



## Nationality and Borders Bill 2021-22 House of Lords - Report Stage Briefing

### Background

Families Together is a coalition of over 90 organisations who support the expansion of the UK's refugee family reunion rules, including a number who work directly with refugees in the UK to support their applications for family reunion.

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. In the last five years, over 29,000 people have arrived in the UK through existing family reunion routes, 90% of whom were women and children.

Restrictions to family reunion rights laid out in clause 11 of the Nationality and Borders bill, will leave families who have been separated by war, violence and persecution facing dangerous journeys in order to be together again.

The Refugee Council estimates that the government proposal to restrict family reunion for some refugees would see as many as 3,500 people being prevented from being able to access family reunion each year with as many as 17,500 people being unable to access this vital safe and legal routes over the next 5 years

Peers should support amendment 28 at Report Stage to remove clause 11 of the bill. However, this short briefing focuses on the principle of refugee family reunion, and **amendment 47** tabled at report stage to expand who qualifies for it.

### The Importance of Refugee Family Reunion

For many decades, the UK has allowed people who have been recognised as refugees in the UK to bring their closest family members to live with them. This is in recognition of the importance of family life, and how these links can aid and support integration for refugees.

Being reunited with family members can be a life changing moment, bringing together loved ones who have been torn apart by war and violence. This pathway is currently the most accessed safe route which allows family members to come safely to the UK. It is important to note that as family members of refugees, they are often escaping similar situations themselves, or are in danger simply by being a relative of a refugee. They may be living in conflict zones, in hiding, in unstable areas and/or displaced.

However, with a narrow definition of family members many people are unable to access this safe route and are forced to find alternative, often dangerous, ways to be with their loved ones.

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, any 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.

This is why organisations, who work to support refugees in the UK, are calling for changes to the UK's restrictive refugee family reunion rules so that more refugee families can be reunited safely in the UK.

### **Amendment 47 – Refugee family reunion**

Amendment 47 expands refugee family reunion under the UK's immigration rules so that refugees in the UK can be reunited with their adult children, parents and siblings. It also allows for the first time unaccompanied refugee children in the UK to be reunited with family members, something that is denied them under the current rules.

Eligibility for refugee family reunion is set out in the UK's immigration rules. Under the existing rules, adult refugees in the UK can only be joined via family reunion by their spouse/partner and their dependent children who are under the age of 18.

This means that those family members who have become separated but are not covered by the rules are left with the invidious choice of staying put in insecure and dangerous places or embarking on treacherous, expensive, unregulated journeys.

The restrictions mean, for example, that parents are not automatically able to bring their child who has turned 18, even if that child is still dependent on them and has not married or formed their own family. While the family reunion guidance does allow cases not covered by the rules to be granted in exceptional circumstances, in reality this rarely happens.

Home Office entry clearance officers may also decide to grant leave outside the rules on the condition that the family member has no recourse to public funds, including no access to most benefits or free hospital treatment in most of the UK. This places the reunited family in an incredibly difficult situation, creating barriers to the successful integration in the UK.

The Families Together coalition has long campaigned for the government to expand the existing family reunion rules to allow for a wider range of family members to be eligible under the rules, particularly adult dependent children and the parents of separated children.

**Members should support amendment 47, under the names of Baroness Ludford, Baroness D'Souza and Lord Paddick, that would expand refugee family reunion.**

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