if he won't be eligible for any support being self-employed as his business was only registered in January 2019, so only has a partial year's tax filings so far. We are incredibly lucky that my wage is enough for us to live on for now, but I know many who are not in this position and rely on both incomes to be able to survive. The support offered negatively impacts a disproportionate number of people on spouse visas and does not take account for those who may have not been in the country long but are positively contributing to the economy with skills and tax.

**Case Study 3** - British husband has lost his job due to School Closures. What happens to us now?



**Case Study 4:** Both my husband and I are self-employed and can't work. What happens to us?

**Case Study 5 (repeated from keyworker as relevant here too):** I work in a home for people with learning difficulties and my wife is here on a spouse visa and a volunteer on a farm for people with learning difficulties. What happens to us if one of us falls sick or worse?

**Case Study 6:** My husband is here on FLR. He is self employed as a builder and hasnt been able to work due to Covid 19 situation for the last month. Social distancing and not being able to buy materials has had a massive impact. I have lost my job also and we have claimed Universal Credit. We have just been told that my husband is not entitled to anything as not allowed public funds. I am sure this will be the same when it comes to self employed grants. He has paid tax and insurance since he came here 3 years ago, how is this fair?Not sure how we will cope financially in this situation we are all facing.

### **Other aspects of covid and family migration**

**Families that would have met the MIR however are now being affected by covid-19 and employment. Whether they are applying for first application or an extension or ILR, this is causing immense worry for them due to lack of clarity**

**Case study** - Just to give a clear idea on my situation, I'll give a short summary: I am British and my husband is Iranian, living in Iran. It's a very stressful time as the virus and strain on the healthcare system is very bad in Iran presently, and the sanctions are still in place making things very difficult in a variety of ways, including providing any financial support for my family there.

I'm unable to travel to Iran due to the UK government advice advising against all travel to Iran as a dual national (as I am married to an Iranian, I am considered a British-Iranian dual national). My husband would also be unable to get a tourist visa to the UK due to the strict nature against certain countries. Because of this, until we are able to get the spouse visa, we have to spend lots of money to meet mutually in a different country.

Covid-19 impact: I'm currently furloughed, but being paid all of my base salary (£18,000). As I am not getting overtime pay anymore, I am earning under the minimum income requirement threshold, so would no longer be able to apply until early-mid next year potentially.

He has been attempting to get the IELTS Life Skills b1 test for the visa, but these are continuously cancelled and/or pushed forward now due to covid-19.



I have been having issues with my private landlord, and would not be able to attain a letter from my landlord allowing my husband to live in my flat, so I need to find and move somewhere more suitable for my situation, but due to covid-19 and having family members which are vulnerable, I am in lockdown and unable to view flats.

The loss of pay from having no overtime pay means that I am not able to save as much money as intended, which will make paying the spousal visa and expenses much more difficult. In my situation, there are extra expenses as the appointment centre in Iran, where applicants can take their biometric appointment, is too busy according to the government website and he will be required to travel to another country, such as Turkey, in order to attend the appointment. Due to the economic situation in Iran, I will need to give my husband money for all these additional expenses (flights, hotels, etc.) upon his arrival to the other country, which adds further economic strain.

**Case Study** - My husband is furloughed his spouse visa runs out end of August. We now don't have funds to pay for visa so are very worried

**Case study** - As many others, I am worried my fourth time extension would be affected. My son, and me on 10 years route. We are due to apply by the end of this 2020. My husband lost his job, my son still full time education ( 21YO). We have invested to start our own business ( self employed based) as street food , and as you can see , the season is badly affected! I am worried we will not have the application fees by the time! My husband applied for Universal credits, we are behind the rent.

**Case study** - Husband due to apply for ilr between January 2021- March 2021 latest. We have both been furloughed. We are worried this will leave us not meeting income requirements as we both work part time so our furlough wage will not be much.

**Case Study** - My fiancé and I had planned to apply for spouse visa this July, however I have from the 1st April been furloughed and my now 80% salary no longer meets the financial requirements. My concern is whether or not the HO will put something in place so that myself and others in the same position will still be able to successfully apply. As soon as I return to work my normal salary £1885 per month will resume. I'm so anxious that we will have to start the 6 months all over again.



**Case Study** - I am writing to you in great concern that COVID-19 may have an effect on my wife's visa application. Being a married man of 8 years with 4 beautiful boys with which are still in Zambia whilst I am here in the UK. This is not easy busy at the best of times never mind throughout this outbreak. I am currently furloughed from the company I work for but my family and I are worried that this outbreak might come out the worst for us. Paying for two households and the upkeep of all of us everyday a struggle. If and when my wife's visa gets accepted and comes to the UK there would be no need for benefit claim, only what's entitled for the children, or anything as my wife is a fully qualified Social Care Worker. Working in hospitality especially in this current condition has a lot of risk as business never can be foreseen. I am working on the management side of things however this does not make me invincible. With your help I hope that the Home Office can somehow sort all this out and make a brighter better future for all of us.

**Case Study**- We were set to apply in May and now have no idea what will happen

**Case Study**- We are meant to be applying first time application in May, but whether we apply in May or later, I may not meet the MIR due to reduced pay because of COVID-19

**Case study**: the HO used the wrong income to decide our case but this is not Covid19 related. However, Covid19 has reduced my income below the MIR but should not affect the appeal as income should be taken at the date of application.

**Case Study** – At the moment we're in unknown cause major issue is no English test, no idea of how things will be come Jan when FLR due so a while yet but still can't prepare.

**Case Study** - ready to apply under Exceptional Circumstances but of course the sponsor's earnings will be reduced now, due to Covid 19. Will the 12-month bank statements still be valid or will they have to wait for another whole year after things are back to normal.

**Case Study**- our savings are not in GBP, instead they are in PKR. The economic crisis is affecting the GBP/PKR exchange rate and our savings might go below the required level.

**Case Study**- Lost income will affect MIR for first spouse application planned for September. Also, abroad, so exchange rate issues.

**Case Study** - due to lost income might have to delay. Was hoping to apply in June.



**Case Study** - We would of easily met the requirements for extending our visa in November as my hubby was just starting full time (as I'm now on rubbish maternity allowance) but due to covid now he is out of work and don't know if we will get the 6month full time pay slips :(

**Case Study** - we are applying for the spouse visa next week with no certainty that ill have a job once they finally get around to processing our application

**Case Study** - I met the requirements and would have had last payslip on 7th August (paid 4 weekly) I don't know if that is going to be the case anymore as obviously it's a day to day thing. I work is social care (office based) so am still working at the moment but who knows how long for or if on reduced hours compared to the 48 hours I was doing xxx

**Case Study** - My son and his wife and daughter were about to apply for spousal and still want to by choosing earliest biometric date that appears (with possibility of postponing if lockdown continues) His wife passed the IELTS test, but the certificate never got sent out before lockdown in SA! They have almost been apart 2 yes with a 5 year old daughter. No idea how much more this is going to delay their reunion as once lockdown lifts everyone will be trying to apply and also get flights and she'll still be waiting for that certificate

**Case Study** - I was in my 5th month of working when I was laid off due to the decline in business caused by the virus outbreak. My husband is here in a visitors visa which expires in 2 months time. 80% of my monthly income isn't enough to meet the minimum income required, nor have I been able to work for the minimum 6 months required. Our goeie is up in the air now. We don't know if they will extend my husband's visitors visa or if we will still be able to apply for his spousal visa. I have a letter stating that I will resume work once this is all over.

**Case Study**- Wife's application is not due until August, but at the moment she cannot go to English lessons study and take the life in the UK test. I will not be able to get my wage slips verified as work requires me to work offsite as well as most of HR. I pass the MIR with space to spare

**Case Study** - Self-employed and can't work. Don't want to sign on for any government schemes as worried it may affect future renewal

**Case Study:** We don't meet the MIR and couldn't do so any time soon (I have a 7 months baby and now 5 year old out of school). So we have applied for a fee waiver, but who knows when we will hear back now in these precarious times because of Covid 19.



**Case Study** - My husband is on FLR (m) and we're both self employed. He earns and works more than I do but at the moment both of our income streams have been halted. I've got three main concerns with regards to the visa over the next 12 months. Firstly, is he entitled to the package that the government have promised all self employed people will receive in June? Secondly, are we expected to meet the MIR for the tax year 2019/20 and how do we demonstrate that there were extenuating circumstances if we can't? Thirdly, what happens if our sector (arts and entertainment) doesn't bounce back and we don't meet the MIR in time for the second part of the visa?

**Case study** - At the end of May me and my wife are due to apply for her spouse visa she will be coming from Mexico. However May would be the 6th pay slip I need but I've now been furloughed and hoping this won't affect my application.

**Case study** - My husband is due to apply for ILR in September, due to Coronavirus he has been furloughed and will only be receiving approx. £800 per month. I myself am self-employed and have had to claim Universal Credit, we therefore will not meet the income requirement, or even come close to it in the 6 months prior to our application. This is extremely worrying when we have come so far and exceeded the income requirement before this pandemic occurred. So far there has been absolutely no response or reassurance from the Home Office with regards to cases like ours and we remain fearing for the future of our family unit.

**Case study** - We are due to apply for flr in November. We are on 10 year route due to exceptional circumstances and we were really hoping to swap to 5 year route but does not look likely now. I have been on maternity leave since October and only get maternity allowance. My husband was part time to help me because I was very sick and we also have a 4 year old. He was offered full time commencing 24th March which we could of met the financial requirements on his wage alone but now due to covid 19 he had been made furlough and it goes based on last 3 month's payslips in which he was only part time :( I have asthma and my daughter is in the middle of being assessed for it and with also having a 14week old we are crippled with anxiety about this situation and now with the added stress of if we will be able to have my husband remain here with us if his visa gets turned down :( Sorry for the long email. Wanted to get my story to you. Hope your well and keep8ng safe.



## **Fiancé Visa**

**Case study** - My partner and I are in a ridiculous COVID-19 induced immigration dilemma. My partner was granted a fiancé visa for our wedding on the 9th of April and expires at the end of June. As you are aware the government banned all weddings and thus, we cannot apply for FLR(M) because it is impossible to get married. Therefore, the government has enacted law that actively prevents those with Fiancé visas from meeting the requirements of the route they were offered on approval and to date the Home Office has done nothing to offer any concessions, reassurance or extensions. Absolute deafening silence from the Home Office.

Not only are we having to deal with our wedding being cancelled by the government now we have to live in fear that COVID-19 will totally derail our future as a couple due to the Home Offices inaction. Additionally, my partner faces an indefinite prohibition on working until FLR is obtained. It is outrageously unfair that the Home Office should grant entry to Fiancé's to get married and settle in the UK and block the extensions to the visa because a global pandemic has resulted in a blanket ban on weddings. It is almost one entire month since weddings were banned and shockingly absolutely nothing has been done to ensure that fiancés right to family life is protected.

The government urgently needs to ensure that Fiancé's are treated fairly. They should consider one of the following 1) extend all visas by statutory instrument to ensure no migrants are disadvantaged by coronavirus 2) extend all fiancés visas by the time weddings are cancelled 3) allow fiancés to temporarily move to the unmarried partner route to FLR without 2 year cohabitation 4) Allow FLR without marriage for the first FLR application

**Case Study** - Intended to marry June 18th on a fiancé visa which runs out 14th July (weddings now been cancelled due to covid) so we would have been changing onto a spouse visa straight after wedding which I think I now fall just short of the MIR.

**Case Study** - I'm currently facing problem with my for(m) application because i originally plan my wedding and book everything perfectly well before corona situation and plan to switch from tier 4 to flrm from within uk but due to current lockdown extension my ceremony has been cancelled and without allowing me to rebook until the lockdown is lifted make me super worry that it may gone over my visa expiring date and im very very stuck because at the same time i cannot return to my home country as well because of flight suspension and currently my home country doesnt allow any flight in at the moment which really leave me no choice.. i recently try to get in touch with registry office in regarding to my visa regulation and they said that they will try to follow the request and let me have my ceremony at the necessary timescale but the problem is im worry that it will be fully book by the time they reopen again after lockdown and i feel like its not fair for me because this problem is not foreseen. please help .. because this registry office only provide the statutory ceremony only twice a week as well and only from 10am to 11 am only theres a very limited timeslot per day hence why im extremely worried it may be fully book fast before i can get the chance. what should i do for this case please? Also currently biometric center are close im worry that if i submit my flrm application first on 31st may and submit the marriage certificate later after getting marry but before the biometric appointment im worry



that if it has to go over 60 days period im worry of getting my application canceled or lead to over stay.. im feeling very stuck and not sure what to do please help m

### **Vignettes/Out of and in country time Constraints/Testing centres**

**Case Study** - My husband is non-EU and is applying for Indefinite Leave to Remain. His visa expires at the beginning of July. He recently visited the Life in the UK website to book the required test and found that all the test centres in Scotland were booked up until early July. This is very bad. Fortunately, he was able to book a test in Newcastle for late May, but there may still be lockdown and/or travel restrictions surrounding coronavirus at that time. I guess that his travel counts as essential, but anyway, I find it very worrying that people in Scotland are unable to book tests there for nearly three months. Do you know how to raise concerns about this? I have seen no advice regarding what to do if my husband fails the test and is unable to book another test in time for the visa deadline. The test centres have been closed for some time due to coronavirus disruption and this will have had knock-on effects re. delayed and cancelled bookings. Scotland is already poorly served as regards test centres (only three) and there must be immigrants living in the Highlands who will now have to travel huge distances simply to sit a test.

**Case Study** - My husband submitted his application on April 10th. We have 60 days to book the bio before they automatically cancel the application. The vac is closed in his country and we cant find out if they will extend this 60 day deadline, there are rumors but no confirmation from the home office as yet. There are so many trying to book the bio and have no idea when we can. I have been working 7 months and meet the MIR but my job is not guaranteed from 1st July when the gov work retention scheme is set to end. I want to know if the 60 day deadline to book the bio will be extended. And what happens if I lose my job before they have made a decision on Ismaels visa. I haven't stopped crying for days out of frustration

**Case Study** - My husband's visa was granted at the end of February but with a start date on th Vignette of 24th April. I had put date of travel as 1st of May as this was 12 weeks from applying but it was processed really quickly(less than 4 weeks ). Now we have the problem of COVID 19 and all international flights being stopped from Turkey. We have had 2 different flights cancelled and I dont know when or how he will be able to travel here. I have emailed twice to the home office and still awaiting a response. I know u can apply for a new Vignette but it costs £167 and with all the vac centres closed I dont know how this will be going forward. Hopefully when the travel ban is lifted they could allow him to travel without having to renew his Vignette.

**Case study** - My wifes uk spousal visa was granted a month ago but due to travel bans she was not allowed to leave south africa. The 30 day vignette in her passport has now expired as we could not attend biometrics due to vac closure. My wife has our 2 children, 5yo and 7month old and theyre currently staying with friends as everything else has been sold. Is there any info on what happens to vignette dates after they expire?





What happens to my wife's BRP card if not collected? Could I not collect it for her and post it to her so she can enter the UK when the travel bans are lifted? Also, once a visa is granted apparently you can leave the UK for 90 days a year? What happens if the lockdown lasts 3-6 months?

**Case Study:** My partner has his biometric appointment on Thursday 23rd April, we have not received any email to say the appointment won't be going ahead, no email to say we can rearrange... nothing. I had to put a complaints form in just to get an answer to see if they were open. This is the TLS centre in Tunisia. We have paid the £3000 in fees and have the last hurdle now before decision this is a worrying time, don't know how long we will have to wait when they reopen the centres?

**Case Study** – Visa granted for Turkish husband, but unable to fly due to travel ban.

**Case Study** - My husband had his spouse visa approved for a start date of the 17/03 however they spelt his name wrong on his visa so have to redo it. Before they sent the visa and passport with the correct details the office closed due to the virus and won't be opening again until the 13/04. Which only gives us a few days for them to redo the visa, send it out and book a flight. I'm hoping when they redo it they will also just change the date but we shall see

**Case Study** - spousal visa was granted 16/03 and I've been unable to leave South Africa. My vignette expires 16/04. What happens after it expires? I can't apply for an extension because the vac is closed, will it be automatically extended? What happens to my BRP card if I cannot collect it in time? Could we not get someone to collect our BRP cards, send to us so we can enter the country even if vignette expired? (Just a suggestion)

**Case Study** - wife has been granted a visa on appeal. Her passport is in the VFS Tehran Office waiting for the Vignette stamp. VFS Tehran are not responding to our attempts at communication to find out the status of the passport. MP supports us as there are 2 British children involved that have the right to return to the UK. MP has contacted HO and been told that we must contact VFS directly.

**Case Study** - My issue is being out of the UK over my "allowed" 180 days which might happen if lockdown continues. I was due to go back to UK from SA but my mother who I was visiting in hospital took a turn for the worst and I changed to a mid-May flight from CPT to UK but now looks like my mother will be in hospital for a couple of months and flights no one knows and my days 'run out' and if I leave and something happens I can't come back for another 12 months?!

**Case Study** - Flights and visas. I am in lockdown in South Africa, my home country with a flight that has been cancelled by Emirates and the airline is only apparently only likely to resume travel in July! I would have been out of the country well over 180 days on my leave to remain if this is the case. Is it enough to collect emails sent to me but only addressed as dear customer to prove reasons for being out of the UK so long or do I need to be emailing the Home Office and if so where and say what exactly.



**Case Study** - My situation is that my fiance is in Guinea and must travel to Sierra Leone to carry out the IELTS, TB and Bio appointments. Firstly, he took the IELTS test in February and due to Coronavirus has not been able to make a journey you collect the result. They told him they will not send results, someone will need to collect the results (in usual times) but now things are even harder. Neither the Sierra Leone office for the British Council, nor the UK office will reply to any of my emails that I have sent, requesting that they sent the results certificate to him in Guinea, me in the UK or either of us via email. I am worried now about whether we will ever get hold of this certificate.

Secondly, the TB test and bio would need to be done in Sierra Leone as there is again no facility to do this in his own country, Guinea. But he can't travel so cannot do either of these.

Thirdly, I had a deadline because my employment contract ends August and if I end up unable to secure employment for a period of time, this will delay the application even further.

**Case study** - We are due to apply for my husband's ILR in November. To apply for this the applicant has to have a valid passport. My husband is Syrian and he cannot go to Syria to get a new passport so he has to renew at his nearest embassy. There is no Syrian embassy in the UK since it closed soon after the civil war started. We have to go to Paris, France, to the embassy there to renew it. He only gets 2 years at a time as they have to delay military service so we have to go every 18-20 months to renew as France will not let him travel unless he has 3 months left on the passport. We were due to go in June and for that we have to apply for a Schengen visa for him at the TLS centre for France in advance. We had an appointment in middle of March which we went to and were turned away at the door. All appointments cancelled and French border closed. We are now left in limbo as after June he will have less than 3 months on his passport and will not be able to travel even if the centre reopens. So we have 2 months for the centre to reopen, get a Schengen and visit the embassy. Pretty unrealistic! This will leave my husband without a valid passport to apply with so we are predicting refusal and are so worried. We also need to sit the life in UK test but are worried the test centres won't reopen again before November! We are so close to being together permanently without worry and now we are so worried!

**Case study** - I am writing in regards to the recent difficulties I am having in applying for my wife's FLR. Over the past 4 weeks we have tried to book the English test which is required for her visa, and twice it has been cancelled. Twice I have emailed the Home Office and received a generic response saying to just keep an eye on the gov.uk website for updates. Twice I have rang the Home Office and been told they do not have information for me and to just email the Home Office and await their reply. Due to the COVID 19 we cannot get the full documents required in the list either as many companies are closed and work is closed.

**Case study** - We planned to apply initial spouse first week of June 2020, my husband's IELTS keeps getting postponed and we may not be able to apply when we originally wanted to until he can take IELTS. Is IELTS going to be waived? Or the Indicator exam accepted? My husband currently holds a valid visit visa until 15th June - which he unfortunately cannot use at the moment, although there is no restriction on him entering the UK, Turkey will not let him exit to be with his family. Another concern for us is majorly when we will be reunited, we hope we can apply for his initial spouse near the time we planned so he can travel to the UK asap.