Family Migration Rules:
Spouse / Partner Migration Rules:

An initial findings report examining the mental health impact of the rules on children and families

by Tamsin Koumis

December 2023

Based on a technical report lead by Tony Coggins of Implemental published in October 2023

Reunite Families UK

This research has been led by Reunite Families UK in collaboration with families affected by the rules, Implemental. We have been advised by a board of experts working in the migration field and mental health. The report represents the view of the authors, and not necessarily of the advisory board.

The board includes:

- Colin Yeo – Immigration barrister
- Coram Children's Legal Centre
- Prof Eleonore Kofman – Professor of Gender, Migration and Citizenship at Middlesex University
- Fiona Godfrey OBE – Co-Chair, British in Europe
- Prof Helena Wray – Professor of Migration Law, University of Exeter
- Ian Robinson – Partner, Vialto and ex Home Office staff
- Jane Golding OBE - Co-Chair, British in Europe
- Madeleine Sumption – Migration Observatory
- Rissa Mohabir – Trauma Awareness
- Young Minds policy team
- Zoe Given-Wilson – Clinical Psychologist and Postdoctoral Researcher, Royal Holloway

Foreword

By Baroness Sally Hamwee
Liberal Democrat member of the House of Lords

Since 2012 I'd been saying: The only way the Minimum Income Requirement will be reversed is when the children of a couple of cabinet ministers, on a gap year in Costa Rica, fall in love with people they meet there. How wrong I was. A couple of weeks before I am writing this, and just before the RFUK report was finalised, it was announced that the MIR is to be more than doubled.

"This change appears to punish British citizens for falling in love with a foreigner" – the words of someone who emailed me yesterday; like many parliamentarians, I have received a stream of emails, none of them supportive of the change. Ten years ago I heard it expressed more forcefully: "I am British. How can my own country treat me like this?"

Anger about the heartlessness of Government policy and sheer disbelief (sadly misplaced) have characterised comments over the years. At the same time people have observed that the migration rules are inconsistent with the often-repeated statements about the importance of 'family' and 'family values' – and that we live in a global society. Indeed. And 'family' is more than the traditional nuclear family of mother, father and 2.4 children. Blended families, in which for instance there can be children of more than one relationship, are now by no means unusual; a lot of children can be impacted. So are families whose older generation do not live in the UK and who are desperate to be able to care for them, and the distance between grandparents and grandchildren is keenly felt – but I should not wander away from the subject-matter of this report.

We used to hear the term 'Skype families'. The technology has moved on, but not the plight of affected families. Earlier this year the House of Lords
Justice and Home Affairs Select Committee, which I chair, held an inquiry into family migration. (I am writing in a personal capacity, though there was no disagreement on this cross-party committee about our response to the evidence we heard about the impact of policy.) Our report was entitled 'All families matter'. Believing Daddy has no legs because they don't appear on the screen is entirely understandable, and so is the effect on a child's mental health. I would be interested to know if the situation affects a child's development – perhaps 'how' it affects should be the question.

It is hugely to the credit of parents caught in this trap that I have heard really quite little about the impact on their own mental health. They have focused on their children. But of course there's an impact, and of course that too affects all family members.

How must it feel not only not to qualify for a spouse / partner visa, but not to be believed by Immigration officers when you try to visit, and are refused entry? Yes, of course you're desperate to stay, but you have no intention of doing so; however cruel the rules, you'll obey them.

Every applicant knows the MIR is just the start of it: fees, extension applications, the immigration health surcharge, and more. So complicated to prove one's means, especially where income is less straightforward than a monthly salary with regular payslips. (If the Home Office required fewer extensions, and applications were less complex, their own work would be reduced!) How

insulting, and short-sighted, to make it difficult – or impossible – for people who would contribute to our society to do so.

RFUK describes itself as a lived experience organisation. The precarity of 'living on a visa', if one can get that far, or the devastation of finding that you cannot live in this country with those you love … no wonder the toll on mental health is so high. This report gives those of us who have not had to face this situation some feel for walking in those shoes. The report makes for a powerful read.

For Families and with Families

This report would not have been possible without the input of RFUK families and members, who generously gave their time, shared their stories, and have contributed to discussions and focus groups as this project has developed. Thank you to all of you for working with us on this, and for trusting us with your honesty.

The report has been heavily designed, shaped, drafted, edited and informed by our advisory panel experts, though the final version reflects the authors' views, not theirs. Thank you to all of them for helping us shape this project: for attending meetings, commenting on drafts, and generously giving us your expertise. You've been like lighthouses in stormy seas - thank you for guiding us through a complicated and ever-changing political and legal landscape.

Executive Summary

Reunite Families UK [RFUK], a lived experience organisation, has been funded by the Paul Hamlyn Foundation to research the impact of the Spouse/Partner Migration Rules on the mental health of children. We are concluding the first of our three years with the publication of two reports.

1. We have published a technical report produced by Implemental, which utilised a methodology to "help participants identify things about a policy, programme or service that impact on feelings of control, resilience, participation and inclusion and therefore on mental health and wellbeing". This report offers detail regarding particular indicators of mental health, a detailed literature review, and can be found here.
2. In this second report, RFUK takes the findings from Implemental, uses them within a general examination of how the rules are impacting people's lives, presenting the wider picture from which the mental health impact stems. This report acts as a starting point to frame the next two years of work.

"Before lockdown we travelled to Egypt three times a year. I lost my job during lockdown and had a breakdown from exhaustion. My son is autistic and diagnosed with anxiety, ADHD, Development Coordination Disorder and Sensory Processing Disorder. His mental health has been affected because I struggled to care for him. Social Services got involved and removed him temporarily as his behaviour was out of control and I couldn't cope. My family unit was destroyed because I couldn't do it all alone. And I did not need to, he has a father. We are now planning on returning to Egypt as our health is more important. At his worst my son attacked his headteacher and social worker on a regular basis. Smashed the car windscreen, kitchen table, tv etc. Self-harmed. Reverted to soiling himself. He could not regulate as I could not cope."

Key findings

1. The requirements create single parent families and impose a very high economic, social and emotional burden on all affected families.
2. The effect is discriminatory because it is felt disproportionately by women, young people, and those living outside of London or the South East, and working single parents (usually mothers).
3. The overall effect makes it harder rather than easier for mixed nationality families to integrate into society, which is the opposite effect to that intended by the Rules.
4. British citizens and settled residents[1] are very badly affected by these rules; with significant impact on the mental health and well-being of British children.

92% of those surveyed said that their children's mental health suffered as a result of the separation.

Through our research, it was highlighted that children experienced:

- Night terrors and sleep issues, crying at night - School and education impacted - Impact on confidence and self esteem - Identity issues - Worry - Confusion - Misbehaving - Lashing out, violence, anger - Withdrawal - Crying	- Suicidal ideation - Self-harm - Separation anxiety - Anxiety - Attachment disorder - Depression - ADHD - Selective mutism - Stool holding - Eating disorders - Loss of hope - Loneliness

Schools and teachers were cited as a key source of support, stability and consistency in children's lives, and will be an area of focus for the next stage of our project. It was felt that often schools didn't understand the situation, and extra support would be valuable to raise awareness about these rules and how they impact children and families.

[1] Settled residents refers to people who have indefinite leave to remain in the UK

Recommendations

Following on from our initial research, the Reunite Families UK team, advisory panel and families have developed the following recommendations for policy makers.

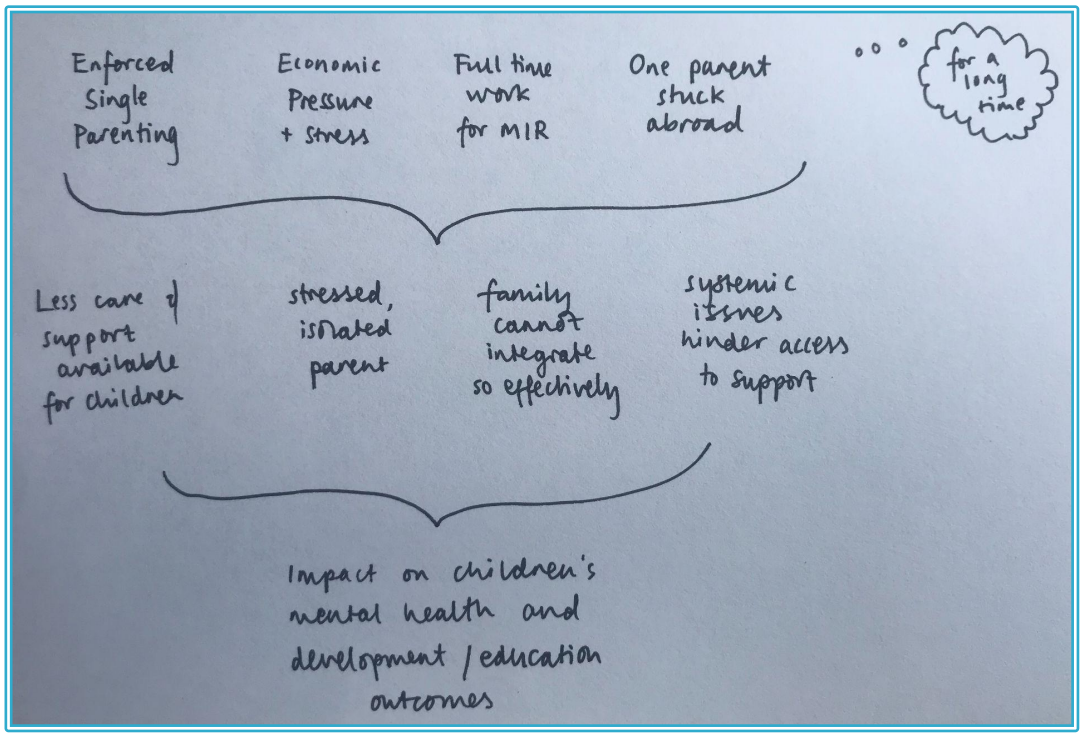
1. Commission a review of the family migration rules in detail with a particular focus on the mental health impact of the rules on children and their families.
2. Following a review, adopt new family migration rules for British and settled sponsors of overseas spouses and partners that promote family and foster integration. Any new policy must be formulated and implemented giving due weight to the best interests of children.
3. Legislate for a statutory right for British citizens to be joined by their non-UK spouse or partner.
4. If the MIR must be maintained, it should be proportional to the full-time National Minimum Wage.
5. The MIR should also:
    a. Allow job offers made to the non-UK spouse/partner foreign national to be taken into account.
    b. Include non-UK spouse/partner's prospective earnings if they are self-employed or have their own business.
    c. Include reliable third-party support - such as that from parents and relatives - to contribute towards the MIR.
6. Reduce the probationary period to settlement to two years because that is plenty to assess the relationship (with a five year cap for exceptional cases).
7. Remove all the so-called 'reset the clock' mechanisms of applicants on the 10-year route now able to apply under the 5-year route to settlement.
8. Reduce the application processing time to a maximum of 12 weeks.
9. Allow couples married for longer than 4 years to apply directly for settlement
10. Fix the level of fees at the cost of processing for all family applications
11. If applicants are paying National Insurance and Income Tax, they should not also be liable to pay for the Immigration Health Surcharge.
12. Reduce the 6 month earning period within the MIR requirements to 3 months in order to reduce separation time; and to 6 months for self-employed workers.
13. Simplify and streamline the application process, reducing the administrative burden on applicants and on the Home Office.

Families are being pushed into insecurity, forced single-parenthood, and reliance on benefits to survive. This has a negative impact on integration into society. Furthermore, British children are suffering as a result of the rules, experiencing mental health issues and impact on their education; and mothers face particular challenges in meeting the Rules. A fundamental review of the Rules is needed.

The announcement of the proposed changes to the MIR, along with the recent increases to visa fees and the Immigration Health Surcharge, will impact more families and increase the severity of the financial pressure that families are subject.

Who is Reunite Families UK?

Reunite Families UK [RFUK] is a lived experience organisation, having been established in 2017 as a Facebook group by two mothers who were themselves affected by the spouse/partner migration rules. Having met on a BBC TV news piece, they knew they were not the only people affected and wanted to create a safe space for people who were subject to this particular visa to share their experiences and advice. In November 2020, RFUK was given some funding by Paul Hamlyn Foundation to develop the group and in January 2022 it became a lived-experience led, non-profit Community Interest Company. The organisation is currently funded by both Justice Together Initiative and Paul Hamlyn Foundation and it supports and advocates couples and families affected by the UK spouse partner migration policy.



About the Family Migration Rules and living on a visa

The current Spouse and Partner Migration Rules (SPMR), part of the Family Migration Rules, herald from Home Secretary Theresa May's era. Prior to 2012, couples who had been married for 4 years or more could apply directly for Indefinite Leave to Remain (ILR); needing only to demonstrate that they could provide 'adequate maintenance'.[2] However, in 2012, the government implemented a new set of rules for British and settled citizens who wanted to return to the UK with their non-EU partner, as part of their new 'hostile environment' that they believed would lower net migration figures.

Since Brexit, the process now includes partners from the EU, EEA and Switzerland who do not have settled or pre-settled status.

Application process

The rules have many requirements which are obstructive for many families in achieving the visa. The financial requirements are the primary barrier cited by families in our research. Specifically, the key features that we have found to be barriers for families are:

1) The visa fees and Immigration Health Surcharge (IHS) are high, and since our research was carried out, have been raised further.
2) The British/settled citizen must demonstrate that they have sufficient income to meet the Minimum Income Requirement (MIR), in order to sponsor their partner. At the time of research and writing, this was fixed at £18,600 annually. On the 4th December 2023 (after our research was carried out), the Government announced plans to increase the MIR to £38,700.
   The MIR does not consider the non-British partner's earnings, earning potential or savings. This is particularly difficult for parents who are operating as single parents while separated. More often than not, this is mothers, who must care for their children, and thus will particularly struggle to work enough to meet the MIR.
3) Applicants must demonstrate they have met the MIR for at least 6 months, providing six months of bank statements, wage slips, plus other evidence in order to show this income. Self-employed workers must show one year's earnings evidence, plus additional paperwork.

Alongside these restrictive financial requirements, the rules are notorious for their complexity, and the application process is fraught with uncertainty, confusion and long waits. Specialist legal advice is often needed to navigate the process, and many immigration advisors find this application particularly challenging to meet. Families face long waiting times for decisions on their applications: it takes 24 weeks for applications to be processed[3], whilst applications under the work routes are processed in just 15 working days. This means that family members are likely to be separated for a minimum of one year, if the British or settled partner is reliant on UK based

[2] "'Adequate' and 'adequately' in relation to a maintenance and accommodation requirement shall mean that, after income tax, National Insurance contributions and housing costs have been deducted, there must be available to the family the level of income that would be available to them if the family was in receipt of Income Support." page 6, Home Office, 2023, 'Appendix FM and Adult Dependent Relative Adequate maintenance and accommodation'.

[3] https://www.gov.uk/guidance/visa-processing-times-applications-outside-the-uk#family-visas

work in order to meet the MIR, and assuming they start this role immediately on arrival. If individuals have earnt enough overseas, this can be used to demonstrate the MIR, so people can wait abroad and return with their partner once the application has been approved, if their circumstances allow for this.

The complexity of the process and the challenges that the rules present, results in families experiencing periods of separation. – which are often long, and in some cases permanent. As a result, marriages have broken down; children have lost contact with parents; or in some instances have never had the opportunity to form lasting bonds with one parent.

During the period of separation, many families face great financial hardship, as the single parent must work to demonstrate meeting the MIR, whilst also saving for the costly visa fees. This financial pressure has implications for the security of the families' future.

Exemptions and exceptions

If the main applicant or their UK sponsor receives certain benefits in the UK, they are able to apply to meet 'Adequate Maintenance' (see footnote on previous page), rather than meeting the MIR. This applies if, for example, they receive the following benefits:

- Carer's Allowance
- Disability Living Allowance
- Severe Disablement Allowance
- Industrial Injuries Disablement Benefit
- Attendance Allowance

The full list of benefits included can be found in the Immigration Rules[4].

Exceptional Circumstances are recognised in a few instances including where the refusal of the visa would result in "unjustifiably harsh consequences" for the applicant, their partner, child or another family member involved. Those granted exceptional circumstances are placed on the 'ten-year route'.

[4] Home Office. Appendix FM 1.7: financial requirement. Updated 26 September 2023
https://www.gov.uk/government/publications/chapter-8-appendix-fm-family-members/appendix-fm-17-financial-requirement-accessible-version

Raquel's story

Raquel was living in Brazil when she met her husband, Manoel. They married, and had two sons together. A series of events lead the family to decide to try and relocate to the UK. The boys had been seriously ill, and were treated in an ill-equipped public hospital. Raquel experienced a number of crimes against her – including an armed car-jacking. The oldest son was about to be school age, and so they decided that Raquel and the boys should go ahead and start life in the UK, whilst Manoel and his 14-year-old daughter stayed in Brazil until they could be reunited safely in the UK - they anticipated this would be around six months later. More than 4 years on, they are still not here.

"The school told me he is grieving because he's lost his daddy"

Raquel, who has worked teaching in Universities and private colleges, is still trying to reach a minimum income threshold of £22,400 required to bring over her husband and her stepdaughter, having been made redundant during the pandemic. Now that the visa fees have gone up, she must save over £10,000 for the applications. As an enforced single mother of the two boys, now aged 5 and 6, much of her income goes on childcare and basic living costs, and she's unlikely to find work that will meet that salary requirement where they are.

Her children have only seen their dad and step-sister once since being separated.

"We've thought about bringing him to the UK for a visit but the cost of it would take away from the savings for the visa application process. Also, I'm worried what it would do to my boys if they were forced to say goodbye to their father again."

The oldest son has been "deeply affected" by being separated from Daddy. He suffers from "separation anxiety and mental trauma". The youngest son remembers less of daddy, but Raquel says it's a "ticking time bomb" having discovered from grandma that he holds back feelings to not upset mummy. Not having daddy here for the boys also means missing out on an important part of their cultural heritage, education, and identity

Living on a temporary visa

Once families have secured the visa, they must continue to pay visa fees, renewals, Immigration Health Surcharge and so on for five or ten years more, before they can apply for Indefinite Leave to Remain, which is a permanent status. Should they wish to apply for British Citizenship down the line, this is also a large expense. These years on the temporary visa entail ongoing financial pressure, along with a sense of perpetual uncertainty around their ability to stay in the country as a family. Particular challenges related to this period include:

1) Some families are placed on the 'Exceptional Circumstances' route. When placed on this route, families must wait for ten years before applying for permanent residency, rather than the usual five. This is more expensive, and is a very prolonged period of time in which to be on a temporary visa. See Appendix A for a full breakdown of the visa costs.
2) In some instances, applicants may manage to move from the ten down to the five year route. However, they can then find that the years they have already paid for on the ten year route are not counted towards their permanent residency application date, as instead the 'clock restarts'. This means that their previous years of paying visa fees and other costs are not considered, and they exist on a temporary visa for longer.
3) Integration is harder when living on a temporary visa. It can be harder to secure housing, rentals, mortgages, to access education and to secure appropriate employment. As the House of Lords Inquiry found, "*applicants and sponsors can feel like second-class citizens and are reluctant or unable to take full part in British society before reaching settlement.*" (2023, 159)
4) The stress of living on a costly and temporary visa exacerbates fears around losing work, which can lead people to be vulnerable to exploitation; or to working in unfulfilling jobs.

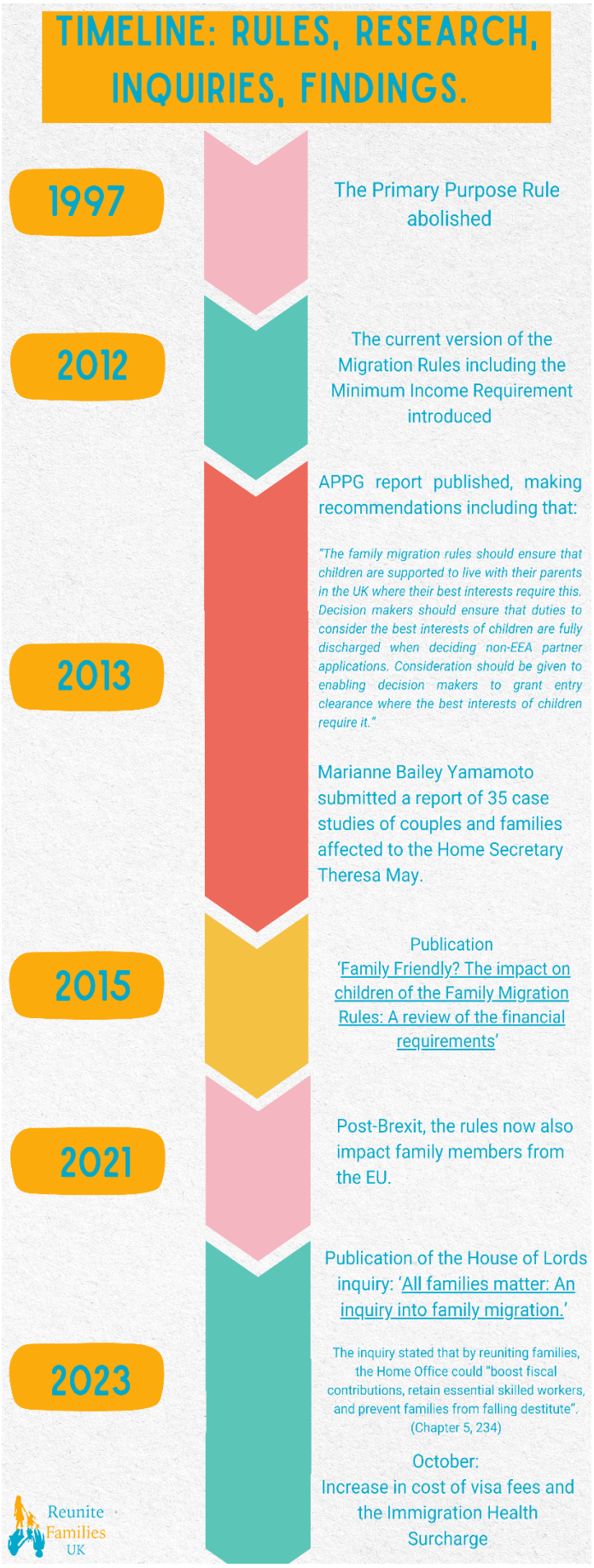
Family visas

Family visas make up a small proportion of migration to the UK. In the year ending September 2023, only 3% of visas and permits granted were for family members, compared to 57% for visits, 19% for students (including dependants), and 17% for work routes (including dependants).

The Primary Purpose Rule

In 1997, Tony Blair's Labour Party, recognising the divisive impact of the Primary Purpose Rule (PPR) on families, pledged to eliminate it, even making it a manifesto commitment. The primary purpose rule required applicants to show that the primary purpose of the marriage was something other than immigration. It was used to separate thousands of Commonwealth families, particularly from the Indian sub-continent.

The successful abolishment of this rule was rooted in a commitment to fairness in immigration policies, and upon the understanding that the PPR, by splitting families from some ethnic groups, inherently perpetuated discrimination. Drawing a parallel, the current Spouse and Partner Migration Rules similarly divide families and perpetuate discriminatory practices, albeit not solely based on ethnicity, but particularly in terms of earnings and gender. RFUK therefore appeals for a similar re-evaluation of current discriminatory practices, in the spirit of creating a just and inclusive immigration system.


TIMELINE: RULES, RESEARCH, INQUIRIES, FINDINGS.
1997
The Primary Purpose Rule abolished
2012
The current version of the Migration Rules including the Minimum Income Requirement introduced
2013
APPG report published, making recommendations including that:
"The family migration rules should ensure that children are supported to live with their parents in the UK where their best interests require this. Decision makers should ensure that duties to consider the best interests of children are fully discharged when deciding non-EEA partner applications. Consideration should be given to enabling decision makers to grant entry clearance where the best interests of children require it."
Marianne Bailey Yamamoto submitted a report of 35 case studies of couples and families affected to the Home Secretary Theresa May.
2015
Publication 'Family Friendly? The impact on children of the Family Migration Rules: A review of the financial requirements'
2021
Post-Brexit, the rules now also impact family members from the EU.
2023
Publication of the House of Lords inquiry: 'All families matter: An inquiry into family migration.'
The inquiry stated that by reuniting families, the Home Office could "boost fiscal contributions, retain essential skilled workers, and prevent families from falling destitute". (Chapter 5, 234)
October:
Increase in cost of visa fees and the Immigration Health Surcharge
Reunite Families UK

How does our research fit in?

8 years on from the *Family Friendly* report,[5] commissioned by the Children's Commissioner to look at the impact of these rules on families, our research project revisits these questions and focuses particularly on the impact upon children's mental health today. As a lived experience organisation, we know intimately how these rules can impact families and children, having heard countless stories from our members alongside our own personal tales. We know that we cannot understand the impact on children without understanding the impact on parents.

We have been motivated to carry out this research in order to strengthen the evidence base on this topic; to inform the support work that we offer to families; to support our campaigning efforts; and to ultimately try and change policy to improve the lives of families who are separated by this visa. We have identified key areas in need of further research through year one, and these will form the basis of the next phase. Amongst other things, we plan next to work with schools, in order to evidence the impact of the rules on children's education, and to provide them with information to help them support children. This report will examine the impact of the rules on families by exploring our key findings; and will conclude by outlining RFUK's recommendations.

Methodology

This report is based on the technical report "The Impact of the Spouse Visa Policy on the Mental Health and Well-being of Children" by Tony Coggins of Implemental and Tamsin Koumis of RFUK in October 2023; and on the research carried out to inform this report. The technical report used a Mental Health and Wellbeing Impact Assessment tool to analyse the impact of the SPMR on children.

The research for the technical report included:

- Three interviews
- Three Focus groups with a total of 24 people
- Survey with 26 respondents

Respondents included parents, specialists in health, education, academia and NGOs. Implemental's technical report; the interview and workshop transcripts; and the survey data have all been drawn upon to inform this report. One additional workshop was carried out with RFUK families and advisory panel members after the technical report was complete, and this meeting helped inform the structure, findings, and recommendations outlined in this report.

The research for the technical report was carried out between November 2022 - September 2023. As such, this was before the change in fees (October 2023), and before the announcement of the plans to raise the MIR (December 2023). This report was written in November - December 2023, and so includes references to these updated plans. However, survey, focus group and interview data all reflect a time before these changes and increases in the financial burden of the rules.

[5] https://www.childrenscommissioner.gov.uk/resource/family-friendly/

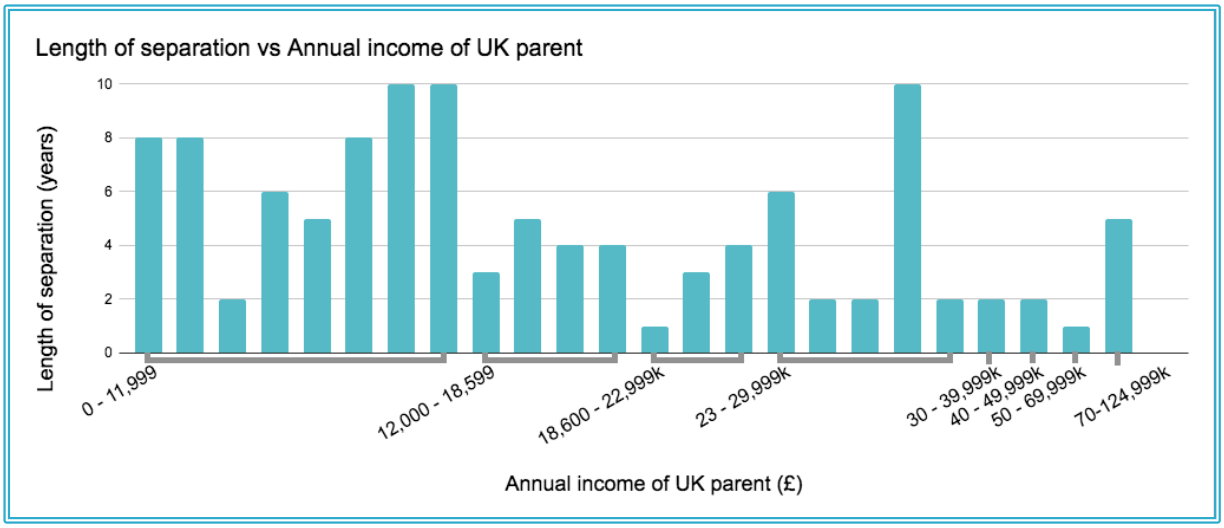
About the MIR increase

On December 4th 2023, the government announced plans to increase the MIR to £38,700 in spring 2024 through changes to the Immigration Rules.

The RFUK survey was carried out in (September 2023? check) and the research was carried out between November 2022 - September 2023 - prior to the announced raise of the MIR, and of the increased visa and IHS fees.

The RFUK survey highlighted the MIR (at £18,600) as the biggest reason for people not being able to gain a visa, with 50% (12) of respondents saying that they were unable to meet the MIR and 25% saying they struggled to meet it. The 2015 *Family Friendly?* report found that 55% of respondents were earning below the MIR.

Considering the proposed increase to the MIR, the majority of RFUK's survey respondents would not be able to meet this threshold. 74% of respondents earnt less than £30,000, and 77% earnt below £39,999. There is a distinct correlation between length of separation and wage, with those who earn under the MIR being far more likely to face long or indefinite periods of separation.



Key findings

1. The requirements create single parent families and impose a very high economic, social and emotional burden on all affected families

For some couples, in order to reunite in the UK, the British partner must return to the UK in order to begin the application process - for instance, if they have not earnt enough abroad. For women this will more often than not mean they return with the children whilst the non-British spouse remains in the other country. The family then becomes a single parent household which continues until the visa application is granted and they are reunited. For those who do not meet the MIR, this will result in enforced single parent household indefinitely - not just months but years. Some couples may be separated during the pregnancy, with some mothers facing birth alone.

"My son is nearly seven now,

and he's still never met his father."

For British citizens who have lived abroad with their partner for several years, the decision to return to the UK may come for a variety of reasons. Caring for elderly relatives; health issues, children's needs or complications during pregnancy can all bring people back to the UK, sometimes initially just for an intended visit. For other families, the situation abroad can change, with countries becoming unsafe and so British citizens deciding to return home, hoping to bring their family with them to safety.

The introduction of the current Rules in 2012 meant that British citizens could no longer easily return home with their spouses, instead having to demonstrate income, enter into a lengthy visa application process, and pay expensive visa fees. Many couples and families now and over the past 11 years have had to face difficult decisions around whether to return home and face temporary separation, sometimes with no knowing when they'll be reunited.

The length of separation depends on many factors. The British partner must demonstrate at least six months of income: currently equivalent to an annual salary of £18,600 (or not dropping below £1550 a month); though proposed to increase to £38,700 in spring 2024. This can be earnt abroad or in the UK, but if earnt abroad, they must also have a job offer for the UK. If they have a job lined up in the UK, and they earnt enough to meet the MIR abroad, couples do not have to separate. However, this situation does not apply for many couples.

For those who did not earn enough abroad, they must therefore find UK based employment. Whilst some families have employment lined up before returning, many don't, especially those who have had to return suddenly – it can take time for people to find employment that meets the MIR. Once the six months have been evidenced, the Home Office must then process the application, which takes up to a further three months. Should the sponsor's monthly salary drop below the required amount during one of those months in the 6 month period, they must start the process again in order to demonstrate a consistent earning level. Self-employed earners must provide one years' worth of accounts. And, the couple must pay for the visa fees – which for some families can take time to save for. (See Appendices for visa costs). This means that for families who have savings and have employment of the suitable amount lined up in the UK, the minimum

period of separation is likely to be one year. In general, it is likely to be greater than this, as many people must first job hunt and save for the visa costs.

Among those we surveyed, 88% (23) of respondents were separated for more than a year; 53% (14) for more than 3 years; 23% (6) for more than 7 years. These figures were based on the MIR of £18,600, and therefore these periods of separation are likely to be significantly longer if the proposed MIR of £38,700 is introduced. Some partners face difficulty in securing visas for even a short visit during that period: partners from certain countries are likely to require a lot more evidence in order to demonstrate that they are a genuine visitor. When approving visitors' visas, the Home Office is concerned about the likelihood that visitors will return to their country of origin, and their financial circumstances and their family, social and economic background are evaluated. As such, applicants from certain countries may find it harder to secure these visas, which are often denied.

For many of the families whom RFUK represents, the requirements are simply unreachable. In this situation (which will sadly be likely to now be more common with the proposed changes), families must decide to either live abroad, or else accept permanent separation. For some, this means returning to live in countries where British children will be less safe, have a poorer education, or have less access to healthcare. Faced with a lack of safety, some families may choose to relocate to a third country which is alien to both partners. For families who choose permanent separation, children then lose out on having two parents and a stable family unit as part of their development. Some children from RFUK's membership have never met one of their parents.

The period of separation itself takes a great toll on individuals and on relationships. The period of separation can draw a large gap between partners, spouses, and between parents and children.

You end up just not even having a conversation because you're not part of each other's daily life for so long.

A lack of common and shared experiences makes connecting harder, and the temporary divide within the family can lead to more permanent divisions. Many marriages and relationships break down as a result of the pressures of the process.

"We can't express ourselves for fear of upsetting the other.

"The minimum income policy has devastated the family…Marriage and family life is hard enough as it is. [It's] hard work maintaining a family"

"It destroys families, it really does."

For other couples, the separation impacts the mental health of each partner, as they must each face their struggles alone. Furthermore, operating as a single parent can place a great strain on the mental health of the parent, and have a knock-on effect on children, as will be explored further in Finding 5.

"He's just there on his own. And like extremely depressed and frightened."

"We barely talk about the emotional side of how it feels to be torn apart from your partner and all of the shame that you feel. Missing that person constantly. You're just trying to get through the day and you're just trying to focus on the practical stuff all the time.."

"You're also having to earn money and whatever else that actually that reduces the amount of support that you could give."

The financial pressures of the visa application and meeting the current MIR (£18,600) are acutely felt by those operating as single-parents, who must also find or pay for child-care to enable them to work enough to meet the MIR. For many, this creates a 'double-bind', where they have to choose between their marriage and keeping their family together at a high emotional and financial cost; or prioritising well-being but at the expense of their marriage, or at the expense of living in the UK. If the MIR is increased, more families will face this 'bind', who were previously able to meet the MIR more comfortably.

"The pressures that are put on the British spouse are just so great that yeah, you just, you just feel in this turmoil of complete and utter despair of, of a complete loss of control and you can't do anything to put it right and everything you try is just so difficult. And that's got to affect the child as well, especially when they've been a family permanently."

"I sat in my mum's back garden one day. We were watching my son and we could see things weren't right … and mum literally said to me 'you to have to make a choice right now, look after your son and leave the visa, because you can't do both. Your mental health is failing, you are both going to be detrimentally affected.' So, we decided to stop the visa. Three years on my son is thriving, he is doing really well, but that had a massive impact on us as a family."

Ultimately, the damage to the family unit and the strain on parents' bears a great impact on the children. This will be explored further in later chapters. The evidence presented here highlights the devastating human impact of the rules on families and children, who must make great sacrifices in order to keep their families together. In some cases, the sacrifices are insurmountable.

The House of Lords Inquiry in 2023 stated the following supporting findings:

"We also found that the best interests of the child tended not to be considered, resulting in avoidable harm and distress to children. A child may be prevented from

spending time with their UK-based parent who is working several jobs in an attempt to meet the financial requirement. The Immigration Rules may mean that a child must grow up without one of their parents."
(House of Lords Inquiry, 2023, Chapter 5, 216)

"We heard that a family's inability to meet the financial requirement can cause "enforced single parenthood", where two parents who want to live together as a family unit are unable to do so because the rules mean one partner has to remain overseas. The impact of this on the family may inhibit their integration into society." (Chapter 4, 153)

"Throughout this report, we observed that family migration policies separate families. We found that separation severely affects the health and wellbeing of separated families, forces some families into destitution, and leads to some people feeling rejected—including British citizens. The harm done to separated families is particularly harsh when a relative is unsafe or unwell, such as the family members of refugees or elderly parents." (Chapter 5, 215)

Sally's story

Sally, a UK school teacher, first met her husband in Turkey. It was here that they decided to build a life together after getting married in 2010 (prior to the introduction of the MIR), and lived with their daughter Clara for six years. Sally moved permanently to Turkey, where she lived as a stay-at-home mum, supported by her partner who worked as a teacher. However, in 2016, a military coup in Turkey disrupted their stability. With Clara's school closing abruptly and Sally's husband's government teaching job at risk, the family faced an uncertain future. Simultaneously, Sally's mother in the UK was adjusting to widowhood, making the family's return seem like the most sensible choice.

Upon returning, Sally, a former teacher, anticipated an easy job search. However, it took 15 months to find work, and she settled for a job she disliked in order to meet the MIR. During this period, the family lived with Sally's mother, though strained relationships emerged between Clara and her grandmother. In the UK, Clara, accustomed to having mum at home in Turkey, faced serious challenges, including selective mutism, intense separation anxiety, and stool holding, which in time lead to a referral to CAMHS. During one visit to visit see her Dad in Turkey, Clara experienced extremely high stress levels and collapsed the day before leaving her Dad again. The hospital in Turkey claimed the collapse was caused by stress. A second collapse in the UK was also diagnosed as stress induced.

After a taxing two-year separation, the family reunited, but the strain took its toll, leading to the breakdown of Sally's marriage, prompting her husband's return to Turkey. Sally's mental health suffered, and Clara faced setbacks in education. At 13, Clara continues to grapple with bullying, struggles to make friends, and experiences loneliness. Her connection to her cultural identity weakened, and relationships with her Turkish family deteriorated due to the separation and Clara's selective mutism, which meant she wouldn't speak to some family members.

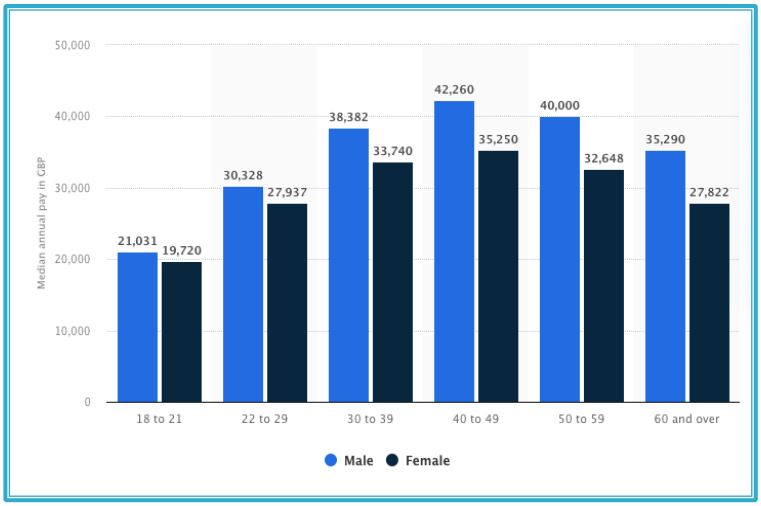
Previously self-sufficient, the family's challenges led Sally to turn to state benefits for support. Over seven years, Sally and Clara have diligently worked to rebuild their lives in the UK, but the journey is ongoing. Despite a decade of efforts to navigate separation and financial strains, the family remains profoundly affected. Sally anticipates lasting implications for Clara's development, highlighting the enduring impact of stringent migration policies on their lives.

3. The effect is discriminatory because it is felt disproportionately by women, young people, and those living outside of London or the South East / working single parents, usually mothers

For low-income single mothers, the challenge of working full time to demonstrate the current MIR of £18,600, whilst also caring for children is pronounced. The Migration Observatory noted in 2023 that women, who are more likely to have caring responsibilities, are also likely to earn less than men.[6] The Migration Observatory found that the MIR is "expected primarily to affect UK sponsors who do not work full time, for example, due to caring responsibilities".[7] Women are more likely to not work full time, not work at all, and to have caring responsibilities. As such, families with British and settled mothers are more likely to find themselves financially strained, struggling to meet the stringent financial requirements and associated fees compared to those with British and settled fathers.

Whilst the current MIR of £18,600 can be said to discriminate against low-income single mothers, the proposed new MIR, which is more than double, would discriminate against the majority of women. Median earnings for all women who work full-time in the UK are below the proposed new MIR - see the table below. Between October to December 2022, 9.74 million women in the UK were working full time, whilst 5.92 million worked part time.[8]

Median annual earnings for full-time employees in the United Kingdom in 2023, by age and gender[9]



The financial barriers are compounded for individuals on lower incomes, students, and those with caregiving responsibilities, as highlighted by the Migration Observatory and *Family Friendly?*[10] reports. The income threshold is shown to discriminate not only based on gender but also across

[6] https://migrationobservatory.ox.ac.uk/resources/commentaries/the-minimum-income-requirement-for-british-citizens-sponsoring-partners-to-live-with-them-in-the-uk/
[7] ibid
[8] https://commonslibrary.parliament.uk/research-briefings/sn06838/
[9] https://www.statista.com/statistics/802183/annual-pay-employees-in-the-uk/ information sourced from https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/agegroupashetable6
[10] Wray, H., Grant, S., & Kofman Eleonore. (2015). *Family Friendly? The impact on children of the Family Migration Rules: A review of the financial requirements Commissioned by the Children's Commissioner for England from Middlesex University and the Joint Council for the Welfare of Immigrants.* https://www.childrenscommissioner.gov.uk/resource/family-friendly/

age, ethnicity, and place of residence. Those with learning difficulties and health problems in the family also face additional challenges.

Furthermore, the MIR - in both its old and its proposed new form - lacks sensitivity to regional pay disparities. While Londoners earn 27% more than the national average, inner city inequalities also vary greatly between boroughs. Meanwhile, in the North East of the UK, the average is 11% below the national average, and 38% less than London.[11] As such, those living in areas such as the North East, Yorkshire, Wales, Northern Ireland, are all likely to face further disadvantage in relation to the rules' financial requirements. Wages in the UK also vary depending on ethnicity, although the pay gap has decreased since 2012. In 2019, there was a 16% pay gap between White British workers and Pakistani workers.[12]

The current cost of living crisis also has a great impact on how much families are able to save for the high visa fees. Research conducted in 2022 found that one in six UK households (4.4million) faced serious financial difficulties with the cost-of-living crisis, which particularly impacted single parents and low-income households.[13]

The emotional toll on single mothers forced to work under these conditions is evident from personal narratives, which underscore the profound impact on familial relationships and mental health. Collectively, this evidence paints a compelling picture of the discriminatory ramifications of the Spouse and Partner Migration rules on vulnerable groups within the UK.

The following quotes, from families and from the House of Lords Inquiry, help to illustrate these points.

"I guess she lost her father and lost her mother to work. I would be going out to teach and she would be screaming at the door don't leave me, don't leave me, don't leave me. I was a stay-at-home mum when we lived in Turkey, so she basically lost both of her parents when we came back here."

"I lost my job. I have to stay at home as my child is just not capable… if his father was here I could go back to work… instead I can't, I'm having to rely on benefits because the support I've got is not in this country. It's really damaged my mental health because I hate not working. It's ripped away my choices in life, it's just a negative cycle because I'm unhappy and that rubs off and that's not fair." [abbreviated]"

"So for childcare, I'd say it's very difficult because you are basically a single parent and if you don't have family support, it's very difficult to get your child to school in the morning and pick them up. And while at the same time juggle work as well."

[11] https://www.statista.com/statistics/416139/full-time-annual-salary-in-the-uk-by-region/
[12] https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/ethnicitypaygapsingreatbritain/2019
[13] Evans, J., & Collard, S. (2022). *UNDER PRESSURE: THE FINANCIAL WELLBEING OF UK HOUSEHOLDS IN JUNE 2022 Findings from the 6th Coronavirus Financial Impact Tracker Survey*
See bibliography for more references to the MIR

"My boy is 5, my husband was not here for the birth, and he's never been here for a birthday, to make it worse I had to go through a whole Autism diagnosis alone

House of Lords Inquiry:

"The 2012 impact assessment also acknowledged that "there may be negative impacts on lower income resident sponsors" directly affected by the reform. During our inquiry, reflecting the language of the 2012 impact assessment, the Home Office told us that the affected British citizens and permanent residents need to choose between staying in the UK but being separated from their relative(s), or being together abroad:

"Where a decision refuses an application for leave to enter or remain based on family life this will be based on an assessment as to whether the family can relocate outside the UK together. Whether the family choose to separate is always a matter for them to determine.""
(House of Lords, Chapter 4, 151; written evidence from the Home Office[14])

14 https://committees.parliament.uk/writtenevidence/112164/html/

4. The overall effect makes it harder rather than easier for mixed nationality families to integrate into society, which is the opposite effect to that intended by the rules

In this chapter, integration is explored in its reciprocal sense - as a two-way process through which society, culture and social cohesion are meaningfully shaped by everyone who is a part of them. Integrated communities as defined by the government are "communities where people – whatever their background – live, work, learn and socialise together, based on shared rights, responsibilities and opportunities"[15]. Therefore, integration is about everyone - not just migrants. In their 2019 report, the Institute for Public Policy Research defined three conditions for an integrated community:

> • "An integrated community must be grounded in equality where, regardless of their background, everyone has equal access to basic services and is free from discrimination and hate crime.
> • An integrated community must be one where, regardless of their background, everyone is enabled to make an economic and/or social contribution, and this contribution is recognised and appreciated.
> • Finally, an integrated community must be one where there is sustained, meaningful and constructive contact between different people, regardless of their background."[16]

In order for this to happen, marginalised and disadvantaged groups often need additional support to enable their contribution.

Families who are navigating the SPMR often face challenges in accessing basic services; in their ability to make an economic and/or social contribution; and in their ability to socialise and connect with others. Food, accommodation, education, employment and healthcare are some areas of life that fall into integration, with leisure activities and socialising as spaces where meaningful contact can be developed. Our initial findings have shown that families make sacrifices in several of these areas in order to save for the visa fees and to meet the MIR, impeding their 'success' in these areas.

- The **financial** costs sit at the root of many of these integration issues. Some families we spoke to went into debt to pay the fees; others eat into pensions savings; whilst others rely on family.

"It does take away the building of your future: buying a house together, have holidays together and think about pensions and things to pass on to your kids. Through this situation you can't plan for the future because all the money just goes on that process."

"I went into credit card debt just to pay for the bloody visa and now when I look at the interest rate and cards and the interest payments repayments on cards, they're crippling"

[15] Ministry for Housing, Communities and Local Government [MHCLG] (2018) Integrated Communities Strategy green paper. https://www.gov.uk/government/consultations/ integrated-communities-strategy-green-paper
[16] https://www.ippr.org/files/2019-06/measuring-the-benefits-of-integration-june19.pdf

- Several families spoke of facing challenges in paying to **feed** their families adequately.

"If I didn't have my mum and dad right now, we'd be in a food bank"

"It's a choice. Do I choose good quality food or the visa? Do I choose the music lesson for my children or money towards the visa?"

- Families have had to live in inadequate and precarious **accommodation** in order to enable saving, and have had to change their long-term life plans, unable to buy houses and build stability. Others have had to live with parents for long periods of time. Those who have been granted the visa can find it harder to secure stable rentals, as landlords are less keen to rent to those here on temporary visas.

-

"You think the only way to get help is to make yourself homeless, but you get put in a hostel and that's the hardest thing to get out of … If you live in a hostel, you have not got the capability to work because you are officially homeless. Then you can't get a job or it's very difficult, so if you are trying to get a visa it has a negative knock-on effect."

"All that money when you're saving up to get a house for you and your family to provide the stability for your kids to give them the environment you want them to be living in. That is your choice. That's not governed by the Home Office or landlord. Are really important, like foundations that you have to feel control of your family life. And to feel that there's some outside source that is imposing on that massively is horrible."

- Individuals have had to take employment opportunities which make them unhappy in order to meet the MIR, or have had to sacrifice self-employment pathways. One respondent whose child had additional support needs lost her job, as she was not able to juggle caring for her child alone whilst working

"So if you're self-employed and have an entrepreneurial spirit. You know, forget it. It kills everything inside you."

"You're also at the mercy of landlords …because you don't own the property, you're renting, paying over the odds… it comes back to that financial instability which then has a knock-on impact on the quality of what the parents, the children and the family unit can have together."

"I took a really awful job. That I can't stand. But it's gonna pay enough to pay the rent and get us out of my mum and dad's house because I'm living with mum and Dad still after four years."

- Children's **education** is impacted due to their emotional distress.

  (see Finding 5 for examples)

- Access to **healthcare** has been a challenge for families we spoke to, due not to these specific rules, but instead due to the 'hostile environment'[17] from which these rules emerged. Families faced discrimination and rejection when seeking to access healthcare services due to their child being born overseas or having a foreign parent. Some British children were denied the care they needed, despite having a British passport. Furthermore, current shortages in mental health support results in children falling between the gaps. Some families we spoke to were told their child was 'not bad enough' (yet) to access the services available, and others were on long waiting lists. In both instances, the lack of understanding about the SMPR means that services generally are not sympathetic to the situation that families are in.

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"The initial autism assessment gave me enough points for autism, but he was refused it on the grounds that he had a foreign father and he hadn't been born in the UK … I did eventually get an official apology … it's just absolute racism."

"When I returned back to the UK I was six months pregnant and 17 … [he] was born two days later. And then I was given a bill for it because I was seen as a medical tourism."

"So when we turned it up at A&E, we were refused medical treatment because [they said] he wasn't a UK citizen. And I had his British passport with him at the time and they still refused to treat him, stating that they would have to charge me… So a 2 year old child [with a British passport] was sent home from A&E with a dislocated shoulder because he wasn't born in the UK."

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Families have been unable to afford to engage in **leisure activities** or to **socialise**

[17] The 'hostile environment' was introduced by Theresa May in 2012, who stated that 'The aim is to create here in Britain a really hostile environment for illegal migration' (Kirkup and Winnett 2012). This included a focus on tackling 'sham marriages'. Whether intended or not, a fall out of this policy has been a greater hostility towards migrants in general in the UK.
From our technical report:
The institute for policy research produced a report into the impact of the 'hostile environment' and concluded that it has helped foster racism and discrimination and erroneously affected people with a legal right to live and work in the UK (Qureshi et al., 2020).
There is evidence that 'hostile environment policies' have frequently been applied incorrectly (Worthing et al., 2021). As a result, children of migrants can experience refusal of treatment that they are entitled to (Wood & Devakumar, 2020).

The profound sacrifices made by families navigating restrictive migration policies impose substantial stress, diminishing their overall happiness and fulfilment. The financial, emotional and practical toll of the visa hinders their capacity to "build a life" in the UK. As the House of Lords Inquiry aptly points out, this systemic failure in implementing family migration policies not only harms individual families but also poses a significant threat to social cohesion (House of Lords, 2023, 234).

"With regard to social networks and wider relationships, when you've got no money and you're, you know, like alone with the little one…socialising is really, really hard. I can't remember the last time that I watched a movie with friends or had a drink with friends, or for my kids, you know, was able to take them to the cinema or for a pizza: those things just don't happen. They just can't happen because of the separation, because of financial restrictions"

"You're not being able to provide the life that you want to provide for your kids and then suffering the consequences of that. We don't have that disposable income. So he misses out on things. Still life is expensive in this country, and it's become more expensive."

"I don't know it kind of feels like we're all just getting punished"

Real lack of empathy, I would say, in the services in this country, and it's almost like there's this undertone of 'you've married a foreigner. Deal with it.' And I felt that

The emergence of unhappy, marginalised groups fosters divisions, leaving communities feeling separated, isolated, and subjected to injustices. Consequently, it is imperative to address these policy shortcomings for the collective well-being of families and the preservation of a harmonious and cohesive society.

The House of Lords Inquiry in 2023 recorded the following findings in relation to integration and community cohesion:

"We were told that family migration rules prevent both sponsors and immigrants from participating fully in society. The impact of [forced single parenthood] on the family may inhibit their integration into society." (Chapter 4, 153)

"Current policies fail in their objective of promoting social cohesion. They separate families and generate tensions between families and society." (Chapter 4, 159)

"We found that separation negatively affects social cohesion and minimises the fiscal contribution of the family. Some families may require the support of local authorities if separation and the visa application process push them into destitution. Some may work several jobs to avoid destitution, preventing them from contributing to society in other ways. In extreme cases, the prospect of reunion being remote, other families may choose to leave the country. Among them are healthcare professionals working in the NHS, whose skills are lost and whose departure exacerbates staff shortages." (Chapter 5, 217)

Sophie's story

Sophie met her partner in 2004, before the change in immigration rules, whilst studying in East Africa. Her husband worked at a local NGO. She moved out in 2006 and they started living together, got married, and had two daughters - now aged 11 and 14. In 2007 they set up what became a successful family run tourism business.

The family were separated from July 2019 - September 2023. The pandemic hit during their period of separation, which dramatically impacted their situation. Their tourism business ran still; Dad was evicted from their family home; and he was living in a country with a struggling healthcare system. It was a frightening and stressful time, and the emotional toll was felt by the whole family, including Sophie's elderly parents who they were staying with.

> *"We are another example of a family who were doing really well, with a successful business, whose lives were turned upside down by the pandemic and our situation was made immeasurably worse by U.K. immigration rules. I was forced onto universal credit exactly because I basically became a "state sponsored" single parent overnight."*

After 4 years of separation and faced with rising visa fees that they could not meet, the family have now left the UK and moved back to East Africa in order to be together. For the two girls, this means once again leaving behind friends and family, to 'start again'. In an ideal world, Sophie and the family would be living in the UK, so that they could support her elderly parents who have health issues.

When the family first moved to the UK, Sophie's eldest daughter had bouts of suicidal ideation. This depression was due in part to the separation and to the move to the UK; and was further exacerbated by the insecurity of their situation and home life. They lived with Sophie's parents, which was "hard", and the daughter was ashamed to bring friends home. Having other adults around did also soften the impact of the separation a little. The younger daughter had to be taken out of class sometimes as she would cry at school, and struggled at family events with missing her dad. The children access the school counsellor and CAMHS.

5. British and settled citizens are very badly affected by these rules; with significant impact upon the mental health and well-being of British children.

As explored throughout this report, the rules place a great strain on families, often impacting the mental health of parents and the integrity of the family unit. In this section, we will explore the impact that this has on British children, focusing on mental health and education.

In families affected by separation due to the SPMR and functioning as single-parent households, parents often grapple with mental health consequences, consequently affecting their ability to effectively parent. The absence of one parent deprives the other of crucial support. There is overall a great reduction in the amount of care available for children: from one parent being abroad, the other having to work, and additional pressures if the present parent's mental health suffers. Such circumstances have a profound impact on children's mental health.

Living with a single struggling parent not only affects the immediate well-being of the child but also carries potential long-term implications for their development, including the risk of attachment disorders. The impact on education is likely to hinder the child's attainment later in life.

92% of survey respondents said that their child's mental health was impacted due to the separation. The families we engaged with voiced specific concerns that shed light on the intricate challenges they face.

Parents identified some of the behaviours, conditions and diagnoses that have been the children have been experiencing:

- Night terrors and sleep issues, crying at night - School and education impacted - Impact on confidence and self esteem - Identity issues - Worry - Confusion - Misbehaving - Lashing out, violence, anger - Withdrawal - Crying	- Suicidal ideation - Self-harm - Separation anxiety - Anxiety - Attachment disorder - Depression - ADHD - Selective mutism - Stool holding - Eating disorders - Loss of hope - Loneliness

In families with specific support needs, whether it be a parent requiring assistance or a child with high needs, the separation disrupts the family's ability to provide crucial support. This absence of mutual support can exacerbate the individual's condition and place significant strain on other family members. One mother (account on page 3) spoke of not being able to manage her son's behavioural conditions, which became increasingly violent towards himself and others as a result of the separation. His father would have been able to help, but was not there. As a result, the boy was temporarily removed from her care. Had the family been able to stay together, this situation could have been avoided, and the child's distress minimised. For families with additional support

needs, the separation can be particularly impactful, and even dangerous, impacting people's safety.

As listed above, parents reported children suffering from a range of very serious mental health conditions as a result of the separation, including suicidal ideation and depression. Children of different ages will be impacted differently. Parents report that young children do not understand the situation, and experience confusion as to why they cannot see their missing parent. This can contribute to feelings of being 'unloved' or 'abandoned'. As children get older and begin to understand 'why' this is happening, they can develop a feeling of being unsupported by the state or the system. Misbehaving and lashing out was cited by families. Older children with greater access to information may also be at more risk of worrying about their parent abroad, if they live in a less safe country.

In education settings, the families and school staff whom we spoke to described how children were distracted, emotional, and less able to thrive in schools due to the separation. Separation anxiety, behavioural issues, and emotional distress all impact children's ability to progress in their education. For some children, this is particularly acute around times of change and transition. Faced with children experiencing these challenges, schools were often cited as an important source of support for families.

Among children of all ages, there can be a perception that they are 'different' to the other children and families around them. This can be internalised in ways that leads to identity issues and in some instances, to forms of internalised racism. This is compounded by being disconnected from the non-British parent, who would be able to support them in building a healthy relationship to and understanding of the other half of their own cultural identity.

The current situation highlights a critical issue concerning British children's development and wellbeing amidst the challenges posed by these rules. British children are having to access mental health support to deal with this situation, yet there is not sufficient support available for them. Others are told their situation is not serious enough to access the support available. The lack of preventative support available for families in such situations exacerbates mental health struggles. The economic cost to the state in providing mental health support is compounded by the long-term consequences of children not realising their full potential, through impact upon their education and their overall development.

The impact on the country extends beyond fiscal concerns. British children are growing up perceiving that the diversity of their family is not valued, and not welcome here. This contradiction to the progressive ideals of a diverse and inclusive nation raises concerns about the future commitment of these children to a society that has, in essence, discriminated against their families. The deprivation of stable family life, the absence of state support, forced separation from parents, and the resulting distress create conditions unfavourable for the thriving development of resilient, contributing citizens. These rules not only foster societal divisions but also contribute to isolation, hinder integration, and impede the potential of young individuals. Addressing these issues is not just a matter of compassionate policy but an imperative for building a truly inclusive and thriving society.

The following quotes illustrate some key areas of concern regarding children's healthy development.

Impact on care

"It's in terms of their mental health. The way I parent is now very limited and inhibited, almost like I feel like I'm not being the best parent I can be so that's going to be impacting them in ways that I, you know, I can't even sort of process at the moment"

"If you're a child and you've got any of these health conditions and one of your parents is not around, it compounds everything you're already going through. It hinders their ability to take care of you."

Broader mental health impact

"I have a stepdaughter of 14 - she lived with us to start with … she advertised her own funeral on social media. What would happen to her, a teenager with suicidal thoughts … if we were all together?"

"It adds to this idea that he's not worthy and he's not loved because they can't come and see him."

We lived in Turkey for the first six years of her life and there had been no signs of anxiety whatsoever … when we left Turkey and came here, we had to remain separated for two years and during that period of time she suffered with severe anxiety to the point of collapse. She suffers with selective mutism … and although that has progressively got better as she has got older it has been really, really difficult. I still have family members who have never heard her speak."

"[They can become] aware that at any point somebody can leave them for very little or no reason that they understand." (Teacher)

Struggles to 'make sense' of the situation

"He is of the mindset of "Why can't his dad just go on a plane and come and see us?" …everyone else has got their dad here to, you know, come pick him up from school and do stuff with them. But he doesn't" (Teacher)

"He went through a period of thinking daddy lived in the iPad."

"Lately it seems she's losing that [hope], not able to see anything in a positive light."

"The thing I'm tending to see lately is a loss of trust, loss of faith that we're going to be able to be as together as a family"

"I think she's kind of lost faith in the system: that the system is on her side, and that she'll get the support there. Which is really sad. She's only 14."

Identity, internalised racism

He kind of understood it as like - if you're from a poor country or if you're brown, this is what happens to you."

"I think the kids notice. They don't feel like our family is valued. Like my husband and their dad is not valued enough to be able to come here"

"It really affected his self-identity, especially his cultural identity being mixed race and being brought up primarily in Sri Lanka until last year. … he's like a mad cricketer and always had his Sri Lanka shirt on. He threw all of it away… he never wanted to say he was from Sri Lanka. He was really negative about it. He just wanted to be another white kid"

"They're missing out on that whole half of themselves."

There is that void … he looks very much like his dad. He's very dark skinned and he looks nothing like me, and people randomly say did you adopt him?"

Impact on education

"He showed clear signs of separation anxiety throughout nursery, it got so bad a year ago - every morning going to school ended up quite horrific … we don't know how much of it is down to daddy basically disappearing."

"It was a bit of an emotional roller coaster cause one minute, yes, we're gonna get it. Next minute no…It definitely impacted her progress, because she was not in the right frame of mind to apply herself or to access learning."

"She just was animated when he was here, it was lovely. And then he had to go back … so we were a few steps back again …. It affected her ability to concentrate … to focus on her work … she had the ability to achieve more than she did."

"His learning definitely suffered as a result …I would say, …in his formative years, early years and beyond there was quite a significant impact on his learning"

Recommendations

Following on from our initial research, the Reunite Families UK team, advisory panel and families have developed the following recommendations for policy makers.

1. **Commission a review of the family migration rules in detail with a particular focus on integration and on the mental health impact of the rules on children and their families.**

In line with best practice and what has been suggested by other organisations,[18] the review should meaningfully include people with lived experience of the spouse visa application process as well as of the 5 and 10-year routes to settlement, as well as local authorities and charities.

2. **Following a review, adopt new family migration rules for British and settled sponsors of overseas spouses and partners that promote family and foster integration. Any new policy must be formulated and implemented giving due weight to the best interests of children.**

3. **Legislate for a statutory right for British citizens to be joined by their non-UK spouse or partner**

As British citizens, we have a right to reside in the UK, which is effectively limited or undermined if our partner or spouse is a non-UK citizen by MIR currently, and by the proposed increase of the MIR.

4. **If the MIR must be maintained, it should be proportional to the full-time National Minimum Wage**

The full-time National Minimal Wage would be £23,795, for someone working 40 hours a week for 52 weeks of the year, including holiday entitlement, based on the new NMW due to come into effect in April 2024.

5. **The MIR should also:**
    a. **Allow job offers made to the non-UK spouse/partner foreign national to be taken into account**
    b. **Include non-UK spouse/partner's prospective earnings if they are self-employed or have their own business**
    c. **Include reliable third-party support - such as that from parents and relatives - to contribute towards the MIR.**

The MIR has to take into account that many people, and more often than not women, need to work part time to care for their families. The suggestions above would improve the MIR, in particular making it more friendly for mothers operating as single parents, and for other people. Many families could be financially stable if they were able to stay together. Separating them reduces the families' prospective earnings.

[18] See for instance Praxis: https://static1.squarespace.com/static/5d91f87725049149378fce82/t/63ffbfb2388bca477efd5620/1677705140309/10_year_route_March23.pdf

6. **Reduce the 6 month earning period within the MIR requirements to 3 months in order to reduce separation time; and to 6 months for self-employed workers.**

As explored in detail throughout this report, families face long and difficult periods of separation, which places great strain on families and children. The period of work to be evidenced should be reduced in order to minimise the damage that this separation has on families.

7. **Reduce the probationary period to settlement to two years because that is plenty to assess the relationship (with a five-year cap for exceptional cases)**

Once the initial visa has been secured, families live in a state of uncertainty until they eventually secure their permanent residence, which can take up to 10 years. The costs of the visas have a great impact on the lives of families, and the longer the route to settlement is, the more expensive it becomes. Furthermore, living in a perpetual state of uncertainty impacts people's integration and their capacity to 'root'.

As the House of Lords Inquiry in 2023 found:

> "The struggle continues even when the family is allowed to live together in the UK. Because they must be renewed frequently for 5 or 10 years (see paragraph 205), family visas put immigrants in precarious situations. We heard stories of individuals having to move house regularly, preventing them from building a local support network, because landlords are concerned about renting to someone on a temporary visa. For similar reasons, we were also told about individuals missing employment opportunities. Evidence from Professor Charsley added that someone on a temporary visa may have to pay a larger deposit when getting a mortgage. Sheona York told us that some family migrants, while on their route to settlement, are "scared off from joining a trade union" and "do not have the time or energy to participate in community, leisure, sport or political activities"." (156)

By reducing the probationary period to 2 years (five years for the exceptional circumstances route), the financial and psychological impact on the lives of families would be reduced. The House of Lords Inquiry also called for a five year cap (House of Lords 2023, Chapter 5, 224).

8. **Remove all the so-called 'reset the clock' mechanisms of applicants on the 10-year route now able to apply under the 5-year route to settlement.**

In some instances, applicants who are on the 10-year route to settlement are able to transfer to a shorter route to settlement (for instance the 5-year route). However, the time already spent on the 10-year route does not count towards the total time invested before making a permanent application. As a result, families end up paying more and remain on a temporary visa for longer.

9. **Reduce the application processing time to a maximum of 12 weeks.**

The government aims to process visa applications made from outside the UK in 24 weeks[19], or six months. Those under the exceptional circumstances route and applying from outside the UK are generally processed in 24 weeks however some may take longer due to further checks needing to be made on these types of applications.

[19] https://www.gov.uk/government/publications/family-customer-service-standards/family-customer-service-standards

We would like to see all applications processed within a 12 week window, without exception, in order to reduce the period of separation for families. For comparison, the current processing time for a 'start-up work visa' is just 3 weeks.

10. Allow couples married for longer than 4 years to apply directly for settlement

Before 2012, couples who had been married for longer than 4 years could apply directly for settlement, as the probationary period was considered to be a testing period to check relationships were legitimate and stable. We recommend that this 'relationship' focus is re-invoked, so that long-standing couples are able to secure a permanent status quicker, and thereby avoid the challenges that the temporary visa brings.

11. Fix the level of fees at the cost of processing for all family applications[20]

Currently, the government is making large profits when processing visa applications associated with the Spouse / Partner Migration Rules. For instance, a route to settlement application currently costs the applicant £1846, but has a unit cost of £366. This represents a profit for the government of £1480, which is 80% of the fee charged to the applicants. The government should not be profiting from the family visas.

Visa type	Cost before 4 October 2023	Cost after 4 October 2023	% increase	Home Office Unit Cost	Home Office Profit in value and percentage compared with unit cost
First spouse or partner visa (for partners coming to the UK for the first time)	£1,538	£1,846	20%	£366	£1,480 / 80.17%
Indefinite Leave to Remain	£2,404	£2,885	20%	£646	£2,239 / 77,61%
Leave to Remain	£1,048	£1,048	0%	£399	£649 / 61,92%
British citizenship	£1,250	£1,500	20%	£505	£995 / 66,33%
'Skilled Worker' visa – applications made from outside the UK, visa valid for more than three years	£1,235	£1,420	15%	£129	£1291 / 90,91%
Student visa application made from outside the UK	£363	£490	35%	£179	£311 / 63,46%

[20] See Appendix B

12. **If applicants are paying National Insurance and Income Tax, they should not also be liable to pay for the Immigration Health Surcharge.**

Currently, applicants who are applying for Further Leave to Remain are also often paying for NI and Income Tax, whilst being liable to pay for the IHS. This means that they are effectively double paying for the same services. In order to achieve a fairer and most just system, at the time of the renewal of their status, joining family members shouldn't be asked to double pay for healthcare.

13. **Simplify and streamline the application process, reducing the administrative burden on applicants and on the Home Office.**

The application process is complicated and confusing. It takes a long time for the Home Office to process applications. Streamlining the process would be of benefit to families and to the Home Office.

Conclusion

The impact of the spouse and partner migration rules on children is significant. Many children of diverse families are growing up perceiving that their family is not welcome here; growing up without the safety net of a stable family unit, which research has shown is crucial for healthy development. Children in this situation are experiencing and developing mental health issues: separation anxiety, stool holding and selective mutism, to name a few. The rules are pushing families into single-parenthood and precarious financial situations, and in fact contradicting the very aims that the MIR set out to achieve. Mental health issues among children costs the state in the long-term. Stability, family, and support all help children's healthy development, and without this, children are more likely to need support and face challenges in the future.

Despite a Supreme Court ruling in 2017 which ruled that applications involving children were unlawful and did not have the child's best interests at heart, children continue to be separated. Well documented and powerful reports such as the Children's Commissioner's *Family Friendly?* and the House of Lords 2023 Inquiry have highlighted in detail the impacts upon British families and their children, and yet the rules continue to have a damaging impact on children.

The rules are not meeting their aims. They are not considering children's best interests; they are not protecting children, or respecting family life. They are not protecting taxpayers money, but instead are creating great costs for the state down the line, and diminish the enormous potential contributions that these families could make to our society.

What impact will this have on culture – what kind of community are we fostering, if only those with wealth are allowed to fall in love overseas? Are we teaching our children that British people must only love British people? That family is a luxury which they cannot afford?

The Prime Minister spoke of family values being at the heart of his policies, yet here are families being devastated by them. These children are the next generation and as a society we have a duty to protect and provide them with solid foundations in order to enable them to prosper in Britain. Stable family units are the start of this.

What's next for us? Given what we have learned in the initial findings, RFUK will be speaking to more families to help build on what we are being told. Working with child experts, we will gain a deeper understanding of the impact of the rules on children as experienced by them. We will also continue to develop our network within the education and mental health settings in order to understand how we can build our knowledge into their work, to help them to support families as best they can.

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Glossary

ILR – Indefinite Leave to Remain
LTR – Leave to Remain
MIR – Minimum Income Requirement
SPMR – Spouse / Partner Migration Rules (subsection of the Family Migration Rules)
RFUK – Reunite Families UK
IHS - Immigration Health Surcharge

Appendix A: Visa costs

Visa route		Before October 4th 2023	After October 4th 2023	After January 16th 2024 (with the increase to the Immigration Health Surcharge)
5-year route	Initial visa application (from outside the UK)	£1,538.00	£1,846.00	£1,846.00
	Extension after 2.5 years	£1,048.00	£1,048.00	£1,048.00
	Immigration Health Surcharge (adult) (£624 x 5, paid annually)	£3,120.00	£3,120.00	(£1024 x 5) = £5,5175.00
	Immigration Health Surcharge (child) (£470 x 5)	£2,350.00	£2,350.00	(£776 x 5) = £3,880.00
	Application for Indefinite Leave to Remain (after five years)*	£2,404.00	£2,885.00	£2,885.00
	Biometric Enrolment (£19.20 x 3)	£57.60	£57.60	£57.60
	Life in the UK test	£50	£50	£50
	Total cost: partner	**£8,217.60**	**£9,006.60**	**£11,061.60**
	Total cost: partner + 1 child	**£15,665.20**	**£17,243.40**	**£20,828.20**
Ten-year route	Costs as above, plus additional costs:			
	Extensions after 5 and 7.5 years	£2,096	£2,096	£2,096
	Additional 5 years of IHS (adult) (£624 x 5)	£3,120.00	£3,120.00	(£1024 x 5) =£5,5175.00
	Additional 5 years of IHS (child) (£470 x 5)	£2,350.00	£2,350.00	(£776 x 5) = £3,880.00
	Additional 2 x biometric enrolment (£19.20 x 2)	£38.40	£38.40	£38.40
	Additional cost for ten-year route	£5254.4	£5254.4	£7,30940
	Additional cost for ten-year route: partner + child	£9,738.80	£9,738.80	£13,323.8
	Total cost for ten-year route: partner	**£13,472.00**	**£14,261.00**	**£18.371,00**
	Total cost ten-year route: partner + 1 child	**£25,404.00**	**£26,982.20**	**£34.152,00**

Appendix B: Home Office profit for processing visas

Visa type	Cost before 4 October 2023	Cost after 4 October 2023	% increase	Home Office Unit Cost	Home Office Profit in value and percentage compared with unit cost
First spouse or partner visa (for partners coming to the UK for the first time)	£1,538	£1,846	20%	£366	£1,480 / 80.17%
Indefinite Leave to Remain	£2,404	£2,885	20%	£646	£2,239 / 77,61%
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British citizenship	£1,250	£1,500	20%	£505	£995 / 66,33%
'Skilled Worker' visa – applications made from outside the UK, visa valid for more than three years	£1,235	£1,420	15%	£129	£1291 / 90,91%
Student visa application made from outside the UK	£363	£490	35%	£179	£311 / 63,46%

Source: Home Office Visa Fees Transparency Data[21]

[21] https://www.gov.uk/government/publications/visa-fees-transparency-data

Appendix C: What helped your family?

When asked what has supported the children's mental health through this experience, one mother said:

- "Talking about their dad helps a lot. Messaging and calling him as soon as we can when they are missing him. Sharing happy memories, or funny stories about him. Talking about what we think he'd like about experiences we are having. Sharing jokes with each other, photos, videos, memes on our family WhatsApp group. It can be hard to keep doing this when life is busy but it all helps."
- Being a part of RFUK: knowing that there are other families going through similar situations, and accessing the support available
- Solid friendships
- Understanding and caring teachers/support staff
- Loving family. Family that love and respect my husband and in-laws who love and respect me. They may not always understand but it helps us all feel more connected.
- Allowing and honouring emotions. All of them.
- Talking openly about the situation, why it's wrong and what we're trying to do as a family to resolve it.
- Encouraging and allowing my husband to be completely involved when we're all together on a visit. Whether it's jumping on the bus for the school run, doing the weekly shop with the kids, cooking together. Doing lots of normal family things. Then it feels more real and less like a holiday with less pressure to force things to be special. And my husband feels valued and that he's contributing.

The Impact of the Spouse/Partner Migration Rules on the Mental Health and Well-being of Children

Tony Coggins and Tamsin Koumis
October 2023

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EXECUTIVE SUMMARY

Introduction

The Spouse/Partner Migration Rules [which will be referred to as SPMR in this report] outline the requirements for British citizens and settled persons (those with indefinite leave to remain in the UK) who wish to 'sponsor' a partner from outside the UK. In 2012, the Minimum Income Requirement (MIR) was introduced, which the government stated was intended to support integration and prevent a burden being placed on the taxpayer (Gower & Mcguinness, 2017). The income must initially be earnt by the British / settled spouse (who is often operating as a single-parent), and must be earnt and evidenced in particular ways. Once the partner is in the UK, the threshold must be maintained throughout their route to settlement and if it is not, they will be put on a 10-year route. Many families are unable to meet the threshold, currently £18,600 a year, and are therefore unable to live together in the UK. An estimated 26% of adults earn less than this (Migration Observatory, 2023). This, and other barriers within the rules, results in many children being separated from one of their parents, often for many years, and in some cases indefinitely.

This report summarises the results of a Mental Wellbeing Impact Assessment (MWIA) conducted between December 2022 to September 2023. It incorporates insights from key stakeholders and a rapid review of the literature to assess the potential effects of the SPMR on children's mental health and well-being. This includes the MIR, as well as other factors within the policy, such as visa fees. The report highlights several key themes that have emerged.

Economic security

The MIR and visa costs are significant barriers to family reunification. Sponsoring partners often work full-time and act as 'single parents' to meet the spousal visa's financial requirements, leading to a tough choice between prioritising their children's emotional well-being or earning enough to cover the MIR and visa costs. This dilemma frequently results in financial hardship for families. Importantly, low income and parental separation consistently impact children's mental health and emotional development.

It is important to note here that as this evaluation report was drawing to a close, visa fees were increased, and the Immigration Health Surcharge will be increased by roughly 66% by later in the Autumn 2023. These new figures are likely to further impact families, and this will be looked at in more detail as the research develops next year.

Access to good quality housing

The ability to provide a stable home forms an important part of the spousal visa application. However, it is often difficult for returning families to find somewhere appropriate and adequate to live. Landlords can be reluctant to house 'single parents' and good quality rented accommodation is expensive. Poor housing and housing insecurity are strongly associated with poor physical and mental health outcomes for children.

Discrimination and racism

Families encountered discrimination and racism related to their visa status and family diversity. This encompassed children experiencing racism at school and parents facing barriers in accessing services such as healthcare and housing. The 2014 and 2016 Immigration Acts

included policies explicitly aimed at establishing a 'hostile environment' for undocumented immigrants in the UK in order to safeguard public resources. However, there is evidence indicating that this approach may have fostered racism and discrimination. Both direct and indirect racism are associated with worse mental health outcomes.

A sense of control

Being a child can be a powerless experience. Parents reported that children found it difficult to understand why they could not see their father or mother. This sense of helplessness was compounded by the seemingly endless nature of the situation with no endpoint insight.

Learning and Development

Parents believed that their children's learning and development were influenced by both parental separation and the emotional toll of the visa process. The consistent negative impact of parent-child separation is observed in children's social-emotional development, overall well-being, and mental health. Additionally, household income, maternal mental health, and the home environment play crucial roles in shaping schooling and cognitive outcomes; all of which are negatively impacted by the SPMR.

Emotional Wellbeing

Children experience prolonged separation from one parent during the spousal visa process, which parents said had taken an emotional toll on their children, contributing to increased anxiety and poorer mental health, along with social and emotional issues. Such separations are associated with a higher likelihood of psychological problems in children, as parental separation is a common adverse childhood experience (ACE). ACEs are linked to adverse health outcomes, including sleep disturbances, mood swings, impulsivity, a weakened immune system, and an elevated risk of mental health issues.

Emotional support

The emotional availability and consistency of parents is the primary influencer in children's mental health outcomes. However, children's access emotional support from parents is significantly reduced by the SPMR. One lives abroad and the other needs to work in order to meet the MIR. Schools are potentially a source of good emotional support, but parents' experiences varied.

Relationships

Parents expressed concern about how separation affects their children's ability to bond with the absent parent, as contact is typically limited to phone or video calls. While technology helps bridge the gap, it falls short in fostering meaningful connections due to the absence of physical touch. Prolonged separation, infrequent physical contact, and limited communication can lead to estrangement, which has adverse effects on emotional well-being. In contrast, strong parent-child bonds and attachment promote positive mental health in children and increase their likelihood of becoming independent and resilient adults.

Cultural identity and a sense of belonging

Children affected by the SPMR often have parents from diverse cultural backgrounds. Parents wanted their children to be able to embrace their bi-cultural identity. A strong ethnic identity can protect against depression and act as a compass, helping young people navigate life beyond adolescence and promoting good mental health. However, because of the SPMR children experience long periods of separation and limited contact with one of their parents

making it difficult for children to learn about and understand half of their cultural and religious heritage. A lack of cultural identity can lead to feelings of not belonging, potentially causing social isolation.

The Impact of the Spouse/Partner Migration Rules on the Mental Health and Well-being of Children

INTRODUCTION

This work was commissioned by Reunite Families UK (RFUK) and funded by the Paul Hamlyn Foundation. RFUK is a not-for-profit organisation which supports families to navigate the UK spouse visa process and seeks to raise awareness of the impact of the spouse/partner migration rules [SPMR] on children and families.

The SPMR outlines the requirements for British citizens and settled persons (those with indefinite leave to remain in the UK) who wish to 'sponsor' a partner from outside the UK. One of the most far-reaching changes to the Rules was the introduction of the minimum income threshold (MIR) in 2012. Since 2012, sponsors have been required to earn at least £18,600 per annum to sponsor a partner. An estimated 26% of the UK adult population earn below this threshold (Migration Observatory 2023). Many families face long, sometimes permanent separation due to the SPMR. Within three years of the MIR's initiation, it was estimated that 15,000 British children were separated from one of their parents due to the policy (Wray et al., 2015).

Case study

"The school told me he is grieving because he's lost his daddy."

Raquel was living in Brazil when she met her husband, Manoel. They have two boys together however after she experienced a number of crimes against her – one extremely serious, they decided she needed to bring them to England. Manoel and his 14-year-old stayed in Brazil until they could be reunited safely in the UK. More than 4 years on, they are still not here. Raquel is trying to reach a minimum income threshold of £22,400 required to bring over her husband and her stepdaughter. Now the visa fees have gone up she's also now got to save over £10,000 for visa application but as an enforced single mother of the two boys, now aged 5 and 6, much of her income goes on childcare and basic living costs and she's unlikely to find work that will meet that salary requirement where they are,

"We've thought about bringing him to the UK for a visit but the cost of it would take away from the savings for the visa application process. Also, I'm worried what it would do to my boys if they were forced to say goodbye to their father again."

Her children have only seen their dad and stepsister once since being separated. The oldest son has been "deeply affected" by being separated from Daddy. He suffers from "separation anxiety and mental trauma". The youngest son remembers less of daddy, but Raquel says it's a "ticking time bomb" having discovered from grandma that he holds back feelings to not upset mummy. Not having daddy here for the boys also means missing out on an important part of their cultural heritage, education, and identity.

What do we mean by mental health and wellbeing?

There are many definitions of wellbeing and mental wellbeing. The one that is often used, and which the MWIA endorses is:

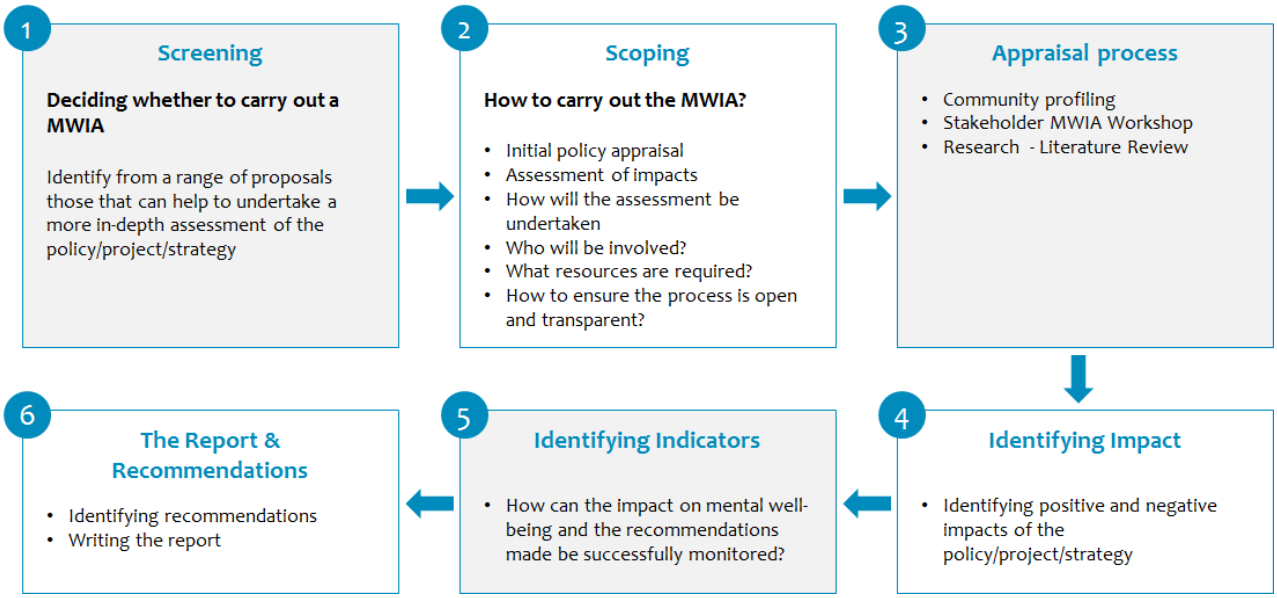
Mental wellbeing "…is a dynamic state, in which the individual is able to develop their potential, work productively and creatively, build strong and positive relationships with others, and contribute to their community. It is enhanced when an individual is able to fulfil their personal and social goals and achieve a sense of purpose in society[22]."

Put simply, mental wellbeing is about how we think and feel.

Mental Wellbeing Impact Assessment methodology

Mental Wellbeing Impact Assessment (MWIA) is an innovative and effective process to ensure proposals improve people's mental wellbeing as much as possible. MWIA uses a combination of methods, processes and tools to assess the potential for a policy, service, programme or project (proposals) to impact on the mental wellbeing of a population.

The MWIA process entails a set of defined stages (Figure 1): i) screening, ii) scoping, iii) appraisal process, iv) identification of potential positive or negative impacts, v) identification of indicators, and vi) identification of evidence-based recommendations and report.



The main outputs of a MWIA are evidence-based recommendations specifically designed to influence planners, funders and those delivering the projects, proposals or services.

[22] Foresight (2009) *Foresight Mental Capital and Wellbeing Project (2008). Final Project report*. London: The Government Office for Science. (available: http://www.foresight.gov.uk/Mental%20Capital/Mental_capital_&_wellbeing_Exec_Sum.pdf, page 10)

The UK Department of Health 'Making it Happen Guidance' for mental health promotion (2001) identified key areas that promote and protect mental wellbeing:

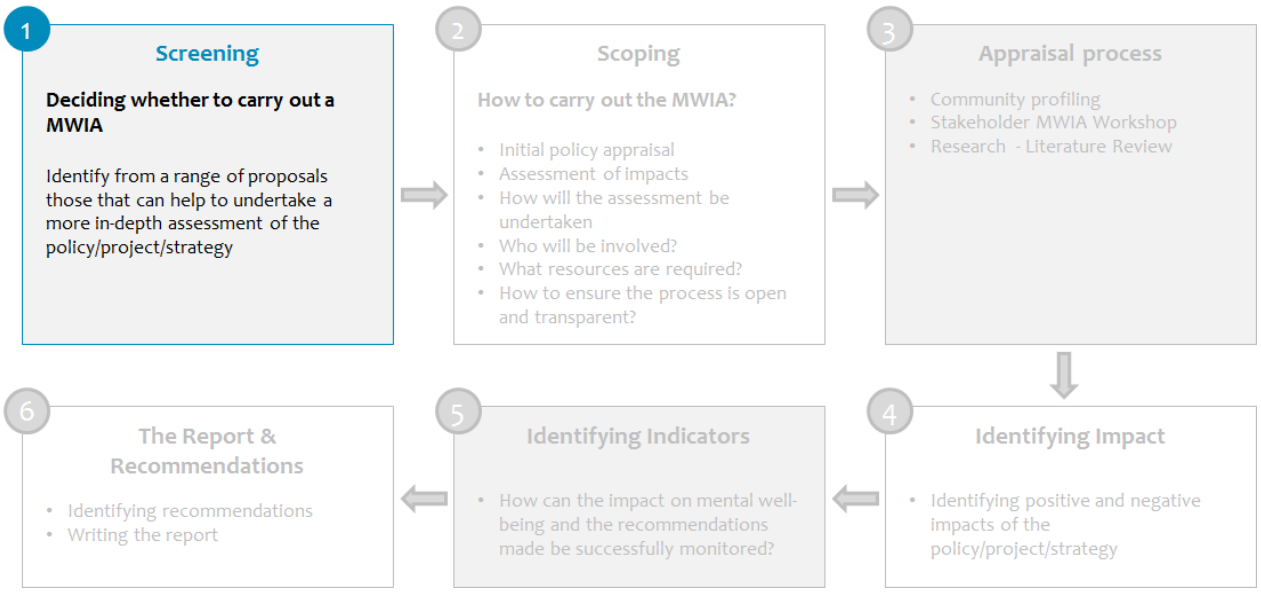
- Enhancing Control
- Increasing Resilience and Community Assets
- Facilitating Participation and Promoting Inclusion

The MWIA is based on these areas and helps participants identify things about a policy, programme or service that impact on feelings of control, resilience, participation and inclusion and therefore their mental health and wellbeing. In this way the toolkit enables a link to be made between policies, programmes or service and mental wellbeing that can be measured.

"How people feel is not an elusive or abstract concept, but a significant public health indicator; as significant as rates of smoking, obesity and physical activity" (Making it Happen, Department of Health 2001).

The MWIA methodology was taken from the *MWIA: A Toolkit for wellbeing* published by the National MWIA Collaborative NMHDU in 2011. It is available to download at https://www.thrivewbc.com/resources

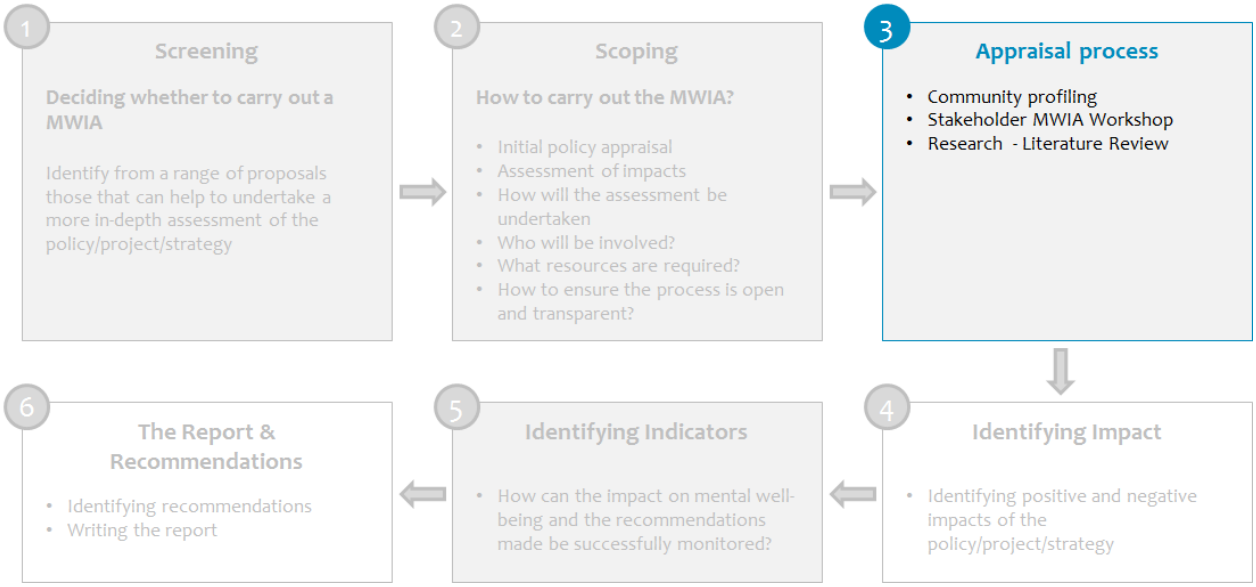
SCREENING FINDINGS



The desktop Mental Wellbeing Impact Assessment (MWIA) screening tool has been designed to help people who are planning or providing policies, services, programmes or projects to begin to find out how they might make a difference to mental wellbeing. The process is designed to help people decide whether it's worth undertaking a more intensive MWIA involving a wide range of people: screening is the *first* stage in MWIA and reflects the view of a small group of invited stakeholders, but it can be a valuable standalone short assessment.

The screening identified several potential impacts that it would be helpful to explore further through stakeholder focus groups and the full MWIA process. The findings from the screening were used to identify key impacts to explore in more depth. They have also been weaved into this report.

APPRAISAL PROCESS



Data for the appraisal was drawn from three sources as depicted in the illustration above. The data was then triangulated to form an assessment of key areas that are likely to be having an impact on mental health, the level of the impact and the degree of confidence in the findings.

Stakeholder evidence

The purpose of collecting stakeholder evidence is to identify key themes that can be explored further and tested against other data sources. Stakeholders were identified as parents, children, health workers, NGO staff, educationalists, academics and RFUK staff. The views of stakeholders were collected through three online focus groups using the Mental Wellbeing Impact Assessment checklist to guide conversations. The themes emerging from the focus groups were then used to design interview questions for the survey that was used to gather the views of parents who were not able to participate in the groups. The survey was shared in the Reunite Families UK Facebook group. There were 26 responses, 52% of respondents were separated at the time of responding, 40% had been separated in the past, and 8% were together but in the process of applying for a spousal visa.

Table 1 Stakeholders

	Parents	Health and Education	Academics	NGO staff	Total
Workshops	18	0	2	2	24
Interviews	0	3	0	0	3
Survey	26	0	0	0	26

The majority of stakeholders attending the focus groups were parents. Some of the parents were currently going through the process of applying for a spouse visa and some had successfully completed the process. Children and young people were not involved in the focus groups, due to the sensitive nature of the conversations and concerns that conversations could

be triggering. Understanding the views of the children and young people directly is an important missing element of this initial piece of work. RFUK are currently considering how this insight can be safely and effectively gathered to build on this report.

Community profile

It is challenging to build a profile of the children and young people impacted by the SPMR as the only data available is for applications where children did not have British citizenship or settled status. Therefore, estimated figures and population characteristics have been drawn from a number of sources including Home Office statistics, the 2023 AGPG Enquiry into Family Migration, and a 2015 Children's Commissioners report into the impact of the financial requirements of the family migration rules on children (Wray et al., 2015). A small survey conducted by RFUK was also included. The survey had 26 responses and therefore, by itself, is not necessarily representative, but provides some helpful additional insight and points of reference to be considered alongside the other available data.

Literature review

The stakeholder evidence identified several determinants of mental health that are likely to be significantly impacted by the SPMR. Research focusing directly on how the SPMR influences these determinants of mental health and wellbeing for children is limited. Therefore, this literature review draws on research related to situations that stakeholders identified as being a direct result of the policy. For example, children being separated from a parent. It also includes research into related situations and groups, who experience some of the same 'impacts' as families affected by the policy. For instance, others who experience separation, including military families, families with one parent incarcerated, and children of divorce or separated parents. There are, of course, distinct differences between these other groups and spouse visa families, but useful comparisons can be drawn whilst holding these differences in mind. The review also draws upon two key reports on the Family Migration Rules, review of the financial requirements of the Family Migration Rules commissioned by the Children's Commissioner for England and the Joint Council for the Welfare of Immigrants (Wray et al., 2015) and an inquiry into family migration by the House of Lords for the Justice and Home Affairs committee in 2023.

COMMUNITY PROFILE

A public mental health approach aims to promote and protect the mental health of the whole population, while recognising that (as is the case for physical health) levels of vulnerability to poor mental health will vary among different population groups. Therefore, understanding demographics is particularly important. This report focuses on the impact on children and young people however, it is not possible to identify exactly how many children are affected by the MIR as the Home Office only provide statistics on successful applications for children who do not have UK citizenship or settled status. Therefore, the figures do not include children from families who apply, but are not successful, or do not apply because they cannot meet the MIR, or children who are already UK citizens. A 2015 report commissioned by the Children's Commissioner for England estimated that up to 15,000 children had been separated from a parent in the three years since the introduction of the minimum financial requirement in 2012 (Wray et al., 2015). This is the latest available figure (House of Lords, 2023).

Young Children

Early years are key to mental health and wellbeing, since foundations for good mental health lie in pregnancy, infancy and early childhood. The quality of the home learning environment, the quality of pre-school and amount of time spent in pre-school are all associated with greater self-regulation, an attribute strongly associated with improved educational outcomes.

Stakeholder Views

Stakeholders felt strongly that the SPMR requirements had a significant negative effect on the mental health and wellbeing of children in their early years. As a result of the rules, children are separated from one of their parents, often for many years.

"My boy is 5, my husband was not here for the birth, and he's never been here for a birthday, to make it worse I had to go through a whole Autism diagnosis alone."

People felt that as a result many children experience separation anxiety which can then manifest itself in a range of negative ways such as behavioural difficulties and selective mutism.

Adolescence

Protective factors for health and mental health in adolescence include attachment to school, family and community. Social capital indicators (e.g. friends, support networks, valued social roles and positive views on neighbourhood) are closely related to risk and the severity of emotional disorders.

Stakeholder Views

Most of the focus group participants had young children but they also talked about the potentially significant emotional impact of being separated from family on teenage children.

"I have a stepdaughter of 14 - she lived with us to start with ... she advertised her own funeral on social media. What would happen to her, a teenager with suicidal thoughts ... if we were all together?"

People felt they would not know the real long-term impact of the rules on their children until much later in life.

Children with health conditions and disabilities

Poor physical health is a significant risk factor for poor mental health; conversely mental wellbeing protects physical health and improves health outcomes and recovery rates. Life chances (notably education, employment and housing), social inclusion, support, choice, control and opportunities to be independent are the key factors influencing the mental health of people with disabilities.

Stakeholder Views

Stakeholders felt that the rules have a disproportionate impact on parents who are caring for children with disabilities, making it more difficult to provide the required care and support whilst meeting the minimum income requirement of the visa process.

"If you're a child and you've got any of these health conditions and one of your parents is not around, it compounds everything you're already going through. It hinders their ability to take care of you, perhaps."

Failure to meet the MIR, or having a spousal application refused, leaves families who have children with disabilities in a challenging situation. Children may be settled in school and have a health and social care support package in place, but in order to be reunited as a family their only choice is to uproot their children and go to another country which may not have an education or healthcare system that can adequately meet the needs of their child.

Gender

Gender has a significant impact on risk and protective factors for mental health and the way in which the experience of mental distress is expressed. Depression, anxiety, parasuicide and self-harm are more prevalent in women, while suicide, drug and alcohol abuse, crime and violence are more prevalent among men. Women are much more vulnerable to poverty, unemployment, domestic violence, sexual violence, rape and child sexual abuse.

Stakeholder Views

Stakeholders thought that the SPMR impacted different genders in different ways. This impact varied depending on which parent was absent. Generally, it is the father who is separated from the child and stakeholders felt that the absence of a male role model particularly impacted on boys.

"Because of the area we live in, having father around is really important. There's a lot of social issues around gender."

"We've got families where the mothers are separated from the child. That is so difficult because the maternal relationship becomes really hard."

Socio-economic position

Socio-economic position (SEP) refers to the position of individuals and families, relative to others, measured by differences in educational qualifications, income, occupation, housing tenure or wealth. Socio-economic position shapes access to material resources, to every aspect of experience in the home, neighbourhood, and workplace, and is a major determinant of health inequalities.

Stakeholder Views

Stakeholders thought children from lower SEP were significantly more likely to be affected by the SPMR because their parent were much less likely to reach the MIR. As a result, they were more likely to be separated from one of their parents for longer periods of time or indefinitely. Stakeholders also noted that there were regional income disparities particularly between people living in London and the Southeast compared to the rest of the country.

"It's all to do with your social economic status and you know your culture ... it does have a massive effect on the child."

Race and Culture

The connection between culture and mental wellbeing and the prevalence of mental disorders revolves around a complex combination of socio-economic factors, racism diagnostic bias and cultural and ethnic differences in the way in which both mental health and mental distress are presented, perceived and interpreted. Different cultures may also develop different responses for coping with psychological stressors. However, a major qualitative study found that idioms of distress bore great similarity across ethnic groups, although some specific symptoms were different.

Stakeholder Views

Stakeholders thought ethnic minority communities face greater challenges in reaching the MIR due to lower-than-average earning, even though it was noted that certain ethnic minority groups tend to have higher incomes

Being separated from one of their parents potentially had a big impact on the child sense of cultural identity, particularly when the two parents came from different cultures.

"There is that void ... he looks very much like his dad. He's very dark skinned and he looks nothing like me, and people randomly say did you adopt him?"

WIDER DETERMINANTS OF HEALTH

MWIA uses a framework for assessing the core protective factors in the context of the wider determinants of mental wellbeing. Individual skills and attributes (e.g., self-determination, self-esteem) need to be understood in the context of the circumstances of people's lives e.g. social networks and relationships, housing, employment, income. The MWIA identified four of the wider determinants of health that were significantly impacted by the SPMR for children. These were economic security, access to good quality housing, discrimination and access to services.

Economic Security

Stakeholder Views

All focus group participants thought the rules had a significant negative impact on the family's sense of economic security by creating financial pressures through both minimum income requirements (MIR) and the cost of the visa process.

Minimum Income Requirement

Sponsors are required to earn at least £18,600 per annum to sponsor a partner. The RFUK survey highlighted the MIR as the biggest reason for people not being able to gain a visa, with 50% (12) of respondents saying that they could not meet MIR with a further 25% saying they struggled to meet the MIR. This figure was slightly lower than findings of the 2015 Family Friendly report, which found 55% of respondents were earning below the MIR.

Stakeholders noted the sponsoring partner is often, in effect, operating as a 'single parent', who has to work full-time, and pay for childcare. Participants experienced additional challenges for their children, who were already having to cope with being separated from one parent.

"I guess she lost her father and lost her mother to work. I would be going out to teach and she would be screaming at the door don't leave me, don't leave me, don't leave me. I was a stay-at-home mum when we lived in Turkey, so she basically lost both of her parents when we came back here."

As a result, some families were having to make a choice between working less to spend time supporting their children's emotional wellbeing and earning enough money to meet the MIR and visa costs.

"I sat in my mum's back garden one day. We were watching my son and we could see things weren't right ... and mum literally said to me 'you to have to make a choice right now, look after your son and leave the visa, because you can't do both. Your mental health is failing, you are both going to be detrimentally affected.' So, we decided to stop the visa. Three years on my son is thriving, he is doing really well, but that had a massive impact on us as a family."

The cost of the visa process was highlighted by stakeholders as a major financial barrier.

For a partner to apply to stay in the UK for five years, including the application for Indefinite Leave to Remain (ILR) at the five-year point, the Immigration Health Surcharge, visa renewals and biometric enrolments (all the required costs) will cost the couple £9006.60. These costs increased on the 4th of October 2023, after this research was conducted. At the time of research, it would have cost closer to £8000. For a partner and child, it will now cost £17,243 on the five-year route. Some families will be placed on the 'ten-year route', which is more expensive because it is longer as incurs more years' worth of charges, such as the visa renewals. This route will now cost £14,261 in total for a partner, and £26,982 for a partner and child. This again includes the application for ILR at the end of the spouse visa period. These costs do not include legal fees.

The 'ten-year-route', otherwise known as the 'exceptional route', is often used for families who do not quite meet the application criteria. These families may apply for exceptional consideration. This may be families who do not meet the MIR, for instance. In court, it is often found that these families should be granted the right to be together. However, they are then placed on the route which is more expensive overall for the family.

"How on earth do I save £8,000 especially in this climate now? Then if everything was to go OK after 2.5 years, I would need another £6,000. The MIR is almost irrelevant. That's not the figure that going to make it happen. It's just one part – the capital upfront costs are huge."

Saving enough money to pay for the upfront visa costs is made more difficult by the wage disparity between the UK and some other countries where wages are significantly lower, making it challenging for a spouse to contribute towards costs.

As a result, participants reported often having to make difficult decisions about what to go without in order to save for the visa, which had direct impacts for their children.

"It's a choice. Do I choose good quality food or the visa? Do I choose the music lesson for my children or money towards the visa?"

The financial pressure means that children often miss out on leisure activities, trips out and clubs. Although parents tried to shield their children from the financial stresses and strains, they said that ultimately the children picked up on them.

"My daughter wants to go busking with her guitar in the High Street, you know? So, she can raise some money. It's just crazy."

The literature

There is strong support in the literature for the negative impact of economic insecurity and poverty on the mental health and wellbeing of children and young people. Poverty pervades all parts of life. It is well known to contribute to substance misuse, mental health issues, abuse,

adverse childhood experiences, and to violence (Bramley et al., 2019). Single-parent families tend to have poorer health, greater poverty, and lower employment than two-parent families. Low-income levels and parental separation are two of the most consistent factors to impact upon children's mental health outcomes and emotional development, as the child has less access to time, care, money, support (Cooper & Stewart, 2021). An enquiry into family migration concluded that reuniting families could boost fiscal contributions and prevent families from being destitute (House of Lords, 2023).

Research into the financial wellbeing of UK households found that between May and June 2022, one in six UK households (4.4million) were in serious financial difficulties with the cost-of-living crisis particularly impacting single parents and low-income households (Evans & Collard, 2022). The Migration Observatory at Oxford University estimates that 26% of UK citizens earn less than £18,600 (the current MIR) from employment making the income requirements inaccessible to a large proportion of UK residents. People on lower income, students, and people with caring responsibilities are less likely to be able to meet the requirements of the policy; and women are more likely to have caring responsibilities and to earn less, and so are particularly likely to find the economic pressures of the application process hard to meet (Migration Observatory, 2023).

Access to good quality housing

Stakeholder Views

The ability to provide a stable home is an important part of the spousal visa application. However, stakeholders highlighted how difficult it was for returning families to find somewhere appropriate and adequate to live that met the requirements of the visa. Most people did not own their own property and decent private rented accommodation is difficult to find, with many landlords reluctant to rent to 'single parents'. Good quality rented accommodation is expensive, which presented a major barrier for people saving towards the cost of the visa application, particularly given that families are usually having to cover the cost of two households in different countries. This causes financial stress which impacts children. Cheaper properties tended not to have outdoor space and had other issues such as mold and damp which can negatively affect children's health.

"You're also at the mercy of landlords …because you don't own the property, you're renting, paying over the odds… it comes back to that financial instability which then has a knock-on impact on the quality of what the parents, the children and the family unit can have together."

Access to social housing was only possible if families were made homeless and people then became eligible for temporary hostel accommodation. However, this then has significant implications for people's ability to find work and meet the minimum income requirement.

"You think the only way to get help is to make yourself homeless, but you get put in a hostel and that's the hardest thing to get out of … If you live in a hostel, you have not got the capability to work because you are officially homeless. Then you can't get a job or its very difficult, so if you are trying to get a visa it has a negative knock-on effect."

The literature

Lower incomes associated with single parent families mean that they are more likely to live in poor-quality housing and to experience housing insecurity (Martin-West, 2019). Housing instability is linked to weakened community networks, unemployment and more limited access to health care (A. Li et al., 2022). Periods of living with housing instability have an adverse impact on both mental and physical health (G. W. Evans et al., 2000), as well as developmental risks among children (National Children's Bureau, 2016), and is a precursor for issues with mental health during adolescence (Hatem et al., 2020). A single year spent in poor quality housing is sufficient to cause negative consequences for mental health (Pevalin et al., 2017). Long-term studies have found a link between poor housing and the prevalence of health problems in later life (Matt Barnes & Butt, 2016).

Discrimination and racism

The families who are affected by the spouse policy visa come from a wide variety of backgrounds and as such are at risk of experiencing different forms of discrimination.

Stakeholder Views

Stakeholders thought that the SPMR exacerbated existing problems around discrimination. For example, parents reported a 'dehumanising' narrative for visa applicants that also affected their children. For example, ***one parent felt that his son had picked up negative attitudes towards people migrating to the UK.***

"He kind of understood it as like - if you're from a poor country or if you're brown, this is what happens to you."

Parents reported experiencing barriers to accessing health care for their children because they were born aboard or because their father was not a UK citizen.

"The initial autism assessment gave me enough points for autism, but he was refused it on the grounds that he had a foreign father and he hadn't been born in the UK ... I did eventually get an official apology ... it's just absolute racism."

Some parents thought that the system was designed to make it difficult for families who were not 'fully British.' People said that they felt like they were being punished for marrying a non-UK citizen and that this sometimes extended into how services responded to them.

"I would say there is a real lack of empathy in the services in this country ... it's almost like there's this undertone of you've married a foreigner. Deal with it."

This compounded the discrimination and racism that some parents and children experienced because of the diversity within their family.

"My daughter, she was in a queue for lunch and these kids behind her said '[her daughter's name]', that doesn't sound like it's from around here. I think you ought to go back to where you come from'. So, there's this hostile environment that we live in."

"People assume the dad must have a criminal record. You know 'he's only here for a visa. He's probably got five wives.'"

The literature

Racial discrimination has consistently been found to link with poorer psychosocial and mental health outcomes (Pieterse A et al., 2012). Studies have shown that vicarious or indirect racism leads to poorer mental health among children and young people (Heard-Garris et al., 2018). Discrimination can take place on a structural level, or at the interpersonal level. 'Structural discrimination' refers to how institutional policies intentionally or unintentionally reduce opportunities or limit rights for certain groups of people (Corrigan et al., 2004). Migrant children are likely to experience both personal and structural discrimination (Adair, 2015), and studies have shown that internalising a structurally vulnerable position, or structural discrimination, can lead to a depreciated sense of self (Yang et al., 2014).

A series of policies contained in the 2014 and 2016 Immigration Acts were explicitly designed to create a 'hostile environment', (since renamed compliant environment), for undocumented immigrants in the UK with the aim of protecting public resources such as housing and health (House of Lords Library, 2018). The institute for policy research produced a report into the impact of the 'hostile environment' and concluded that it has helped foster racism and discrimination and erroneously affected people with a legal right to live and work in the UK (Qureshi et al., 2020).

Barriers to accessing essential services such as health care have been shown to be important factors in determining people's mental health (Pinedo et al., 2021). There is evidence that 'hostile environment policies' have frequently been applied incorrectly (Worthing et al., 2021). As a result, children of migrants can experience refusal of treatment that they are entitled to (Wood & Devakumar, 2020).

THE PROTECTIVE FACTORS FOR MENTAL HEALTH

The MWIA toolkit provides a three-factor framework for identifying and assessing protective factors for mental wellbeing, adapted from Making It Happen (Department of Health 2001) and incorporating social determinants that affect mental wellbeing. The core protective factors for mental wellbeing used in MWIA are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion

ENHANCING CONTROL

The extent to which individuals and communities have control over their lives has a significant influence on mental health and overall health. A number of dimensions of positive mental health are related to a sense of control, including:

- agency (the setting and pursuit of goals)
- mastery (ability to shape circumstances/ the environment to meet personal needs)
- autonomy (self-determination/individuality)
- self-efficacy (belief in one's own capabilities)

Research suggests that a degree of control or autonomy is a determinant of mental wellbeing across all cultures. Lack of control and lack of influence (believing you cannot influence the decisions that affect your life) are independent risk factors for stress. People who feel in control of their lives are more likely to feel able to take control of their health.

Potential impact of the Spouse/Partner Migration Rules on children's sense of control

Stakeholder Views

Stakeholders reported that the SPMR had a significant negative impact on children's sense of control. Being a child is often a powerless experience, so being part of system that the child's parents have no control over, and find hard to explain, compounds a feeling of helplessness.

"It must be an extremely confusing, puzzling experience to be in a situation which even the adults around them can't really understand, control or do much about."

Parents said that the younger children found it difficult to comprehend why they could not see their father or mother, why they could not just get on a plane and come and see them. This sense of helplessness is compounded by the 'never-ending-lessness' of the situation with no end date to work towards. The visa application process was described by stakeholders as being "unnecessarily protracted" with parents experiencing long delays and backlogs in the

processing visa applications. As a result, its families do not have a clear timeline that they can give to children, who struggle to understand the situation.

How would you explain that to a child? 'Well, I don't know if you ever will get to see your dad again.' That's not fair. How do you maintain a relationship with somebody when you don't know? It becomes unchangeable, unworkable, undoable and very stressful. It's a horrible situation."

As children get older, they become more aware of the situation and the implications that they may need to leave their friends and home to be a family. A stakeholder from a children organisation highlighted the impact this had on young people's sense of control.

"We've definitely heard from young people that the feeling of helplessness is really, really high."

The literature
There is limited literature relating to helplessness and uncertainly in children separated from a parent. However, there is evidence to suggest that fear and concern for separated family members among refugees creates a sense of distress and general feelings of helplessness (Miller et al., 2018). Longer periods of uncertainty through immigration processes have been shown to have a greater impact on the individual compared to shorter immigration processes. This echoes research with military families. Those families who experience an unexpected extension in service are considered to be at higher risk of distress, compared to those with a fixed service time (Siegel & Davis, 2013).

INCREASING RESILIENCE AND COMMUNITY ASSETS

Resilience is broadly defined as "doing better than expected in the face of adversity". A focus on resilience helps to explain the factors that protect some individuals and communities, notwithstanding adverse conditions/exposure.

Potential impact of the SPMR on the resilience of children

The MWIA identified four of the determinants of resilience that were significantly impacted by the SPMR for children. These were emotional wellbeing and emotional support, relationships and learning and development.

Emotional wellbeing

Stakeholder Views
Stakeholders felt strongly that the SPMR had a significant negative effect on the mental health and wellbeing of children due to them being separated from one of their parents, often for many years.

"He showed clear signs of separation anxiety throughout nursery, it got so bad a year ago - every morning going to school ended up quite horrific ... we don't know how much of it is down to daddy basically disappearing."

This view was echoed by educators who saw similar impacts of being separated due to the visa policy as they saw in children from military families experiencing separation anxiety when one of their parents was posted abroad.

Stakeholders talked about how children being separated from one of their parents had a sense of anxiety and grief, leading to a loss of hope, which contributed towards poor mental health. This manifested itself in a range of negative ways such as behavioural difficulties, self-harm and selective mutism.

"We lived in Turkey for the first six years of her life and there had been no signs of anxiety whatsoever ... when we left Turkey and came here, we had to remain separated for two years and during that period of time she suffered with severe anxiety to the point of collapse. She suffers with selective mutism ... and although that has progressively got better as she has got older it has been really, really difficult. I still have family members who have never heard her speak."

Separation due to visa policy represents a significant time of unplanned transition and change for children and young people which stakeholders felt would impact negatively on their mental and emotional health.

"The rates of referrals around the primary/secondary school transition are a really good example of a very simple transition that we can plan for and yet still impacts mental health issues the same way... So, I think it would be absolutely logical to say that if you've got major changes in your family that you can't control, it's going to affect your emotional well-being and resilience."

One educator felt that because of changes in the family situation children affected by the SPMR were more anxious and nervous around times of change, such as teachers leaving, than their peers.

The visa process is protracted in nature which affects create and emotional and financial strain on parents that then also has a knock-on effect for the wellbeing of children. A number of parents felt they would not know the real long-term impact of the policy on their children until much later in life.

The literature

Whilst there is limited literature specifically on the mental health of children separated from parents due to the UK's SPMR, useful comparisons can be made to other instances of separation, including divorce, incarceration, other forms of family migration (i.e. one parent migrating for work), and military families experiencing wartime deployment.

Separation from a caregiver is a well-documented cause of psychological issues among children. Children from separated families are more likely to have mental health challenges compared to children of families that stay together (Lucas et al., 2013). This can have long-term impacts, with research showing a link between childhood psychological problems and poorer outcomes in adulthood, including graduation, employment, and marriage stability (Fitzsimons et al., 2017).

Within military deployment contexts, children are likely to experience greater psychological distress if the deployment is unexpected, or unexpectedly extended, leading to greater uncertainty about the term of separation (Siegel & Davis, 2013). However, whilst separation from a parent has been generally found to have detrimental and long-term impact on children, one study of Navy families showed that routine sea duty deployments can increase confidence, independence and responsibility among children, compared to their peers (Drummet et al., 2003).

Adverse childhood experiences (ACEs) can be defined as stressful experiences occurring during childhood that directly hurt a child or affect them through the environment in which they live (Bellis et al., 2015). Parental separation, divorce and lack of support from a trusted adult are common adverse experiences in childhood (Vederhus et al., 2022). Reunification with the absent parent has been found to potentially have a negative impact on the child's mental health, as it disrupts the established family dynamic, and can change relationships with other caregivers, such as grandparents (Chenyue Zhao 2018).

There is a link between exposure to ACES and poor health outcomes (Bellis et al., 2015). They are thought to create chronic stress, which can lead to problems with childhood development. The likelihood of negative outcomes such as depression and substance misuse increase the more ACES people experience (Anda et al., 2006; Chapman et al., 2004; Edwards et al., 2003). Trauma in early life affects emotional regulation and increases the likelihood of health-harming behaviours (Hughes et al., 2016). Trauma can make it difficult for people to feel safe, and can result in problems with sleep, mood swings, impulsive behaviour, a lower immune system and greater risk of poor mental health (Wilton & Williams, 2019).

Insecure family attachment is associated with a range of mental health problems including depression, anxiety and PTSD, suicidal thoughts and behaviours and eating disorders (Edwards et al., 2016).

Emotional support

Stakeholder views

Stakeholders reported that the SPMR had a significant negative impact on young people's access to emotional support. This included limiting the ability of the parent living abroad to provide support due to being separated and reducing the capacity of UK based parent due to their need work to meet the minimum income requirement.

Going through the visa process is a stressful process for both parents' which stakeholders felt made being emotionally available for their children more difficult.

"The way I parent is now very limited and inhibited. I feel like I'm not being the best parent I can be, so that's going to be impacting them in ways that I can't even process at the moment."

Stakeholders thought that schools were potentially a source of emotional support for children separated from a parent.

"I feel very lucky that my daughter has gone to a very good supportive school. With the bullying, they've stepped in straight away."

However, parents experience of school support varied. Usually there were no other children in the school in the same situation and as a result school staff often did not know how to react when issues arose. This was echoed by some of the educators working with the children, who had not come across this particular situation before and were unsure of where to signpost parents for help. However, generally educators felt that school can provide a consistent environment for the children where they could feel safe and had opportunities for additional emotional support.

Those schools that were located near military bases tended to have specialist support available for children who were living with one parent whilst the other parent was deployed. However, access to this additional support is not automatically available to non-military families and is at the discretion of the school. Stakeholders thought that this was made more challenging by many schools being overwhelmed with the current economic crisis, increasing levels of staff sickness and a lack of resources. Stakeholders also noted that children would rarely know another child in a similar position, so would not have the reassurance and support of being in a group of people with shared experiences.

The literature

The emotional availability and consistency of parents is the primary influencer in children's mental health outcomes. Children watch their parents closely for signs of distress, as a way to gauge their own safety (Siegel & Davis, 2013). Among children from separated families, maternal parenting consistency was found to be the most significant predictor of child mental health challenges (Lucas et al., 2013). For families facing pressures around detention or deportation, parent's may experience hopelessness, anxiety, depression and demoralisation, all of which will decrease their emotional availability for the children (Kohrt et al., 2018). Parental availability is also compounded by the financial and work situation of the at-home parent. Studies of single mothers who have to work shows that this puts pressure on their mental health and decreases their emotional availability for their child, as explored in the section on economic stability (L. Li & Avendano, 2023).

Statutory mental health support in the UK is recognised as being hard to access for the majority of the population, with high thresholds of need and long waiting lists. According to the NHS Mental health dashboard approximately one third of children and young people with a

diagnosable mental health condition get access to NHS care and treatment (NHS Five Year Forward View for Mental Health 2023). Migrants and their families face further barriers in mental health provision as discussed earlier. Given the challenges with accessing health services teachers are often seen as a 'go to' source of mental health support for children (Childs-Fegredo et al., 2021; Ford et al., 2007; Newlove-Delgado et al., 2015).

Relationships

Stakeholder Views

Stakeholders reported significant negative impacts on relationships in general and on family relationships in particular, as a result of the SPMR. In some cases, children have never physically met one of their parents.

"My son is nearly seven now, and he's still never met his father."

They found that separation inhibited opportunities for bonding. Key milestones like birthdays are missed, as well as small everyday activities like not having mum or dad come to the school gate to pick them up, not being there at the plays or other school events. Children feel abandoned and can blame themselves for the separation.

"It's like he's missing out on everything. That's huge. My daughter's crying because ... he hasn't been around for her birthday for four years."

"It adds to this idea that he's not worthy and he's not loved because they can't come and see him."

Although spouses can apply to visit on a holiday visa, costs were often prohibitive and brought its own challenges. Furthermore, many families have visit visas refused. Some parents felt that the impact of having to say goodbye at the end of the visit could be more damaging to young children than no visit at all.

Contact is often limited to phone and video calls which people found was often practically problematic for young children due to time differences between countries and emotionally difficult because of the challenges with making connections and bonds over the phone. Parents reported that some children did not respond well to screen-based calls, refusing to use them.

"You just can't communicate certain things over the phone, no matter how hard you try. It's hard enough in person. Over the phone it's impossible."

Communication in this way can be confusing for the child, making it hard to maintain family relationships.

"He went through a period of thinking daddy live in the iPad."

Stakeholders said that the pressure created by the visa can take a major toll on marital relationships leading to break up and divorce, which in turn negatively affects children. Separation can also undermine children's ability to develop strong relationships with stepsiblings and grandparents. Overall, stakeholders felt that the rules generally have a huge negative impact on family life and relationships.

"It destroys families, it really does."

Parents said that they felt their children often experienced difficulties with making friendships with peers and worried about implications on their children's future adult relationships.

"When she makes friends ... she's too intense with those friends ... I can't help but feel that the path we've had to take has made life really, really difficult for her in terms of relationships ... how is that going to pan out for adult relationships?"

Stakeholders felt that this type of separation created attachment difficulties and affected children's ability to believe they can have long lasting trusting relationships.

"[They can become] aware that at any point somebody can leave them for very little or no reason that they understand."

The literature

There is strong support in the literature for the importance of strong parent-child bonds and attachment for positive mental health and wellbeing in children, and the likelihood of them becoming independent and resilient adults (Winston & Chicot, 2016). Conversely developing an insecure attachment style due to absent or dysfunctional parenting in early years can contribute to adverse mental health in later life (Maniglio, 2012). The absence of a father is associated with lower self-esteem among children and adolescents (Krauss et al., 2020; Luo et al., 2012). Several studies show the challenges of transnational family relationships. Prolonged separation, sparse physical contact and limited communication can lead to estrangement, which negatively impacts emotional well-being
(Fresnoza-Flot, 2009; Haagsman, 2015; Horton, 2009; Parreñas, 2005; Schmalzbauer, 2004). Several studies highlight the importance of consistent communication in maintaining relationships between children and overseas caregivers and reducing the emotional costs of separation (Boccagni, 2012; Fresnoza-Flot, 2009; Horton, 2009; Madianou & Miller, 2011; Parreñas, 2005; Schmalzbauer, 2004). Transnational families are likely to resort to technology to maintain relationships across borders, particularly via video chat. However, studies show that video chat is limited when it comes to forming meaningful bonds between caregivers and infants because of the absence of physical touch and eye contact (McClure et al., 2018).

Learning and Development

Stakeholder Views

Stakeholders thought that going through the visa process impacted on children's informal and formal learning and development. Parents said their children had to grow up faster than their peers because of having to deal with the challenges presented by family separation. They felt that the stress of the visa application process impacted on the children at school, which was confirmed by some of the educators who commented on the negative impact that the uncertainty of the visa process had on the wellbeing and confidence of the children.

"It was a bit of an emotional roller coaster cause one minute, yes, we're gonna get it. Next minute no ... I think it definitely impacted her progress, because she was not in the right frame of mind to apply herself or to access learning"

Children could also be unsettled by visits from the absent parent, which had a knock-on effect on their confidence and ability to learn at school. In turn, this potentially resulted in the children not achieving as much as they might have at school.

"She just was animated when he was here, it was lovely. And then he had to go back ... so we were a few steps back again .... It affected her ability to concentrate ... to focus on her work ... she had the ability to achieve more than she did."

"His learning definitely suffered as a result ...I would say, ...in his formative years, early years and beyond there was quite a significant impact on his learning."

The literature

A study exploring the effects of temporary separation and parental divorce on the cognitive development and wellbeing of children found that temporary parental separation has significant negative effects on young children, including conduct and hyperactivity problems (Garriga & Pennoni, 2022). This supports an earlier study of children separated from a parent(s) for a variety of reasons. The study concluded that, overall, the effects of parent–child separation consistently negatively impact on children's social-emotional development, well-being, and mental health. Household income, maternal mental health, and the home environment impact on children's schooling and cognitive outcomes (Cooper & Stewart, 2021).

FACILITATING PARTICIPATION AND INCLUSION

Participation is the extent to which people are involved and engaged in activities outside their immediate household, and includes cultural and leisure activities, as well as volunteering and membership of clubs and groups. For individuals, social participation and social support are associated with reduced risk of common mental health problems and better self-reported health. Social inclusion is the extent to which people are able to access opportunities, for example employment, education and leisure. It is often measured in terms of factors that exclude certain groups, e.g., poverty, disability, physical ill-health, unemployment, old age, and poor mental health. For individuals, feeling useful, feeling close to other people and feeling interested in other people are key attributes that contribute to positive mental

wellbeing. Social exclusion on any grounds is both a cause and consequence of mental health problems. Like participation, social inclusion plays a significant role in preventing mental health problems and improving outcomes.

Factors influencing social inclusion include anti-discrimination legislation and policies designed to reduce inequalities. There is a strong correlation between socioeconomic deprivation and levels of social integration.

Potential impact of the Spouse/Partner Migration Rules on children's participation and social Inclusion

The MWIA identified that two determinants of participation and inclusion in particular were significantly impacted by the SPMR for children. This was cultural and religious identify and a sense of belonging.

Cultural Identity and a sense of belonging

Stakeholder Views

Children affected by the SPMR are likely to have parents from two different cultures. Parents wanted their children to be able to embraced their bi-cultural identify, however they reported that the policy had a significant negative impact on children's cultural identity due to limited contact with one of their parents. As a result, children can find it difficult to learn about and understand half of their cultural and religious heritage.

"They're missing out on that whole half of themselves."

Some parents talked about how this can build shame around having a diverse cultural identity, which should be regarded as a strength.

"It really affected his self-identity, especially his cultural identity being mixed race and being brought up primarily in Sri Lanka until last year. ... he's like a mad cricketer and always had his Sri Lanka shirt on. He threw all of it away... he never wanted to say he was from Sri Lanka. He was really negative about it. He just wanted to be another white kid."

One stakeholder suggested that if the local area had many diverse, single parent families, or other families with parent's living or working abroad, this could help to normalise the child's situation. They thought that a child's age was likely to have a significant impact on how they process their own identity and the world around them. Young people developing their identity will be greatly informed by the narratives that their parents give them.

Stakeholders also felt that there was a link between children's cultural identity and their sense of belonging. Educators felt that being part of the school community could potentially provide a sense of belonging to both the parent and child.

"I think the kids notice. They don't feel like our family is valued. Like my husband and their dad is not valued enough to be able to come here."

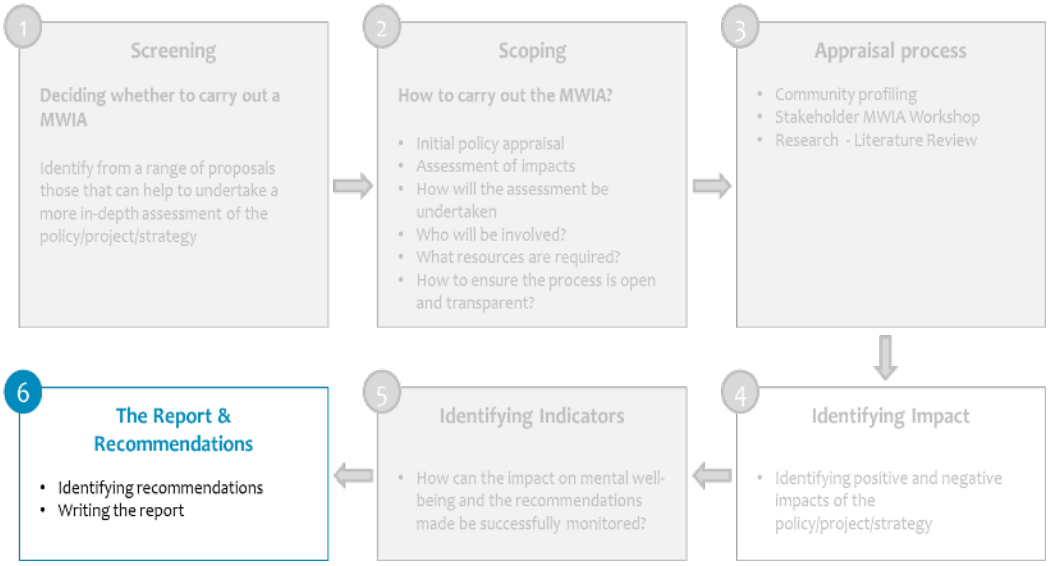
The literature

Ethnic identity is important to the self-concept of adolescents from immigrant and ethnic minority backgrounds (Kiang & Baldelomar, 2016; Portes & Rumbaut, 2001). A clear sense of identity acts as a compass that helps young people navigate life beyond adolescence (Montgomery et al., 2008) and supports good mental health (Schwartz et al., 2015). A 2021 study of 220 young people born in the UK with Turkish born mothers or fathers found that positive feelings towards cultural identity supported good mental health and was positively associated with self-esteem and mental health (Cavdar et al., 2021). These findings support previous research with other ethnic groups, showing a positive relationship between ethnic identity and psychological wellbeing. It protects against the development of adverse mental health conditions, including depression and inclination for suicide (Harf et al., 2015). Conversely, a confused sense of identity is associated with low levels of well-being and risky behaviours (Schwartz et al., 2015). Identity development can be challenging for adolescents attempting to make sense of their identity whilst assimilating into different cultures (Gray-Little and Hafdahl., 2000).

Acculturation is the adjustment to another culture while maintaining their culture of origin (Berry et al., 2003). New immigrants often experience a reduction in their sense of belonging as they acculturate to other cultures (Kayama & Yamakawa, 2020). Differences in cultural practices, values, and behaviours can cause psychological distress (Berry et al., 2003). Children who have not fully developed their sense of cultural identify are particularly at risk of feeling that they do not belong to any culture (Fry, 2007).

There is little research specifically on children's 'sense of belonging' and how parents can support acculturation. A small study looking at the experience of Japanese children settling in the USA suggests that as children are likely to have a less developed sense of cultural identity it can result in children who migrate from one culture to another feeling "lost", as though they belong nowhere. A lack of sense of belonging can lead to social isolation, withdrawal, psychological exhaustion, and a reluctance to seek support (Kayama & Yamakawa, 2020).

CONCLUSION AND NEXT STEPS



Conclusion

The MWIA process revealed several key themes, demonstrating a notable alignment between published research and stakeholder perspectives. The SPMR requirements hold significant implications for the mental health and well-being of the children involved. The most substantial impact stems from the duration of parental separation, its effects on attachment, and the establishment of strong emotional bonds. Separation from a parent due to the visa policy hinders children's access to emotional support and their ability to forge a robust cultural identity. Additionally, meeting the visa's financial requirements places families at significant risk of financial hardship, a situation closely linked to adverse effects on children's mental health and emotional development due to low income and parental distress. The process is particularly difficult for children with disabilities who face a number of additional barriers and challenges. We know that first five years of life and early childhood experiences significantly influence child development and mental health. The long-term social, emotional and financial implications of the impact of the policy on the mental health and wellbeing of children are likely to be significant.

Next steps

This report is a first step in understanding how the SPMR impacts on the mental health of children. It is recommended that RFUK work with their advisory group, parents and other key stakeholders to identify actions that could be taken to address each of the themes highlighted and identify where more information or further research is needed.

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APPENDICES

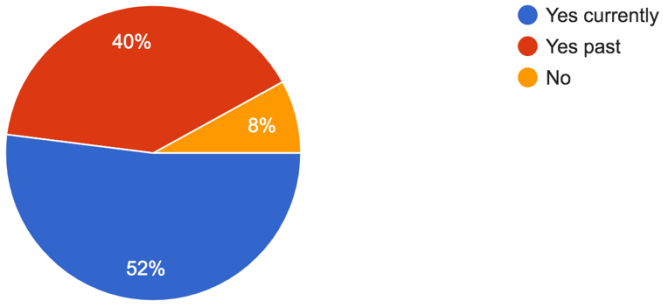
Appendix 1: RFUK Survey

The survey was sent to people in the RFUK Facebook group, which has a membership of 2600+ people. The survey was answered by 26 people, though not everyone answered every question.

Part 1: Spouse Visa

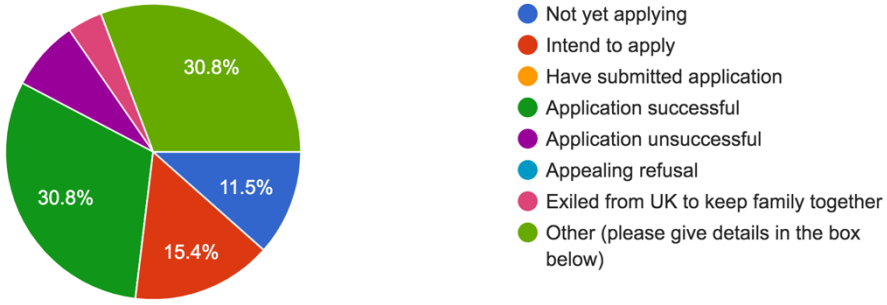
1. Is your family currently separated due to the spouse visa policy, or has it been in the past, since 2012, (when the Minimum Income Requirement was introduced)?

25 responses



2. Which of these applies to your family regarding the spouse visa (please select all that apply):

26 responses



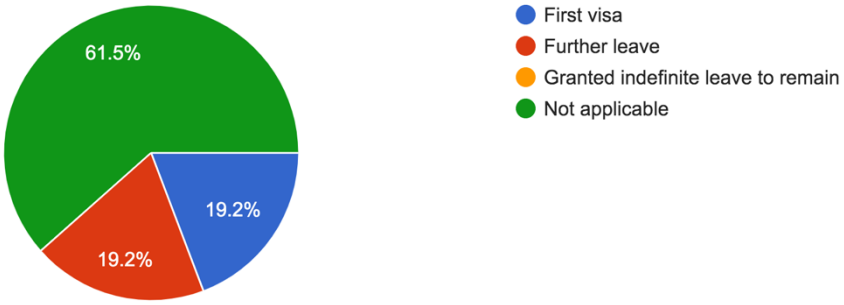
Other (summarised):

- Separated from extended family
- Now going through divorce
- Will be in debt from the application process
- Leaving UK to reunite

- Reunited via another route, now not available due to Brexit

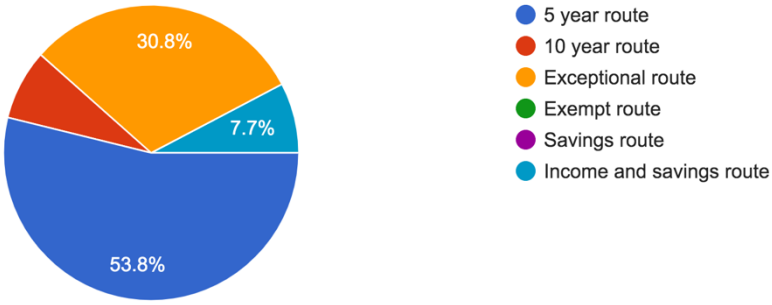
3. If someone in your family has a visa, what stage in your visa journey are you at?

26 responses

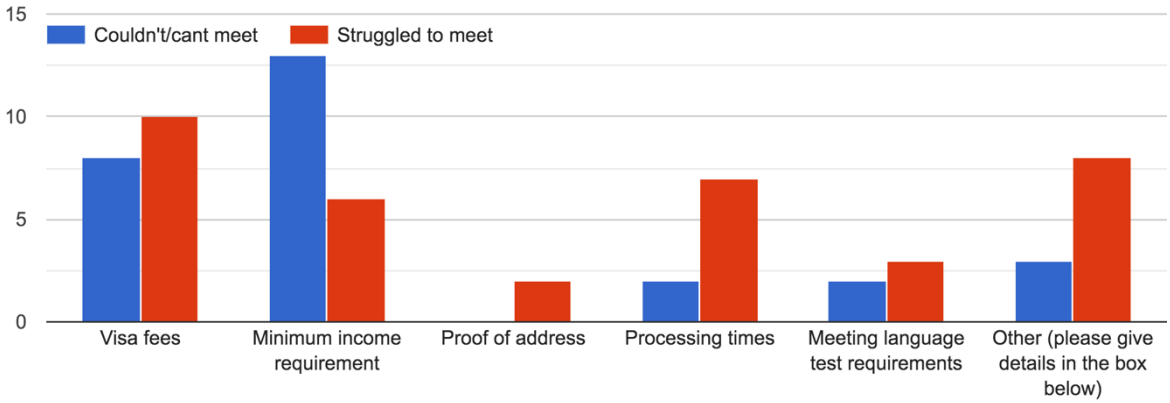


4. If relevant, which visa route are you/ your family member on:

13 responses



5. If your family are currently, or were previously separated, what aspect of the spouse visa policy caused or contributed to the length of separation? (please tick all that apply)



Other (summarised):

- Covid / lockdown restrictions
- Gaining an autism diagnosis for child
- Flight ticket costs
- Demonstrating cohabitation after long separation
- Challenges with the form which is 'confusing'
- Disabled child
- Travel to English language test being difficult for non-British partners (2)
- Cost of instructing a lawyer for complex cases
- Employers not cooperating

6. Have you encountered any other barriers that have made it difficult to apply for, or secure this visa? What are they? (summarised)

- Previous criminal conviction
- Having young children so cannot work full time
- Covid restrictions
- Health and mental health issues of parents
- Having to sacrifice assets to pay for visa fees – impact on retirement
- Challenges gathering documentation for non-British spouses
- Preparing the documentation

7. How long have you been / were you living in separate countries due to the SPMR? (26 responses)

0-1 years	2
1-2 years	7
10 years +	2
2-3 years	2
3-4 years	3
4-5 years	3
5-6 years	2
7-8 years	3
9-10 years	1
Not separated	1
Grand Total	**26**

Other:

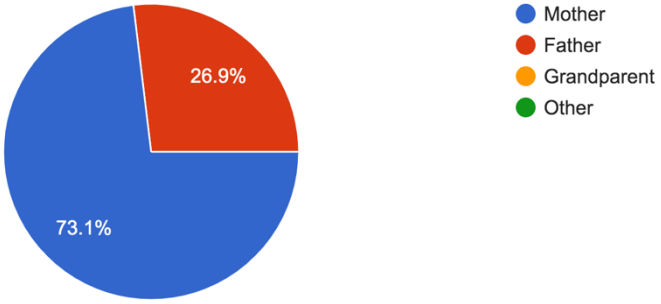
- Had to take out a loan to stay with partner

- Stayed with partner abroad during waiting period

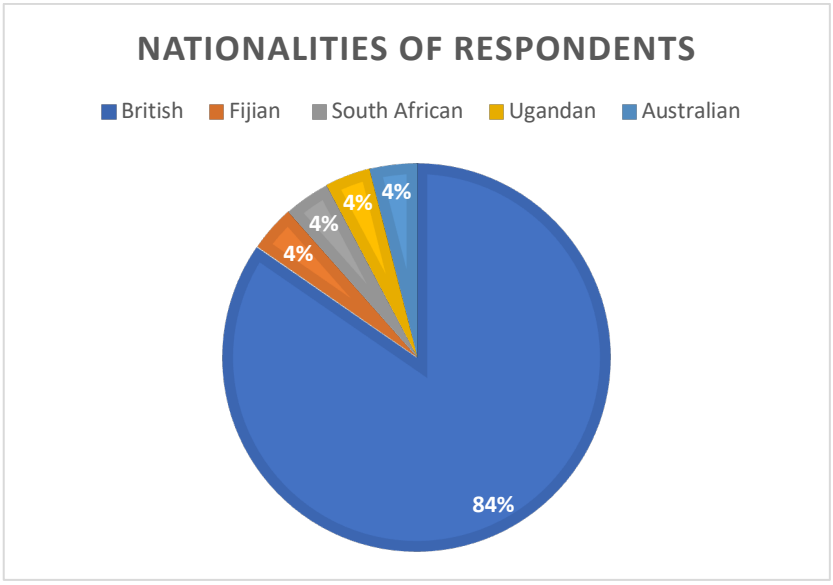
Part 2: About you and your family

8. What is your role in the family?

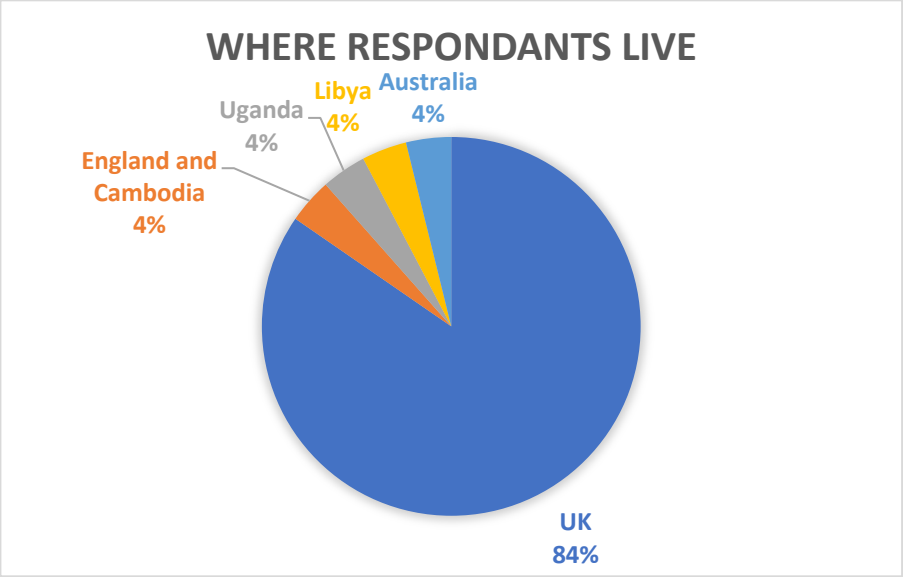
26 responses



9.b. What is your nationality?

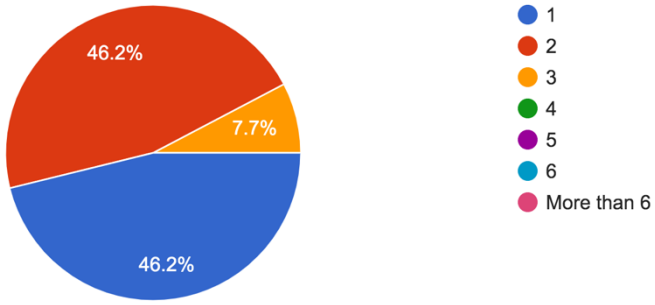


10. What country do you live in? (26 responses)



11. How many children do you and your partner have (including step-children)

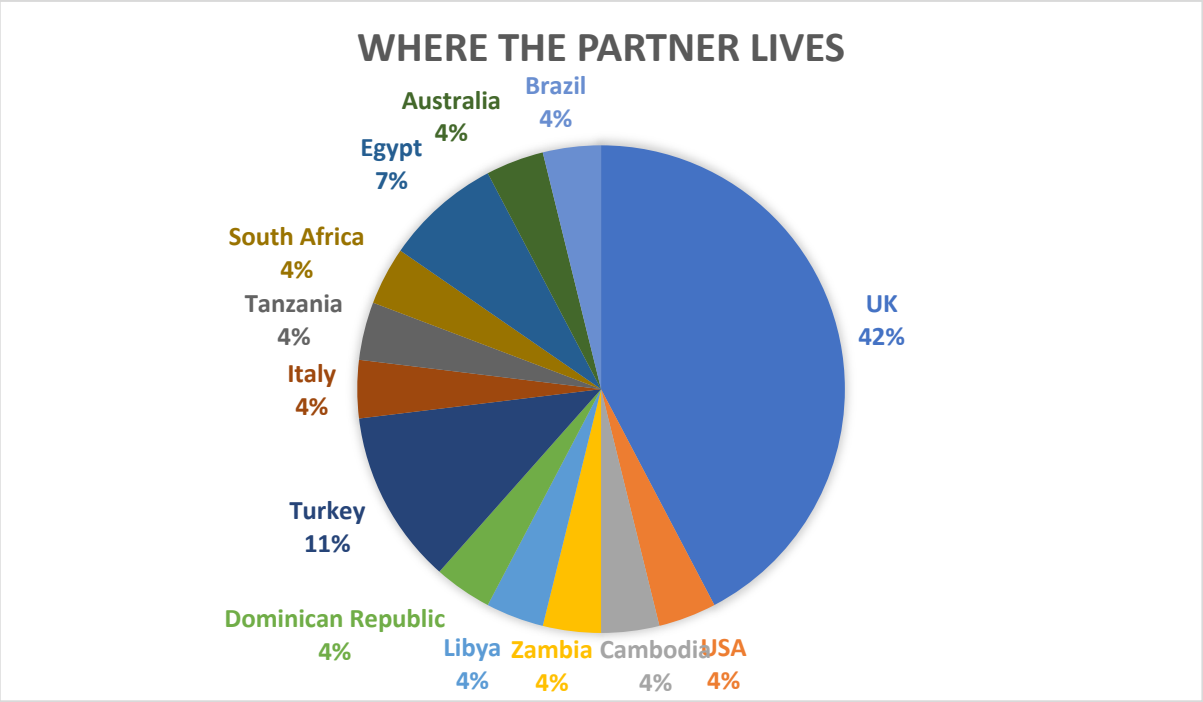
26 responses



12. What ages are your children?

Under 5 years	9
5 - 12 years	19
13 - 18 years	10
Over 18	4

13. In which country does your partner live? (26 responses)



14. What nationality is your partner?

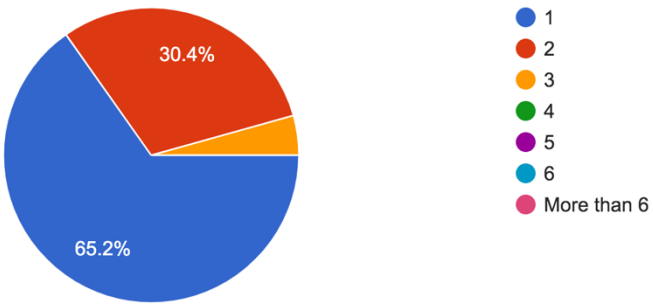
25 responses

Turkish	5
British	3
Egyptian	2
American	1
Brazilian	1
British, previously Cambodian	1
Dominican	1
Ethiopian	1
Fijian	1
Honduran	1
Honduran	1
Khmer	1
Libyan	1
Sierra Leone	1

South African	1
Sri Lanka	1
Tanzanian	1
Zambian	1
Total answers	25

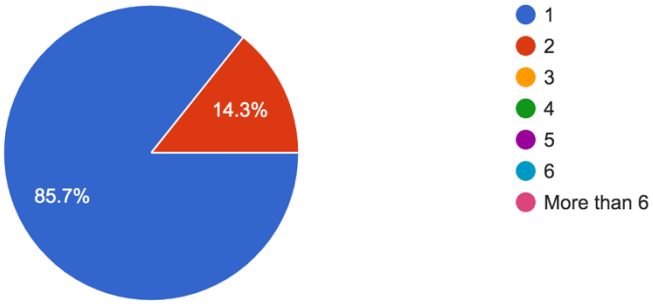
15. How many children live with you? (Including step-children)

23 responses



16. If your family is separated, how many children live with your partner? (Including step-children)

7 responses

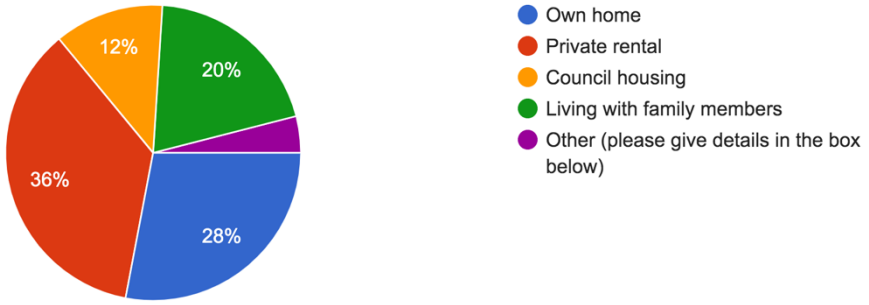


17. Please give any relevant details here about any additional support needs that any family members have, or any caring responsibilities within the family, including for elderly relatives. (7 responses, summarised in themes)

- Physical, mental health and developmental needs of children
- Health needs of partner
- Contributing to maintenance of extended family
- Caring for elderly parents
- Challenges of working and caring at the same time

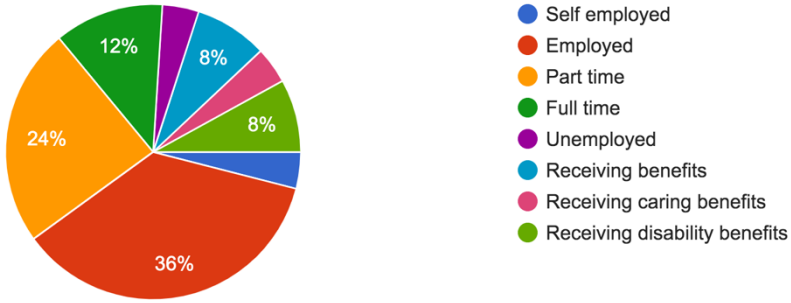
18. What is the living situation of the parent/s in the UK?

25 responses

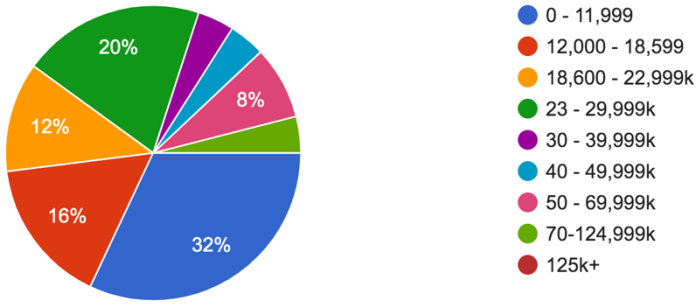


19. What is the employment status of the parent living in the UK? (the parent who must demonstrate they meet the Minimum Income Requirement)

25 responses



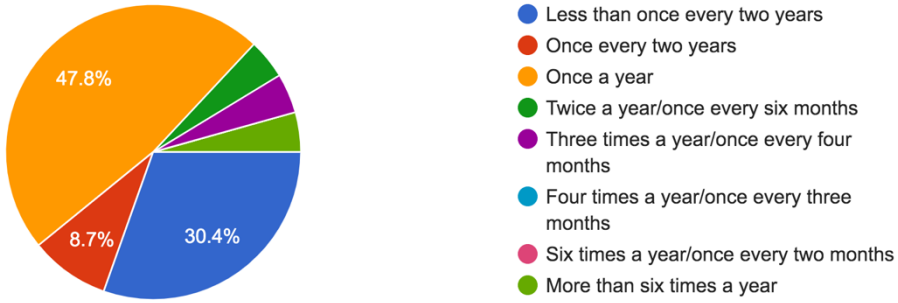
20. What is the current annual income for the UK based parent/s? (If you are now both in the UK, please state your combined income. Not including benefits or income from family and friends. £) (25 responses)



Part 3: Children's mental health

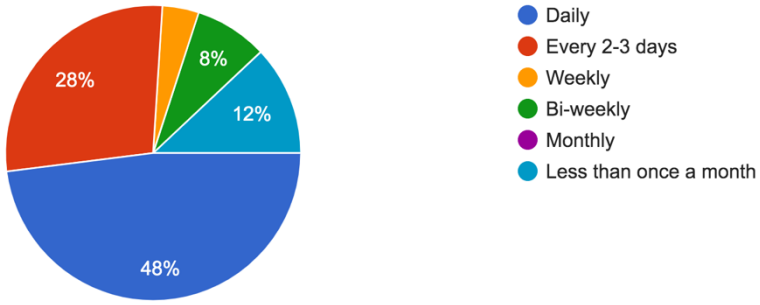
21. If applicable, how regularly does / did your child / children see the parent whom they were separated from? If you are newly separated, please give an estimate answer.

23 responses



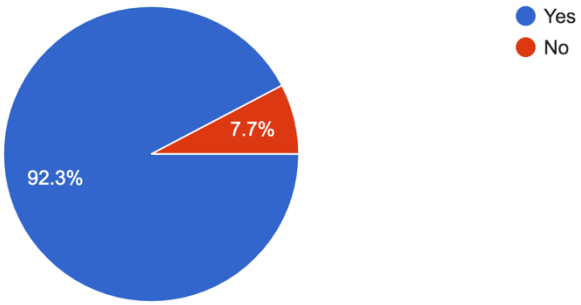
22. During the separation, how often does / did the child or children communicate with the separated parent, by telephone or video?

25 responses



22. Has being separated due to the visa regulations impacted your child's / children's mental health and well-being?

26 responses

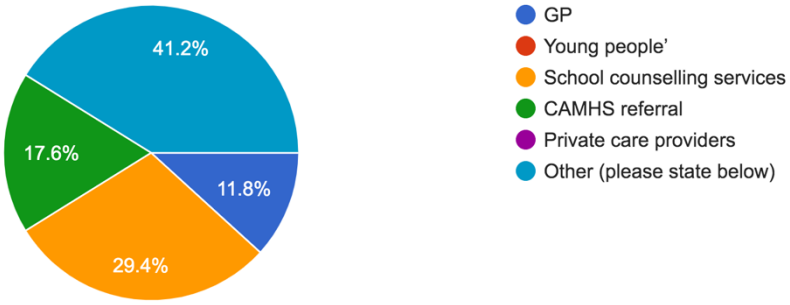


Please give details and examples if possible (summarised / grouped)

- Night terrors and sleep issues, crying at night
- School and education impacted
- Impact on confidence and self esteem
- Separation anxiety
- Attachment disorder
- Anxiety
- Depression
- Worry
- Misbehaving
- Lashing out, violence, anger
- Withdrawing
- Suicidal
- Crying
- ADHD
- Selective mutism
- Stool holding
- Family returned to other country
- Caused marriage break-up

23. Has your child / children accessed support for their mental health from:

17 responses



*This question did not allow for multiple choice or multiple children, and so the chart is not an accurate representation of people's circumstances.

Other:

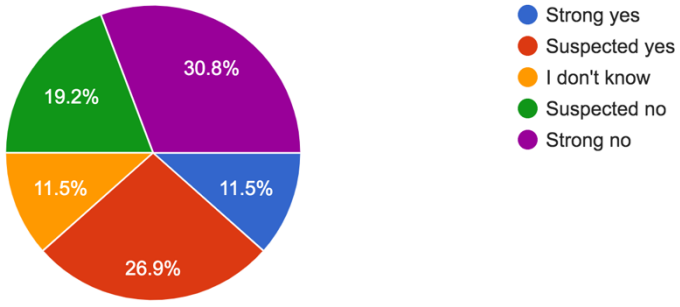
- CAMHS (4)
- Lack of support available abroad for children
- Awaiting assessment
- SENCO / School liaison / school counsellor (3)
- Social worker
- GP (3)

24. Has your child / children received a diagnosis of a mental health condition? (14 responses)

Anxiety	8
ADHD	3
Depression	1
OCD	1
Selective mutism	1

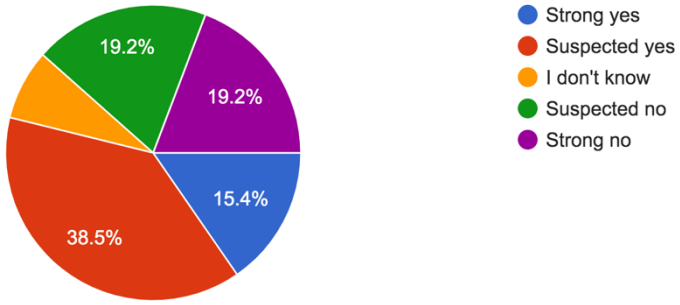
25. Has your child / children experienced racism?

26 responses



26. Has your child / children experienced bullying?

26 responses



29. Has there been anything in particular which has been helpful to support your child / children through this separation / exile? (e.g., clubs, a particular book, friends, community groups, a teacher, a style of communication). We'd love to hear any ideas that might be helpful for us and others in supporting children through this process.

- Clubs, outdoors activities, keeping busy
- Teachers
- Family
- Friends
- Regular communication, video calls, Whatsapp messages
- Regular visits (if possible)
- Church, faith
- Routines
- Special 'self-care' days – painting and bath time

- Support groups (although none other than what RFUK offers are specific to this group exactly)

Quoted from one mother:

- *"Talking about their dad helps a lot. Messaging and calling him as soon as we can when they are missing him. Sharing happy memories, or funny stories about him. Talking about what we think he'd like about experiences we are having. Sharing jokes with each other, photos, videos, memes on our family WhatsApp group. It can be hard to keep doing this when life is busy but it all helps."*
- *Being a part of RFUK: knowing that there are other families going through similar situations, and accessing the support available*
- *Solid friendships*
- *Understanding and caring teachers/support staff*
- *Loving family. Family that loves and respect my husband and in-laws who love and respect me. They may not always understand but it helps us all feel more connected.*
- *Allowing and honoring emotions. All of them.*
- *Talking openly about the situation, why it's wrong and what we're trying to do as a family to resolve it.*
- *Encouraging and allowing my husband to be completely involved when we're all together on a visit. Whether it's jumping on the bus for the school run, doing the weekly shop with the kids, cooking together. Doing lots of normal family things. Then it feels more real and less like a holiday with less pressure to force things to be special. And my husband feels valued and that he's contributing."*

Appendix 2: Spouse visa costs

Visa route		Before October 4th 2023	After October 4th 2023
5-year route	Initial visa application (from outside the UK)	£1,538.00	£1,846.00
	Extension after 2.5 years	£1,048.00	£1,048.00
	Immigration Health Surcharge (adult) (£624 x 5, paid annually)	£3,120.00	£3,120.00
	Immigration Health Surcharge (child) (£470 x 5)	£2,350.00	£2,350.00
	Application for Indefinite Leave to Remain (after five years) *	£2,404.00	£2,885.00
	Biometric Enrolment (£19.20 x 3)	£57.60	£57.60
	Life in the UK test	£50	£50
	Total cost: partner	**£8,217.60**	**£9,006.60**
	Total cost: partner + 1 child	**£15,665.20**	**£17,243.40**
Ten-year route	Costs as above, plus additional costs:		
	Extensions after 5 + 7.5 years	£2,096	£2,096
	Additional 5 years of IHS (adult) (£624 x 5)	£3,120.00	£3,120.00
	Additional 5 years of IHS (child) (£470 x 5)	£2,350.00	£2,350.00
	Additional 2 x biometric enrolment (£19.20 x 2)	£38.40	£38.40
	Additional cost for ten-year route	5254.4	5254.4
	Additional cost for ten-year route: partner + child	£9,738.80	£9,738.80
	Total cost for ten-year route: partner	**£13,472.00**	**£14,261.00**
	Total cost ten-year route: partner + 1 child	**£25,404.00**	**£26,982.20**