



## **Refugee children and family reunion: the case for allowing children to sponsor their families**

### **Introduction**

The Families Together coalition was set up in 2017 by leading charities including Amnesty International UK, the British Red Cross, and the Refugee Council to coordinate efforts to expand refugees' access to family reunion. One of the coalition's calls was, and remains, for provision to be made within the Immigration Rules for unaccompanied refugee children to sponsor their parents and their siblings.

Since 2017, the coalition and its members have produced research demonstrating the negative impact of family separation on the mental health, development and integration prospects for refugee children. For detailed information, see the following reports: [Without My Family: the impact of family separation on child refugees in the UK \(2019\)](#); [Destination anywhere: the profile and protection situation of unaccompanied and separated children \(2019\)](#); and ['A refugee and then...': Participatory Assessment of the Reception and Early Integration of Unaccompanied Refugee Children in the UK \(2019\)](#).

The Home Office has not disputed the coalition's findings regarding the importance of family for young refugees and the negative impact of family separation. We are confident that the Home Office and all those in parliament share the coalition's view that children belong with their families and that family separation is deeply harmful to children.

Nevertheless, the Home Office has consistently indicated its opposition to this policy change – most recently in the [government's response to the Second Reading of Baroness Ludford's Family Reunion Bill \(2022\) in the House of Lords](#). The Home Office's position is that allowing child refugees to sponsor their family members will incentivise families to send children on dangerous journeys to the UK to enable the rest of the family to follow them.

Since there is general agreement that family separation is negative for refugee children, this briefing does not cover the impact of family separation on child refugees. Instead, this briefing focuses solely on the remaining point of contention: whether allowing refugee children to sponsor their families will endanger children and lead to a rise in dangerous journeys.

To date, the government have not produced any evidence to support their position. The coalition is not aware of any research or studies that support the idea that allowing refugee children to sponsor family members will lead to them being sent ahead to the UK. In contrast, there is a wealth of evidence pointing to the opposite: that family reunion policies do not have a significant influence on where children claim asylum. When the balance in the evidence is considered alongside what we already know, and all agree on, about the harmful impact of family separation on refugee children, it is

14.09.2022

undeniable that allowing children to sponsor their family members is in their best interests. The best interests of the child should be a primary consideration in the design of any immigration policy.

### **Understanding what influences where children claim asylum**

The government's position that allowing children to sponsor their family members would incentivise them to make dangerous journeys to claim asylum in the UK relies on the assumption that children are influenced by the family reunion policies of different countries when deciding where to claim asylum.

Evidence gathered by the UNHCR, Amnesty International UK, the Refugee Council and Save the Children does not support this.<sup>1</sup> There are many factors that influence where refugees claim asylum. When children flee their country of origin, decisions are often made in haste. Most do not leave with a fully formed plan. UNHCR's research indicates that children tend not to know where they are going when they depart their country of origin. They are primarily concerned to escape the immediate danger that they are facing, rather than to reach a specific destination.<sup>2</sup>

Where children do set out with the UK in mind, they often lack a full understanding of the UK. The factors that influence their decision include a vague idea that the UK is a place where they will be looked after, the English language, and whether they know anyone in the UK. Sometimes it is simply familiarity with aspects of UK culture. For example, UNHCR spoke to children who explained their decision based on their favourite football team being a UK team.<sup>3</sup> None of the coalition organisations have found evidence that children were aware of the different family reunion policies of different countries when deciding where to claim asylum.

It is also important to remember that separated children often lack decision-making power. Many children report being unaware of their destination.<sup>4</sup> In these cases, their destination may be determined by smugglers or traffickers.

### **Understanding why children claim asylum unaccompanied**

Also core to the government's argument is the idea that parents will willingly send children to make a dangerous journey in order to bring the rest of the family to the UK. Again, this does not reflect the reality observed by Amnesty International UK, the Refugee Council, UNHCR or Save the Children.

Where a parent sends their child out of the country alone, it is as a last resort.<sup>5</sup> Parents make this decision in the most desperate of circumstances, believing it to be their best chance to protect their child. This can occur, for example, where the danger facing that family is particularly acute for a child. Forceful conscription of boys is a common example.<sup>6</sup>

Many children who arrive unaccompanied in the UK set off from their country of origin with their parents and their family unit intact. Over the course of their journey, they become separated, often in the most

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<sup>1</sup> See: UNHCR, [Destination anywhere](#) (2019) and Amnesty International, Refugee Council, and Save the Children [Without My Family](#) (2019)

<sup>2</sup> UNHCR, [Destination anywhere](#) (2019)

<sup>3</sup> UNHCR, [Destination anywhere](#) (2019)

<sup>4</sup> UNHCR, [Destination anywhere](#) (2019)

<sup>5</sup> Amnesty International, Refugee Council, and Save the Children, [Without My Family](#) (2019)

<sup>6</sup> Amnesty International, Refugee Council, and Save the Children, [Without My Family](#) (2019)

14.09.2022

traumatic circumstances.<sup>7</sup> We have not found evidence of parents considering asylum systems or family reunion policies when making arrangements for their children to flee.

## Case study

As members of the Hazara minority ethnic group, Mohammad Razai's family were targeted by successive regimes in Afghanistan. His father was tortured and murdered by the Russian-backed regime in Afghanistan in 1986. When the Taliban took power, officials murdered his uncle. Mohammad's mother was terrified that he too would be killed. She was particularly scared of the sexual abuse that Taliban officials inflicted on young boys, and kept Mohammad indoors as much as possible for his own safety.

Mohammad's mother knew that she could not keep her son indoors indefinitely. She needed another way to keep him safe. She arranged for Mohammad to escape Afghanistan with the help of a trusted friend of the family. Neither he nor his mother knew that he would end up in England.

Mohammad described his mother's mentality as members of his family were killed: "She became really protective of me... her concern was for me more than for her own life." He remembers her crying as he and his cousin left Kabul.

Since 2001, Mohammad has seen his mother just twice. She remains trapped in Afghanistan, despite his many attempts to bring her to the UK.

Mohammad has had tremendous success against the odds. He graduated from the University of Cambridge and works for the NHS as a doctor. But his success does not make up for the pain he has experienced by being unable to reunite with his family.

"Being separated affected me emotionally and psychologically, from which I never really recovered. A local authority is not the same as one's family when you are a teenager."

Mohammad supports the Families Together coalition's call for refugee children to be able to sponsor their family members.

## Available international comparisons

The UK's lack of provision for refugee children to sponsor any family members makes it an outlier in Europe. It is the only country other than Switzerland not to make such provision.<sup>8</sup>

The EU has attempted to assess the impact of allowing children to sponsor family members on the number of child applicants that country receives, issuing calls for information in 2012 and 2017. While some European countries claim to have noticed a trend during the peak of the refugee crisis from 2015-2017 towards the idea of children being sent ahead for family members to join them, the overwhelming majority did not see any consistent pattern.<sup>9</sup>

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<sup>7</sup> UNHCR, [Destination anywhere](#) (2019)

<sup>8</sup> S. Borelli, F. Cameron, E. Gualco and C. Zugno, [Refugee Family Reunification in the UK: Challenges and Prospects](#) (2021)

<sup>9</sup> Amnesty International, Refugee Council, and Save the Children, [Without My Family](#) (2019)

14.09.2022

In 2016, a report by the European Committee of the House of Lords categorically concluded that there was no evidence provided by other EU Member States that children had been exploited by being sent ahead for other family members to join them.<sup>10</sup>

## Summary

The government's claim that making provision in the Immigration Rules for children to sponsor their family members via refugee family reunion will incentivise children to make dangerous journeys is not supported by evidence. Instead, the available evidence suggests that family reunion policies are very unlikely to influence where children claim asylum. When weighing up the evidence alongside the harmful impact of family separation on refugee children, it is clear that providing for children to sponsor the family members is in their best interests.

This does not mean that every unaccompanied child will be able, or will seek, to reunite with their families. For many, the possibility simply does not exist as their families are missing or deceased. For others, their parents or siblings may not be able to join them because they have responsibilities in their home countries, for example. Norway's experience is that from 1990 to 2015 just 12% of unaccompanied minors sponsored family members.<sup>11</sup>

In many ways this is a small change. It is small in terms of the number of people it will impact, and it is small in so far as it simply brings the rights of children into line with those that already exist for adults. But for those children who will be able to reunite with their parents and their brothers and sisters, this change will be absolutely transformational.

## Further information

[Refugee Family Reunification in the UK: challenges and prospects \(2021\)](#) includes a detailed overview of the Immigration Rules relating to family reunion, as well as a discussion of child refugee sponsors in international law.

[Overview of family reunion rights and mechanisms for people with protection needs in the UK](#) provides an up-to-date picture of family reunion entitlements in light of the Nationality and Borders Act (2022) and the bespoke visa schemes introduced since 2020.

## Contact

This briefing has been prepared by the Families Together coalition, which brings together more than 100 organisations to expand and improve access to family reunion for refugees. The coalition is led by Amnesty International UK, the British Red Cross, the Refugee Council, Student Action for Refugees, and the VOICES Network.

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<sup>10</sup> S. Borelli et al, [Refugee Family Reunification in the UK: Challenges and Prospects](#) (2021)

<sup>11</sup> Amnesty International, Refugee Council, and Save the Children, [Without My Family](#) (2019)