

Kept Apart: Immigration system needs reform to stop traumatic separation of families and couples

Katharine Charsley (University of Bristol), Reunite Families UK, Rissa Mohabir (Trauma Awareness), Emma Agusita (UWE) and Helena Wray (University of Exeter).

About the research

Covid-19 gave many people in the UK an insight into the hardships of separation from family members. For those thousands of couples and families with non-British family members, however, separation is often not a new experience. Since 2012, British citizens seeking to bring a foreign partner to live with them in the UK have had to meet a Minimum Income Requirement (MIR) of £18,600, with additional sums for each child who is not a British citizen, for at least six months before making a visa application. This is higher than the income of nearly half of the working population. Alternatives based on saving are similarly out of reach for many. Visa and test fees total over £7000. One in five applications are refused, and although appeals commonly succeed, they increase time and expense. Couples and families are therefore separated for periods ranging from several months to several years. Some cannot afford to apply at all and so remain apart indefinitely. After Brexit these rules will also apply to applications by British families with EU members, adding to the tens of thousands of British citizens' lives already harmed by these policies.

The 'Kept Apart' project, funded by the University of Bristol's Brigstow Institute, brought ten members of Reunite Families UK (a support and campaigning organization) together with academics specializing in transnational families and immigration law, in a Trauma Awareness listening project, to co-produce prose-poetry, illustrations and case studies exploring the impacts of this enforced separation.



Illustrator credit: Michael Grieve

Policy implications

The project's findings reinforce the need for the Home Office to reform the UK family immigration procedures so that lengthy periods of family separation are no longer a routine experience for bi-national couples and families.

- Scrap the Minimum Income Requirement, which impacts disproportionately on women and other lower income groups, and on families in which the non-UK partner is the main earner.
- The Covid-19 crisis adds urgency to this issue. Current case-by case measures do not offer long term immigration status security (see the Windrush scandal) and should be formalised. Measures need to be long-term, to account for lasting economic impact on incomes.
- Simplify the family immigration process: to decrease application and processing time, and reduce the likelihood of errors leading to refusal.
- Reduce the cost of the family visa application process, which is currently exclusionary.
- Greater flexibility in decision making to allow for variations in personal circumstances.

Changes made now will also benefit UK-EU couples and families who join the purview of UK family immigration law after the end of the Brexit transition period.

People don't understand.
I get asked: 'What has your husband done wrong
that means he cannot live here?'
'You have a child –
doesn't that mean he can live here?'
- excerpt from one of the prose-poems.

Key findings

- ‘Kept Apart’ participants, who had met partners and started families in the course of travel or living in another country, described shock at discovering the barriers to living together in the country of their birth and/or citizenship.
- The government justified restrictions to family immigration restrictions on the basis of benefits to British society and economy, but their negative impacts deserve greater attention.
- For participants and their children, these included not just emotional impacts of separation, but financial, mental and physical hardship.
- Enforced single parents struggled with childcare and long working hours (for the MIR, visa fees, and supporting two households).
- When lives took difficult turns – health crises, redundancies, or political crises abroad – the inflexibility of the system compounded difficulties, and the possibility that separation might become permanent created significant trauma.
- During the Covid-19 crisis, whilst provisions were made for other categories of migrants, those affected by the family immigration system felt neglected. Calls for the Minimum Income Requirement to be suspended have gone unheeded, amplifying uncertainty as families deal with loss of income, increased childcare pressures, service closures and travel restrictions.



Illustrator credit: Michael Grieve

Further information

Kept Apart can be viewed and downloaded from: <https://www.reunitefamiliesuk.co.uk/kept-apart-project>

Reunite Families UK is a support and campaign group focused solely on the impact of spouse visa rules on families and couples: <https://www.reunitefamiliesuk.co.uk/>

Trauma Awareness provides training and research raising awareness of the impact of trauma: <https://trauma-awareness.com/>

Contact the researchers

Katharine Charsley, Professor of Migration Studies, School for Sociology, Politics and International Studies, University of Bristol. Email: katharine.charsley@bristol.ac.uk.