



Home Office

Rt Hon James Brokenshire MP
Immigration Minister

2 Marsham Street,
London SW1P 4DF
www.gov.uk/home-office

Rt Hon George Howarth MP
House of Commons
London
SW1A 0AA

CTS Reference: M3628/16

16 MAR 2016

Dear George,

Thank you for your email of 4 March to the Prime Minister on behalf of a number of your constituents about reuniting refugees with their family members in the UK. I am replying as Immigration Minister.

We recognise that families may become fragmented because of the nature of conflict and persecution and the speed and manner in which those seeking asylum often flee their country of origin. Under our current family reunion policy, those granted refugee status or humanitarian protection in the UK are able to sponsor their pre-flight family members (i.e. spouse or partner and children under the age of 18, who formed part of the family unit before the sponsor fled their country) to reunite with them in the UK. The family reunion rules can be found at: www.gov.uk/guidance/immigration-rules/immigration-rules-part-11-asylum.

British citizens are also able to sponsor their spouse or partner and children under the age of 18 to join them under the family rules providing they make the appropriate entry clearance application and meet the relevant criteria. The rules have been in place since July 2012 and reflect our obligations under Article 8 of the European Convention on Human Rights. The family rules can be found at: www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-fm-family-members.

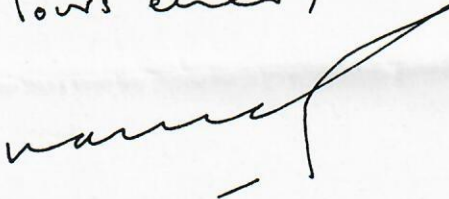
In addition to the provisions for refugee family reunion, the Immigration Rules allow those with refugee status or humanitarian protection to sponsor adult dependent relatives living overseas to join them here where, as a result of age, illness or disability, that person requires long-term personal care that can only be provided in the UK by their relative and without recourse to public funds.

Even where family members cannot meet the requirements of the Immigration Rules, such as in the case of an 18 year old applying to join their refugee parents in the UK, we consider whether there are exceptional circumstances or compassionate reasons to justify granting entry clearance outside the rules. This not only caters for extended family members of refugees where there are exceptional circumstances, but also family members of British citizens who are unable to meet the financial requirements of the rules.

The current family reunion policy is already more generous than our international obligations require. Some EU countries impose time restrictions on how quickly family members must apply. However, we have taken a considered policy position with regard to preventing children with refugee status in the UK from sponsoring their parents to join them. It is designed to avoid perverse incentives for children to be encouraged, or even forced, to leave their country and risk hazardous journeys to the UK. We believe that allowing children to sponsor their parents would play into the hands of traffickers and criminal gangs and go against our safeguarding responsibilities.

There are specific provisions in the Dublin Regulation to unite unaccompanied children who claim asylum in another Member State with their parents, siblings or other relatives who are legally present in another Member State where it is in the child's best interests to bring them together.

I understand the depth of feeling about the human suffering in Syria and other areas of conflict and the UK is ready to help those who come here to seek asylum. However, I do not believe that widening the family reunion eligibility criteria is a practical or sustainable response to the situation. The Government is focusing efforts on providing humanitarian aid to help the majority of refugees who remain in the region and working with international partners to find a solution to the conflict so that displaced families can return home safely.

Yours ever,


Rt Hon James Brokenshire