



Families Together Coalition Responds to the Nationality and Borders Bill

On the 6th of July 2021, the Home Office published the [Nationality and Borders Bill](#), outlining proposed changes to the UK's immigration and asylum systems.

We are deeply concerned that the Bill seeks to cement many of the harmful proposals outlined in the New Plan for Immigration into UK law. The proposed legislation outlined in the bill effectively creates a discriminatory two-tier asylum system, undermining how the UK fulfils its international obligations to those seeking asylum. The Bill will criminalise and punish refugees, depending on how they arrived in the UK, resulting in a significant reduction in the number of women, men and children who are able to access family reunion, one of the few existing safe and regular routes into the UK.

Clause 10 of the bill proposes to categorise refugees into two distinct groups, with different rights depending on how they have arrived in the UK.

Group 1 refugees are those who arrive in the UK directly from a country or territory where their life or freedom was threatened and have presented themselves to the authorities without delay. In addition, where a refugee who meets these criteria has entered or is present in the United Kingdom unlawfully, they must show good cause for their unlawful entry or presence. There is no further detail provided on what a 'good cause' would be.

Group two refugees are those who don't fit into the above category. This includes those arriving via irregular routes such as by lorry or by boat or those arriving after travelling through what the Government considers to be "safe" third countries."

The bill states that refugees can be treated differently depending on which group they are in. The Bill specifically mentions one of the ways those in Group 2 may be treated differently is to limit their access to family reunion rights. This includes whether leave to remain or enter is granted to their family members, the length of leave to remain or enter granted, the requirements needed in order to meet the conditions for leave and whether they will have a no recourse to public funds condition attached. Any restriction on family reunion rights will result in family members being left with the heartbreaking choice to either stay permanently apart, or

risk their lives on treacherous journeys in order to reunite. **All** refugees should have full and equal access to family reunion rights, regardless of how they enter the UK.

Refugee Family Reunion is currently the most accessed safe route which allows family members to come safely to the UK to reunite with their sponsor. Over the last 5 years 29,834 family reunion applications were granted, compared with 23,665 resettlement applications granted¹. Restrictions to family reunion rights for those with Group 2 status will leave families who have been separated by war, violence and persecution facing dangerous journeys in order to be together again. When the New Plan for Immigration was introduced, the Home Secretary stated "*We should ask ourselves, where are the vulnerable women and children that this system should exist to protect?*". Yet, the restrictions to family reunion rights will predominantly impact women and children, who currently account for 90% of those who receive family reunion visas. Therefore, these vulnerable groups whom the Home Secretary vowed to protect will be left in an even more vulnerable, precarious and risky situation.

'I came to the UK with my children through a family reunion visa when my husband was granted refugee status. My husband, after spending 3 years with us, continued his asylum journey to search for a safe place for his family. Our vulnerability further increased when he left. In Egypt we lived in constant fear; there were times where thieves broke into our house, and some people tried to kidnap my son. At the time our son was very young. We increasingly felt insecure both at home and in the streets.

Being separated from my husband heavily impacted our relationship. In the three years we spent away from each other, I worked overtime and my kids would spend most of the day without me, and a big part of their childhood lacked their parents. Our children also didn't understand why their father had to be away from us for so long. That added to their feelings of abandonment and lack of safety.

The family reunion had a great impact. We felt a type of safety we haven't experienced before. My kids walked comfortably in the street; my son didn't squeeze on my hand the entire time when we're in public. You can see from their behaviour that they felt how safe their house and environment is now.'

- Mada, Voices Network Ambassador

Studies show that family reunion boosts integration outcomes and allows those who've come to the UK seeking safety to rebuild their lives here, together. Research has highlighted that mental health struggles including anxiety, depression, guilt and social isolation are reported amongst those who are separated from their families. Being reunited with family members leads to

1

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positive integration outcomes and provides a support system which is vital when integrating into a new community.

'Since my wife came to the UK my life has changed and I am able to plan and have focus in life. I am now working part-time at a hotel in Bradford and I have applied for another job at East Side. I am taking driving lessons to help with my employment. I also study at college to improve my English. When my wife first arrived, she felt very depressed. Being alone had been very difficult for her. I started taking her to college with me and now she is much better. We are now expecting a baby and are looking to move to another house.'

- Justin, Voices Network Ambassador

The government must urgently withdraw this alarming proposal and ensure **all** refugees have full and equal access to family reunion rights, regardless of how they entered the UK.

If the government are serious in their ambition to expand 'Safe' routes they should change the existing family reunion rules, as per our recommendations below, so that more people can access this vital, existing safe route:

- 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 Families Together coalition brings together over 90 organisations including Amnesty International, British Red Cross, Oxfam, Refugee Council, Student Action for Refugees and the Voices Network. The coalition calls on the government to change the current rules, which are already too restrictive, prior to the bill published on the 6 July.