

[Reunite Families UK](#)  
[Guide for filling in](#)  
[Migration Advisory Committee's Call for Evidence on](#)  
[the financial requirements of the family visas](#)

The Migration Advisory Committee (MAC) is an independent organisation that advises the Home Secretary on immigration policy. The MAC has been asked to review immigration laws relating to family members and have published a call for evidence, asking for views and information about the Minimum Income Requirement (MIR) and the Adequate Maintenance (AM) test.

We have drafted this guide to help you respond to that call for evidence. You must not feel obliged to respond to the MAC, but this is a good opportunity to have your voice heard along with many other families.

We have pasted the MAC's questions below and you will also find them in this [online form](#) for individuals which has to be used to submit your evidence to the MAC. We have also provided a few ideas for how you might respond to each question. This is only guidance, and you are entitled to answer however you think is best, you can also skip questions if you would like to. What matters most is that the MAC receive accurate information that helps committee members look beyond any numbers and see the personal impacts of these policies.

Always remember that as an individual your most important contribution is your personal experience of the rules:

- How are they making your life more difficult?
- How are they blocking you from fulfilling other aims you had for you and your family?
- What impact does that have on you, your partner, your children and wider family?
- Why do you think that family reunification is a right for every British citizen and settled resident and not a privilege?

We would suggest preparing the answer on a word or google document before pasting them in the online form so that you can make sure you are respecting the 500-word limit and if you wrote too much reorganise the text to make sure you are within the word count limit.

Our guide is being sent to RFUK members who, almost by definition, have found the immigration rules and associated costs challenging. Our guide has been written in that context. We appreciate that some families will have no problems with the rules and that the challenges will vary for our own members. If any part of our guidance would not apply to your own circumstances, perhaps the complexity of law was less of an issue than the minimum income requirements, then please do not feel like you need to follow our suggestions. We want the MAC to receive useful and accurate submissions and do not want to lead people.

**Please note, the suggestions below are for guidance only** and to hopefully support you when filling in the online.

It is not an exhaustive list, and your answer should always come from your or your family's direct experience of the rules.

In the boxes are the questions that will be asked as part of the form of the call for evidence.

The question 1 to 6 ask about your personal circumstances i.e.:

- Whether you are a sponsor,
- Were sponsored
- Didn't go through the process directly but want to submit evidence, for instance:
  - You have been prevented from applying,
  - You have a close relative that went through the process and would like to share your view on it.

Please note, based on how you answer Q2. you will then be taken to a multiple-choice answer where you will be able to outline a bit more of your personal circumstances.

Note, if you are a grandmother, sister, an aunt you will tick the third option (i.e. I have never sponsored a partner /family member).

**Q7. You told us that you have not made a sponsorship request. Would you have liked to do so?**

- Yes (Please write in the reason you did not)
- No
- Don't know

If you answer Yes here you could highlight the barriers which have blocked you from applying.

For instance:

- You were not able to meet the MIR.
- You couldn't meet the cost of the visa fees.
- You have heard of the exceptional circumstances route but are confused by it, or don't know whether you could apply under this route because it is so complex.
- The lack of information and/or the lack of accessibility regarding this route and the immigration system as a whole.
- Other factors such as inability to pass the English language test.
- Lack of knowledge of the process including exemptions for certain groups of people including the recipients of PIP and carer's allowance.
- The overall complexity of the rules and the lack of legal advice.

**Basically, in this question they want to know what were the stumbling blocks that prevented or are preventing you from applying.**

**Q8. What has been the impact of this on you?**

In this answer you could highlight how the inability or impossibility to apply has impacted and continue to impact your life and that of your family children (if you are a parent).

It might be helpful for you to organise the impacts in small subsections:

- Personal Impact
- Financial Impact
- Mental Health Impact
- Impact on children
- Impact on extended family such as elderly parents / grandparents
- Adverse impact on public finance with for instance enforced single mums having to rely on the benefits system.
- Experience with your peers

Any other aspects that you may want to mention as one of the impacts resulting from the impossibility of sponsoring /being sponsored under the current rules.

**From Q9. until Q16. they will ask you about personal circumstances including gender, ethnic group and where in the country do you live. If living outside the UK, you could select “outside of the UK”**

**Of those in Q13. asks you about your relationship status when you most recently applied for sponsorship or when you were most recently sponsored.**

**Q16. asks you for your email address in case they want to contact you again to participate in further research (for instance a focus group).**

We would recommend answering yes as this would be an amazing opportunity to participate in this process and make sure the voices of people with lived experience are featured in the studies they conduct.

It is ok to say no if you would prefer not to take part in those group meetings.

**The following section is to understand your perspectives on the Minimum Income Requirement and Adequate Maintenance Test:**

**Q17. Do you think there should be a minimum income/financial requirement to bring a partner or family member to the UK?**

**The following Q18. asks why you have given the answer you have**

**The following Q19. asks you more specifically about whether you think the current MIR level of £29,000 on the Family Immigration route is either too high, too low or just about right.**

**It then asks you to justify your answer:**

We expect that this will bring very personal responses from participants. This is an objective and often data driven review, but it is important that the MAC also understand the personal impact on couples and children. You should feel able to share your own thoughts on the £29,000 MIR.

If you would like to go further, you could look at the resources and research below, which might help in answering those two questions.

On this [page](#) we have collected some resources which might help you if you wanted to add some policy evidence as well, this includes:

- The mental health impact of the rules highlighted by [Reunite Families UK report in 2023](#)
- [Joint Reunite Families UK - ILPA - Parliamentary Briefing Increase to the Minimum Income Requirement - February 2024](#)
- A very [critical report on the changes](#) issued by the House of Lords' Justice and Home Affairs Committee
- [Analysis of the changes by the Migration Observatory at the University of Oxford](#)
- [All families matter: An inquiry into family migration](#) - Justice and Home Affairs Committee - House of Lords – February 2023
- [UK's Family Reunification Policy 2nd worst according to Migration Policy Index](#)
- [Examples of People Impacted by the Spouse /Partner Visa Rules](#)
- [Family Friendly? Commissioned by The Children's Commissioner for England](#) - August 2015

Again though, as an individual your most important contribution is your personal experience of the rules:

- How are they making your life more difficult?
- How are they blocking you from fulfilling other aims you had for you and your family?
- Why do you think that family reunification is a right for every British citizen and settled resident and not a privilege?

Regarding the MIR and the increases, you could highlight how the MIR already engendered inequalities on various levels:

- According to the [Migration Observatory](#), around 50% of UK employees earn less than the £29,000pa threshold and 70% earn less than £38,700.
- Individuals aged 21 and over, who work 35 hours per week, and are paid the National Living Wage (from 1 April 2024), will earn approximately £20,820pa.
- The [December 2023 report of RFUK](#) found that the effect of the MIR is discriminatory as it [disproportionately affects protected groups](#), those living in the Southeast and working single parents (in particular, mothers).
- There is a £182 difference in the weekly median income between a full-time employee in London and one in Northeast England.

There is also disparity on the basis of protected characteristics, for example:

- **race**, with Pakistani, Bangladeshi, and Black/African/Caribbean British citizens disproportionately affected;
- **sex and maternity**, as only 36% of female workers would meet the MIR compared with 58% of their male counterparts. A constant difference maintained throughout the 3 planned staged increases of the MIR. Furthermore, women are more likely to work part time than men.
- **age**, with individuals under 30 and over 50 disproportionately affected; for example, the [gross median weekly pay for full-time employees in the UK](#), aged 18 to 21, is £441.

The new threshold does not consider or account for the many people, often women, who work part-time and care for children whilst trying to meet the threshold to sponsor their partner and in some cases stepchildren who currently live abroad.

Whilst the child element has been removed from the MIR, in practice it will now be more expensive for a British/settled person to sponsor a non-British child as the MIR will nonetheless be higher than before.

**Q21. asks whether the MIR and the Adequate Maintenance (AM) meet the policy objectives of the Family Immigration Rules of balancing the respect for family life (under article 8 of the ECHR) with maintaining the economic wellbeing of the UK by controlling immigration, protecting the public from foreign criminals and protecting the rights and freedoms of others.**

Given the limitation of the word count, we suggest that if you wish to refer to any of the resources below that you make sure you use the information that is most relevant to your situation.

In this answer you could highlight how the policy does not achieve its objectives as in many cases it leads to families being forced to live apart or split as a result of the rules.

You could also mention the HoL's report which says how the family migration rules do not work for families and society as a whole.

You could also mention the high number of children separated as a result of the rules and query how does this respect family life?

You could also highlight how the current rules make, in effect, the right to a family life a qualified right, one that is available only to those fortunate enough to earn above the threshold.

You could also mention the fact that due to the government not recording the skills of the joining family members it is impossible to know the skills that our economy is losing as a result of the partner abroad being unable to come to the country.

These findings from the HoL's report are also very useful when answering this question:

- Family migration has only a minor impact on public finances. Whether this impact is positive or negative is unclear but it is likely that the net fiscal impact of family migration is worsened by current policies. Allowing families to live together enables members of the family to work, or work more, and to be self-sustaining.
- An overlooked consequence of family migration policies is the greater burden they place on the social services of local authorities. Local authorities are struggling to meet demand for social services from children separated from their families by the Immigration Rules and from households confronted with destitution because of the No Recourse to Public Funds condition.

Government has never considered the long-term negative impacts on the mental health of the couples, families and children on the route and the repercussions on the health and social care system.

You could also highlight how the rules as they stand do not increase social cohesion and / or integration of the families into UK society.

The rules also engender poverty. In fact, as found by the [APPG on Migration and the APPG on Poverty](#): “regardless of immigration status or issues, families with children (and particularly larger families and families with younger children) have higher rates of poverty than other groups.

For families with children who are subject to immigration control (including families with British-born or British citizen children), a number of additional factors can combine to increase their risk of poverty, or push them deeper into poverty:

- Families with NRP restrictions cannot access Child Benefit or other social security payments targeted at the costs of supporting children, and most have missed out on much of the support made available during the pandemic and the cost-of-living crisis.
- Parents may be unable to work (even if they have the right to work) because they are not able to access sufficient childcare (for example parents who are subject to immigration control are excluded from the extended provision aimed at working families through the ‘30 hours offer’ for 3 and 4 year olds).
- Immigration fees and health surcharges may be incurred for multiple members of the family, increasing the risk of debt.

**Q22. asks you whether you have any comments about how the MIR and/or Adequate Maintenance test work in practice (for example, any unintended consequences)? (Maximum 500 words)**

Here you could highlight all the negative aspects related to the test in practice, for instance:

- The fact that due to the current rules couples have to be separated for at least 6-12 months when they want to move back to the UK
- How self-employed are discriminated compared with salaried people (they have to prove their income for 12 months)
- How the financial requirement should be revisited to be more flexible and to focus on the likelihood of future income of the family unit rather than on the sponsor’s past income.
- Amount of evidence which have to be repeatedly submitted every time you apply
- The joining family member’s income not considered in the application
- The prospective earning of the joining family member not considered regardless of their qualification and experience
- The high cost of the process including visa and legal fees that don’t get reimbursed if the application is refused.
- The fact that joining family members once they are in the country and working are subjected to a double taxation (due to the health surcharge).

**Q23. asks whether you think that plans under previous government were to increase the MIR further, firstly to £34,500 and then again to £38,700 by early 2025 would have been too high or too low.**

**Q24. then asks you to comment on your previous answer and to specify whether your response relates to a threshold of £34,500, £38,700 or both. (Maximum 500 words)**

Here it may be useful to read the resources contained in the [joint briefing](#) which we published with ILPA on the increases and highlight these key concerns on the policy:

- Lack of impact assessment
- Lack of independent advice
- Lack of stakeholder engagement
- No clear or logic connection with the MIR being the same as skilled worker threshold
- Armed forces: the Home Office partially recognises that different individuals in different situations are still deserving of sponsoring their family members
- Disregarding of previous research done on the impacts of the policy

**Q25. Please tell us by ticking either Yes or No below whether there is other information relevant to this commission that you would like to provide. If you tick Yes we may follow up with you via email. We will not be accepting any emails or attachments related to this commission via our inbox.**

Here we would recommend answering yes and then specify the kind of evidence you would like to send them in case they are interested. If you do so, make sure to add your email so they can contact you if they wish to do so.

**Q26. asks whether you would you be happy for us to quote anonymously from your response to this Call for Evidence (CfE)?**

Here again we suggest saying yes.

**Q27. Would you be happy for us or our research partner, an independent research contractor appointed by the MAC, to recontact you in the next 12 months to invite you to take part in follow-up research regarding similar issues to those covered in this questionnaire?**

Here again we suggest saying yes as it is super important for the voices of people with lived experience of this visa route to feature heavily on studies about the impact of these policies.

**We just want to thank you for reading this guide and considering submitting evidence to the MAC, your input and voice is and will be extremely valuable.**