



Marriage to Partners from Overseas

Pro Forma for Responses

Please return this form to:

Marriage Consultation Responses
Border and Immigration Agency
11th Floor, Apollo House
36 Wellesley Road
Croydon CR9 3RR

Responses must be received by 27th February 2008

This document is available in electronic format on the Border & Immigration Agency website:
www.bia.homeoffice.gov.uk

Responses can be sent electronically to:
marriageconsultationresponses@homeoffice.gsi.gov.uk

Please feel free to provide comments on additional sheets if there is not sufficient space on this form, please specify which question(s) you are responding to on any additional sheets.

ISSUE 1:

Young people may be pressurised into sponsoring a partner from overseas.

Q1. Do you think we should increase the minimum age at which someone could sponsor or be sponsored as a spouse, from 18 to 21?

This would allow the young people involved to have completed their education as well as allowing them to have gained in maturity and possess adequate life skills. Although there would be a small delay in the age at which young people could sponsor a partner from overseas, we think that this is not unreasonable.

Yes

No

Comment

Q2. Should someone intending to sponsor a partner from overseas declare this intention before they leave the UK on the visit/trip?

This would also involve providing details of the person to be sponsored before leaving the UK. In this way the sponsoring partner will be protected from having coercive pressure applied whilst they are overseas and help to prevent forced marriages before they happen. Such an arrangement would mean that a young person would know in advance that a marriage will take place overseas and who their prospective partner will be. Many spouses currently only discover these facts overseas when their wedding is imminent and when they are in a vulnerable position in a foreign country away from their support network and the authorities. Finding out that they will be a bride or groom before travel gives them more options to seek help prior to the actual marriage.

Yes

No

Comment

ISSUE 2:

Many sponsors would like to be able to give a confidential statement

Q3. Should potential sponsors be given more opportunities to have a confidential interview if they request one?

The confidential interview might not lead to refusal of a visa application. The aim would not be to assess the genuineness of the marriage, but whether sufficient scope had been given to protect the potentially vulnerable party. On its own, though, a confidential statement that could not be produced as evidence may not lead to a visa application being turned down. We are also considering introducing a Code of Practice, which would say how an application for a marriage visa should progress if one of the parties is identified as vulnerable. This would build on work carried out by Entry Clearance Officers in relation to in depth interviews with couples.

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Comment

Q4. Do you think we should introduce a Code of Practice as outlined in this consultation paper?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Comment

Q5. We have suggested some of the factors that might indicate vulnerability to a forced marriage (for example, discrepancies in age, main language spoken etc); what additional factors do you think there might be?

Comment

Q5a. If some of the factors that create vulnerability were present, should there be a power to refuse on those grounds alone, without the sponsor having to provide an evidential statement?

Yes

No

Comment

ISSUE 3:

Spouses who are abandoned by a person they have sponsored have entitlements too, including knowing that their sponsorship is not being abused for further advantages.

Q6. Do you think that we should do more to bring about revocation of indefinite leave to remain if individuals abuse the marriage route to gain settlement?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Comment

Q6a. If you answered yes to question 6, what proof do you think might be necessary to do this?

Comment

Q7. Do you think we should be able to revoke indefinite leave to remain after it has been granted if the sponsoring partner is abandoned?

We would have to agree a time period within which we could revoke indefinite leave to remain.

Yes

No

Comment

Q8. Do you think we should do more to investigate allegations of abuse of marriage for immigration advantage after entry?

Yes

No

Comment


Q8a. If you answered yes to question 8, how might these be investigated?

Comment



Q9. What sanctions could we use if individuals abuse the marriage route to gain settlement?
Examples could include revocation of indefinite leave to remain, revocation of spouse visa prior to grant of indefinite leave to remain, and refusal of any further leave to remain.

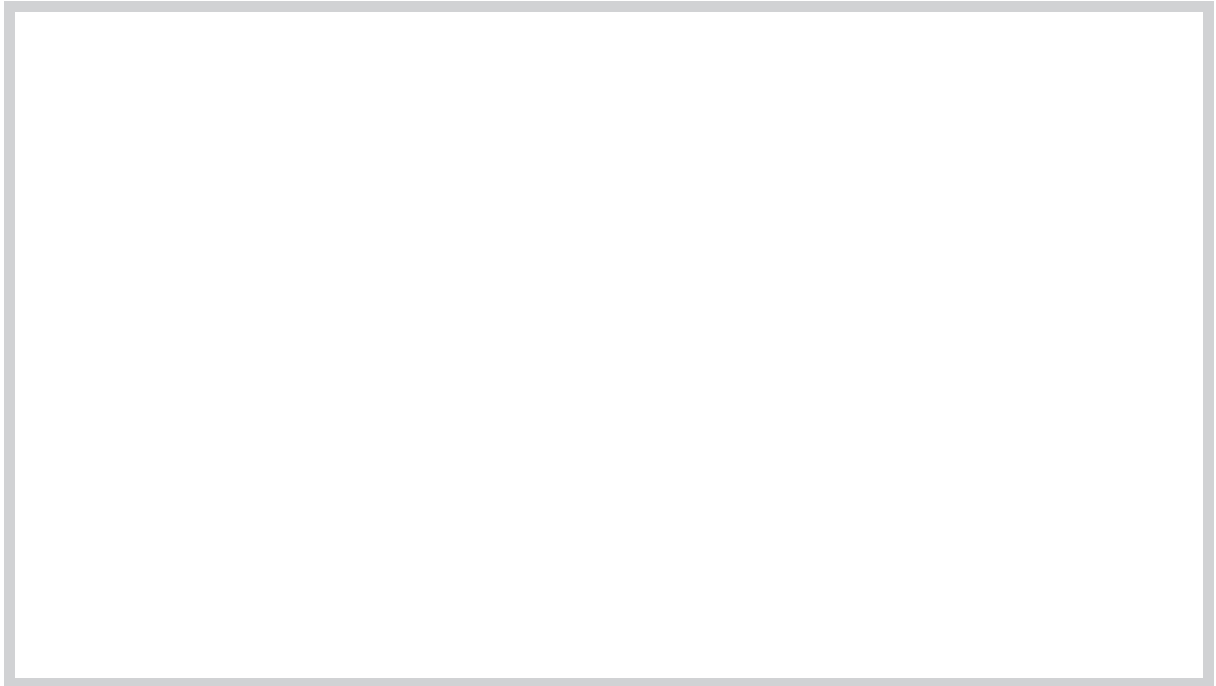
Comment



Q10 What provisions might be necessary for safeguarding women, in particular, after the entry of a sponsored spouse? (For instance; a helpline, access to immigration advice, and support in making statements).

At the moment spouses who act as sponsors and are abandoned have their role as sponsor ended on the basis of someone else's decision. One view is that the person who originally provided the sponsorship is entitled to an assurance that their sponsorship in bringing someone to the UK has not been abused in any way. This might mean that a subsequent application from the person sponsored is treated as a change of original purpose, rather than circumstances, and that we should endeavour to take into account any views that the original sponsor might wish to provide. We are interested in views on whether this is a good way of providing such an assurance.

Comment



Q11. What is wrong with the current system in relation to abandoned spouses that could be improved?

Comment



Q11a. What changes could be made to improve communications with abandoned spouses? E.g. provide further information to them about further applications or applications for indefinite leave to remain by the person they sponsored, and even seek their views, so that their role as a sponsor is not ended by their being abandoned.

Comment

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For statistical purposes, please indicate in which region of the UK you or the organisation you represent is based.

England

Scotland

Wales

Northern Ireland

Please complete the following details:

Name of company/organisation/individual

Address of company/organisation/individual

Telephone

Your name

Your position (if from a company/organisation)

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