

REPAIR PROJECT

UNITED KINGDOM

GIULIA'S STORY



Giulia Gosi, Family Reunion senior caseworker with the British Red Cross, is helping build capacity to provide direct legal advice to people seeking to access Family Reunification.

“So far the REPAIR project at British Red Cross has worked with legal partner organisations – Asylum Justice in Wales and Migrant Legal Project in Bristol. They formally represent applicants, while the REPAIR caseworkers help them to prepare their case, such as gathering evidence, drafting the application forms, and day-to-day casework with service users.

I've been working in migration for 10 years, and with the British Red Cross for almost five providing legal advice. I am now working on moving from casework to a direct legal advice service, as part of REPAIR's legacy work. Our caseworkers are gaining the qualifications and experience to be able to submit people's visa applications and make representations to the Home Office.

A positive aspect of our work is that we have a direct channel of communication with the Home Office, where we are able to raise concerns in relation to

operational issues, such as quality of decision-making and delays.

However, immigration policies are swayed by politics, which means people's right to reunite with their family is not always respected. Often it's too hard for people to meet the requirements of the Immigration rules, and there are so many challenges in the process. Essentially people are punished for seeking safety and wanting to reunite with their family, and this makes people's lives miserable, it's not ethical and it's not effective.

Although we have greater engagement with decision-makers, the quality of decisions has reduced. Decision-making was centralized in Sheffield, and decisions became more consistent. It felt like decision-makers understood families had protection needs, and had an understanding of the situations refugees might be in. Since then, the Home Office's Family Reunion team has moved twice, and the issues with this have been documented in the independent chief inspector of borders and immigration's report.

One example is an eight-year-old in Sudan who applied to reunite with his mother in the UK. The Home Office refused the application, deeming Sudan a safe country – despite the ongoing armed conflict – and that the child could be raised there by his grandmother and uncle, who has autism.



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BritishRedCross

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Online Toolkit



Online Report

They also found the permanent separation of the mother and child acceptable because they could potentially visit each other in a third country – in reality a virtual impossibility. An eight-year-old child, in Sudan, separated from his mother, and that was considered acceptable. That's just one example of the kind of decision-making we feel has increased since the team moved from Sheffield.

There is also a huge backlog with tens-of-thousands of cases, probably hundreds-of-thousands of family members, waiting on decisions. The standard timeline for Family Reunion decisions is three months, but at the moment six to nine months is the norm. There are significant vulnerabilities both for family members waiting to travel, and those in the UK sponsoring the reunion. The sponsors are refugees for a reason, they were at serious risk, and often their families remain at serious risk. In one recent case an adult son was imprisoned and tortured because of his connection to the sponsor. The delays put people through unnecessary additional hardship and trauma. Sometimes, this forces people who fled their country in search of safety to pursue further irregular and often dangerous journeys.

Family reunification is a great idea, but it's not as effective as it could be, and too often people find themselves stuck and in danger. For example, people are required to give biometrics at Visa Application Centres (VAC), but often there are no VACs in countries which are unstable and where people are most at risk. Or people who are in third countries with no regular status are denied exit, even with a UK visa.

We'd like to see the governments do more, it's not good enough for them say that you have the right to reunite with your mum in the UK, but not follow through to make it happen. If you accept families and their sponsors have a right to be together in the UK, you have a responsibility to make it happen. You can't just say yes in principle, but we're not actually going to do anything about it. This effectively prevents people in the most dangerous countries from reuniting with their families. Governments need to offer alternative options and be realistic about applicants' circumstances.

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Expanding the eligibility criteria for family reunification could help; often I represent people who don't fit the criteria exactly but are accepted on the basis of 'exceptional circumstances'.

There are exceptional circumstances all the time, but people arriving under this rule get a lesser status when they arrive, which is another obstacle for them when they enter the country.

The authorities say we accept you have the right to be here, but we are going to make things hard for you anyway.

But there are successes.

There was a case of two-children who had been abducted, had been abused by their father, and were at imminent risk. For these two children the Home Office made a decision in a matter of days. To see that the system can work, can look at the facts of a case, see the urgency, and take the right decision – and to see our work make such a crucial difference to those children's lives - it was fantastic. I met them after they arrived in the UK, they had started school, they were with their mother and they were so ready for the new lives, it was so sweet to see.

But even with this case, and the sense of relief and achievement that came with it, you can't help thinking why aren't all cases treated with the urgency they need?

Images are for illustration only

