

BREXIT COUPLES

UK-EU couples in the British immigration system



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The project

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Executive summary

Before Brexit, the partners of British citizens and residents could almost always live together easily in the UK under EU law. They did not have to rely on a status based on the relationship with their partner. Now, however, EU citizen partners who are ineligible for settled or presettled status must apply for a visa, usually under the UK's highly restrictive partner migration rules. These include a minimum income requirement for the British/resident sponsor set above the income of around half of the employed population, and very demanding evidence requirements.

The 2021 Census shows that England and Wales are home to nearly 500,000 UK-EU couples (with thousands more living in Scotland and Northern Ireland). This population is diverse in many ways, including country of birth of the EU partner, education, and occupational class. UK-EU couples are on average, however, more highly educated and have higher employment rates and occupational status than couples in which both partners were born in the UK.

Our interviews with UK-EU couples show that few appreciated the implications of Brexit for their own relationships before they confronted the partner visa system. The realisation was often described as shocking, provoking reflections on the meaning of the EU partner being newly categorised as a migrant. Some argued that their mobility rights could be retained post-Brexit through an exception for people who had already exercised their free movement rights and built their life plans on the assumption they could return to the UK.

The contrast between residence under EU free movement law or the EU Settlement Scheme and the UK's complex and expensive partner visa system is extreme. Key challenges for applicants under the UK partner migration rules include the level and complexity of the financial requirements, the costs of the process, the need to submit multiple forms of evidence, inflexibility, and poor-quality service from subcontracted companies. Participants found the application process complicated and difficult to navigate. The combination of these factors make applying for a partner visa stressful and draining, and this arduous process must be repeated to renew the visa every 2.5 years until indefinite leave to remain (often called settlement) is obtained after a minimum of five years.

The partner visa process impacts on multiple areas of couples' lives: employment, education, finances, life course aspirations and political engagement. Many experienced separations of various durations, strains on relationships, and negative impacts on their own and children's mental wellbeing. Some unmarried couples felt compelled to marry or enter into a civil partnership to evidence their relationship. Negative impacts meant some couples were considering leaving the UK. In extreme cases, EU partners may fall into irregularity. The cost and complexity mean that many couples are unable to apply and face permanent separation or exile.

The interests of UK-EU couples were not considered in the original Brexit debates and negotiations. Their experiences since the end of the transition period highlight the urgent need for improvement to the partner migration rules and processes to ensure they support the family life of British citizens and residents, and do not unnecessarily separate families. Our recommendations are consistent with those made by others in over a decade of criticism of the UK's family migration system, but reflect the particular experiences of our UK-EU sample. We outline the key areas below, and set out our recommendations in detail after the Conclusion to this report (see page 65).

We identify five main areas where changes to the family migration system are needed to avoid unnecessary separation of and stress on families:

- **The immigration rules:** reduce the minimum income requirement; simplify evidence required; provide longer notice of changes to the rules; minimise separation of children from parents.
- **Application process:** better applicant support and a more flexible, simpler, clearer and quicker process.
- **Cost:** reduce the damaging burden placed on applicants and their families.
- **Route to settlement:** increase length of the initial visa to avoid cost and burden of repeated applications; ensure all families are on a 5-year route to settlement.
- **Visiting the UK:** recognise the importance of visits for maintaining relationships.



Illustration 1: Wall of separation

This illustration evokes the new immigration system barriers experienced by many UK - EU couples since Brexit.

Introduction

Before Brexit, couples with one UK and one EU (or EEA/Swiss) partner could live together easily in the UK under EU law. Now, however, if the EU partner does not have settled or pre-settled status, they need a visa to live in the UK under the United Kingdom under UK immigration rules. This consequence of the UK's departure from the EU was largely ignored in the Brexit debates and negotiations, and remains neglected in public and political discussion. The lack of attention is particularly surprising given how common these relationships are. Around 1 in 25 married or cohabiting couples in England and Wales has one UK- and one EU-born partner. Such relationships are part of both the contemporary British social landscape, and its post-Brexit future, thanks not just to decades of free movement, but to continuing connections between the UK and its European neighbours through travel, work, education and (physical and virtual) social networks.

The Brexit Couples project (2023-2026) charts the experiences of the first cohort of UK-EU couples to negotiate the UK's partner migration system after Brexit. They include those whose relationships began (or became more serious) after Brexit and who now want to live together in the UK, longer established couples seeking to return after living abroad, and those already living in the UK where the EU partner does not have settled/pre-settled status. Interviews and workshops involving over 50 couples combined with analysis of existing statistics provides a rich understanding of experiences and impacts of the post-Brexit partner immigration system.

We find that even those able to meet the visa requirements are shocked by the contrast between the relative ease and simplicity (for most) of EU free movement and the EU Settlement Scheme, and the UK's highly restrictive, complex and expensive partner migration regime – one of the harshest in the world. We document challenges in negotiating the cost and complexity of a visa process whose requirements can easily be misunderstood, and the impacts of the system on participants' life choices, finances, integration, belonging and wellbeing, including effects on children.

This report comes at a crucial juncture. The UK is negotiating a new relationship with the EU, including recent agreement on ERASMUS membership, and a future youth mobility scheme, both of which will increase opportunities for British and EU citizens to meet and new UK-EU couples to form. Recent settlement proposals may create new challenges for couples going through the immigration process.

A series of recent policy changes has also seen a dramatic expansion of the populations potentially impacted by restrictions on partner immigration:

- 2021: incorporation of EU citizens into the visa regime.
- 2024: increase in the minimum income requirement for sponsors of partner visa applicants from £18,600 to £29,000 – a level excluding around half of UK employees.
- 2025: suspension of refugee family reunion provisions and UK government proposals to bring refugee family reunion in line with wider family visa requirements.

As the UK government moves to reform the family migration system, we provide recommendations (see p65) to mitigate some of the challenges we document. This research therefore provides unique insight into a seldom-discussed impact of Brexit, casts new light on problems in the UK's partner visa system and sets out ways in which the system could be improved at a time when such insights are particularly needed.

Methods

The ‘Brexit Couples’ of our title refers to those newly subject to the UK’s partner migration rules since Brexit. They include British citizens or settled/pre-settled residents with EU, EEA, or Swiss partners, but exclude Irish citizens as the Common Travel Area exempts them from the partner migration rules. For simplicity, we refer to them throughout this report as ‘UK-EU couples’.

This report draws on semi-structured interviews with 56 UK-EU couples. To follow their administrative and geographical journeys, we interviewed them more than once wherever possible, and supplemented this data with email check-ins (115 interviews and check-ins in total). Most interviews were online, allowing couples living in separate countries to be interviewed together.

To enhance diversity, we recruited through a variety of starting points: Advisory Board member organisations, community and social media groups including those supporting bi-national families or focussed on particular EU nationalities and ethnicities, large employers, immigration law services, universities and trade unions. To complement the couple interviews and address gaps in recruitment, we carried out interviews with 14 experts including immigration lawyers, community workers and support organisations, with a particular focus on populations where recruitment was challenging.

Participant couples were aged from 20 to 73, included partners from 18 EU nationalities, and both those cohabiting and living apart. They included successful and refused visa applicants, and couples who were still in the visa process, deciding what to do, or unable to apply. The sample included minority ethnic participants and same sex couples, but the majority were from ethnic majority backgrounds, and in heterosexual relationships.

Towards the end of the project, we held two workshops with participant couples (one in person in Bristol, one online) at which we worked with an illustrator to co-produce the illustrations that feature in this report. The ‘Love, Borders, Brexit’ podcast series (<https://brexitcouples.ac.uk/podcast/>) based on participants’ stories is available on the project website (www.brexitcouples.ac.uk) and usual podcast platforms.

We draw on data from the UK Census 2021, Labour Force Survey and UK immigration statistics to understand the existing UK-EU couple population in the UK and chart the emergence of EU partner visa applications since Brexit.

Further details on research methods and samples are available in the online appendix accompanying this report (<https://brexitcouples.ac.uk/projectreport/>).

The structure of this report

In Chapter 1 we set out the legal context of the UK’s complex post-Brexit partner immigration system. Chapter 2 provides a statistical portrait of the UK’s existing UK-EU couple population. Chapter 3 documents EU partner visa applications in the UK’s immigration statistics.

In Chapters 4 to 6 we draw on our qualitative research to explore UK-EU couples’ experiences of the post-Brexit immigration system, and the impacts that the need to negotiate the visa system has had on their lives. The report ends with Conclusions and Policy Recommendations addressing challenges identified in the research.

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Illustration 2: Supporting couples and families

This illustration suggest the important role family and community support can play in supporting families to build their lives together in the UK.

Glossary

Applicant: A person who makes an application for leave to enter or remain in the UK under the UK's immigration rules.

EU citizens: Citizens of EU member states. For the purposes of this report, we also include citizens of the other EEA states (Norway, Iceland, Lichtenstein) and Switzerland, all of whom had almost the same rights of free movement in the UK before Brexit, and under the EUSS after Brexit, as citizens of EU member states.

EU partner: The EU citizen half of the couple in our interviews. They were, or would be, the applicant under the partner migration rules.

EU Settlement Scheme (EUSS): The scheme set out in the immigration rules for granting leave to enter or remain to EU citizens who were exercising free movement rights in the UK at the end of the Brexit transition period (11pm on 31st December 2020).

Financial requirements: The financial conditions, including the minimum income requirement (MIR), that must be met by applicants for a partner visa under the immigration rules.

Free movement: The right of EU citizens and, usually, their family members (including non-EU citizen family members) to work, study and live in another EU member state, subject only to limited conditions.

Further leave to remain (FLR): Further leave to remain is granted to a person who is already in the UK with leave to enter or remain.

Guidance: Unless stated otherwise, this refers to UK Visas and Immigration (UKVI) guidance to decision-makers.

Immigration rules: The rules which set out when leave to enter or remain in the UK is granted or refused. They are contained in a House of Commons Paper (HC395) which has been amended numerous times since first published in 1994.²

Indefinite leave to enter/Indefinite leave to remain (ILE/ILR): Informally referred to as 'settlement'. Indefinite leave is granted without time limit or conditions as to work or access to welfare or other services. ILE/ILR may be lost after lengthy absence from the UK or criminal convictions.

Leave to enter/Leave to remain: Used when a person has been granted permission to enter or stay in the UK under the immigration rules (or, rarely, outside the rules). Leave to enter is needed before a non-national enters the UK. In some cases, a visa or entry clearance may also be required. Leave to remain is granted when a non-national has made an application from inside the UK. Our interviewees often used

the term ‘visa’ when they meant ‘leave to remain’. To reflect this broader usage, we have also used the term ‘visa’ to include ‘leave to remain’ where relevant.

Minimum income requirement (MIR): The minimum income that must be demonstrated by most applicants as part of the financial requirements for a partner visa.

Partner: Spouse, civil partner, fiancé(e) or unmarried partner (as the context requires).

Partner migration rules: Those parts of the immigration rules which govern the entry and stay of spouses and partners found in Appendix FM and Appendix FM-SE of the immigration rules.

Settled: A person living in the UK with indefinite leave to enter or remain.

Sponsor: The British citizen or British resident partner of an applicant under the partner migration rules. A resident is someone who is settled in the UK, or has refugee status, humanitarian protection, pre-settled status or one of a small number of other statuses. A sponsor may not therefore always be a British citizen.

Surinder Singh: A 1992 European Court of Justice decision (*R. v Immigration Appeal Tribunal Ex p. SSHD* (C-370/90) EU:C:1992:296), which held that when an EU citizen exercises free movement rights in another member state and is joined by a family member in accordance with EU law, the family member must be allowed to return with the EU citizen to their member state of origin.³

UK partner: The UK citizen or resident part of the couple in our interviews. The UK partner was or would be the sponsor in an application under the partner migration rules.

Visa/Entry clearance: Issued by a UKVI decision-maker to a person outside the UK confirming they have met the conditions for leave to enter the UK. It almost always has effect as leave to enter on their arrival. ‘Entry clearance’ is the term used in the immigration rules but ‘visa’ is used in caseworker guidance and everyday speech. The two terms are used interchangeably and in this report.

1. The legal context

This chapter sets out the legal background to the research. Before Brexit, EU citizens could live with their British partners in the UK with few or no formalities. EU citizens living in the UK at the time of Brexit, and some living abroad but already married or in a long-term relationship with a British citizen or resident, could apply under the EU settlement scheme. However, EU citizens who are ineligible for (pre)settled status must now apply for a partner visa under the UK's restrictive immigration laws. These include a minimum income requirement for the British sponsor set above the income of around half of the working population, and very specific evidence requirements.

In this chapter we set out the legal background to the Brexit Couples project. It explains how the ability of UK-EU couples to live in the UK changed after Brexit and what that means for them in practice. For reasons of space, this is only a summary. More detailed information is available on our project website.⁴

The key time and date is 11pm on **31st December 2020** - the end of the Brexit implementation period. EU citizens living in the UK at that time could apply for residence rights in the UK under the EU Settlement Scheme. Those who wanted to start living in the UK after that date (with a few exceptions) would have to meet the requirements of British immigration law.

UK-EU couples before Brexit

Before Brexit, EU citizens could enter and live in the UK without being subject to immigration control.⁵ These rights derived from EU law and were, in most cases, codified in EU legislation known as the Citizens' Rights Directive implemented in British law through regulations.⁶

Under the regulations, EU citizens could:

1. Enter the UK and reside there for up to three months.
2. Reside in the UK for longer than three months if they were one of the following:
 - a. A worker (which included part-time workers), self-employed or, subject to conditions a job seeker.
 - b. Self-sufficient, meaning they could support themselves from their own resources and had comprehensive sickness insurance.
 - c. A student with comprehensive sickness insurance cover and adequate resources.
3. Acquire permanent residence following five years continuous lawful residence, after which no conditions attached to their stay.

There were only limited grounds on which rights of entry and residence could be refused or terminated. Expulsion was especially difficult once the right to permanent residence had been acquired.⁷ EU citizens with a right to live in the UK could access employment, welfare and other services on the same basis as British citizens.⁸

The breadth of these rights meant that most EU citizens living in the UK were covered by them. Residence rights sometimes existed on another basis, mainly when parents or carers, whether EU or non-EU, needed to stay in the UK to care for an EU citizen child. Most EU citizens did not need to rely on these provisions, unless, for example, they had no resources of their own and were economically inactive.⁹

As anti-EU politics became more prominent in the UK, the limits of free movement were policed more rigorously. This was usually in the context of welfare claims when it was argued that the EU citizen was not a genuine worker or job seeker, and so did not have a right to reside and was not entitled to equal treatment in terms of access to benefits.¹⁰ Another issue arose around healthcare. During most of the UK's membership of the EU, access to NHS services was considered to be the equivalent of 'comprehensive sickness insurance' but, from 2011, this was disputed by the British government.¹¹ Some EU citizens had their right to reside challenged on that basis in the pre-Brexit period, but the British government did not insist on evidence of private health care when deciding if EU citizens qualified under the EU Settlement Scheme after Brexit.

Rights under EU law did not depend on obtaining official documentation. The EU Citizens' Directive says that EU citizens should apply for a registration document, but failing to do so could have only limited consequences and would not affect their right to reside. An EU citizen could therefore reside lawfully in the UK without any documentary proof, although it was often convenient for them to have it.

Because most EU citizens had an independent right to live in the UK, those in relationships with British citizens and residents did not have to engage with the immigration system before Brexit. It is likely that many did not even think about whether they were living as 'a partner', 'a worker' or 'a student' – the UK was their home. Even if an EU citizen was economically inactive, for example because they were bringing up children, it was often accepted that they were a permanent resident or self-sufficient EU citizen.

In summary, before Brexit, the EU partners of British citizens and residents could almost always live in the UK subject to few conditions. They did not therefore have to rely on a status based on the relationship with their partner.

UK-EU couples under the EU Settlement Scheme

These rights ended with Brexit and the abolition of EU free movement into the UK. However, the Brexit Withdrawal Agreement, which has been incorporated into British law and can be enforced in the courts, provides that EU citizens already in the UK (and UK citizens in the EU) should retain their existing rights.¹²

The UK government chose to fulfil its obligations through a system of compulsory registration, the EU Settlement Scheme (EUSS), which opened in 2019.¹³ Only those who successfully registered would keep their right to live in the UK.¹⁴ It was available to EU citizens and their family members who arrived in the UK by 31st December 2020, to family members who were outside the UK on that date but whose relationship existed on 31st December 2020, and to children born to or adopted by the EU citizen after that date. The cut-off date for making an application was 30th June 2021, although some late applications have been accepted (see below).

The EUSS application process was designed to be straightforward. Applications were free, and decision-makers would make their own enquiries or contact applicants if more evidence was needed. The definition of the 'qualifying period' of pre-Brexit residence made no reference to the exercise of free movement rights, so that the absence of a work record or comprehensive sickness insurance did not lead to refusal if residence could be established. By June 2025, more than 7 million grants of settled or pre-settled status had been made, and almost all applications succeeded on first or, at worst, second attempt.¹⁵ Successful applicants have an independent right to live in the UK and do not have to engage with the main immigration system.

There are two types of status under the EUSS: 'settled status' and 'pre-settled status'. 'Settled status' is for

those who have five years of continuous residence. The five-year period could have taken place in the past provided there had not since been more than five years' continuous absence. The actual immigration status awarded is 'Indefinite leave to enter' (ILE) or, more commonly, 'Indefinite leave to remain' (ILR). The status is almost identical to ILE or ILR granted to other long-term residents under the immigration rules (who are often also described as 'settled'). It allows indefinite residence in the UK, and access to employment, services and welfare. Recipients are eligible to apply for British citizenship as soon as ILE or ILR is obtained if they are married to a British citizen or, in other cases, after one year (provided always that other conditions, including residence, are met). There are some advantages for those with ILR under the EUSS: grounds for deportation are narrower in respect of criminal offences or conduct prior to Brexit, and a person with EU settled status can leave the UK for up to five consecutive years without losing their status, compared to two years for others.

EU citizens ineligible for settled status because they cannot show five years' continuous residence are granted pre-settled status. This was intended as a temporary status: the expectation had been that applicants would apply for settled status as they became eligible. but there was concern that some pre-settled residents would fail to apply and therefore become irregular migrants.¹⁶ In December 2022, the High Court held that pre-settled status did not expire, and the benefits of settled status accrued automatically as soon as a person became eligible, even without an application.¹⁷ As a result, the government adjusted its practice, automatically extending pre-settled status, treating pre-settled status as equivalent to settled status in other respects (such as for permitted absences and naturalisation) and, in some instances, automatically conferring settled status without an application.¹⁸ There is therefore no longer a pressing need for those with pre-settled status to apply for settled status, although in practical terms, it may make life easier in terms of showing a recognisable, long-term status to employers, landlords and others.

Some EU citizens who could have applied for settled or pre-settled status failed to apply at all within the initial deadline. The Withdrawal Agreement requires late applications to be accepted if applicants can show 'reasonable grounds' for the delay.¹⁹ By June 2025, over 2.5 million late applications had been made, and at the time of writing they still average 30,000 per month. Grounds for acceptance are now narrower than before, but around 40% of such applications still succeed.²⁰ It is likely that marginalised and vulnerable groups are over-represented among those who do not apply or who are refused.²¹ These EU citizens, if they remain in the UK without status, are now irregular migrants. Given their position, they will find it difficult to make a successful application under the main immigration rules for partners, discussed in the section below.

The EUSS also permits some EU citizens to enter as family members after Brexit. While this would not assist most British citizen sponsors, this could be relevant to EU citizens living in the UK, including settled EU residents who form part of our interview sample, and a few British citizens.

Three groups of British citizens can sponsor family members, including EU family members, under the Settlement Scheme:

- EU citizens who naturalised as British citizens after exercising free movement rights to the UK.²²
- British citizens who lived in another member state with a non-British family member and have returned to the UK (*Surinder Singh* applications; deadline for applications was 29th March 2022 although late applications may be accepted).²³
- Most British citizens born in Northern Ireland.²⁴

As family reunification under EU law is easier than under UK immigration law, this represents a substantial advantage. However, with an exception for children born post-Brexit, the right to sponsor is confined to relationships that existed on 31st December 2020 and still subsist. Demonstrating this should be straightforward for spouses and civil partners if the ceremony took place before 1st January 2021. Unmarried partners usually need to show they lived together in a relationship resembling a marriage or civil partnership for at least two years before 1st January 2021. Couples without two years' cohabitation will find it difficult to succeed, but it is not impossible.²⁵ To be sponsored, the family member must have resided outside the UK on 31st December 2020, i.e. they could not be eligible for the Settlement Scheme in their own right. In all cases, the relationship must not be one of convenience, which means that it was not entered 'as a means to circumvent' conditions of entry or residence under UK or EU law.²⁶

In summary, EU citizen partners who were resident in the UK as at 31st December 2020 could apply under the EUSS to retain their rights of residence so did not need to apply as a partner under the UK's immigration rules. EU citizens outside the UK could also apply to join EU citizens (and some British citizens) if they were outside the UK, but in a relationship by 31st December 2020.

UK-EU couples after Brexit

After Brexit, EU partners who cannot apply under the EU Settlement Scheme and are not eligible or do not wish to apply for a different visa must apply under the UK's partner migration rules – some of the most restrictive in the world. The table below summarises the requirements. Decision-makers can show only very limited flexibility if an error has been made in the application.²⁷

UK Partner Visa Requirements	
Immigration status	Applicant must be outside the UK or in the UK legally and not on a short-term basis, such as a visitor.
Relationship	Spouse or civil partner: Married or civil partnered in a ceremony that is valid where it takes place and under the personal law (domicile) of the parties. Unmarried relationships: The couple have been in a relationship similar to marriage for at least 2 years. Cohabitation is usually expected. Fiancé(e): Both are free to marry and plan to marry within six months.
Minimum Income Requirement (MIR)	One of the following must apply: • Sponsor has an income of at least £29,000 pa available in the UK (or £18,600 for those applying before 11 April 2024). This amount is referred to as the minimum income requirement (MIR). • Sponsor and applicant jointly meet the MIR and the applicant's income comes from lawful work in the UK or from other approved sources (e.g. pension) but not from their employment or self-employment outside the UK. • Sponsor is earning at least the MIR through working outside the UK and has a job offer in the UK which pays at least the MIR and will start within three months. • Sponsor is in receipt of a specified disability or care related benefit and their income is sufficient to ensure the family will be 'adequately maintained'. • Sponsor and/or applicant party have savings equivalent to 2.5 times any shortfall in the MIR plus £16,000 (option not available to supplement self-employment). In addition: • Only certain types of income count. • Savings must be cash savings which can be accessed immediately. • Income must be earned and savings held for at least six months and sometimes a year. • Strict and detailed evidential requirements apply.

Genuine relationship	The couple must have met in person, the relationship must be genuine and subsisting, and they must intend to live together permanently in the UK.
Good character	Applicants will be refused for a fixed period or indefinitely, under rules on 'suitability' due to criminal convictions or a range of other matters.
English language	Applicant must meet one of the following conditions: • Has passed a speaking and listening exam with an approved provider at Level A1 within past two years. • Is a national of one of a list of 'majority English speaking' countries. • Has graduated from a degree level programme taught in English. Exemptions: Applicant is aged 65 or over, has a disability, or there are other exceptional compassionate circumstances.
Accommodation	Accommodation must be 'adequate' i.e. it must not be over-crowded or contravene public health regulations; couple must have a space (at least a bedroom) which they occupy exclusively.
Other conditions	Both parties must be at least 18 at the date of application. Prohibition on the entry of more than one partner in polygamous relationships, and on consanguineous relationships where marriage is not or would not be permitted under UK law.

Figure 1: UK partner visa requirements

Minimum income requirement

The most controversial and well known of the conditions is the MIR, which has been the subject of widespread criticism.²⁸ In summary, the problems are:

- The MIR is too high – the level of £29,000 pa excluded around half of UK employees when it was introduced in 2024.
- It is inflexible and must be met over a protracted period.
- The evidential requirements are excessive.
- It discriminates against several groups, including women, the young, the retired, those living in certain UK's regions and some ethnic minorities.

The MIR was increased to £29,000 pa from £18,600 pa by the previous Conservative government in 2024. They had initially announced an increase to £38,7000 (which would have excluded around 75% of employees) but changed this to a staggered increase after public outcry. After the 2024 General Election, the new Labour government paused the increases beyond £29,000, and asked the Migration Advisory Committee (MAC) to advise on a level which would balance economic wellbeing and family life.²⁹

The MAC’s report, published in June 2025, suggested a number of possible approaches, all of which would involve a reduction in the MIR.³⁰ At the time of writing this report, the government had not announced its response and the MIR remains at £29,000 pa.

Costs

Another widely reported problem with the application process is the cost. Applicants must pay application fees, the immigration health surcharge and a range of incidental expenses, such as for translation of documents, language tests or a priority service, and potentially for legal advice.³¹ The initial visa is valid for 2.5 years, after which a further application must be made. After five years, an application can usually be made for settlement, which, if granted, means no further applications are needed (except for citizenship), and the applicant now has access to all services and the welfare system (the partner visa carries a ‘no recourse to public funds’ condition). Over that five-year period however, the couple will have paid more than £12,000 to the government or in other visa related expenses. Some couples have to wait up to ten years for settlement if, for example, they cannot meet the MIR on first application or renewal, incurring even higher costs through repeated visa applications.

5-year Route	
Application	Fee
Initial visa application (outside UK) and biometric enrolment	£1,938
Extension of leave after 2.5 years	£1,321
Immigration health surcharge (£1,035 x 5.5)	£5,692
Indefinite leave to remain	£3,029
Life in the UK test	£50
Total fees paid	£12,030

Figure 2: Costs of UK partner application process (5-year Route).

10-year Route	
Application	Fee
Initial visa application (outside UK) and biometric enrolment	£1938
Extension of leave after each 2.5 years	£3,963
Immigration health surcharge (£1,035 x 10.5)	£10,867.50
Indefinite leave to remain	£3,029
Life in the UK test	£50
Total fees paid	£19,847.50

Figure 3: Costs of UK partner application process (10-year Route)

Additional variable or optional costs:

- Priority processing (within 5 working days): £500.
- Super priority (next working day for applications made in the UK): £1,000.
- Legal advice and services (if sought).
- Translation and notarisation costs.
- English language tuition and test fees.
- Appointments at Visa Processing Application Centres (and associated costs).
- Conversion costs to pay application fees in local currency.

Exceptional circumstances and the 10 year route

If applicants cannot meet one or more of the requirements of the partner migration rules, they can ask for an exemption based on their ‘exceptional circumstances’. These exemptions are designed to meet the government’s obligation to respect family life under the European Convention on Human Rights. Successful applications usually involve a parent separated from a child. Even then, they are rarely granted on first application and an appeal is often required. If an application does succeed, applicants must wait up to ten years before they can apply for indefinite leave to remain, prolonging uncertainty and expense (fee waivers are available in a very few cases).

Visits

EU citizens can usually enter the UK as a visitor without a visa (although since 2025 they need an Electronic Travel Authorisation costing £16). However, the maximum period of stay is 6 months and visitors cannot work or establish a life in the UK through, for example, renting property. Without a marriage visit visa, getting married in the UK is very difficult and may lead to investigation for a sham marriage. If border officials believe a person is using leave as a visitor in order to live in the UK, they will be refused entry and may have problems returning in future.

Summary

Brexit changed the immigration status of EU citizens in fundamental ways. Later chapters of this report explore the consequences for UK-EU couples affected by this alteration. The table below sets out these changes in a simplified form and demonstrates the extent of the shift from expansive rights of residence subject to few conditions and no costs to a restrictive and expensive regime.

Summary of relevant changes due to Brexit			
	Before Brexit (EU free movement)	Settlement Scheme	After Brexit (family migration rules)
Costs	No fee.	No fee.	More than £12,000 over 5 years.
Application	Status did not depend on documentation; registration requirement but limited consequences for non-registration.	Required but some flexibility as to deadlines.	Complex visa application process; deadlines are rigorously enforced.
Financial conditions (before permanent residence)	No financial conditions provided free movement rights exercised.	No financial conditions provided free movement rights exercised on 31 st December 2020 and residence continues.	Minimum income for sponsor of £29,000 pa, or up to £88k savings alternative.
Access to healthcare, services and welfare (before permanent residence)	On the same basis as British citizens provided free movement rights exercised.	On the same basis as British citizens provided free movement rights exercised on 31 st December 2020 and residence continues.	Access to NHS but not to most other services and welfare.
Permanent residence/ indefinite leave to enter or remain	After 5 years exercising free movement rights; application is not compulsory.	After 5 years exercising free movement rights; application is not compulsory.	After at least 5 years residence as a partner; in-time application is compulsory.
Refusal, expulsion and exclusion	Only on limited grounds; becomes more difficult over time.	Only on limited grounds as regards pre-Brexit matters.	Wide range of reasons for refusal or expulsion.

Figure 4: Summary of relevant changes related to Brexit



Illustration 3: The deep hole of expense

This image speaks to the expense and stress of the visa process. The couple are older, perhaps seeking to return to the UK after living abroad – a reminder of the diversity of UK-EU couples impacted by the post-Brexit immigration regime.

2. The existing UK-EU couple population

The 2021 Census shows that England and Wales are home to nearly 500,000 UK-EU couples, with partners from a diverse range of EU countries of origin. Those in UK-EU couples are more likely to be highly educated, and in higher occupational status employment than in couples in which both partners were born in the UK.

The United Kingdom is home to a large population of UK-EU couples. Decades of EU free movement, extensive connections through travel, education, business, military postings and social networks have long provided opportunities for relationships to develop between British citizens and residents, and those from other parts of Europe. In this chapter we provide a brief statistical portrait of the existing UK-EU couple population as context for our research. This analysis also informed our qualitative interview sample.

This chapter uses data gathered before the impact of post-Brexit immigration control changes. We primarily draw on the 2021 Census, supplemented with Labour Force Survey data for additional detail on some characteristics. The Census provides information on England and Wales only, so does not include residents of Scotland or Northern Ireland (where proximity to the EU border with Ireland also creates different patterns of cross-border relationships).³² The Labour Force Survey (LFS) includes England, Wales and Scotland. This statistical portrait also does not include UK-EU couples living elsewhere in Europe or globally, but provides the best available context for our UK-focussed study.

For more information on the sample and analysis see the online Appendix (www.brexitcouples.ac.uk/projectreport/).

Defining UK-EU couples in the statistical sources

Our interview sample consists of British citizens or residents and their EU (or EEA/Swiss) citizen partners. The Census, however, does not collect data directly on citizenship, and the proxy measure of ‘passports held’ ignores second passports held by British citizens. Using citizenship data would also conceal EU citizen partners who naturalised in the UK. We therefore used country of birth for this analysis, for which data is available in both the Census and Labour Force Survey. This measure is also imperfect, as some European citizens are born outside the EU, and some EU-born British citizens arrived as children, but it allows us to draw Census and LFS data together.

As we exclude Irish partners from the qualitative sample (the Common Travel Area exempts them from the post-Brexit partner migration rules) we also exclude them from the UK-EU couple category here, although data on UK-Irish couples is included separately in some analyses for completeness.

For the purposes of this statistical analysis, therefore, we treat a UK-EU couple as one in which one partner was born in the UK, and the other was born in the EU (excluding Ireland), an EEA country or Switzerland.³³ Couples include those who are married, in a civil partnership or cohabiting (and over 18), but not non-cohabiting couples as they are not identified in the data sources.

Most data in this chapter is from the 2021 Census, except where LFS data is specified.

UK-EU couples in England and Wales

According to the 2021 Census, over half a million couples (578,424) living in England and Wales had one partner born in the UK, and the other in an EU county. This equates to 4% of all cohabiting couples in England and Wales (13,986,642 couples in total). When those with Irish partners are excluded, this still amounts to 458,836 couples - 3.3% of the total couple population.

For context, mixed country of birth couples are common – more than a quarter of couples in England and Wales (25.5%) had at least one foreign born partner (Fig 5). UK–Rest of the World (RoW) couples made up 6.6% of the couple population, with a further 14.7% in which neither partner was born in the UK.

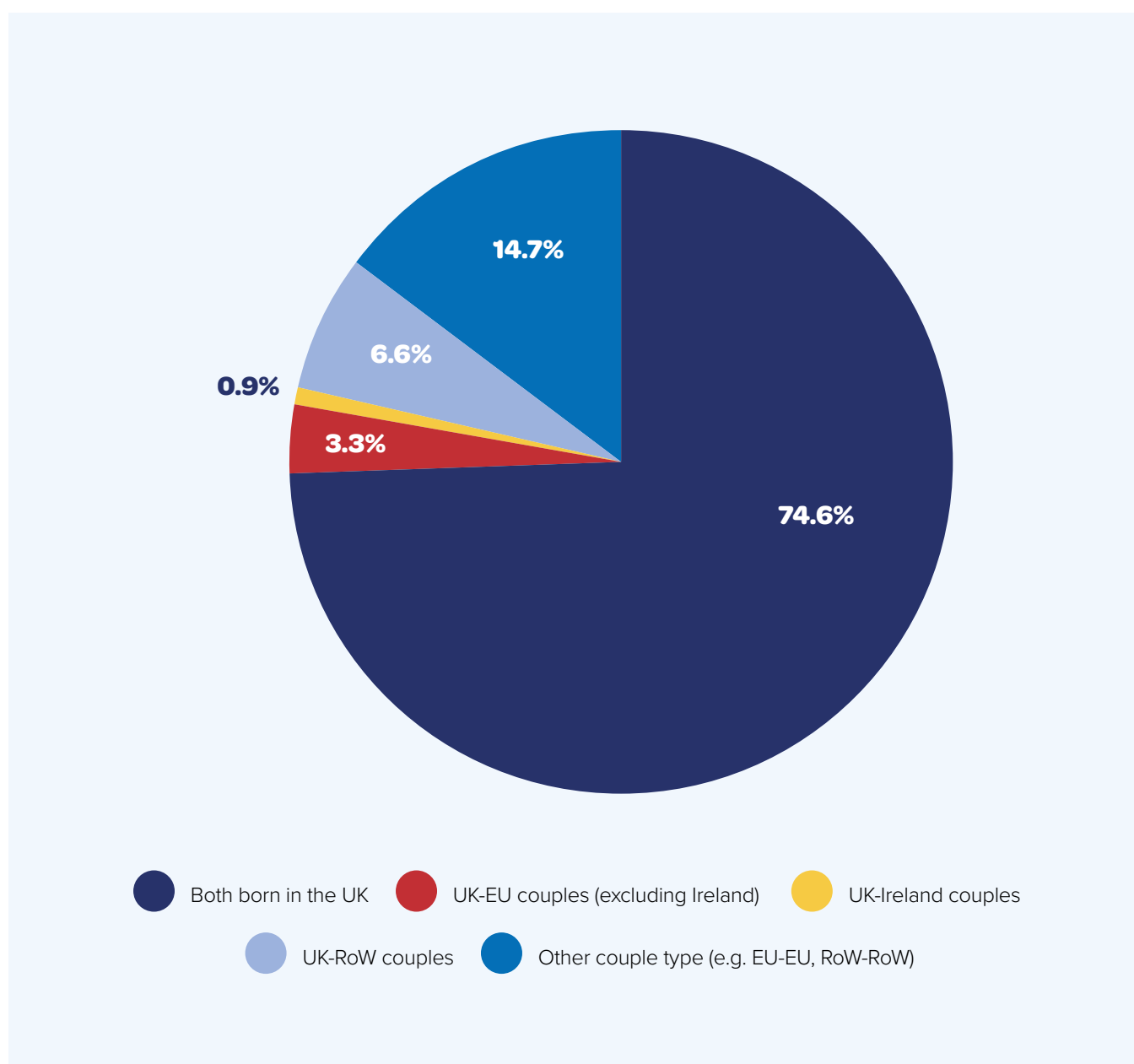


Figure 5: Percentage of couples living in England and Wales, by type (Source: ONS, Census 2021)

UK-EU couples were found in all regions of England and Wales but were more heavily represented in the East and Southeast of England and in London. For example, 21.1% of UK-EU couples lived in the South East, compared to 14.3% of UK-UK couples (Source: LFS).

Country of birth

Every EU member state was represented in the UK-EU couple population, with the most common shown in the table below (Fig 6), alongside the relative size of each national population in relation to the total EU population in England and Wales.

Largest country of origin groups of EU partners			
	Number of couples	% of UK-EU couples	% of EU population living in England and Wales
Germany	115,549	25.2%	8.2%
Poland	51,190	11.2%	23.1%
France³⁴	37,569	8.2%	4.6%
Italy	35,847	7.8%	7.3%
Spain³⁵	25,871	5.6%	4.2%
Cyprus	19,420	4.2%	2.3%
Netherlands	17,534	3.8%	1.8%
Romania	15,961	3.5%	16.3%
Portugal³⁶	14,330	3.1%	4.6%

Figure 6: Largest country of origin groups of EU partners, England and Wales (Source: ONS, Census 2021)

The number of EU partners from particular nationalities do not simply reflect the size of that population in the UK. Notably, UK-German couples accounted for a quarter of all UK-EU couples, when only 8.2% of the EU population in England and Wales were born in Germany. The number of UK-Polish couples, while significant, was proportionately lower than the overall size of the Polish population in England and Wales: 23.1% of the EU population living in England and Wales were Polish, but only 11.2% of UK-EU couples involved a Polish partner.³⁷

Gender

Opposite sex couples

Across the globe, wives in cross-border marriages more often move to their husband's country than vice versa. Analysis of opposite sex UK-EU couples suggests a similar pattern: the EU half of the couple was more likely to be a woman (63.4%) than a man (36.6%). This gender imbalance was particularly notable for several Eastern European countries of origin, where more than 80% of EU partners were women. Greece, Italy, Cyprus, and Belgium were the only countries of origin where the majority of EU partners were men (Fig 7).³⁸

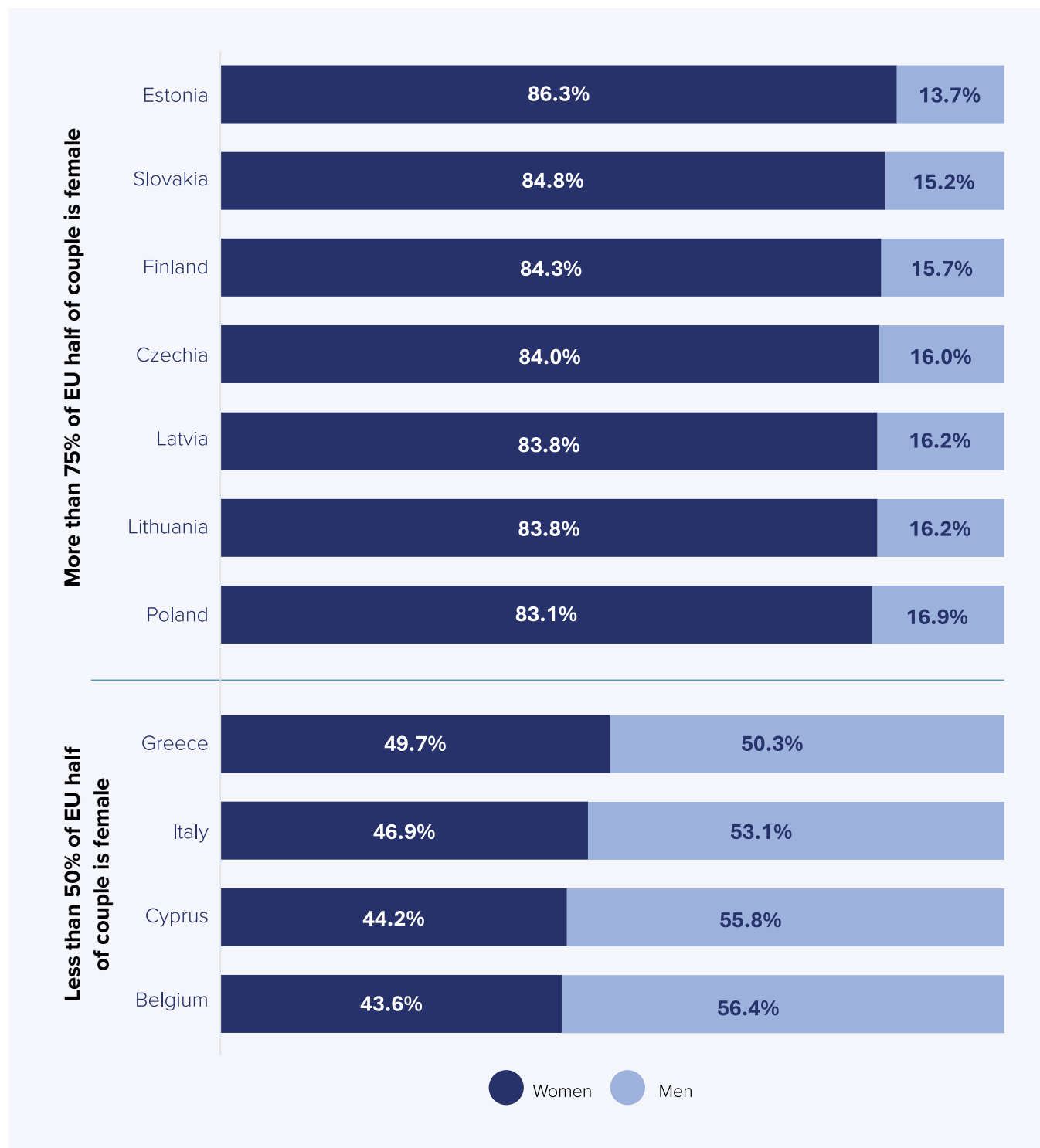


Figure 7: Gender of the EU half of the UK-EU couple by country of birth (mixed gender relationships) (Source: ONS, Census 2021).

Same sex couples

A higher proportion of UK-EU couples were in same sex relationships (6.9%) compared to couples in which both partners were UK-born (3.2%), or UK-RoW couples (4.9%). Some countries of origin had particularly high proportions of same-sex couples: Portugal-UK couples had the highest percentages of same-sex relationships (13.0%), closely followed by Spain (12.8%) and Greece (12.5%). Two thirds of UK-EU same sex couples consisted of two men.³⁹

Ethnicity

In 95.4% of UK-EU couples, both partners self-reported as ‘white’, compared with 90.0% of UK-UK couples. The proportion of ethnic minority partners would, however, likely be higher in an analysis based on citizenship rather than country of birth.⁴⁰

Education, employment and occupational class

Labour Force Survey data shed light on the educational and employment profiles of UK-EU couples, which are higher on average than for couples in which both partners were born in the UK, and to UK-RoW couples.

Education

UK-EU couples had a higher educational profile compared to UK-UK couples, more closely resembling those in UK-RoW couples. Half of those in UK-EU couples were educated to degree level (or equivalent)⁴¹ compared to 35.1% of those in UK-UK couples. Within UK-EU couples, partners tended to have a similar educational profile. 49.3% of the UK half of the couple were educated to degree level (or equivalent), compared to 51.6% of the EU half (Fig 8).

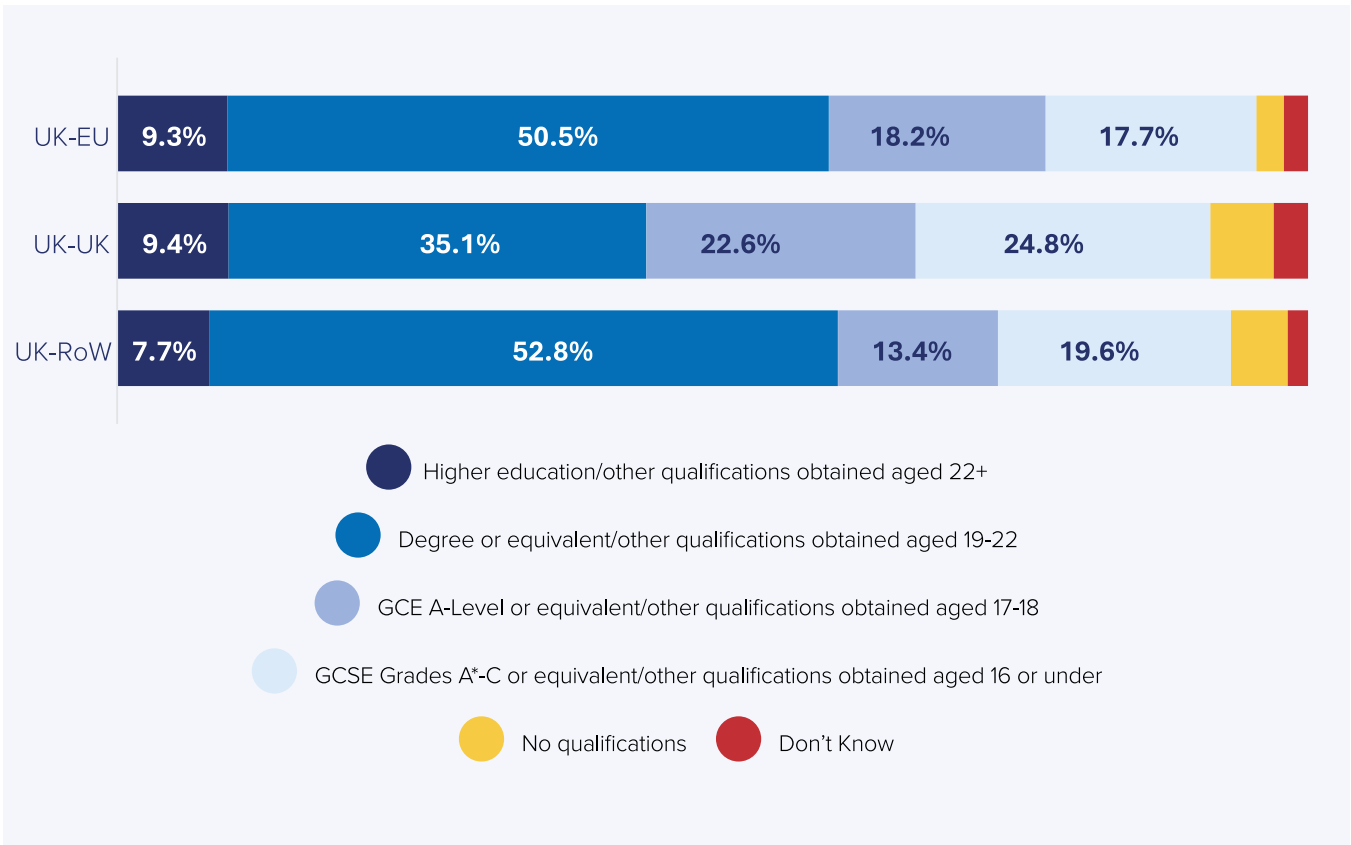


Figure 8: Educational profile by couple type (working age population) (Source: LFS)⁴²

Employment

UK-EU couples of working age were slightly more likely to be in employment (87.5%) than UK-UK (83.8%) or UK-RoW couples (82.3%), with little difference between the UK and EU halves of UK-EU couples in employment rates (87.7% and 87.2%).

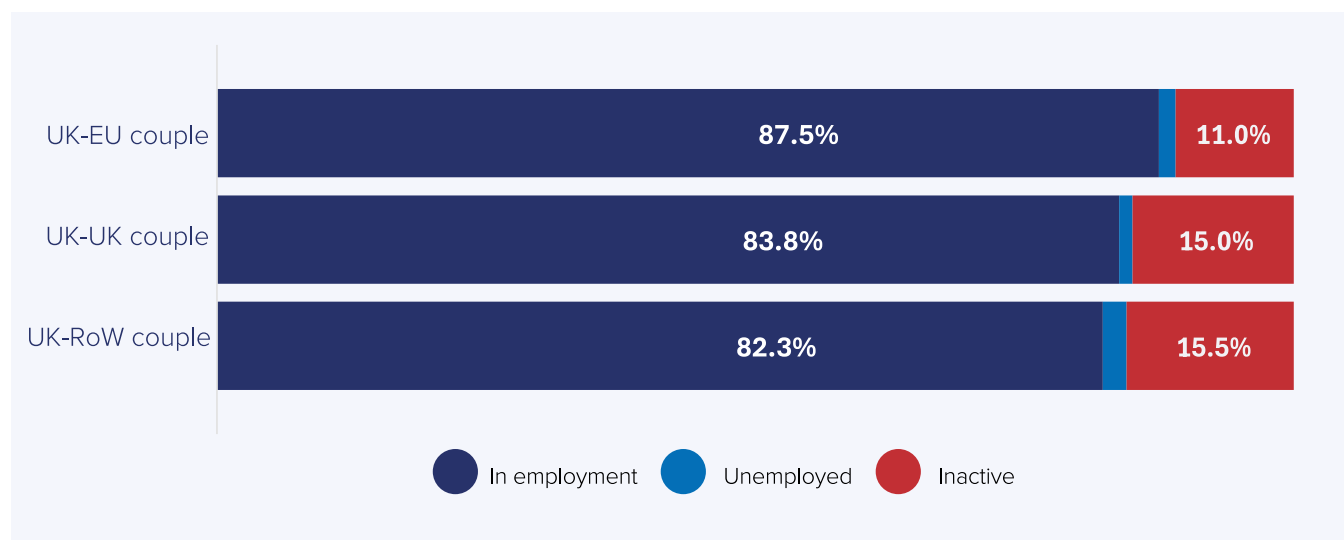


Figure 9: Employment rates by couple type (working age population only) (Source: LFS)⁴³

Occupational class

UK-EU couples had a varied occupational profile, but overall it was higher than for UK-UK couples or UK-RoW couples. They were significantly more likely to be in higher managerial, administrative and professional roles than those in UK-UK couples and less likely to be in routine/manual occupations (Fig 10).

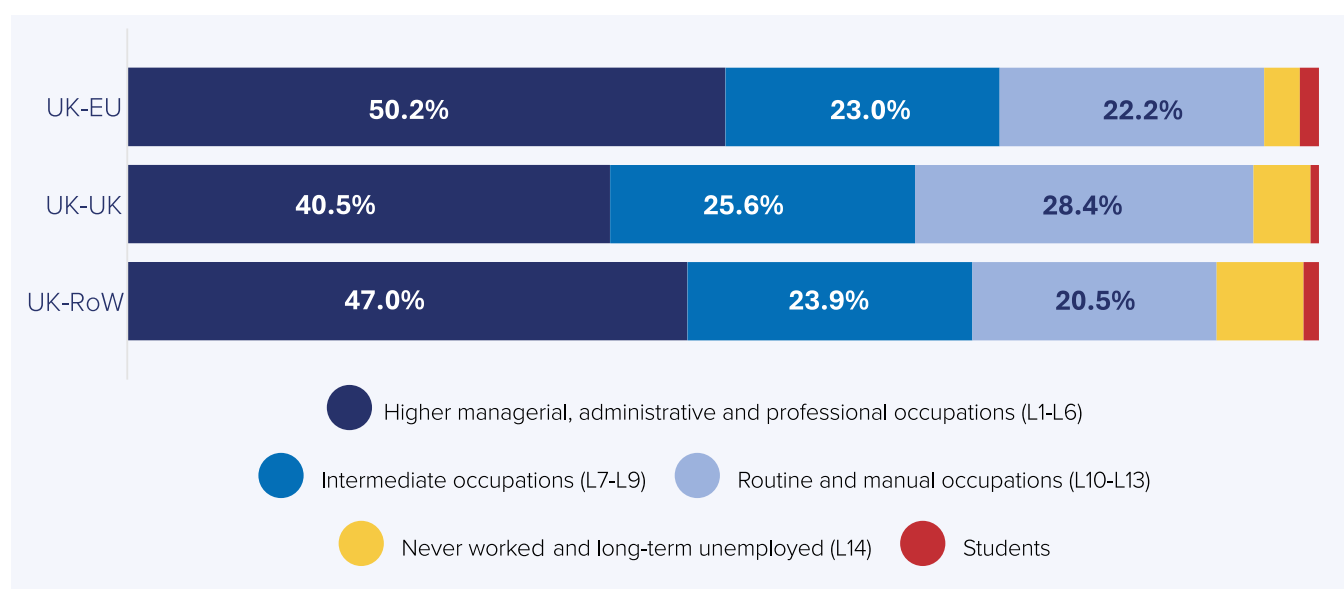


Figure 10: Occupational Class (NS-SEC), by couple type (Source: ONS, Census 2021)⁴⁴

A breakdown by nationality and region of the EU partner shows that couples involving all EU nationalities have a higher proportion working in managerial and professional roles than UK-UK couples (Fig 11). UK-France couples have one of the highest rates (63.2%), followed by UK-Germany (48.6%) and UK-Italy (47.6%).

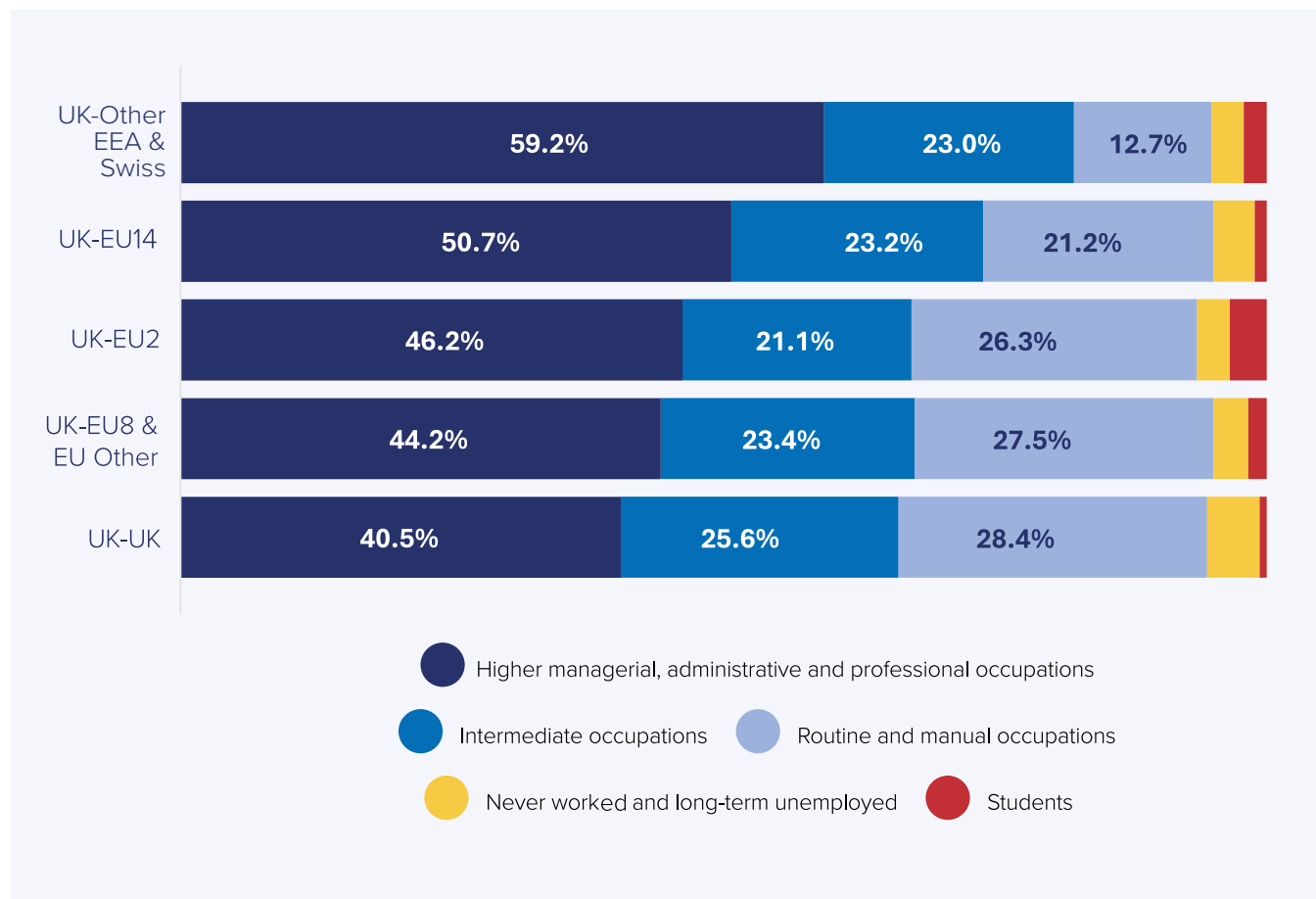


Figure 11: Occupational Class (NS-SEC) by country of birth of EU partner (Source: ONS, Census 2021)⁴⁵

Industry/Sector

Those in UK-EU couples were employed in a similar variety of industries to those in UK-UK couples. However, they were more likely to work in banking, finance and insurance than UK-UK couples (UK-EU 23.1% vs UK-UK 19.8%), and less likely than those in UK-UK to work in construction (UK-EU 4.8% vs UK-UK 7.8%) (Source: LFS).

Summary

This statistical portrait is retrospective in character – it does not reflect changes due to Brexit – but it shows that the nearly half a million UK-EU couples living in England and Wales before Brexit were diverse in many ways, including country of birth of the EU partner, education and occupational class. Those in UK-EU couples were, however, more likely to have higher educational backgrounds, higher employment rates and higher occupational status than UK-UK couples.

The largest countries of origin of EU partners were Germany and Poland. In mixed sex couples, the EU partners were more often women than men. Same sex relationships were more common among UK-EU than UK-UK couples. In a slightly higher proportion of UK-EU than UK-UK couples both partners self-reported as ‘white’, although the use of country of birth in this analysis may under-represent the number of ethnic minority EU citizen partners.

3. EU partners in the UK immigration system

Since the introduction of visa requirements for EU citizens other than for short term entry, numbers of partner visa applications from EU citizens have been increasing, but at a slower pace than might be expected. Some are likely to have accelerated their move to the UK ahead of the Dec 2020 deadline, made late EUSS applications (cheaper and simpler than the partner visa) or tried other visa routes. The 2024 increase in the minimum income requirement saw a downturn in applications, but numbers have since returned to an upward trajectory. Refusal rates are low, but couples unable to apply under the UK's restrictive immigration regime do not appear in the statistics.

In this chapter we chart the emergence of partner visa applications from EU (and EEA/Swiss) citizens since the end of the Brexit transition period on 31st December 2020, using UK immigration statistics data on visa applications and their outcomes by nationality of the applicant.⁴⁶ As in other chapters, for simplicity, we treat the small number of EEA and Swiss applications as part of the EU applications category.

UK partner visa applications from EU citizens 2020-25

This section looks at partner visa applications made by EU citizens from outside the UK after Brexit. The number of partner visa applications from EU citizens has been increasing steadily since the end of the Brexit transition period. Between 2020 and mid-2025 there were almost 10,000 applications from EU nationals. While total visa applications from EU nationals rose sharply from just over 1,800 in 2020 to more than 60,000 in 2021 and have stayed relatively constant since, partner visa applications have increased more gradually (Fig 12).

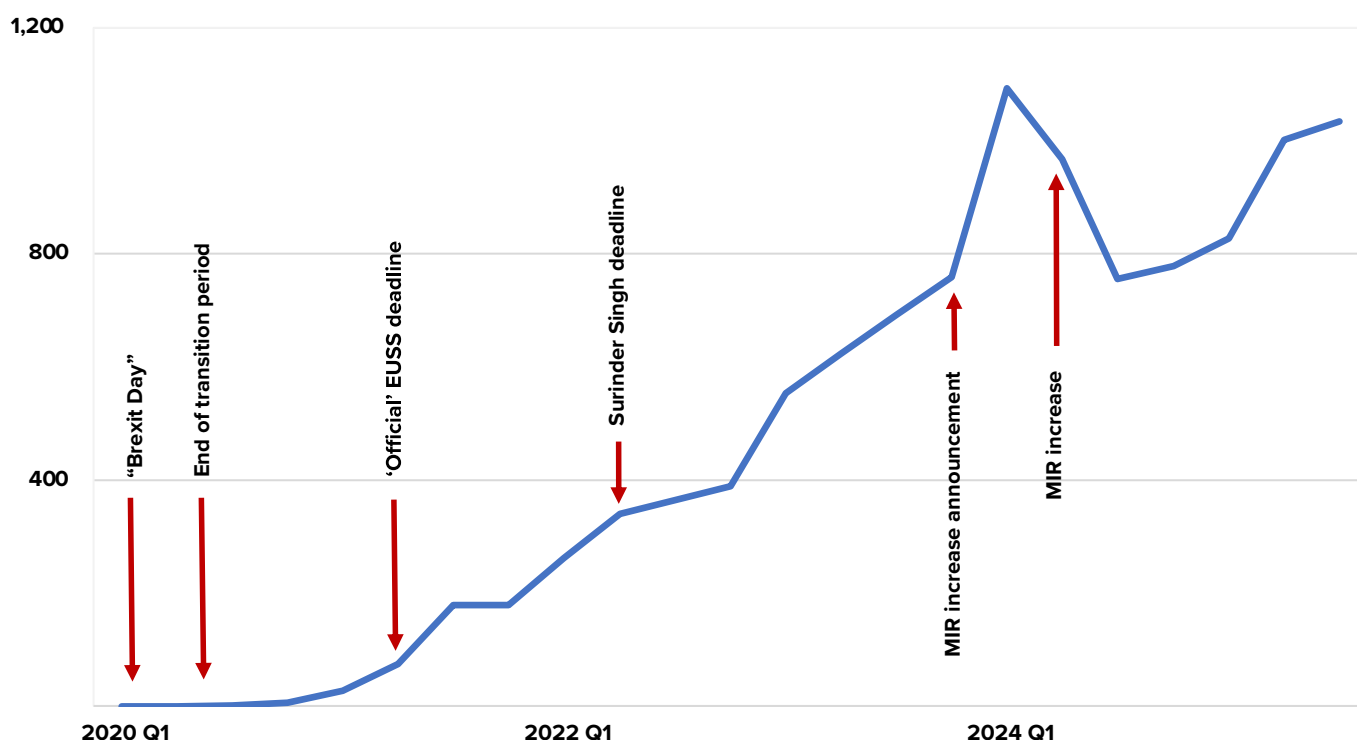


Figure 12: Partner visa applications from EU, EEA and Swiss nationals, per quarter (2020 Q1 – 2025 Q3)

Fig 12 on the previous page shows partner visa applications from EU nationals since 2020. Given the frequency of relationships between people from the UK and elsewhere in Europe and the rapid increase in other visa applications, we might have expected to see a steeper increase. The key events marked in Fig 12 suggest explanations for this relatively slow start:

- Some EU citizens, including those in UK-EU couples, may have accelerated a move to the UK ahead of the end of the Brexit transition period to beat the deadline.
- While the deadline for EUSS applications passed in June 2021, late applications may still be made and sometimes succeed. It is likely that some couples tried the free and relatively simple EUSS scheme first, only turning to the more complicated and expensive partner visa scheme if their EUSS application was unsuccessful.
- A few couples may also have been eligible under the *Surinder Singh* route which had a later deadline (29th March 2022) and where late applications could also be made.

These factors likely explain why numbers of applications only really started to take off in late 2022. Then, in December 2023, the government set out plans to substantially increase the minimum income requirement for sponsors, prompting a dramatic spike in applications as couples rushed to submit applications before the increase (which came in April 2024). The drop in applications in mid-2024 therefore likely reflects a combination of those who applied earlier than they otherwise might, and those who were no longer able to meet the income requirement after the increase.

Trends in the numbers of partner visa applications from all nationalities show a similar pattern of a spike before the MIR increase, followed by a drop (the earlier drop in 2020 reflects the impact of Covid lockdowns when visa services and travel were unavailable).

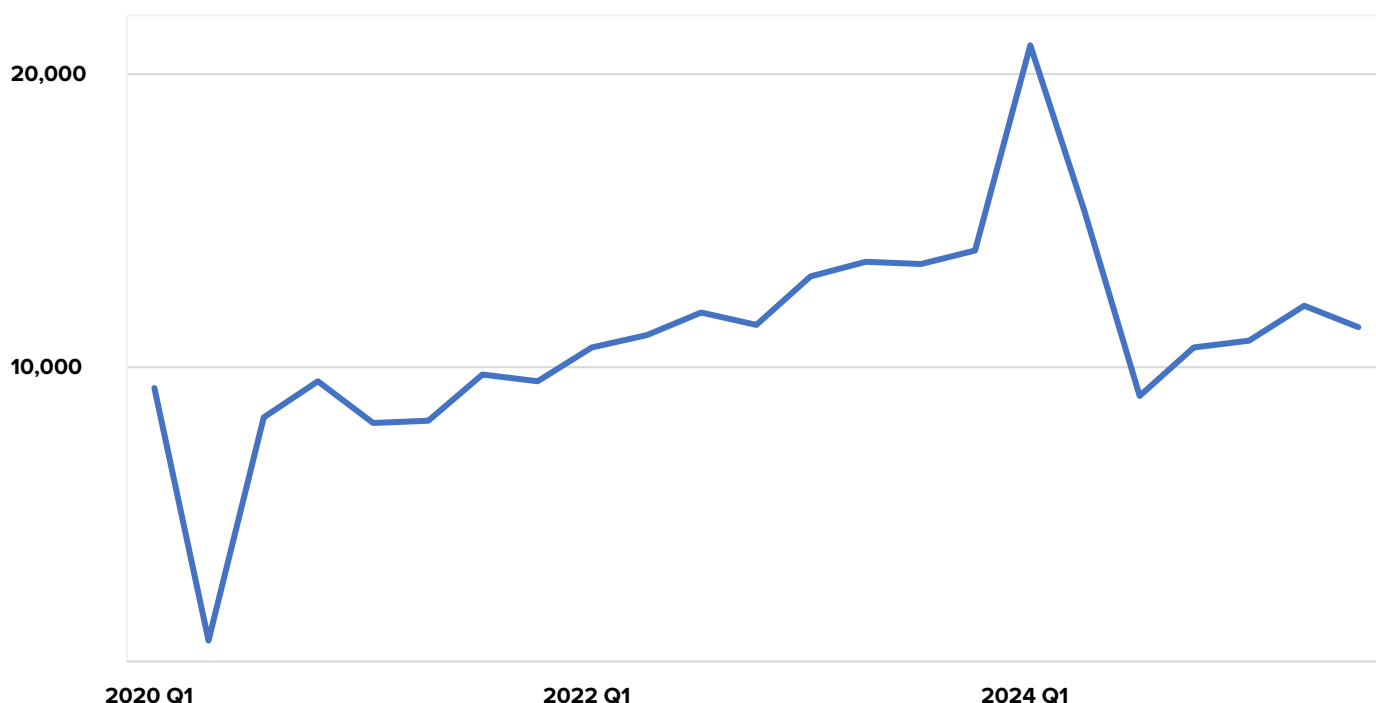


Figure 13: Partner visa applications per quarter (all nationalities, 2020 Q1 – 2025 Q3)

Comparing the two graphs, a key difference emerges between impact of the MIR on partner visas for all nationalities, and that for EU nationals alone: while all-nationality applications were still much lower in early 2025, EU applications had returned to a significant upward trajectory (Fig 12). This difference may be explained by:

- A strong underlying trend of increasing applications from the EU, particularly as alternative options of the EUSS and *Surinder Singh* route became less available.
- Differing ability to meet the new MIR: Given the socio-economic profile of UK-EU couples discussed in Chapter 2, we might expect a higher proportion of EU couples to meet the higher income requirement (or savings alternative). Even so, as we explore in Chapters 5 and 6, many were still negatively impacted by the MIR increase.

In the year 2024, EU partner visa applications reached 3,596, or 6.0% of the total of 59,957 EU visa applications (excluding visitor visas) in that period.⁴⁷ This is slightly more than the overall global proportion of 5.2% in 2024. However, the significant size of the existing UK-EU population set out in Chapter 2 and the close ties and proximity between the UK and EU mean it may be that UK-EU couple relationships develop with more frequency than the global UK-RoW average. Applications may therefore continue to rise, albeit with a dampening impact from the increased MIR.

Nationalities of EU partner visa applicants

Partners from every EU nationality appear in the partner visa applications data. For simplicity, we have divided EU member states into groups: EU14 (countries who joined the EU before 2004),⁴⁸ EU8 (Eastern European countries joining the EU in 2004),⁴⁹ EU2 (Bulgaria and Romania, who joined in 2007), EU Other (Malta, Cyprus, Croatia) and, finally, EEA countries and Switzerland.

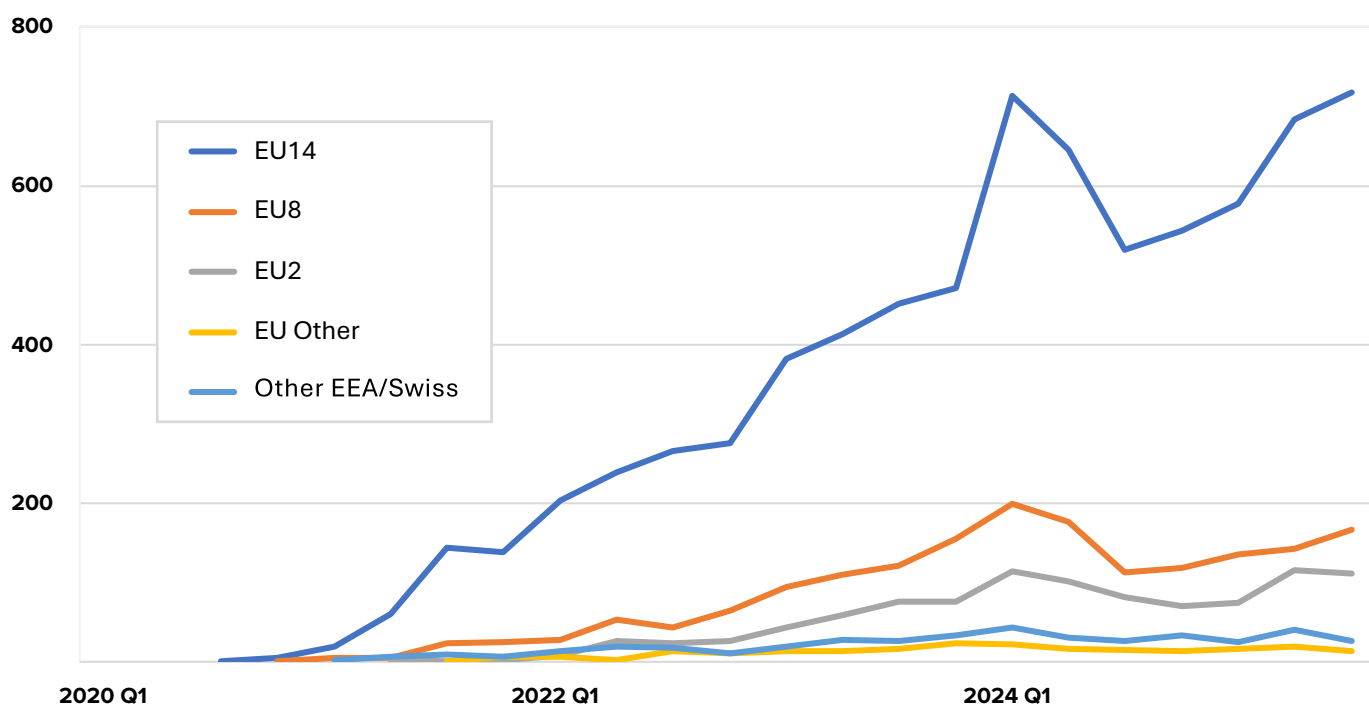


Figure 14: Partner visa applications by EU region (incl. EEA/Swiss) (2020 Q1 - 2025 Q3).

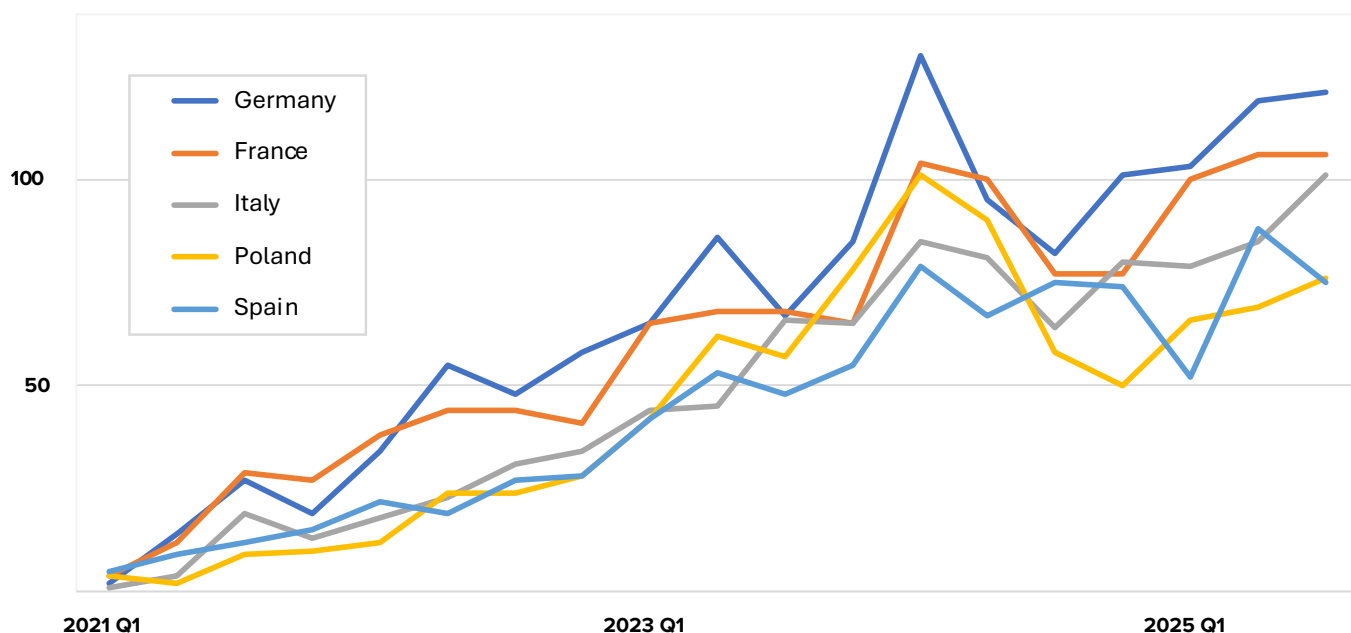


Figure 15: Partner visa applications from EU nationals: Top 5 nationalities (per quarter, 2021 Q1 – 2025 Q3)

The table below (Fig 16) lists the top ten nationalities of partner visa applicants. It shows that eight of the top ten (and four of the top 5) nationalities applying for partner visas are EU14 countries. The nationalities largely reflect the relative size of pre-Brexit UK-EU couple populations by country of birth discussed in Chapter 3. The large existing population of UK-German couples, for example, is reflected in Germany's position as the largest nationality group of EU partner applicants.

Partner visa applications (2020 Q1 - 2025 Q3)		
EU14	Germany	1,311
EU14	France	1,176
EU14	Italy	940
EU8	Poland	862
EU14	Spain	845
EU14	Netherlands	832
EU2	Romania	772
EU14	Greece	533
EU14	Portugal	505
EU14	Sweden	466

Figure 16: Top 10 EU partner visa application nationalities (2020 Q1 - 2025 Q3).

Partner visa acceptance rates for EU nationals

Most applications for partner visas from EU nationals are successful, with 92.0% of applications succeeding between 2021 Q1 to 2025 Q3. There are no significant variations between the different groups of member states in the success rate.

The low refusal rate for EU applications reflects the wider position. Current refusal rates for partner applications from all nationalities are low in historical terms: 5.9% in 2024 compared to 16.2% in 2011 (before the original MIR was introduced). Increasingly restrictive requirements and the high cost of the process may deter applicants who are not certain of success or cannot afford to apply, and make those who do apply more careful when making their applications. While each refusal represents a couple or family in limbo and facing difficult decisions, it is likely that many others never apply at all because they cannot meet the MIR, afford the fees or risk losing the money if unsuccessful.

The fact that refusals for EU nationalities are marginally higher than for nationals of some other global regions (Fig 17) is interesting given the favourable socio-economic profile of UK-EU couples noted in Chapter 3. It may in part reflect a lack of familiarity with the demands of a visa regime following decades of free movement. Whilst data on reasons for refusal are not available, we explore our interviewees' engagement with the partner visa system in Chapter 6.

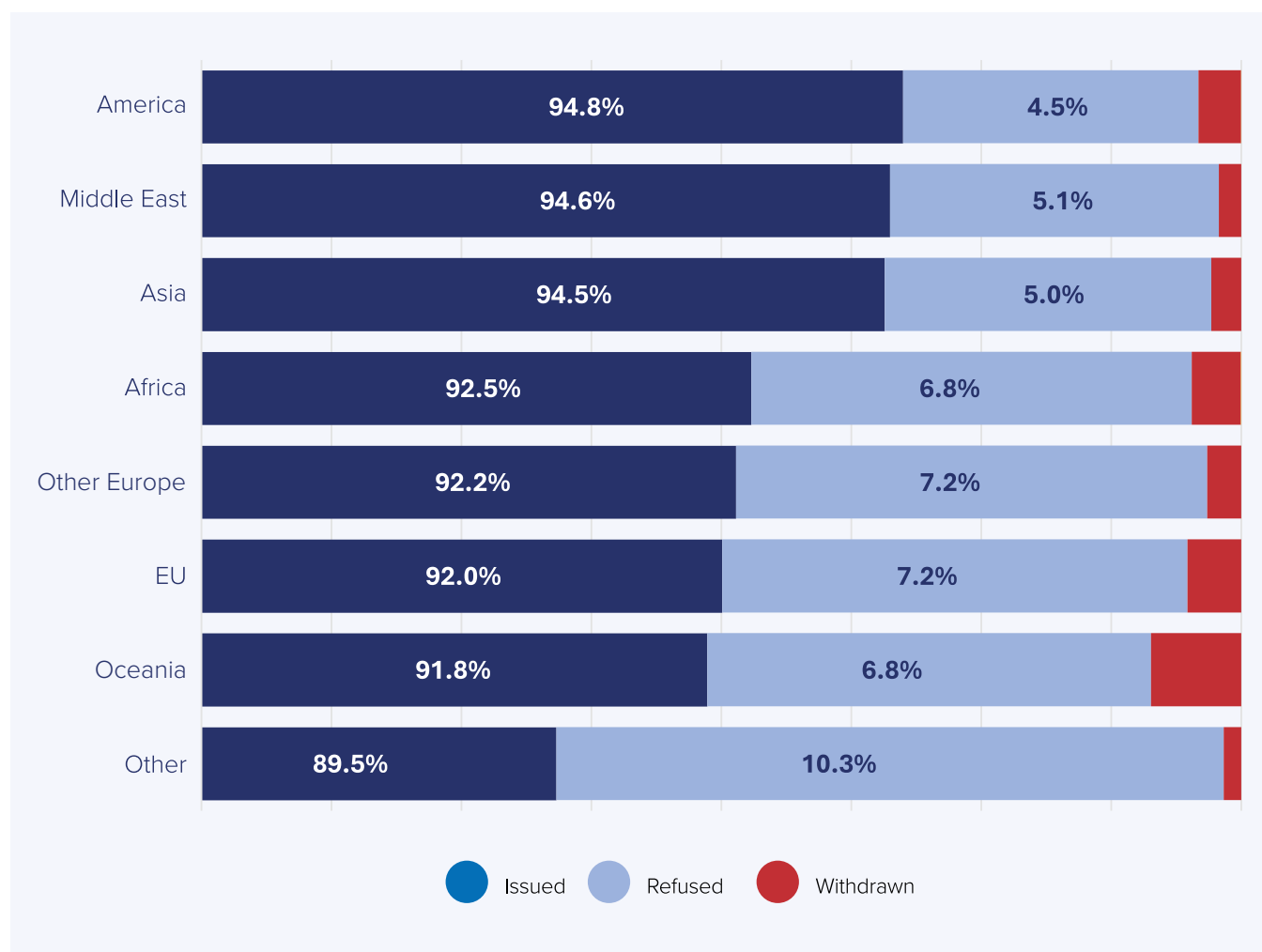


Figure 17: Partner visa decisions by global region (2020 Q1 - 2025 Q3).

Summary

The immigration statistics show increasing engagement by EU citizens with the UK's partner visa system. While overall visa applications from EU nationals increased immediately after the end of the Brexit transition period and have since remained relatively stable, partner visa applications have risen more slowly. Likely reasons include EU citizens already in relationships moving to the UK ahead of the deadline, and a lag as post-Brexit couples got to the point of making an application or sought alternative routes to avoid the complex and expensive partner visa system. As opportunities under the EU Settlement Scheme decreased, numbers submitting partner visa applications have increased. A drop in applications followed the 2024 increase to the MIR, before applications returned to an upward trajectory. Although the higher MIR is likely to have a dampening long-term effect on applications, we might expect numbers of applications to continue rising given continuing close connections between the EU and the UK. Refusal rates for partner visa applications from EU citizens (as for applications from the rest of the world) are low. Crucially, however, an unknown but likely substantial number of couples who are unable to apply under the UK's restrictive and expensive partner migration rules do not appear in the immigration statistics.

4. 'Does this apply to us?' Confronting the partner migration rules after Brexit

The remaining three chapters of this report are based on qualitative data from our interviews with UK-EU couples and relevant experts. In the interview quotations, we use 'UK partner' to indicate where a British citizen or settled partner is speaking, and 'EU partner' to indicate the EU citizen partner.

Our interviews with UK-EU couples show that few appreciated the implications of Brexit for their own relationships before they confronted the partner visa system. The realisation was often described as shocking, provoking reflections on the meaning of the EU partner being newly categorised as a migrant.

In this chapter we document the responses of our interview participants, who were part of the first cohort of UK-EU couples to face the UK's partner migration system after Brexit. For EU citizen applicants this was usually the first time they experienced being classified as 'migrants' to Britain, and UK and EU spouses were often shocked when they realised the implications of the UK's partner migration rules for their lives together.

'Bang! It's over': From free movement to the UK's restrictive immigration regime

Previous research on Brexit has focused on two moments of 'shock' for UK-EU families: the 2016 referendum, and the end of the transition period at 11pm on 31st December 2020, after which EU citizens ineligible for the EUSS became subject to the main immigration rules.⁵⁰ For our participants, on the other hand, the moment of shock often came long after these official milestones and was more personal; it was the point when they realised the impact of Brexit on their own futures and relationships. Almost universally, participants spoke of the shock of becoming subject to the UK immigration regime. It is common for people in the UK who have not encountered the partner migration rules to be unaware of how restrictive the system is, but this lack of awareness among our UK-EU couple participants is particularly striking given the emphasis in debates around Brexit on controlling EU immigration. Few seemed to have realised that Brexit would present significant challenges for their own relationships.

“ When [the UK government] said, 'We're going to do a points-based system', I was like, 'Oh, great. That sounds really, really good.' But then when it's affecting yourself: 'Hang on a minute, what is going on here?' ” (UK partner)

“ We didn't really have any concept at the time of how hard it was going to be. ”
(UK partner)

“We had no idea... What do we have to do? How much is this going to cost emotionally and fiscally?... You’re falling in love – you don’t think about these things... [we thought] ‘I’m sure even after Brexit, it can’t be that complicated.’” (EU partner)

“‘It can’t be that bad’. Famous last words!” (UK partner)

Many EU partners spoke about a moment at the border when they realized that they were being treated differently – as a migrant. One EU citizen interviewee described how she had not realized that Brexit could exclude people like her, while another described being profoundly shaken at suddenly ‘being treated like an illegal immigrant’ by ‘rude’ border officials who detained her for three hours, questioning her plans and scrutinising the contents of her bags.

The realisation of the loss of previously taken-for-granted rights to EU free movement was often described as sudden and shocking, evoked as a ‘bang!’ in this woman’s account:

“That’s one of my biggest regrets: When we lived in the UK my parents said, ‘Why don’t you apply for a British passport?’ And I was like, ‘I don’t need a British passport. It’s all EU. I’m never gonna need it. It’s always gonna be the same. I can be here and I can be there.’ And then ‘bang!’, it’s over.” (EU partner)

For many British participants, having their right to live with their partner in the UK questioned was profoundly ‘unsettling’;⁵¹ challenging their assumptions of their rights as British citizens.⁵² This participant found the scale of the challenge in returning to the UK with their partner difficult to believe at first:

“I remember the first time I read about the financial implications of returning to the UK I thought, ‘That can’t be true – because I’m a British citizen’.” (UK partner)

One EU participant forced to live apart from her British partner while he underwent arduous treatment for a life-threatening condition suggested the impact of Brexit fell primarily on him:

“He’s the one who is suffering the situation the most. So they don’t really know that they are hurting British people as well.” (EU partner)

Some British participants felt targeted by the immigration system, treated differently from other citizens because of their choice of partner. These participants expressed their bewilderment and shock as questions:

“As a British citizen... I’m a pretty normal... I haven’t done anything that the government wouldn’t like. Why me? Why am I being targeted for this?” (UK partner)

“Why am I different? Why is it that? Just because I’ve chosen to love somebody from a different country? Why does that make me different in terms of not getting the same pathway that everyone else has?” (UK partner)

Whilst many British citizens described the shock of realizing that the immigration system was not constructed to protect their rights to family life, one disabled participant was less surprised, explaining that her experience of negotiating the UK benefits system had made her suspicious of the state:

“Because I know what the government bureaucracy is like. I know they’re not going to make it simple. I knew considering the fact that they’re charging silly amounts of money, that this is going to be a way for them to make money, not a way to get people approved.” (UK partner)

‘Some kind of amnesty’

In struggling to come to terms with their lost rights, some participants suggested ways in which they might be retained, and in particular that the future possibilities promised under EU freedom of movement should be honoured. These couples, whose relationships began in the context of EU free movement, expressed bewilderment that they no longer had the right to move together in this way:

“Is there a different route for citizens of EU member states? [We need] a civilised policy, whereby people in our situation would naturally be able to move between countries, because we are – probably, EU-wide – a small minority who are a mixed family... I don’t think it’s a huge proportion of immigrants in the UK who are from these EU-UK couples. Just give back our rights to this freedom of movement.” (EU partner)

“There should have been some kind of amnesty... They could have just said, ‘Well, of course you guys who have already exercised your rights to movement - you can keep it, and your families can as well’.” (UK partner)

Framing these arguments as being about ‘rights’, a ‘civilised policy’ or even the ‘natural’ way of things suggest how engrained the expectation of the right to free movement was for these couples. If that right was to be taken away, one UK partner suggests there could at least be an exception or amnesty for people like them who had already exercised their free movement rights, and built their life plans on the assumption they could return to the UK. After all, these couples imply, the UK government could do this without significantly impacting on their political goal of reducing immigration numbers.

One participant even suggested that permitting ongoing EU immigration was compatible with the goals of Brexit, if only through a logic with which he was not personally comfortable:

“So we’ve taken back control of our borders, surely we then have the power to say, ‘Well, actually, we’ll still let people from Europe come’... Now, I know... this is a kind of a racism – a positive racism if you like – the amount of people that say, ‘Oh, I like employing Polish people, because they work really hard’.” (UK partner)

‘But it (Brexit) wasn’t about you!’

Several participants mentioned friends, acquaintances or family members who had not realised that Brexit would mean excluding people like them. One British participant described his ‘pro-Brexit’ elderly father as asking:

“‘Why can’t [your partner] come to the UK?’, and I explain, ‘Well, because of Brexit’ [to which his father replied]: ‘Well, we didn’t vote to keep people like her out.’” (UK partner)

These accounts were sometimes ambiguous. On the one hand, they poked exasperated fun at these friends and relatives, but, at the same time, there was a sense that these views were evidence that *they* (and *their* relationships and mobility) were not the primary target of Brexit (‘But it wasn’t about you!’).

“People were routinely surprised by how ridiculous things were. They went, ‘But she’s Dutch.’” (UK partner)

“‘But she’s not a real foreigner! She’s European!’” (EU partner)

Whilst some EU participants (including some from Western Europe) did report having experienced discrimination in the UK, for many their new legal status as migrants was in sharp contrast to social experiences in which they were ‘not a real foreigner’ and their understanding that anti-immigration discourses were not targeted at them, serving to underscore the perceived injustice of their new legal status.

For some participants from Eastern and Southern Europe, Brexit brought back uncomfortable memories of earlier positions in the EU:

“That’s another manifestation of Brexit: when we go into the UK, [border staff] ask me questions, ‘Why did you come to the UK? What are your plans? Who are you staying with?’ And before they just looked at my passport. It’s a little bit like before Poland joined the EU. Twenty years ago, travelling to the UK you had to answer various weird questions, and show cash and cards and things. It doesn’t feel right, because I’ve just got so used to the fact that Britain is in the EU.” (EU partner)

‘Would you call yourself a migrant?’

We were interested in how our participants felt about the label of ‘migrant’ or ‘immigrant’, and found a variety of responses, but a common thread was awareness that the terms can have negative connotations:

“Would you call yourself a migrant?” (interviewer)

“Unfortunately, yes!... It comes with an etiquette, this term, ‘migrant.’ It immediately puts you in the outside zone.” (EU partner)

“I have negative connotations to the term ‘immigrant’... That’s probably the way the language is in the UK about immigration. Like the idea of an immigrant is a bad word.” (UK partner)

For many couples who had met while travelling or working abroad, mobility had been a key shared identity, but they hadn't necessarily thought of it as migration, or themselves as migrants.

“ We both have lived a lot abroad travelling all over Europe and... we never use this word [migrant] - never thought about that word. But since we got into this English situation it's a key word because that's how you are called... It's so unpleasant for me... because it gives you... a status. (EU partner)

Different kinds of migrants?

One response to this new personal encounter with the immigration system was to reflect on their previous understandings of 'migration' and their own place in relation to it. Mobile people often try to distance themselves from the kinds of migrants portrayed as undesirable in local media and political discussion,⁵³ so it was not surprising that some participants drew on dominant British and European political discourses on migration, contrasting themselves with negative stereotypes of certain types of migrants:

“ It should be separated. Right now, I feel like I'm in the same group [as] people who come in boats, or someone who comes from some country that doesn't even speak English... and then they bring their whole family who doesn't even speak English. ” (EU partner)

British political and media discussion of immigration often distinguishes between 'deserving' migrants who contribute economically and other less 'deserving' ones.⁵⁴ This was reflected in our interviews when participants sought to distance themselves from stereotypes of migrant 'benefit scroungers':

“ You're not coming to UK to live on benefits... you are actually coming here and contributing to the society, not milking the cow. ” (EU partner)

“ It would seem fairly obvious: we've got our own house, we sent our kids to private school, we're net contributors, not net takers-away... So it should be simple... I've always paid tax and not claimed benefits. So I do feel a bit aggrieved... a net contributor being treated like that. ” (UK partner)

Some took this contrast further, suggesting they were the opposite of economic migrants coming to a more prosperous country. Instead, they were giving up a better life elsewhere in Europe for a less desirable one in the UK, for the sake of family unity.

“ I never felt that if [my partner] wouldn't have been English, I would have wanted to move to England... It's not like, 'Oh wow, I want to immigrate to England, because that is where I want to be'. I just want to be with [my partner]. ” (EU partner)

Rather than attempting to distinguish themselves from other types of migrants, others argued for a shift in understanding to recognise the social and economic value of immigration, or suggested that the focus on small boat arrivals and refugees distracted from the wider variety of internationally mobile people like them:

“Basically, no one’s voice is being heard from within the variation of opinions... It’s ‘no immigrants’ or ‘we should be nicer to the most down-trodden immigrants’. I think pretty much everyone in the middle gets sort of swept under the rug by both parties.” (UK partner)

New empathy

For some participants, the unsettling shock of confronting the immigration system was a trigger for reflection on their own position and assumptions about immigration.

“I feel really bad and guilty for saying this... but it feels like because we’re from very privileged countries it almost seems that would never be a problem... What I was taught in school about immigration, it was immigration coming from refugees, from low income countries, and that was what governments didn’t want. But if you had a powerful passport – which we both have – then it wouldn’t be an issue. That’s probably incredibly naïve of me, incredibly racist of me to have that preconception.” (UK partner)

Several explained this shock as generating new empathy for other migrants, as when these participants described their guilt at complaining of their experience at the hands of the immigration system:

“There’s a lot of guilt about complaining about this. Because as hostile as this is, the immigration system as a whole is predominantly hostile to people who are black and brown... or asylum seekers, refugees.” (UK partner)

“Our relationship is not the primary target of that policy... For us this is a new thing post-Brexit, but for everyone else it’s just always been this way. There was never any other way.” (EU partner)

Another interrupted her account of struggling through the highly complex application process (which we examine in more detail in the next chapter) to express empathy for those without her educational advantages:

“It is designed to make you fail, or to confuse you, or just to make it really hard... Thinking of us, who have the means to understand and have a certain level of education and so on – thinking of people who don’t have that, it must be so much worse.” (EU partner)

Many participants expressed guilt over what they saw as benefiting from racialised, national or class privilege. We were, however, struck by the words of one British participant who reported questioning whether it was 'entitled' to think he should enjoy the right to live with his family:

“ Maybe it's quite a privileged thing to say, but you do have that kind of entitlement of like, 'I'm English, I should be able to do this'... It feels like it should be alright to have your family here when you want to do that. ” (UK partner)

Rather than framing the implications of Brexit for such bi-national couples and families as a the end of an unearned privilege, it is more useful to recognise their experience of the post-Brexit immigration regime as challenging what they had understood as a core human right: to live with their partner or family. From this perspective, these UK-EU couples are instead experiencing the shocking end of a previously 'spared injustice', joining the ranks of other nationality groups for whom the right to family life is challenged by increasing immigration restrictions.⁵⁵

Summary

Despite the focus during Brexit debates on restricting immigration, few of the couples we interviewed had realised the implications of Brexit for their own relationships until they decided they wanted to live together in the UK and looked into the UK partner visa system. The realisation usually came as a shock, and often provoked reflection on the meaning of the status of 'migrant', reflected in the ways couples talked about the new restrictions placed upon them, and about other categories of immigrants. Some suggested ways in which mobility rights could be retained for couples like them who had built life plans on this expectation.

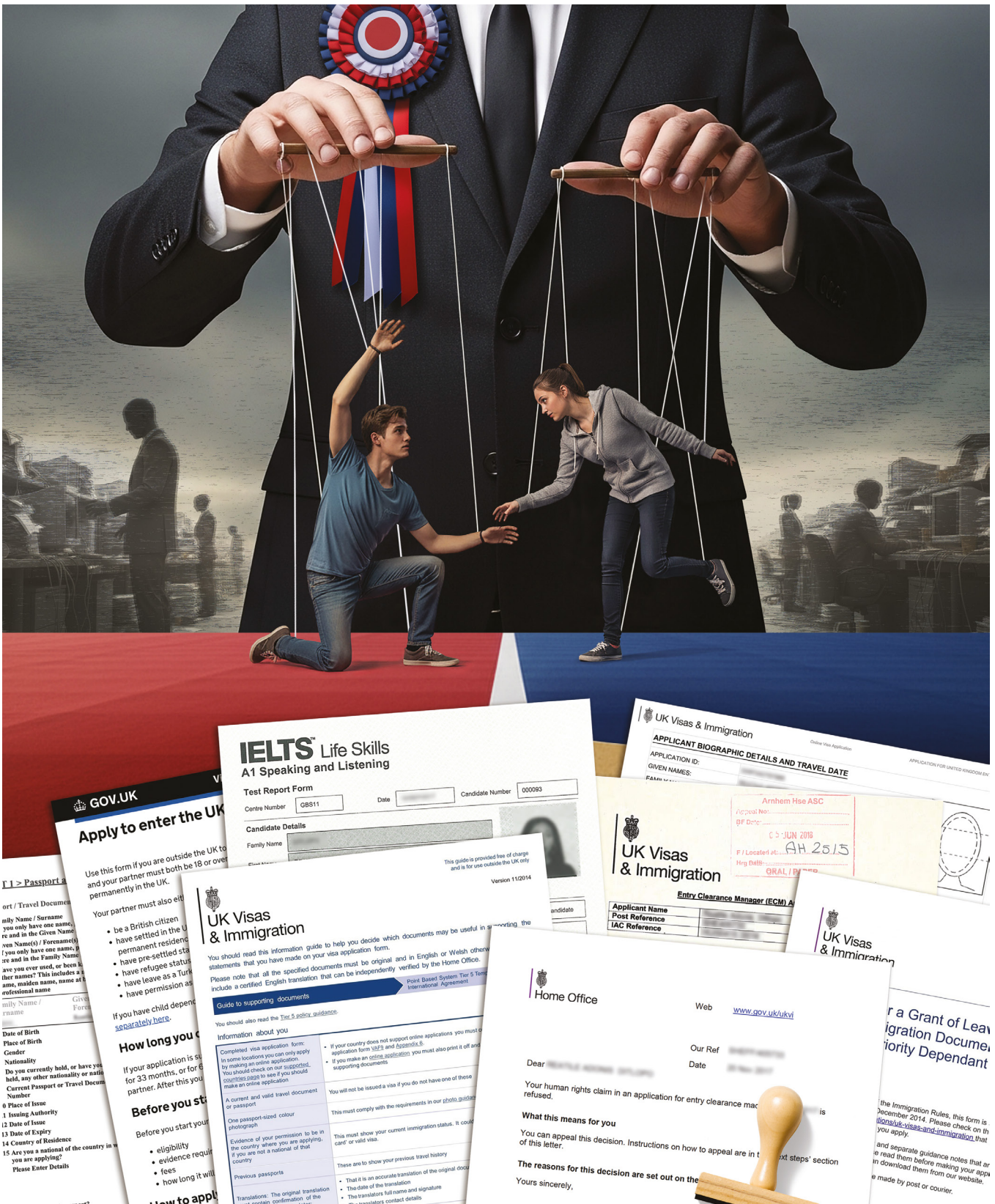


Illustration 4: Faceless bureaucracy

This image speaks to the frustration many couples express with being unable to contact decision-makers, the burden of evidence required, and the feeling that significant elements of their lives were controlled by politicians (see also ‘pragmatic marriages’ in Chapter 6).

5. The partner visa process

The UK's complex and expensive partner visa system presents challenges for applicants. Key issues include the level and complexity of the minimum income requirement, the costs of the process, the need to submit multiple forms of evidence, inflexibility, and poor quality service from subcontracted companies. The combination of these factors can make applying for a partner visa stressful and draining, and this arduous process must be repeated to renew the visa every 2.5 years until settlement.

“You need so many resources: emotional, mental, monetary, digital literacy, regular literacy, so much is needed. It's so hard.” (UK partner)

In this chapter, we document our respondents' experiences of the UK partner visa process. Participants consistently told us that they found the rules complicated, perplexing, and difficult to meet, while the application process was stressful, bureaucratic, protracted, and very costly.

Accessibility

An initial challenge for many was to access and understand the visa requirements. The partner migration rules can be read [online](#) but they are long, complex, and must be read in conjunction with each other and with other parts of the immigration rules (such as the interpretation section).⁵⁶ Guidance to decision-makers is also available [online](#) but it is not written for applicants and provides only limited clarification.⁵⁷

Most of our interviewees started with the [guidance to applicants](#) available on the government's website but found that this limited and they were sent on a journey via embedded links often without finding what they needed. As a result, many participants found it difficult to find accessible information about what they needed to do.

“The gov.uk website is crazy to use, and all of the helplines are really, really difficult. And I think it's because Brexit is quite early days, so no one really knows what's going on. But it's just been incredibly, incredibly difficult.” (UK partner)

“The information about applying was really difficult to find - it was like being in a maze.” (UK partner)

For example, the application webpage titled 'Apply as a partner or spouse' is misleading. It gives options to apply from 'Outside the UK' or 'Within the UK' (see Fig 18), but applicants are not warned on that page that anyone in the UK as a visitor (a common situation for our interviewees) must usually apply from abroad. Some participants reported wasting large sums of money and time making an 'in-country' application which could not succeed.

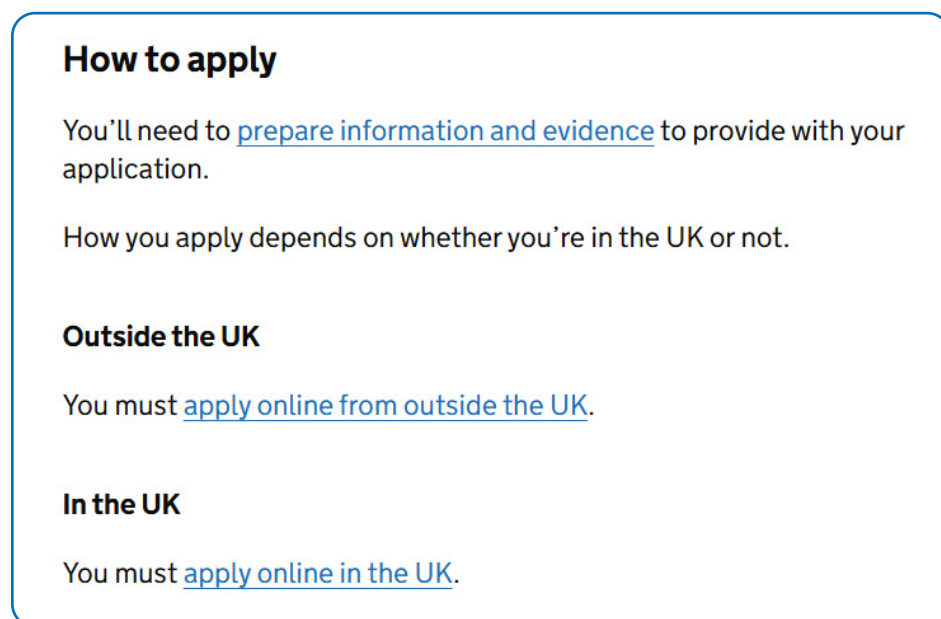


Figure 18: Screenshot from Gov.uk website⁵⁸

The application form cannot be read before starting the application, so applicants had to make an informed guess as to what they needed.

“ [My partner] has been doing a lot of research and watching a lot of explanatory videos, because... there is information on the government website, but obviously you can't see the form because it's electronic. So you can't see what it will be asking. ” (EU partner)

Because of the complexity and lack of clear guidance, our interviewees often relied on information from elsewhere, such as community groups online or law firm websites. Such information may be up to date and of good quality, but that is not guaranteed. Given the cost and complexity of the process, many participants felt that they needed legal advice. This added costs to an already expensive process and put those who could not afford it at a disadvantage.

“ We couldn't find straight answers; it kept on being, 'Ah, but if you have this, then check here. But if you have that, then go there'. And it was always like, 'But what do we do? What do we need?' So I don't see how we could have done it without lawyers. ” (UK partner)

“ We struggle a lot. There is definitely no support. There should be free support for that. They shouldn't have to pay for just knowing what to do. ” (EU partner)

After years of cuts to legal aid and other sources of funding, there are now few organisations offering free or low-cost advice, and those which remain have a high workload, as one expert interviewee working for an advice agency explained:

“It’s really challenging, especially in our [city] office, with the queues being 100 people every day at 9:00 in the morning. But yeah, we keep going.” (advisor)

While complex rules and lack of clear guidance affect everyone, they present additional challenges for some, including non-native speakers, those with lower educational backgrounds, and people with neurodivergencies.

“I’m autistic and sometimes I can’t process information the same. But that means I’m also going to read something about 50 times to make sure I’ve got it right. But then some of the wording in the application process – how does this make sense to anyone, let alone anyone who isn’t at a university level of academia, or who doesn’t have English as their first language? It feels very discriminatory – it’s trying to trip you up on purpose sometimes.” (UK partner)

The minimum income requirement (MIR)

The minimum income requirement (MIR) stands out as the most challenging condition for many to satisfy, causing significant frustration and distress for many of our participants. The MIR has been the subject of widespread criticism since it was first implemented in 2012, including by the [Children’s Commissioner for England](#), a [House of Lords Select Committee](#), the [All-Party Parliamentary Group on Migration](#), [advocacy groups](#), and [MPs](#).⁵⁹ These criticisms were reflected in interviews where we were told that the MIR has resulted in prolonged separations for some and forced others to make difficult decisions about their relationships and future plans (see Chapter 6 for more details).

Our interviews took place both before and after the December 2023 announcement of significant increases to the MIR and after the subsequent rise in April 2024 from £18,600 to £29,000 pa. Even before the increase, many participants worried about meeting the MIR, noting that the alternative savings route was also inaccessibly high (up to £62,500 before the MIR increase, now up to £88,500).

“I’ve not got a salary, an income, because I’m a student – then I’d have to have £60,000 worth of savings, which is crazy! I don’t have enough.” (UK partner)

“I feel like some of our stresses really came from us being a young couple... we don’t have a lot of income.” (EU partner)

For couples who could just meet the MIR at £18,600, the announcement of a substantial increase was devastating and created profound uncertainty, particularly as the timings for the increase were not immediately clear and the initial proposal was for an even higher threshold (£38,700) than £29,000.

“It was very much a kind of, ‘God, we don’t know what they’re gonna do’. I think one of my main concerns were: when are they going to do this? Is there gonna be exemptions? Can we beat the application date?” (UK partner)

One couple we spoke to had already made major life changes in order to meet the former MIR when the increase was announced.

“Neither of us earn a lot. We’re both artists and I make jewellery. So yes, we didn’t make the first requirement. So a few months ago, I got a full-time job and managed to make that requirement between my job and still making jewellery. So that was still gonna be the plan: to move to England after I have the six months of that salary. And then obviously just before Christmas [2023], that all tumbled down.” (UK partner)

This sponsor saw no prospect of meeting the new requirement and so had to leave the UK in order to live with his family.

Where a couple has been living abroad, the sponsor must both already meet the MIR (regardless of local wage levels) and have a UK job offer at the MIR to start within three months of return. This is often impossible, so the sponsor must return alone to the UK, leading to a lengthy separation as they must earn the MIR for at least six months before applying for their partner or family to join them.

“If I cannot be in the UK, we have to separate. They have to separate us, and in that way he can be in the UK. But I don’t want to be away from my husband. So it’s like a circle. So you have to be in the UK, but your wife cannot be in the UK - unless the other way is £62,000 or whatever, and that is impossible for us. I don’t know who has that? None of the people that I know in the world has that. But it’s a circle. How can you do that [earn or save that much] if we cannot be in the UK?” (EU partner)

Costs

As set out in Chapter 1, partner visa applications are very expensive. The initial application costs more than £5,000, and total costs for the five-year settlement route are over £12,000, without counting extra costs such as for legal advice or priority service. It is even higher for applicants admitted on human rights grounds, as they have to wait up to ten years for settlement. Many participants saw the high costs of attempting to exercise their rights to family life as unfair:

“Love is not a product that you go into the supermarket and buy, and I’m not an avocado on toast that you sell for a lot of money in your nice brunch place, where only somebody who’s got a lot of money can afford it... Inform yourself about why this is happening, and could be happening to your friend, your child, your auntie, your cousin, people you know, yourself. Love is unpredictable – I didn’t expect to fall in love, but you do fall in love. And so this may very well apply to you in the future. Just keep your eyes open to what is happening, and help where you can. Because this is not fair.” (EU partner)

Many told us that they struggled to afford the fees, and several commented on the way that every aspect of the process involves cost.

“There are just fees on fees on fees everywhere... On exchange rates, they were charging ridiculous exchange rate fees. I was like ‘Look, we will pay in Pounds. We don’t need to pay exchange rate’. They’re like ‘No, you just have to pay in foreign currency’ – another 4 or 5% mark-up on top. You end up paying about £500, £600, £700 in overpayment on exchange fees alone.” (UK partner)

For one applicant who had not realised they would be expected to surrender their passport at the visa appointment, the fact they had to pay a fee to keep it so that he could visit his pregnant partner in the UK was symptomatic of the way the system is monetised.

“They said ‘OK, so we’ll send you your passport in three months’, and I was like, ‘Excuse me?’ – ‘Yeah, we’re going to keep your passport’, and I said ‘How am I supposed to go to the UK if I wanted to?’ And they said, ‘Why would you go to the UK?’ And I said, ‘to visit my girlfriend, what do you think about that?’ So they said ‘OK, you can keep your passport, but you will have to hire an extra service, which is £100 more and here is a, you know, you can pay with credit card’” (EU partner)

Evidence

The evidential burden for applicants is high. Our participants reported extensive periods of separation due to the strict ways that the MIR must be evidenced. Only certain types of income count towards the MIR. Some income sources can be combined, but there are exclusions: people using self-employment income, for example, cannot also use savings. Savings must be held in immediately accessible cash accounts, not in investments such as stocks and shares. Earned income must be evidenced in multiple ways: formal wage slips, bank statements in an approved form from an approved institution, and an employer's letter.

Unmarried couples must provide evidence of having been in a relationship 'similar to marriage or civil partnership' for at least two years. Participants often struggled with providing this evidence. Until 2024, unmarried couples had to show they had been living together for two years, but this was often impossible as they were living in separate countries or in accommodation that did not allow cohabitation.

“ Just because you haven't lived together for two years in the same place it doesn't mean that your relationship is any weaker than anybody else's, or that it means any less. Especially when everything happened and the [Covid-19] pandemic was happening, and people were meeting online. I would assume there are so many cases like ours, where people met in 2020-2021, and now they are desperate to have a life together, and they're just not allowed to have that. ” (UK partner)

“ We don't live together because we're living in dorms. ” (UK partner)

“ We never lived together for 8 years. ” (EU partner)

Even after the removal of the cohabitation requirement in 2024, the most straightforward ways to evidence a marriage-like relationship remained shared bills or bank accounts. Many younger unmarried couples struggled with these expectations.

“ Like having joint bank accounts, and basically, I don't know, just letters that go to both of you. We're young people. Who does that nowadays? This is how we're supposed to meet these requirements? Who's having common bank account these days? This is, like: Come on – I have my own! Even now, we don't have a common bank account – I have my own, he has his own! ” (EU partner)

“ Actually proving ourselves as a couple on paper, because we're not married, is not at all easy... We don't have this neat paper trail that shows that we've been living together consistently. ” (EU partner)

Quality of service

Despite the considerable fees for visa applications, couples complained of poor service provided by the UK Government and the private companies who have been subcontracted to process visa applications.

Our participants reported unsatisfactory experiences in dealing with these subcontractors. Many felt uneasy providing personal documents, biometric data and passports to private contractors in what they considered dubious environments. They described small, rather shabby back offices and unprofessional behaviour to the point that they sometimes questioned whether it was a legitimate operation.

“ I remember it was just a makeshift office at the back of somewhere, because it was a third-party thing, and I wasn’t quite sure whether that was actually organised by the government... I almost cried, because they made me feel so dirty going there, giving my flipping fingerprints. And the people there didn’t speak Finnish; they spoke broken English. There were two people, when they were taking my fingerprints, they were talking in a different language... amongst themselves. And I thought that was really rude. ” (EU partner)

“ They had a little tiny office – a very weird place... the UK Visas Immigration office which is just a piece of paper – at some point they would tape and it was falling apart! So I wasn’t quite sure if I was at the right spot, because it looked so shady. But I rang the doorbell and then it was like one room but they’d put curtains in between so it was kind of like several rooms upstairs. It was very crowded. ” (EU partner)

Subcontractors stand between applicants and decision-makers, whom applicants cannot contact directly. Participants therefore singled out the role of private subcontractors as an area where they would like to see change:

“ Remove private companies. ” (UK partner)

“ Private companies, I mean just do embassies... like it used to be – embassies and consulates and all that. Have civil servants do it, so you know at least that they’ve been thoroughly checked. ” (EU partner)

Throughout this process, the only means of contact available to applicants was the UK Visa and Immigration (UKVI) contact centre. Calls on the hotline cost 69 pence per minute on top of standard network charges, and online queries cost £2.74 per enquiry. In the absence of any other contact option, participants reported repeatedly calling the number, but with very little information provided to them.

“ There was a help line. Do you remember that you have to pay before someone picks up the phone? And she was not helpful at all, because she basically said, ‘Well you need to look at the documents online’ – which we had done – and ‘I can’t comment on an individual case’. So it felt very closed as well, you know, you can put in your application, pay your money and then we’ll look at it and we’ll come back. ”
(UK partner)

“ The idea is that you cannot speak with anyone from Home Office. Whenever I called them, I couldn’t even change the passport or the ID, because I changed my name – even though I let them know, ‘Well, now I’m married, I have different name from before.’ Any time I called, I had to wait for more than 40 minutes to get in touch with somebody, who told me, ‘While your application is in progress, we cannot help you with anything’... And the emails that I got from them were really confusing. ” (EU partner)

Inflexibility and bureaucratic errors

The complexity of the rules means that a successful partner visa application requires attention to detail and precise timing. As a result, and particularly in the absence of clear guidance, minor errors in applications are not uncommon, but there is only limited scope for these to be rectified. For example, one applicant (whose case we expand upon below) submitted the wrong language certificate – it was above the level required (A1) but was not taken with an approved provider. She was not given an opportunity to correct the error, which she could have done easily. Instead, the application was refused with little explanation, and the situation took months and considerable expense to resolve.

At the same time, we were told of errors by the Home Office or subcontractors that could have serious impacts. One applicant, for example, reported that they were mistakenly issued an invalid in-country Biometric Residence Permit (now replaced by an eVisa) and the mistake was not detected for seven months. Another only found out after several attempts that the subcontractor visa office was refusing to provide the required stamp in her passport because she had been removed from their system when her initial visa application had been refused, even though that refusal was later overturned.

Multiple complexities

The application process requires the collection of a significant amount of evidence in the correct format and within a specified timeframe. Problems in one area can have knock-on effects for others: for example, a job loss or illness impacting ability to meet the MIR can delay the application by several months during which other pieces of evidence, such as stamped bank statements and payslips, language test results, and letters from landlords or employers, become out of date and must be renewed.

As a result, while each feature of the system is complex in itself, the cumulative effect can be overwhelming, creating an excessively complicated, expensive and bureaucratic framework in which families become entangled, causing delays and separation even if, on paper, the applicant meets all the criteria. This couple’s story illustrates how complexities and errors can multiply and interact, with severe consequences:

A British citizen sponsor and his EU partner were living abroad with their two young children. The sponsor was offered a new job in the UK, so they began the partner visa application process. They met all the criteria but the applicant inadvertently submitted the wrong language certificate. Shortly before the family was due to move, the visa application was refused without the applicant being given the opportunity to submit the correct certificate.

The family was forced to separate so that the sponsor could start work and the children (dual UK-EU citizens) begin school in the UK while their mother stayed behind to make a new application. However, because the sponsor was now in the UK, different rules applied: he had to collect six months of payslips before the new application could be made.

By the time of our first interview, the family had been separated for six months, causing heartache and anxiety for everyone, especially the children. The mother was also pregnant and due to give birth shortly, so it was too late for her to fly to the UK even if the new visa application was processed rapidly. Even after the visa was granted, miscommunications between the sub-contractor and the Home Office led to further frustrating delays. In the end, she had to stay abroad with their newborn child for an additional three months before she eventually joined her husband and the two older children in the UK. In total, the family were separated for about 9 months.

The long road to settlement

This entanglement with bureaucracy endures for many years, as applicants must apply for further leave to remain (FLR) i.e. renew their visa every 2.5 years until they qualify for indefinite leave to remain (ILR) i.e. settlement after between five and ten years. One participant summarised the experience:

“Nothing can be very easy. You can't have nice things. You can't just have an easy time or a nice time - you have to suffer through everything.” (EU partner)

Many couples applying for FLR or ILR were concerned that they might be moved from the 5-year to the 10-year route to settlement, with severe financial implications, or even that their application would be refused, jeopardising their right to stay in the UK. This was often not because they could not meet requirements such as the MIR, but because the complexity of the application forms and process made them fear they had made errors in completing their application, and created a feeling that the outcome was uncertain.

“It's so hard to know what they will do: will it be a refusal or a switch to the 10 year route?” (UK partner)

For one participant undergoing cancer treatment when her partner had to renew his visa in the UK, the stress of dealing with the complicated process was overwhelming:

“It took literally hours to fill the form in, some of the answers I had to guess as they weren't clear... We have 8 weeks to wait (we don't have an extra £1k for super priority) and I can't switch off. I made [my partner] Google the application form again, because I wasn't sure I had done the right one. The headache I had when I had finished was unbelievable. If they demand all of this time and evidence from us, they should at least make the form user friendly so we can be sure of what it's

asking us. The time it has taken me to gather the documents, scan them, pdf them, combine some of them, compress some, check over and over that we have the right ones, enough of them, including all the information asked for etc, I don't think anyone who's not aware of this process really understands it... If we get this visa granted, I think we will have to use the solicitor again for the next one, because I don't think I have any mental strength left to do it myself. 99 (UK partner)

During the five or ten year route to settlement, couples live with the insecurity of the residency rights they rely on to continue to live together. Many reported a sense of needing to stay vigilant that they were complying with the requirements at all times. One EU participant told us of a moment when, after collecting a prescription from a pharmacy, she suddenly panicked – did the prescription count as public funds, and would this breach the 'no recourse to public funds' conditions of her visa? We consider further impacts of the short visa duration, and the long settlement process, in the following chapter.

Summary

Our participants often experienced the partner immigration regime as harsh and unpredictable. We identified several issues including the level and complexity of the financial requirements, the cost of the application process, the heavy evidential burden, and a remote, unresponsive administrative system. Due to the length of time until they qualified for settlement (ILR), and the need to renew the partner visa every 2.5 years along the way, our participants anticipated struggling with visa processes repeatedly for many years to come.

The experience was summarised by one of our interviewees:

99 It's frustration in the system... the fact this has happened - not because of our fault, or we didn't try hard enough - it's purely just the way it is now, and that's how the system is. It feels like you're under these layers of forms and paperwork: there's too many and you can't get through. 99 (UK partner)



Illustration 5: What we sacrifice for the visa

The image of scales refers to the sacrifices many participants said they have to make, prioritising the visa process over other important aspects of their lives, and the burdens of going through the visa process.

6. Impacts on couples & families

The partner visa process impacts on multiple areas of couples' lives: employment, careers and education, financial wellbeing, life course aspirations and political engagement. Many experienced separation of variable duration, strains on relationships, and negative impacts on their own and children's mental wellbeing. Some unmarried couples felt compelled to marry or enter civil partnerships to evidence their relationships. Negative impacts on belonging led even some couples to consider leaving the UK. In extreme cases, EU partners may fall into irregularity.

“It's completely unnecessary, adding stress to families... What they don't realise, it's not just a form and application they have in front of them, it's actually a family – it is people's lives they are playing with.” (EU partner)

“You've got to choose between your country and your relationship.” (UK partner)

“It's been a factor in nearly all of our major decisions.” (EU partner)

The partner visa process has significant impacts on the lives of UK-EU couples. The impacts we describe in this chapter are interconnected, so that the financial pressures of meeting visa costs, for example, can add to the stress of other aspects of the process, putting pressure on relationships and mental wellbeing. Separation was an inevitable part of the process for many and was particularly difficult for children.

Many of the impacts described here can be viewed through the lens of integration. Promoting integration has long been cited as justification for restrictions to partner immigration. Responding to a petition against the increase to the MIR, for example, the previous government wrote that the income requirement was necessary to ensure family migrants 'can participate sufficiently in everyday life to facilitate their integration into British society'.⁶⁰ Our research, however, documents negative impacts of the migration rules on integration across several domains,⁶¹ with couples reporting that the process negatively impacted on economic wellbeing (requiring sacrifices in other areas), and could restrict employment and education choices, inhibit some forms of political engagement, and undermine the sense of belonging necessary for integration – leading some couples to consider leaving the UK. In extreme cases, EU partners may fall into irregularity.

Given the longstanding justification of partner visa restrictions as protecting against forced marriages and those conducted for immigration purposes, there is further irony in the fact that a striking number of genuine but unmarried couples felt pressured to marry or enter a civil partnership to increase their chances of obtaining a visa. These 'pragmatic marriages' were part of the ways couples sought to evidence their relationship in response to the requirements of the partner migration rules.

Employment and education

For many couples, the partner visa process had impacts on employment and career choices, education and training. The most obvious stemmed from the need to earn the MIR and save for the costs of the visa process. Both put pressure on UK sponsors to maximise earnings in ways that could affect decision-making around employment. Long-term, secure full-time employment is not available to all sponsors – around 1 in 10 UK workers are in precarious, low-paid and insecure employment.⁶² Whether on temporary or long-term contracts, participants often spoke of a fear of losing their jobs because of the consequences for their partner's visa application.

“ I’m treading water in a job I don’t really like, because of this whole [visa] process... It’s been horribly pressured, because the idea of losing this job. Normal people, if you lose your job that’s fine. If I lose a job, I lose [my partner]. ” (UK partner)

Other sponsors told us that the fear of losing their job, and thus the ability to meet the MIR, meant that they felt unable to object to difficult working conditions:

“ If I was experiencing poor management [at work] I felt like I had to stay silent and I could not speak up... You have to be quiet. You can’t push back when it’s difficult. ” (UK partner)

Many couples had to make difficult decisions about their career and education, some giving up or delaying employment changes or further education in order to keep a job that allowed them to earn enough for the MIR and visa fees:

“ The [visa application] definitely impacted on my life a lot. I don’t think my life would look anywhere near the way it does right now without having this in mind of paying for this visa... I was hoping to start university this year... and then realised with the change in the financial requirement, I wouldn’t be able to earn the right amount of money... I can’t do what I want to do. ” (UK partner)

The MIR and visa-related costs also affected couples applying for FLR after 2.5 years. One EU citizen in the UK on a partner visa had considered leaving the charity sector in which she had worked for years in order to ensure the couple met the MIR. Other participants increased their working hours to meet the MIR and save for visa fees (for both initial applications and renewals), affecting the time they could spend with their families. One UK sponsor had to cut short her maternity leave to afford the fees for the renewal process.

EU applicants’ employment

Moving countries can have an impact on employment prospects, as experience and qualifications may not be recognised. The visa process produced additional challenges for some EU partners even before migration. Variable processing time combined with a 3-month window to enter the UK once the visa was issued made planning difficult, and could limit their employment prospects while they awaited the outcome of their application.

Unlike for initial visa applications, both partners' income can count towards the MIR for the FLR visa extension and for indefinite leave to remain. But barriers to employment and job insecurity can still jeopardise a couple's ability to meet the MIR or afford the renewal fees. Some EU applicants struggled to access employment in the UK in part, they said, because employers were reluctant to hire someone on a short-term visa:

“ One of the concerns that [my current UK employer] expressed to me before I signed the contract... ‘You’re on a spouse visa. How long? When does that renew for you? Are you going to be able to afford [the renewal]? Are we going to lose you when that time comes around? What’s going to happen? Are you still going to be able to stay? Are we going to have to make you a new contract?’ Maybe they don’t trust the person, or they’ll think, ‘Why would I take that risk when I can just hire a native British citizen?’ ” (EU partner)

Mobile careers and visa-related immobility

Many of our participants had highly mobile careers, and couples often met while working abroad. While there is no requirement to spend a fixed number of days in the UK on a partner visa, applicants for FLR and ILR may be refused if they have spent long periods abroad. This impacted career opportunities for those in fields where mobility is expected:

“ We have to prove that we are living in the same place. [But] the jobs are elsewhere... So I’m very limited in terms of deciding where I want to work... We both have spent our lives travelling and moving because of a career opportunity... Your possibilities are limited – you can’t just go where the money is. ” (EU partner)

For couples used to international mobility, this was part of a broader feeling of being ‘stuck’ in the UK during the 5 (or 10) year visa process.

“ Once you are forced into doing this visa and done it... then we’re stuck, and then you’re basically just doing what you’re told. It’s disregarding every other decision that you could make... Once you commit five or six years to being in the UK, it’s like, ‘I’m 40 now, what else can I do?’... It’s completely taking your freedom away. ” (UK partner)

Financial impacts

The costs of the partner visa process can lead to significant financial strain, with consequences for life course aspirations such as home ownership or accumulating savings. Couples hoping to apply for a visa may already be struggling with the expense of transnational separation (maintaining two households, funding travel for visits). As one solicitor assisting couples with the partner migration process told us about their clients:

“ The fees have gone up, the immigration health surcharge has gone up... [Some couples] simply can’t afford to do the application. They have sold everything... But they can’t make it. ” (solicitor)

Many incurred credit card debt or took out loans to pay for visa fees. For some couples, paying visa costs meant forgoing other aspirations:

“ [I]t’s been very hard, because the money we had in savings I’ve now used. Because we start saving to buy our house - normally as a young couple they want to have their own house to create a family. ” (UK partner)

Financial pressures particularly impacted young couples, as this sponsor in her late 20s explained:

“ We’re trying to figure out how to start things off on our own... This £6,000 [for the visa], and then £6,000 again [for the renewal], that’s going to massively dampen that, and that’s a real stress... In effect it means that that ability to get started on our future is really, really compromised. ” (UK partner)

For this EU participant, the costs and lost employment opportunities of migration made her financially dependent on her UK partner:

“ Before I went to the UK I had quite a lot of savings. But it came to a point where as [my savings] were dwindling, I realised I was depending more and more on [my partner]. And it’s not that I felt unsafe, but it does do something to you. ” (EU partner)

Some older, wealthier participants complained of a different type of financial impact resulting from the requirement that funds to meet the savings alternative to the MIR must be held in accessible cash accounts. One couple retiring to the UK after decades working abroad were forced to liquidate a large chunk of their investment portfolio, the gains from which were to have funded their retirement.

Mental wellbeing

“ My mental health isn’t good... And who is going to break this? Who is going to pay me for all this pain, all these tears? Who? Is this for free? ” (EU partner)

Many couples reported that their experiences with the immigration process had negative impacts on their mental wellbeing. Uncertainty, financial pressure and separation led to widespread stress, fear, anxiety and even anger among the couples we interviewed:

“ It takes a mental toll on you. Not everyone is going to be equipped to deal with it very well... The anxiety of it is intense... There are people who... are going to have a nervous breakdown. ” (EU partner)

For several participants, these stresses were compounded by other circumstances in their lives, and existing physical or mental health challenges, for which no account is taken in the visa system. In Chapter 5, we heard from one EU participant living with cancer on the stress of making the visa renewal application during her treatment. Here a UK sponsor undergoing cancer treatment during the initial visa application process summarised the impact:

“Throughout the whole damn process that visa was eating away at me, just like you’d imagine the cancer would, and affected my sense of wellbeing... It was just too much, it was just so overwhelming.” (UK partner)

Many participants said they could not discuss their worries with other people, leading them to feel isolated.

“Everything that I’m experiencing now, I have no one to talk to about this, because first, nobody understands, and second – and I don’t say this with anger – but they don’t care.” (EU partner)

Some participants described serious mental health impacts from their engagement in this demanding, stressful and extended process. Several reported anxiety and depression, and one applicant unable to move to the UK to care for her seriously ill partner told us that she had contemplated suicide:

“I just wanted it all to end... I just got depressed and it got worse and worse. At some point I just planned, in great detail, the way I wanted to end my life because of this... I still haven’t recovered entirely from that.” (EU partner)

Relationships

“Our relationship has suffered, because of this insane rollercoaster that we’ve gone through.” (EU partner)

“It’s just never been something that I envisioned, to get visas involved in my relationship.” (UK partner)

Many couples described the arduous application process and uncertainty over their future together as consuming their time and energy, and negatively impacting on their relationships:

“It’s really tricky when all of your conversations, all of your precious moments that you have on the phone, are about admin... It’s been all-consuming.” (UK partner)

“The uncertainty of... Brexit and the process over the years definitely built up, and it definitely caused us to have arguments.” (UK partner)

“I feel incredibly guilty for putting [my partner] through this. This process is insane, the whole thing is insane, and it’s really difficult to feel like you can ask for anything [from your partner], when you’re asking for all of this as well. So then, to also try and have a normal relationship when you’re stacking on top of it so much sacrifice, that’s so difficult.” (UK partner)

In some instances, the stress of separation and/or the visa process led couples to consider ending their relationships, and indeed two couples later informed us that they had broken up. A UK citizen in a permanent long-distance relationship summarised the issue:

“ We considered breaking up... as things have just become so complicated that it was creating a lot of stress and upset... We’re not ready to end things, as we love each other... You want to let love win, you don’t want to let bureaucracy be the end of it... We decided to keep going, but if things don’t get easier, we will likely have to break up to allow each other to move on in less bureaucratically challenging circumstances. ” (UK partner)

‘Pragmatic’ marriage

Participants who were not married when they started to navigate the visa system, often described feeling compelled to make decisions about marriage to increase their chance of a successful application. The burden of relationship proof is higher and more challenging for unmarried couples (see Chapters 1 and 5), particularly if they do not already live together. As a result, a remarkable number of our participants had decided to get married before applying for the visa. Out of 56 couples interviewed for our research, 12 entered a marriage or civil partnership in order to (in the words of one UK sponsor) make the application ‘more bullet proof’. Many of these couples felt pushed into marriage before they were ready, or were in committed relationships but did not want to participate in the institutions of marriage or civil partnership.⁶³

“ We feel like we have to do things in accordance with another person’s timetable, not on your own terms. ” (UK partner)

“ [The immigration process] forces us to get married, which is not what we would do right now, only for the visa. But it feels like that’s the only way. ” (EU partner)

“ It strips any romance, mystique, pure human joy out of [getting married]... because it just becomes this insane, practical thing: ‘What are the steps that we need to take? ’ (EU partner)

Visits

EU partners can visit the UK without a visa (although from 2025 an Electronic Travel Authorisation has been required), but visits are not a substitute for the right to live together long-term. A visitor can only remain for a maximum of six months and cannot work, rent property or otherwise build a life in the UK. Visits were a crucial way to sustain relationships for couples who did not (yet) have a visa. But they could also be a source of stress due to a lack of clarity on the permitted frequency and duration of repeat visits. Several couples described the worry of trying to second guess what was permitted, knowing that if a border official decided that the EU partner was, in fact, trying to live in the UK, they would be refused, with potentially serious consequences for their ability to enter the UK again.

“It’s not clear what ‘six months’ means.” (UK partner)

“Six month in a stay, but then, after a week, you can return? Or six months in any period of 12 month?” (EU partner)

“As a tourist from the EU, you can be here for up to six months at a time... We have been taking advantage of that, and, at the same time, being very scared of what it really means to be here for six months, and not extend them by making continuous visits. What does it really mean? I don’t know.” (UK partner)

“We are a bit confused about the rules, because they say that I can stay 180 days consecutively, which I’ve never been close to... maybe three months at a time... But, of course, in total, I have been more than 180 days. So, we are a bit scared about that rule that says that you cannot extend your stay by going out of the country and then coming back again.” (EU partner)

Separation

“It’s quite sad to say that because of a simple law you’re not able to live with your true love, because someone decided to separate families, separate couples, separate nations.” (UK partner)

“Every time it gets harder and harder to separate.” (EU partner)

Going through the partner visa system often involves separation, which may be lengthy. Couples who could not see a route to obtaining a UK partner visa were faced with difficult decisions: whether to continue a long-distance relationship, try to reunify in a different country, or end their relationship. Preparing to make an application often involved months of planning during which couples might be separated. Where there were errors by applicants or wrongful refusals the result could be even longer periods of separation even if these were eventually corrected or the refusal overturned.

UK partners living abroad and needing to return to care for elderly family members often had to choose between separation from their partners or from their UK family members. Under EU free movement rules, dependent relatives could move to live with their family members, but this is now rarely possible. One expert interviewee from an NGO supporting family migrants summarised the situation:

“It’s the older couples... living abroad, ‘My mum’s, my dad’s really unwell. I now can’t go back as a family. I have no choice’... You never thought for a minute you wouldn’t have access to your family... They either have to separate the family they’ve got, or they’ve got to make that decision between ‘I’m going to come and look after you and separate my family, and go through this process or not, and just come and look at work[ing] something out.’” (NGO)

Even where couples are able to meet the partner visa requirements, the process routinely involves separation for a shorter but variable period while the application is processed, because applications must usually be made from outside the UK. Couples found this requirement particularly difficult where children were involved.

“It feels like I’m preparing for a funeral all this time. I keep on saying to [my partner], ‘I need you to leave, so that you can come back again’.” (UK partner)

Impacts on children

Participants with children emphasised that even shorter periods of separation, of weeks or months, still had significant consequences for their children’s wellbeing.⁶⁴

“I felt like [the UK government] knew that this was tearing a family [apart], causing stress for no reason whatsoever.” (EU partner)

One family moved back together from the EU to the UK when the British partner got a job here. Her husband and child (who did not yet have a British passport) were in the UK as visitors, so had to leave to apply for the partner visa. In a second interview following their successful visa application, the UK partner told us that even this relatively short period of separation from her child was challenging:

“[Child] was 11 months old when he left, and up until then I was the one that put him to sleep, and also I was breastfeeding at that point. And so when he left that was done. In the beginning it was hard... When I would video call them, he would see me and cry.” (UK partner)

Despite parents’ best attempts to mitigate potential harms, longer separations were very difficult even when children were older. One family who were separated while the mother’s visa application was processed told us:

“It is difficult: one of them has very bad dreams, nightmares and night terrors, and he woke up screaming for his mother... It feels awful... The fact that [their mother is] not there, is very difficult for them in those moments... They are asking, ‘When is mummy coming? When is she having the visa?’... The longer it drags on the worse it will get.” (UK partner)

“Every day I’m doing a WhatsApp call and sit on the dinner table with them – on the phone – just to keep a bit of routine... Just having a normal family dinner conversation, as we usually do. But they have given up asking ‘When are you coming back’... Is it causing any emotional damage, is it causing any mental health issues? Because obviously they wouldn’t say. It’s difficult to see how they process it... I only see them for half an hour every evening... Obviously the longer it takes, the more of an impact it will have on them... They are not small children anymore, but they’re still children, and they need both parents... You can’t just separate the family like this.... They are old enough now to see.” (EU partner)

“I just want them to be kids, and not to think about these things.” (UK partner)

Interviewed again after the applicant returned to the UK, they reported that their children were still disturbed:

“Even now... if I go away for the day, [the children are]... making sure they say proper goodbye to me, and then asking several times when I would return... So there’s certainly an impact... something in the back of the head, ‘Is she coming back?’ I can sense a kind of fear: ‘When is she coming back? Does it take any longer? Is anything happening again?’” (EU partner)

Another family separated for an extended period when their first application was refused, and the mother had to stay in the EU the refusal was overturned, later told us:

“The kids are just about recovered from all of the... psychological trauma. When I moved here, almost every night they used to sleepwalk to my room and say, ‘Mummy, are you here?’, and then they went back to bed... The oldest one still comes and says: ‘It’s so good to have you home. I’m just happy that we’re together, even if we don’t have money’... And if this doesn’t move you, then you must be a heartless person.” (EU partner)

Belonging

“I always felt that the UK was one of the most welcoming countries... And all of a sudden this changes, and it’s like pulling the rug under the people... What’s going on? Why has this changed so fast and so violently?” (EU partner)

For some participants, negative experiences of the UK visa system and requirements undermined a sense of welcome and belonging in Britain. In some cases, this led even couples who had successfully gained a partner visa to consider leaving the UK in future.

For some EU partners, the challenges of the visa process combined with awareness of the politicisation and hostility around migration to create an impression that they are not welcome.

“ They don’t want to make us feel welcome and let us belong. ... And it just makes it harder to really commit to settling. ” (EU partner)

Our interview data also provides examples of British participants expressing these sentiments:

“ It’s very hard to accept that I am being treated like that by my own country, and yet when I go to another country I’m welcomed... In your own country, in our situation, I feel like I’m not welcome... and it’s very hard to accept. ” (UK partner)

“ We just feel so resentful towards the UK for all the pain it’s put us through. ... Even if we got the visa, I don’t think we’d ever get over it ... I’d still hate it here. It’s taken too many years of our life. ” (UK partner)

One participant suggested these experiences will also impact their children’s view of the UK:

“ [The children] do have a sense of what’s right and what’s wrong, and they very much know this is not right, what they are doing with me, more or less throwing me out of the country... I don’t think [they] will be contributing to be a very loyal citizen when they’re older. Because they can see how a country is treating someone... being treated like this in their ‘home country’. ” (EU partner)

Leaving the UK

Some couples who had successfully negotiated the initial visa application told us that they were thinking of leaving the UK in future as a result of their experiences:

“ When I go through this process and fill in these forms, the first thought I have is ‘I’m gonna go away as soon as I get the citizenship’... because I don’t want to stay in a place where they make me feel so unwelcome. ” (EU partner)

This expert interviewee noted similar sentiments among those their organisation supports:

“ A lot of what we hear from the non-British partners... is that horrible feeling of not being wanted, of feeling like they’re not good enough, and it’s a fight to get here... ‘Why would we want to feel like that? ‘We’ll go somewhere where we’re wanted’. ” (NGO worker)

Several couples talked about their plans to leave the UK in the future – taking their skills with them – and argued that restrictive immigration policies will ultimately have adverse consequences for the UK, including brain-drain. The expert interviewee quoted above summarised this response:

“‘We’ll just take it somewhere else now if you’re being so vile.’ Because there’s a lot of other countries... You got young people who are skilled or are learning the very things that this country needs... They’ll just say, ‘We’ll just take it somewhere where we are wanted, and they can have my skills’, and we’re just going to become a dumb island, for want of a much better phrase.” (NGO worker)

Political (dis)engagement

Negative experiences in the immigration system led some couples to become involved in campaigning on the issue of bi-national families’ rights, and others spoke of impacts on their and their families’ voting decisions. But for some, a new awareness of their relationship’s vulnerability to state control instilled a anxiety that inhibited engaging in political protest for fear of affecting their or their partner’s immigration status. As one participant put it: ‘I avoid anything that gets too political. I just keep my head down.’

“I would very often go to rallies and marches... Since I’ve been with [my EU partner], I’m very wary, because they can make it very difficult... [My partner] would end up being deported. And that’s not a risk I’m prepared to take. So we’re ... having our potential to go to protest suppressed very effectively.” (UK partner)

EU partners falling into irregular migrant status

Interviews with Roma couples and community workers provided insights into the extreme difficulties and dis-integrating impacts faced by some EU partners in precarious socio-economic positions. Digital exclusion and lack of documentation mean some Roma resident in the UK for years before Brexit have been unable to access the EUSS, with women particularly affected.⁶⁵ In theory, the partner visa system could provide another route to remaining legally in the UK with their partners and families, but in practice the cost, complexity, digitization and evidence requirements – as well as the necessity of leaving the country without certainty of their ability to return – mean that this route is also inaccessible.

One couple we interviewed only realised the wife’s new undocumented migrant status when she received a large bill for NHS treatment. Their response speaks to the trauma of this impact of Brexit on their shared lives: not only did the woman herself avoid further contact with the NHS for fear of deportation, but her partner (who had settled status and so secure residency) was also so fearful of further contact with authorities that he had not sought medical treatment for a potentially serious condition.

Summary

Despite government assertions that family visa restrictions are necessary to promote integration, this research found that the partner visa system has negative impacts on many aspects of integration: constraining choices around employment and further education, impacting on financial wellbeing and forcing couples to delay or abandon life course aspirations, inhibiting political engagement, and undermining a sense of belonging in the UK. Some couples who had successfully obtained a visa for the EU partner to move to the UK, were even considering leaving the country in future. In extreme cases, EU partners may fall into irregularity. Many couples experienced separation of various durations, strains on relationships, and negative impacts on their own and children's mental wellbeing. Finally, some genuine but unmarried couples felt compelled to marry or enter civil partnerships in order to evidence their relationships to the immigration authorities.

These impacts may not be the intended results of the UK's post-Brexit immigration policy and procedures, but were felt very personally by many couples:

“They're wounding people. This is a deliberate scar that they're placing on love, on relationships. And it is very deliberate.” (UK partner)



Illustration 6: Passage of time

The graffiti in this image refers to emotional impacts revealed by our research participants, including the fading of hope for some couples unable to obtain a visa. The person here walks alone as time passes, perhaps while they meet the visa requirements, wait for their application to be processed, for an appeal to take place, or while they endure longer separation from their partner or family.

Conclusion

Fifty years of free movement between the UK and the EU ended on 31st December 2020, when the Brexit transition period expired. EU citizens already living in the UK could usually preserve their residence rights through the EU Settlement Scheme but, since then, EU citizens wanting to live in the UK must comply with the UK's highly restrictive migration rules. The Brexit Couples project tracked the experiences of members of the first cohort of EU citizens seeking to enter the UK after Brexit as the spouses and partners of British citizens and residents and who therefore had to go through the visa system. The position of this group was barely considered during the Brexit negotiations even though UK-EU relationships were commonplace, are likely to continue to develop after Brexit, and UK-EU couples living overseas will continue to seek to return. The UK's partner migration rules are among the most restrictive, complex and expensive in the world (see Chapter 1). The contrast between the position under free movement before Brexit and the immigration rules after Brexit is striking and became more so after the minimum income requirement increased in 2024.

Chapter 3 showed that, after a slow start, the number of UK-EU couples applying under the partner migration rules has started to increase significantly. For the Brexit Couples project, we interviewed more than 50 UK-EU couples at various points of the partner migration process: some were considering an application, others had made a successful or unsuccessful application, and some could not meet the requirements or had decided not to apply. Having lived through an era of almost unrestricted movement between the UK and the rest of the EU, many were shocked to be now treated as migrants. As we show in Chapter 4, this led to reflection on who a 'migrant' is, and the political and social meanings of the term. Some interviewees hoped for legal recognition of their position as European citizens while, for others, there was a new appreciation of the global and racialised inequalities caused by border controls.

Our statistical analysis in Chapter 2 shows that UK-EU couples living in the UK before Brexit were on average more educated and more likely to be in professional or managerial occupations than couples in which both partners were born in the UK. These characteristics were also present in our sample. Yet our research found that they all experienced the partner visa process as difficult, complex, expensive, and stressful. As we demonstrate in Chapter 5, participants had their lives turned upside down by the demands of the rules and some parents were separated for months from children including, sometimes, when they could meet the substantive requirements of the rules but were caught by errors or inflexibility. The impact on them was severe and included financial and career implications, mental health challenges for themselves and their children, and strains on their relationship, as we outline in Chapter 6.

Our findings are consistent with existing research which shows the damage caused to families and individuals by the UK's partner migration system.⁶⁶ This project builds on that knowledge by showing that even a population which has advantages compared to many other national groups — being relatively well educated, geographically close and able to make visa free visits — experience the system as extremely challenging.

British citizens and settled residents will continue to meet and fall in love with EU citizens despite Brexit. Building a new relationship with the EU is a major challenge for post-Brexit governments. The current partner migration rules do not meet that challenge as they are too complex, difficult and expensive. The rules also affect British citizens in relationships with non-nationals from across the globe. The contrast between EU free movement and the UK's immigration system sheds light on the extreme restrictiveness of the immigration regime. Our recommendations aim to remedy injustice and hardship for both UK-EU couples, and a much wider range of families.

Recommendations

The interests of UK-EU couples were not considered in the original Brexit debates and negotiations. Their experiences since the end of the transition period highlight the urgent need for improvement to the partner migration rules and processes to ensure they support the family life of British citizens and residents, and do not unnecessarily separate families. Our detailed recommendations are consistent with those already made by others in over a decade of criticism of the UK's family migration system, but reflect the particular experiences of our UK-EU sample.

We identify five main areas where changes to the partner migration system are needed to avoid serious financial, social and psychological damage to families including children:

1. **The immigration rules:** reduce the minimum income requirement; simplify evidence required; provide longer notice of changes of the rules; minimise separation of children from parents.
2. **Application process:** better applicant support, and a more flexible, simpler, clearer and quicker process.
3. **Cost:** reduce the damaging burden placed on applicants and their families.
4. **Route to settlement:** increase length of the initial visa to avoid cost and burden of repeated applications; ensure all families are on a 5-year route to settlement.
5. **Visiting the UK:** recognise the importance of visits for maintaining relationships.

1. The immigration rules

- Reduce the minimum income requirement, as recommended by the Migration Advisory Committee.
- Simplify the evidential requirements particularly for the financial requirements. For example:
 - Reduce the number of documents which must be provided.
 - Shorten the period during which income must be earned or assets held.
 - Use average earnings over the relevant period for both salaried and non-salaried employees.
 - Allow more flexibility in showing self-employed income, particularly for new businesses; allow savings to be combined with self-employed income.
 - Allow more flexibility in how savings can be held; consider allowing other assets such as equity in property to be included without the need to be sold.
- Include the applicant's likely earnings after entry on first application.
- Create an obligation to advise applicants of errors or omissions in their application and allow them to rectify these within a reasonable period.

- Direct decision-makers to exercise discretion to issue visas when it is clear that the requirements have been substantially met despite minor errors.
- Give at least one year's notice of increases to the minimum income requirement and six months' notice of other significant changes.
- Expand the parent route to include applicants in a relationship with the parent of their child.
- Commit to a policy of not applying changes retroactively to applicants already embarked on the immigration process, including changes to the rules for settlement.

2. Application process

- Work with stakeholders to improve online guidance to applicants to maximise clarity, completeness and accessibility, and minimise avoidable errors. For example:
 - Revise gov.uk 'Apply as a partner or spouse' webpage to make clear that applications from within the UK will not usually be accepted.
 - Allow applicants to download the application form without starting an application, so they can see what is expected and plan their application effectively.
- Ensure that visa application centres offer high quality, flexible and professional services.
- Provide a free helpline or email address for queries on applications.
- More regular updates to applicants.
- Work with the sector to increase the availability of reliable free/low-cost immigration advice services for all applicants.
- Reinstate legal aid for human rights-based applications and appeals without the need for an exceptional case funding application.
- Revise processing times to closer to 3 weeks, in line with norms for other categories of visa.

3. Cost

- Significantly reduce the overall cost burden of applications on couples and families:
 - Reduce visa fees, so that they reflect the cost of processing the application, increasing them only by inflation or to reflect rises in costs.
 - Reduce the initial immigration health surcharge from 3 years to 2.5 years to avoid over-payment.
 - Allow payment of fees and other charges in GBP.
 - Allow payment through interest free instalments.

4. Route to settlement

- Increase the duration of the initial visa to five years, whilst permitting the immigration health surcharge to be paid in tranches.
- Put all families, including those granted under exceptional circumstances and the partners of settled and pre-settled residents, on a 5-year route to settlement.
- Allow couples returning from living abroad who have been married or in a relationship for 5 years or more to apply directly for Indefinite Leave to Remain.

5. Visiting the UK

- Make applicants aware that they can visit the UK after they have made a partner visa application, where they intend to leave at the end of their visit and return on their partner visa once it has been granted.
- Ensure caseworkers and border force officers recognise the importance of the visitor route in maintaining family ties and that having such ties does not prevent a person from being a genuine visitor.

Afterword

At the end of every interview, we asked couples to describe their experience with the UK immigration system in one word. This is a word cloud formed from their responses.



Figure 19: Word cloud

Endnotes

- 1 'Love, Borders, Brexit' podcastseries. Available at... <https://brexitcouples.ac.uk/podcast/>.
- 2 *Statement of changes in immigration rules* House of Commons Paper HC395, as amended. Available at: <https://www.gov.uk/guidance/immigration-rules>.
- 3 *R. v Immigration Appeal Tribunal Ex p. SSHD* (C-370/90) EU:C:1992:296.
- 4 *Brexit Couples Legal Brief* (June 2023), available at... <https://brexitcouples.ac.uk/legal-brief-june-2023/>.
- 5 S7 Immigration Act 1988, repealed by s.1 Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020.
- 6 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States; Immigration (European Economic Area) Regulations 2016 (SI 2016/1052).
- 7 Directive 2004/38/EC n6 above, arts 27-30.
- 8 Directive 2004/38/EC n6 above, art. 24
- 9 See the *Brexit Couples Legal Brief* n4 above, p. 5 for more information.
- 10 See *Brexit Couples Legal Brief* n4 above, pp. 3-4 for more information.
- 11 See *Brexit Couples Legal Brief* n4 above, p. 4 for more information
- 12 Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community 12th November 2019; European Union (Withdrawal) Act 2018, section 7A.
- 13 Withdrawal Agreement n12 above, art 18.
- 14 Irish Citizens retained the right to live in the UK through the Common Travel Area and so did not need to apply under the EUSS.
- 15 The3million (2025) *EU Settlement Scheme Statistics*. Available at <https://the3million.org.uk/eu-settlement-scheme-statistics>
- 16 See the *Brexit Couples Legal Brief* n4 above, pp 8-11 for more information on the settlement scheme.
- 17 *Independent Monitoring Authority v Secretary of State for the Home Department* (2022) EWHC 3274 (Admin).

- 18 Home Office (2025) *Home Office implementation of the judgment in R (Independent Monitoring Authority for the Citizens' Rights Agreements) v Secretary of State for the Home Department* (2022) (Policy Paper, 16 January 2025). Available at: <https://www.gov.uk/government/publications/residence-rights-under-the-withdrawal-agreement/home-office-implementation-of-the-judgment-in-r-independent-monitoring-authority-for-the-citizens-rights-agreements-v-secretary-of-state-for-the-ho>
- 19 Withdrawal Agreement n12 above, art 18 (1)(d).
- 20 The3million, n15 above.
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- 22 *Lounes v Secretary of State for the Home Department* (C-165/16) EU:C:2017:862.
- 23 *R. v Immigration Appeal Tribunal Ex p. SSHD* (C-370/90) EU:C:1992:296.
- 24 Boyd, U. (2020) 'People born in Northern Ireland get improved family reunion rights'. *Free Movement* 21st May 2020.
- 25 *Banger v UK* (C-89/17) 12th July 2018; ECLI:EU:C:2018:570.
- 26 Immigration Rules, HC395 as amended, Appendix EU, Annex 1 (Definitions).
- 27 Immigration Rules, HC395 as amended, Appendix FM-SE, para D; Home Office *Family Migration: Appendix FM and Appendix HM Armed Forces Minimum income requirement* (Version 13.0, 12 March 2025). Available at: <https://assets.publishing.service.gov.uk/media/691209e3e9348ac8fb54f4ba/Family+Migration+Appendix+FM+Section+and+Appendix+HM+Armed+Forces+Financial+Requirement.pdf>.
- 28 All-Party Parliamentary Group on Migration (2013) Report of inquiry into new family migration (available at https://appgmigration.org.uk/wp-content/uploads/2012/11/APPG_family_migration_inquiry_report-Jun-2013.pdf); Children's Commissioner for England (2015) *Family friendly? The impact on children of the family migration rules: A review of the financial requirements* (available at <https://assets.childrenscommissioner.gov.uk/wpuploads/2017/06/CCO-Family-Friendly-Report-090915.pdf>); Charsley, K et al (2020) *Kept Apart: Couples and families kept apart by the British immigration system* (available at <https://bpb-eu-w2.wpmucdn.com/blogs.bristol.ac.uk/dist/8/543/files/2020/02/Kept-Apart-book-PDF-Final.pdf>); House of Lords Justice and Home Affairs Committee (2023) *All Families Matter: an inquiry into family migration* (available at <https://publications.parliament.uk/pa/ld5803/ldselect/ldjusthom/144/144.pdf>); Reunite Families UK (2024) *Families belong together: Preliminary findings from Reunite Families UK's 2024 research* (available at <https://reunitefamiliesuk.co.uk/wp-content/uploads/2025/01/Families-Belong-Together-Preliminary-Findings-from-Reunite-Families-UK-2024-research-For-Submission-to-the-Migration-Advisory-Committee-December-2024-V2-13-12-24.pdf>).
- 29 Migration Advisory Committee (2025) *Family Route: Financial Requirements Review* (June 2025) p2. Available at: https://assets.publishing.service.gov.uk/media/684704abe5a089417c80619c/Financial+Requirements+review+full+report+v21+_2_.pdf.
- 30 Migration Advisory Committee n29 above, pp 86-91.

- 31 For the current fees see: <https://www.gov.uk/government/publications/visa-regulations-revised-table/home-office-immigration-and-nationality-fees-9-april-2025> . For immigration health surcharge, see: <https://www.gov.uk/healthcare-immigration-application>.
- 32 See, for example, publications by the Eurochildren project: <https://eurochildren.info/publications/>.
- 33 For Census 2021 analysis, EEA countries and Switzerland were also included within the definition of an EU country. This was not however possible for the analysis of the Labour Force Survey data.
- 34 Including overseas territories.
- 35 Including Canary Islands.
- 36 Including Madeira and the Azores.
- 37 Full table looking at country of birth for EU half of couple can be found in the online *appendix* at: <https://brexitcouples.ac.uk/projectreport/>.
- 38 Full table looking at gender of the EU half of UK/EU couples, by country of birth can be found in the online appendix at: <https://brexitcouples.ac.uk/projectreport/>.
- 39 Table with more detail on same-sex relationships can be found in the online appendix at www.brexitcouples.ac.uk/projectreport/.
- 40 21.5% of EU passport holders in the UK 2021 Census reported an ethnicity other than 'white'. This differs by country: for example, 53.6% of Portuguese, 45.9% of Spanish, 40.2% of Italian, and 36.5% of French passport holders reported ethnicities other than 'white'.
- 41 Or equivalent including other qualifications obtained aged 19-22.
- 42 All individuals within couples; labels not shown for figures <5%.
- 43 The LFS uses ILO definition of unemployment (see ILO definition of unemployment. Available at: <https://weso-data.ilo.org/definitions-and-metadata/>). All individuals within couples; labels not shown for figures < 5%.
- 44 For more information about Ns-Sec see <https://www.ons.gov.uk/methodology/classificationsandstandards/otherclassifications/thenationalstatistics socioeconomicclassificationnssecrebasedonsoc2010>. Data labels are not visible for figures less than 5%.
- 45 Data labels are not visible for figures less than 5%.
- 46 All data in this section from UK Home Office *Statistical data set: Immigration system statistics data tables* (21 August 2025). Available at <https://www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables>. In this data, nationality refers to the nationality/passport with which the application has been made. Calculations & graphs by Dr. Nicole Hoellerer.
- 47 These figures include EEA and Swiss applications.

- 48 EU14: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden. The Republic of Ireland is also EU14, but not included in this data, as Irish nationals do not require visas to live in the UK after Brexit.
- 49 EU8: Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia.
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- 51 Zambelli, E., Benson, M., & Sigona, N. (2022) *British-European families after Brexit* (Research Brief 3 available at <https://doi.org/10.5281/zenodo.6834639>).
- 52 Charsley, K., & Wray, H. (2024) Kept apart: Routine family separation in the UK family immigration system. *Migration Studies*, 11(3), 380–407 <https://academic.oup.com/migration/article/11/3/380/7150785>
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- 54 Anderson, B. (2013) *Us and Them? The dangerous politics of immigration control*. Oxford University Press.
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- 56 Gov.uk *Family visas: apply, extend or switch*. Available at: <https://www.gov.uk/uk-family-visa>.
- 57 Home Office *Family Migration: Appendix FM and Appendix HM Armed Forces Minimum income requirement* (Version 13.0, 12 March 2025). Available at: <https://assets.publishing.service.gov.uk/media/691209e3e9348ac8fb54f4ba/Family+Migration+Appendix+FM+Section+and+Appendix+HM+Armed+Forces+Financial+Requirement.pdf>.
- 58 Screenshot from UK government website '[Family visas: apply, extend or switch](https://www.gov.uk/uk-family-visa)'.
- 59 All-Party Parliamentary Group on Migration (2013) *Report of inquiry into new family migration* (available at https://appgmigration.org.uk/wp-content/uploads/2012/11/APPG_family_migration_inquiry_report-Jun-2013.pdf); Children's Commissioner for England (2015) *Family friendly? The impact on children of the family migration rules: A review of the financial requirements* (available at <https://assets.childrenscommissioner.gov.uk/wpuploads/2017/06/CCO-Family-Friendly-Report-090915.pdf>); House of Lords Justice and Home Affairs Committee (2023) *All Families Matter: an inquiry into family migration* (available at <https://publications.parliament.uk/pa/ld5803/ldselect/ldjusthom/144/144.pdf>); Reunite Families UK (2024) *Families belong together: Preliminary findings from Reunite Families UK's 2024 research* (available at <https://reunitefamiliesuk.co.uk/wp-content/uploads/2025/01/Families-Belong-Together-Preliminary-Findings-from-Reunite-Families-UK-2024-research-For-Submission-to-the-Migration-Advisory-Committee-December-2024-V2-13-12-24.pdf>); Reunite Families UK (2024) *Evidence to the Migration Advisory Committee's Review into the financial requirements of the family immigration rules*. (Available at: <https://reunitefamiliesuk.co.uk/wp-content/uploads/2024/12/Evidence-to-Migration-Advisory-Committee-Final-Version-11-12-24.pdf>). HC Hansard WH Monday 20 January 2025 (Volume 760, cols 219WH–246WH). Hansard transcript available at: <https://hansard.parliament.uk/commons/2025-01-20/debates/324BC884-717B-44A6-A7A9-1B55049C1FDC/FamilyVisasIncomeRequirement>.

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