

"OUR VETERANS DESERVE BETTER"

Fees for Commonwealth members of our Armed Forces to stay in the UK are devastatingly high. The Legion is campaigning for change

For most of us, an emergency operation to remove a brain tumour would be stressful enough on its own. But for Taitusi Ratucaucau (pictured below and opposite), being rushed into surgery in April this year was only the start of months of worry and uncertainty. Taitusi, who is originally from Fiji, is an Army veteran who served for a decade, including tours in Iraq and Afghanistan. Yet despite paying taxes in the UK, he was faced with a £27,000 bill from the NHS for his surgery, because he had not applied for leave to remain after his discharge and so was not entitled



to free treatment. As he recuperated from the operation with no means of paying, the outlook was grim.

Taitusi is not the only ex-Serviceman who has faced difficult choices as a result of the UK's leave-to-remain policy for Commonwealth military veterans. They face "exorbitant application fees", says Sir Ed Davey, Leader of the Liberal Democrats and MP for Kingston and Surbiton. Those who have served a minimum of four years have the right to apply to stay. But a veteran with a partner and two children, for example, has to pay nearly £10,000 for indefinite leave to remain (ILR) – and many who can't afford it face deportation.

"The stories of veterans forced to either leave the UK, live here undocumented and unable to work, or take out big loans that trap them in debt are heartbreaking and shaming for our country," says Sir Ed. "Our veterans deserve better."

Many who can't afford the fees have been categorised as illegal

immigrants, facing homelessness, unemployment and left unable to access free NHS care – as Taitusi was.

In 2019, the Legion launched its Stop the Service Charge campaign, calling on the Government to scrap the visa fee for Commonwealth veterans. With the Armed Forces committed to recruiting more from Commonwealth countries, it was clear that high visa fees would affect an increasing number of ex-Service people. Since 2018, the target has been 1,350 new recruits each year – mostly from Africa, the Caribbean and Fiji – up from the previous target of 200 a year.

Currently, around 500 military personnel annually have to find fees of £2,389 per person to stay in the

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UK, more than double the £1,051 it cost in 2015. The Home Office maintains that "income from fees plays a vital role in our ability to run a sustainable immigration and nationality system and minimise the burden on the taxpayer."

A cross-party group of MPs led by Conservative Richard Graham and Labour's Madeleine Moon wrote to the Home Secretary in April 2019, calling for the abolition of right-to-remain visa fees for Commonwealth military personnel. For Richard Graham, it's a policy that "needs to be changed". He said: "I was brought up in East Africa and I know, not least



Commonwealth Army veteran Taitusi Ratucaucau (pictured opposite in Afghanistan and here with his children) hit the headlines in May when he was faced with an NHS bill of more than £27,000 for his cancer treatment

“YOU CAN KEEP THE CAMPAIGN AT THE TOP OF YOUR MP’S INBOX BY EMAILING THEM THROUGH THE LEGION’S WEBSITE”

from my Zimbabwean brother-in-law’s time in the Army, of the Commonwealth’s contribution.”

Since then, the campaign has gathered pace: 133 MPs from eight political parties have signed the letter in support of the Legion’s campaign, and 2,500 supporters have written to their MPs. But there’s still a way to go, says Jo Baker, Public Affairs and Campaigns Manager. “With Stop the Service Charge, everyone we talk to, regardless of their party or their background, can see the injustice,” she says.

Labour’s Shadow Minister for the Armed Forces, Stephen Morgan, who represents a large Royal Navy community in his Portsmouth South constituency, has criticised the Government for its “poor decision-making that is causing so much distress”, saying: “Commonwealth troops have a long history of serving this nation with distinction. Charging excessive immigration fees is no way to show gratitude.”

Richard Graham and fellow Conservative MP James Sunderland (a former senior Army officer) have each met with the Home Secretary and MOD on the issue, and pledged to write to the Home Secretary again. MPs are continuing to raise it in Parliament. “MPs are putting pressure on their own colleagues, which is really good,” says Jo. But it is a constant challenge to get through to decision-makers, with the Government preoccupied with Brexit, the COVID-19 crisis and the current economic slump.

You can keep the campaign at the top of your MP’s inbox by emailing



them through the Legion’s website (see overleaf for details).

“It motivates MPs to act when they get letters from constituents,” says Jo. “If you know that there’s a strength of feeling, that’s when you can start putting pressure on the Home Office. Governments are receptive to change if you make a good case. Writing really can help.”

In addition to lobbying, the Legion helps practically, paying out more than £120,000 in grants for Commonwealth veterans’ visa fees since 2018, as well as offering advice.

Stop the Service Charge is one of many campaigns run by the Legion, which range from tackling loneliness to advocating for veterans’ financial compensation for injury as a result of Service (turn to page 9 to see our call for evidence on this).

Sometimes campaigns run for years – a recent win was Count Them In, a four-year campaign, which successfully lobbied for

a question identifying veterans in the next census. “It’ll give a new, comprehensive data set showing how many people there are in the Armed Forces community and where they live, which will be useful for the provision of health, housing and employment services,” says Jo.

Engaging with MPs is a two-way process. The Public Affairs and Public Policy team introduces itself and sets out the case for veterans, but also flags the Legion as an organisation that can help with constituency casework. “Once an MP knows they can refer their constituents to the Legion for financial help or certain kinds of services we provide, we can work together to make sure they get the right support,” says Jo.

And if you wonder what happened to Taitusi and his medical bill, a crowdfunding appeal raised £30,000, although the bill is now £50,000 and his fundraising and legal challenge goes on. He has been supported by the Commonwealth Neglected Veterans group, which is also campaigning for changes to the law.

Many other ex-Service people could face situations like Taitusi’s in the future. In March, the Home Office committed to “continuing to discuss the impact of immigration fees on members of HM Forces with the Ministry of Defence.”

“Commonwealth veterans face a desperate situation,” says the Legion’s Director General, Charles Byrne. “They have given years of loyal Service and should be able to continue living in the UK without incurring significant financial costs.”



“THE SCARIEST THOUGHT WAS MAYBE NEVER BEING ABLE TO SEE MY KIDS AGAIN. I WAS IN A BAD PLACE”

Shawn and Danielle’s story

Shawn McPherson and Danielle Deller live in Watford with their daughter, aged two, and Danielle’s sons, aged six, eight and ten. Shawn also has a son, eight, from a past relationship. Shawn did three tours in Afghanistan during his ten years in the British Army, after coming to the UK from South Africa.

Shawn: “When I left the Army in 2016, I wasn’t told anything about having to apply for a visa. The first I knew was when HR at the toy shop where I worked said to me one day that I didn’t have the right visa to be working there. I didn’t want to get the shop into trouble, so I said, ‘All right, I’ll leave.’”

We tried every place we could to get help, but they just referred us on, and we went round in circles. It was devastating. I thought, ‘Will they come to my house and say I have to leave the country?’ If someone knocked on the door, I was skittish. The scariest thought

was maybe never being able to see my kids again. I stayed home and looked after the kids but the stress combined with PTSD put me in a bad place. A lot fell on Danielle. She was at the end of her tether when she made ‘one last call’ to someone who referred us to the Legion. They helped with the visa fee and other things too. They were, and still are, amazing.” **Danielle:** “I was working 70 hours a week as a mental-health support worker to try and raise the money for the visa, and there were days when I didn’t see the children and Shawn. It was hard to keep it all together. The worst part was that I couldn’t have Shawn’s name on anything, including the house. The moment we got his visa, I was able to put everything into our joint names – we don’t have to hide any more. It’s a big relief, but I don’t think there is enough help for people who have served. Families shouldn’t have to go through this worry and heartache.” ➤

“MY HUSBAND HAD DONE TOURS OF IRAQ AND AFGHANISTAN, BUT HE COULD HAVE BEEN SHIPPED OFF BACK TO SOUTH AFRICA”

Hannah and Dewald's story

Hannah and Dewald Swart live in Andover with their two children Lilly-Anne, eight, and Edward, five. Hannah works night shifts in a care home and Dewald, who was born in South Africa, has served with the British Army for 13 years.

Hannah: “When my husband joined the British Army, he didn’t plan on falling in love and having a family over here – he was going to do a few years, then move back to South Africa. Visa fees and families seemed far off in the future. We didn’t really think about it during our first few years together until we had the kids, and then it was, ‘Hold up a minute, what happens if you get discharged?’

Dewald has done tours in Iraq and Afghanistan and was deployed on the streets of London after terrorist attacks, but if he didn’t get indefinite leave to remain, he could be shipped off back to South Africa. It felt as though we were in limbo, with the possible break-up of our family hanging over us.

The visa fee kept going up and up, and it puts a lot of stress on you because you’re saving to pay for the visa and then something will go wrong, like the car will break down or the kids need new school uniform. We were constantly having to dip back into the savings and never getting anywhere.

Late one night in April last year, I thought, ‘I’m done with this,’ and I set up an online petition calling for the visa fees to be waived. Dewald joked that I wouldn’t get more than 10,000 signatures and my mum reckoned I’d get 25,000, but the response was crazy. By the beginning of June, 150,000 people had

signed the petition. The support was amazing.

The Legion called and said ‘Someone who’s seen your petition has volunteered to cover the visa fee – are you interested?’ It was a total shock. Once it was done, we went out for a meal to celebrate, and we sent photos of the ceremony to the person who paid for it. We’re planning to meet up with them in the future.

Citizenship costs another £1,330. Dewald had to pass a Life in the UK Test (I couldn’t even answer the questions!), an English test and, although we’ve been married for 11 years and we have two children together, we still got questioned on whether we were legit.

I’ve had a few other Commonwealth military personnel tell me their stories, and I’ve passed them on to the Legion. But often they don’t want to go public because they’re worried it will affect their career.

Even though our situation’s resolved, I’m going to stand up and fight for this. The Legion is doing the politics behind the scenes and we work well together. I’m going to keep emailing and writing to MPs and the Prime Minister until they hear us out.”



HOW MEMBERS CAN HELP

If you’d like to help Stop the Service Charge, visit www.rbl.org.uk/stopheservicecharge where you can find more details about the campaign and a link for emailing your MP.