



Families Together coalition briefing paper on the New Plan for Immigration and proposed changes to refugee family reunion

The Government's [New Plan for Immigration](#) proposes sweeping changes that undermine how the UK fulfils its international obligations to those seeking asylum, most notably by proposing differential treatment according to the way a refugee arrived in the UK. It proposes that for someone who is recognised as being in need of international protection, the type of leave and the entitlements that come with it will depend on how that person entered the UK. **This will include whether they are eligible for refugee family reunion.** We are appalled to see proposals which would restrict access to family reunion for some refugees.

The [New Plan for Immigration](#), published on 24 March 2021, states that between 2015 and 2019, 29,000 people were able to come to the UK through existing refugee family reunion rules. This is 4,000 more people than the number who were resettled in the UK during the same period, thus highlighting that family reunion is currently the most accessed safe route. Of the 29,000 visas granted, **90% of them were given to women and children.** The government proposals would prevent thousands of vulnerable women and children from entering the UK, removing a safe and regular route from some of the most vulnerable persons. Rather than restricting family reunion rights for some refugees, the government should be seeking to increase access to family reunion for all refugees, regardless of how they entered the UK.

Many families are displaced, living in precarious situations and have protection concerns themselves. The two-tier asylum system outlined in the proposals would mean that the majority of people who claim asylum in the UK are excluded from applying for family reunion or deterred from doing so. The new proposals would leave families who have been separated by war, violence and persecution facing dangerous journeys in order to be together again. If the government are serious in their ambition to expand 'Safe' routes **they must not implement the proposed changes** and should seek to change the existing family reunion rules, as per our recommendations below, so that more people can access this vital, existing safe route.

What we are calling for

- **Expand the criteria of who qualifies as a family member for the purposes of refugee family reunion** allowing adult refugees in the UK to sponsor their adult children and siblings who are under the age of 25; and their parents
- **Give unaccompanied refugee children in the United Kingdom the right to sponsor their parents and siblings who are under the age of 25** to join them under the refugee family reunion rules
- **Reintroduce legal aid for all refugee family reunion cases**

The plans are subject to a six-week consultation that will close on 6 May 2021.

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Changes to the asylum system – implications on refugee family reunion

One of the significant changes proposed in the New Plan for Immigration is that for someone who is recognised as being in need of international protection, the type of leave and the entitlements that come with it will depend on how that person entered the UK.

If someone has arrived in the UK irregularly (for example, by small boat across the Channel) the Home Office will try and avoid making a decision on any asylum application, deeming it to be “inadmissible”. The Home Office will argue that the person should have applied for asylum in a “safe third country” that they have travelled through prior to reaching the UK, and removal to a safe third country will be sought.

If removal isn't possible, the UK Government will process the asylum application. But if the person is found to have a positive claim, rather than getting refugee leave they will be granted a new *temporary protection status*. This will:

- be for a temporary period, no longer than 30 months;
- not include an automatic right to settle in the UK;
- have a no recourse to public funds requirement, other than in cases of destitution; and
- **have restricted family reunion rights**

The status will not be automatically renewed at the end of the 30 months. Instead, there will be an assessment of whether the person can be removed to a safe third country or their home country.

There is no further detail on what restricted family reunion rights will mean in practice.

There are several possibilities, including delaying access to family reunion, all of which could substantially reduce the number of refugees in the UK able to be reunited with their family members. The proposals are deeply alarming as refugee family reunion provides the only safe and regular route for refugee families, who have been forced to separate because of persecution or conflict, to reunite.

Additionally, the limited length of the leave granted and the regular review with potential for removal, will **make the situation very unstable for any family that is able to reunite**. Moreover, with no recourse to public funds many families will be forced into destitution upon arrival and struggle to access necessities such as housing, health, education and welfare.

If these plans are implemented, the number of family reunion visas issued would be expected to decrease substantially as the plans seek to discourage people from making irregular journeys for the purposes of claiming asylum, and anyone receiving the new temporary protection status will have restricted family reunion rights. This risks leaving family members of refugees with little choice but to embark on dangerous journeys in order to be reunited with their family member in the UK

Family Reunion for unaccompanied children seeking asylum in Europe

The New Plan for Immigration also mentions family reunion for unaccompanied children in Europe. This is a result of a commitment the UK Government made in the Immigration and Social Security Co-Ordination (EU Withdrawal) Act 2020 to review routes for these children after the UK had left the European Union and the Dublin System.

[familiestogether.uk](https://www.familiestogether.uk)

Between 2018 and 2020, over 1,600 people were able to be reunited with family members in the UK through the Dublin System. This included separated children as well as other family relationships.

Through the consultation that accompanies the plan, the Home Office are seeking views on family reunion for unaccompanied children with family in the UK, and for all people who have submitted an asylum application in an EU Member State. The Home Office don't express a view on what they believe the approach should be.

Family Reunion for Resettled Refugees

In the *Plan*, the Home Office say they will review the family reunion routes available for refugees who arrive via safe and legal routes, such as resettlement. In particular, they say that "we will consider whether there is a case for unmarried dependent children under the age of 21 (rather than just 18) to join their parents, where both parents are refugees living in the UK."

While this is welcome and reflects, in part, some of the calls that have been made regarding the expansion of family reunion, in practice it is likely to make little difference. The majority of refugee families who arrive via resettlement routes would include any dependent adult children. The specification that *both* parents need to be living in the UK is also potentially limiting, as often one parent may be missing or dead.

The Consultation Process

The Home Office are holding a six-week consultation on their plans, run by Britain Thinks: <https://newplanforimmigration.com/en/>. This will then be followed by the introduction of the Sovereign Borders Bill in parliament. Below is a possible time-frame:

