

BBC News

English rules tightened for immigrant partners

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The new measures will apply to marriages and civil partnerships

Ministers are bringing forward to the autumn measures requiring many immigrants marrying UK citizens to prove they have a command of English.

The measures, which Labour had planned to introduce in July 2011, will apply to partners coming to the UK from areas outside the EU, such as South Asia.

Home Secretary Theresa May said the move would "help promote integration".

Campaigners said they supported efforts to help immigrants learn English, but the plans were discriminatory.

Under the new rules, anyone from outside the EU applying for a visa to join their spouse or partner will have to prove they have a basic command of English, to help them get by in daily life, before their application is approved.

Analysis

Dominic Casciani,
BBC News home affairs correspondent

This new English test hasn't come out of nowhere.

It was part of the former government's broad agenda to integrate migrants by getting them to speak the language and "earn" their place in society.

But the coalition government's decision to introduce the language rules for young lovers a year before Labour's timetable is meant to be a sign that it is prepared to be tougher than its predecessor.

In the coming months, ministers will focus on more complex and controversial policies.

The Conservatives want a cap on non-EU economic migration and say they will try to bring down the rate of migration, something their Liberal Democrats partners opposed.

They are also trying to send more failed asylum seekers back to Iraq and Afghanistan.

Introducing a language test for spousal visas is fairly easy to achieve; other policies are likely to face opposition in both Parliament and the courts.

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The measure applies to same-sex partners.

At present, visa applicants have to show only that their marriage or partnership is genuine and that they can financially support themselves.

Under the new rules, the applicants will have to show their grasp of English is at the same level, at least, of a five to seven-year-old.

The former Labour government proposed similar plans in 2007.

The home secretary said: "I believe being able to speak English should be a pre-requisite for anyone who wants to settle here. The new English requirement for spouses will help promote integration, remove cultural barriers and protect public services.

"It is a privilege to come to the UK and that is why I am committed to raising the bar for migrants and ensuring that those who benefit from being in Britain contribute to our society.

"This is only the first step. We are currently reviewing English language requirements across the visa system with a view to tightening the rules further in the future."

Immigration Minister Damian Green told the BBC the move would benefit immigrants and help them to "integrate fully" into the local and national community.

He said many immigrants, especially women, who could not speak English properly became isolated from the community around them.

The applicants will have to have a certain level of English

Between January and December 2009, 59,000 people from outside the EU were granted a visa to live with their partner in the UK.

According to the latest figures provided by the Office for National Statistics, 503,000 people moved to the UK between September 2008 and September 2009, and 361,000 people moved out.

Officials estimate that the new language test will lead to 10% fewer applications overall and it is likely to most affect the UK's Indian, Pakistani and Bangladeshi

communities.

The spousal visa allows someone to stay for two years, after which they can apply for indefinite leave to remain. Applicants must then pass a further test on life and language in the UK.

Hina Majid, of the Joint Council for the Welfare of Immigrants, said she supported helping immigrants to learn English, but the plans were discriminatory.

[Immigrants] are also coming into a society that is growing increasingly unequal, so they are both cause and effect of this widening inequality problem

Ruben Rumbaut Professor of Sociology at the University of California at Irvine

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(http://news.bbc.co.uk/1/hi/world/latin_america/10208781.stm)

"Take the young girl [from a developing country] who meets the love of her life and wants to come over here to be with him," said Ms Majid. "It may take her several years to pass and in that time they may not be able to live together in the UK.

"It's unnecessary, it's costly and it will tear migrant families apart."

Don Flynn, from the Migrants' Rights Network, said the benefits of learning English were obvious but couples should not be penalised for wanting to be together.

He said: "The issue here is that the right to marry and found a family is a basic human right and is it proper, is it right, that that right to marry should be made conditional on passing a test in English? Our view is that it shouldn't be."

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