

The Rt Hon James Cleverly MP
Secretary of State for the Home Department
2 Marsham Street
London
SW1P 4DF
UK

cc. Leo Docherty MP, Minister for Europe

19 December 2023

Re: Proposed increase to the minimum income rules for sponsorship of spousal visas

Dear Secretary of State,

We write as co-chairs of [British in Europe](https://www.britishineurope.org/), the NGO representing the rights of the 1.2 million UK citizens living in the EU, EEA and Switzerland. We campaigned to maintain our EU free movement rights between 2016 and 2020 and to secure and maintain other residence and immigration rights in the sole gift of the UK government post-Brexit.

One of the rights we campaigned and won a grace period for was the right to continue to return to live in the UK with non-British family members under the [Surinder Singh immigration route](#). After three years of advocacy PM Theresa May and Home Secretary Priti Patel agreed to our request and granted an extension, which exempted UK citizens returning to live in the UK with non-UK or Irish family members from the minimum income rules (MIR) and facilitated the return of thousands of British citizens back to the UK post-Brexit.

This extension was ended by your immediate predecessor in August 2023, at which point the MIR of £18,600 and other associated costs became applicable to UK citizens previously resident in the EEA and Switzerland.

Informal polling amongst our members indicates that 50% or more of us in some countries have non-UK family members. We suspect that this figure may also hold for the estimated 4.7 million members of the global British diaspora. This means that several million UK citizens currently living overseas could be caught by the MIR if they decide to return to live in the UK. Meeting the MIR was already hard enough because many of us who move back to the UK do so to look after elderly relatives, or to start a family and to be close to parents and siblings. In both of these cases, it was already difficult to meet the MiR condition of £18,600. It will be almost impossible to meet an MiR of £38,700, which only one third of British citizens could currently meet, or a capital requirement of £112,000.

These consequences will not just be felt by us as individuals. Our family members will also be affected.

[Personal stories of Fiona and Jane's families redacted]

[...in addition to imposing a hard to meet MIR figure and making it almost impossible for British citizens to go back and care for relatives you are also simultaneously making it harder to recruit carers to look after our elderly relatives in our absence.

Another consequence of this decision may be that future British citizens could lose their right to citizenship if their British parent was born abroad and they need to give birth in the UK to secure British citizenship for their unborn child but are prevented from doing so because they cannot return to the UK with non-British family members. Do you really want to strip unborn children of any prospect of ever being UK citizens or living in the same country as their grandparents?

The MIR provisions are drafted on the assumption that the British partner is already living in the UK with easy access to the employment market. That is not the case for many of us living overseas, especially those of us who are self-employed or interested in moving back to the UK to start a business. We will find it much harder to establish that we meet the conditions and it will take longer to do. So, the MIR is also anti-business, which is a strange policy for a Conservative government to pursue.

The policy as announced also [gives fewer rights to UK citizens](#) as compared to some non-UK citizens currently working in the UK in certain sectors according to the Migration Observatory. Surely, if your intention is to reduce immigration to the UK it makes no sense to keep British citizens out of their country of origin?

Accordingly, we are asking you urgently to rethink your decision to increase the MiR and the capital requirement. If you don't, hundreds of thousands of British citizens living abroad will be unable to return to live in the UK unless they are prepared to leave their families behind. At a time when the UK needs skilled professionals you will be closing the door to thousands of them and, in many cases, their equally highly skilled partners. We know the tabloid stereotype of Brits in the EU is that we are all Brits married to other Brits who have retired to the Costas but that is simply not the case. 75-80 per cent of UK citizens living in the EU are of working age or younger and many of us work in the sectors that are most in need of staff in the UK.

But aside from all of that, as British citizens we should have an automatic right to return to live in the UK and to bring family members of any nationality with us without having to jump through hoops. As British citizens resident overseas, we receive very little attention from the UK when compared with our French or US counterparts, for example. Both of their governments pay much more attention to their diasporas and make efforts to welcome them back home, whereas we get a few words about the soft power of the UK diaspora in the Integrated Strategic Review, while being told that if we fall in love with someone of the wrong nationality the door to the UK is closed to us.

These changes were made with no consultation and no, or no meaningful, impact assessment. They have also been proposed shortly before the historic re-enfranchisement of the global British diaspora. They will harm tens of thousands of British citizens and their

families in the UK and beyond. They should not be implemented, not least because your party will have to fight a general election in the next 13 months and these changes will alienate the diaspora of 4.7 million and our families back in the UK.

Yours sincerely

Jane Golding OBE

Fiona Godfrey OBE

Co-Chairs, British in Europe