Name of Policy/Guidance/Operational activity

Reduction in the marriage visa age (from 21 to 18) for sponsors who are serving members of HM Forces and for those being sponsored by a member of HM Forces.

What are the aims, objectives & projected outcomes?

On 27 November 2008 we raised the minimum age at which someone can sponsor a spouse to come to the UK or be sponsored as a spouse from 18 to 21. This reform was aimed at tackling the problem of forced marriage. The Equality Impact Assessment carried out for that policy change can be found at:-

http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/consultations/marriagetopartnersfromoverseas/

Our new policy lowers the marriage visa age from 21 to 18 for the following groups:-

- serving members of the HM Forces who qualify as sponsors under the immigration rules (British or foreign nationals) and;

- their foreign national spouses, civil partners, same sex partners, unmarried partners, proposed civil partners and fiance(e)s.

The sponsors and those being sponsored who fall into the above groups will both need to be 18 or over to sponsor and apply for a marriage visa.

This change reflects the fact that unlike civilian couples, the armed forces deserve special consideration to reflect the unique circumstances in which they operate, including the need to deploy at short notice. The additional support provided by HM Forces to its families during deployments gives a Service person a degree of reassurance when they are deployed on operations. The MOD is unable to replicate the full range of families support to those who have to remain in their country of origin. Amending the Immigration Rules will give more certainty to MOD personnel that their loved ones will not be excluded from the UK.
This is a **new** policy/guidance/operational activity. | NO
---|---
This is a **change** to an existing policy/guidance/operational activity (Check original policy was equality impact assessed. If so, review and update action plan). | YES
This is an **existing** policy/guidance/operational activity. | NO

| Will the policy/guidance have an impact on national or local people/staff? | YES |
| Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy/guidance? | YES |
| Are there any aspects of the policy/guidance that could contribute to equality or inequality? | YES |
| Could the aims of the policy/guidance be in conflict with equal opportunity, elimination of discrimination, promotion of good relations? | YES |

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO** to all of these questions then please provide appropriate evidence and sign off.

This policy/guidance was screened for impact on equalities. The following evidence has been considered. No full equality impact assessment is required.

<table>
<thead>
<tr>
<th>N/A</th>
</tr>
</thead>
</table>

**Signature of Head of Unit**

Emma Churchill

**Date**

12 March 2010
**HOME OFFICE**
**FULL EQUALITY IMPACT ASSESSMENT TEMPLATE**

<table>
<thead>
<tr>
<th>Directorate</th>
<th>Immigration Group/Policy and Strategy Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit</td>
<td>Immigration Policy</td>
</tr>
<tr>
<td>Date</td>
<td>11 March 2010</td>
</tr>
</tbody>
</table>

**Name of Policy/Guidance/Operational activity**

Reduction in marriage visa age (from 21 to 18) for sponsors who are serving members of HM Forces and for those being sponsored by a member of HM Forces.

**What are the aims, objectives & projected outcomes?**

On 27 November 2008 we raised the minimum age at which someone can sponsor a spouse to come to the UK or be sponsored as a spouse from 18 to 21. This reform is aimed at tackling the problem of forced marriage.

The Ministry of Defence (MOD) consider that in some circumstances the current rule of 21 may create unnecessary stress for military personnel who may be about to deploy to a difficult environment and that this may reduce operational effectiveness.

Unlike civilian couples, the HM Forces deserve special consideration to reflect the unique circumstances in which they operate including the need to deploy at short notice. The additional support provided by HM Forces to its families during deployments is more efficiently delivered if they live close to the Service person’s duty station and this support gives a Service person a degree of reassurance when they are deployed on operations. The MOD is unable to replicate the full range of families support to those who have to remain in their country of origin. Continual separation places both partners under additional strain and hence renders Service personnel less effective. MOD’s view is that HM forces will be more operationally effective if they are no longer concerned about their partners being preventing from entering the UK.

Our new policy would lower the marriage visa age from 21 to 18 for the following groups

- serving members of the HM Forces who qualify as sponsors under the immigration rules (British or foreign nationals) and;
- their foreign national spouses, civil partners, same sex partners,
unmarried partners, proposed civil partners and fiance(e)s.

The sponsors and those being sponsored who fall into the above groups will both need to be 18 or over to sponsor and apply for a marriage visa.

Amending the Immigration Rules would give more certainty to MOD personnel that their loved ones will not be excluded from the UK.

1 SCOPE OF THE EIA

1.1 Scope of the EIA work

Key stakeholders for this policy are
- Ministry of Defence
- Serving HM Forces and their foreign national partners

1.2 Will there be a procurement exercise?

N/A.

2 COLLECTING DATA

1.1 What relevant quantitative and qualitative data do you have?

This may include national research, surveys or reports, or research done by colleagues in similar areas of work. Please list any evidence (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational area.

<table>
<thead>
<tr>
<th>Race</th>
<th>The rule changes will apply to sponsors who are serving members of HM forces of any nationality or ethnic group and their foreign national partners. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religion/ belief &amp; non belief</td>
<td>The rule changes will apply to serving members of HM forces and their partners, regardless of religious belief or none. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.</td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Disability</td>
<td>The rule changes will apply to serving members of HM forces and their partners, regardless of disability. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partner.</td>
</tr>
<tr>
<td>Gender</td>
<td>The rule changes will apply to serving members of HM forces and their partners, regardless of gender. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners. It will assist with caring responsibilities as it allows families to be together and allows the MoD to offer the best support to families.</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>The rule changes will apply to serving members of the HM forces and their partners, regardless of gender identity. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>The rule changes will apply to serving members of HM forces and their partners, regardless of sexual orientation. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.</td>
</tr>
<tr>
<td>Age</td>
<td>The rules changes only apply to those serving members of the HM forces and their partners where one or both parties is aged 18-20. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners. The immigration rules already allow those aged 21 or over to sponsor or be sponsored under the Immigration rules.</td>
</tr>
<tr>
<td>Welfare of Children [UKBA ONLY]</td>
<td>The rule changes do not apply to children but those children with a parent in HM forces who are eligible under the rules may benefit from both parents being brought together by this policy and from the additional support that the MOD may be able to offer to families.</td>
</tr>
</tbody>
</table>
The rules changes only apply to those serving members of HM forces and their partners where one or both parties is aged 18-20. Discussions with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.

1.2 What are the overall trends/patterns in this data?

None. This is a minor change to the Immigration Rules which is estimated to benefit approximately 100 cases a year maximum.

1.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?

None. This a minor change to the Immigration Rules which is estimated to benefit approximately 100 cases a year maximum.
3 INVOLVING AND CONSULTING STAKEHOLDERS

In this section, describe the data you have gathered through stakeholder involvement and engagement.

3.1 Internal Consultation and Involvement: e.g. with Other Government Departments, Staff (including support groups), Agencies & NDPBs

We have consulted United Kingdom Border Agency officials, the Forced Marriage Unit and the Ministry of Defence in considering the impact of this proposal. Meetings were the most effective form of communication.

No adverse impacts were identified by internal stakeholders. There will be impacts on some UKBA staff who will require limited training informing them of the new rules. The impact on civilian British Citizens and permanent residents to whom the reduction in the marriage visa age is not being applied was also considered. The minimum marriage visa age of 21 will continue to apply to the latter group since forced marriage remains a significant problem. The special considerations that have been taken into account for HM forces, do not apply to civilians.

The policy will have a positive impact on serving members of the HM forces and their families as follows:-

- It will ensure that additional support is effectively delivered to the families of members of HM forces during deployments as partners will be able to enter the UK and live close to the Service person’s duty station. The MOD is unable to replicate the full range of family support to those who have to remain in their country of origin

- Service personnel will be given a degree of reassurance when they are deployed on operations that their families will receive additional support

- There will be a reduction in the strain placed on service personnel who under the previous rules would have been continually separated from their foreign national partners

- HM forces can concentrate on their key roles as they are no longer concerned about their partners being preventing from entering the UK

3.2 External consultation and involvement

No external consultation has taken place as the Ministry of Defence is the key stakeholder representing HM forces who benefit from the policy.
4 ASSESSING IMPACT

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your conclusions, decided on priorities, identified actions and any necessary mitigation.

The policy applies equally to all serving members of HM forces, whether they are British or foreign nationals who qualify as sponsors regardless of race, nationality, religious belief, no beliefs, sexual orientation, disability, gender, gender identity, age, socio-economics etc,

This is a minor change to the Immigration Rules, aimed at a specialist group of individuals to whom unique circumstances apply.

This policy will have a positive impact on HM forces and their families, although the overall impact in terms of numbers will be limited as we estimate this will allow a maximum of 100 additional cases to benefit under the Immigration Rules every year.

The policy will have a positive impact on serving members of the HM forces and their families as follows:-

- It will ensure that additional support is effectively delivered to the families of HM forces during deployments as partners will be able to enter the UK and live close to the Service person’s duty station. The MOD is unable to replicate the full range of families support to those who have to remain in their country of origin.

- Service personnel will be given a degree of reassurance when they are deployed on operations that their families are received additional support.

- There will be a reduction in the strain placed on service personnel who under the previous rules would have been continually separated from their foreign national partners.

- HM forces can concentrate on their key roles as they are no longer concerned about their partners being preventing from entering the UK

There are no negative impacts to the proposal for HM forces and their partners.

The policy change has no impact on other groups as the Immigration Rules for those groups are unchanged. They may however be concerned that the reduction in the marriage visa age has not been applied to civilians. The minimum marriage visa age of 21 will continue to apply to the civilians and their families since forced marriage remains a significant problem. The special
considerations that have been taken into account for HM forces, do not apply to civilians.

No changes will be made to the policy as a result of consultation and data gathering as we have consulted fully with the key stakeholders and taken into account all relevant data.

Overall there are significant benefits to HM forces and their partners from this policy change and no adverse impacts which require mitigation.

Now submit your EIA and related evidence for clearance

<table>
<thead>
<tr>
<th>Date of completion of EIA</th>
<th>11 March 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of Head of Unit</td>
<td>Emma Churchill</td>
</tr>
<tr>
<td>Date of publication of EIA Report</td>
<td>16 March 2010</td>
</tr>
<tr>
<td>Review date</td>
<td>March 2011</td>
</tr>
</tbody>
</table>

TITLE

Marriage visa age and HM forces Equality Impact Assessment Report - March 2010

BACKGROUND

On 27 November 2008 we raised the minimum age at which someone can sponsor a spouse to come to the UK or be sponsored as a spouse from 18 to 21. This reform is aimed at tackling the problem of forced marriage.

The MOD feel that in some circumstances the current rule of 21 may create unnecessary stress for military personnel who may be about to deploy to a difficult environment and that this may reduce operational effectiveness. Our new policy would lower the marriage visa age from 21 to 18 for the following groups:

- serving members of the HM forces who qualify as sponsors under the Immigration Rules (British or foreign nationals) and;
- Their foreign national spouses, civil partners, same sex partners, unmarried partiers, proposed civil partners and fiancé(e)s

The sponsors and those being sponsored who fall into the above groups will both need to be 18 or over to sponsor and apply for a marriage visa.

Amending the Immigration Rules would give more certainty to MOD personnel that their loved ones will not be excluded from the UK.

SCOPING THE EIA

Key stakeholders for this policy are:

- Ministry of Defence
- Serving HM forces and their partners

COLLECTING DATA
The rule changes will apply to serving members of HM forces and their partners, regardless of nationality, race, religious belief, no beliefs, sexual orientation, disability, gender, gender identity, age, socio-economics etc. Meetings with the Ministry of Defence have indicated the positive benefits that this policy change will bring to serving HM forces and their partners.

This is a minor change to the Immigration rules which is estimated to benefit approximately 100 cases a year maximum.

INVOLVING AND CONSULTING STAKEHOLDERS
We have consulted United Kingdom Border Agency officials, the Forced Marriage Unit and the Ministry of Defence in considering the impact of this proposal. Meetings were the most effective form of communication.

ASSESSING IMPACT
The policy will have a positive impact on serving members of the HM forces and their families as follows:-

- It will ensure that additional support is effectively delivered to the families of HM forces during deployments as partners will be able to enter the UK and live close to the Service person’s duty station. The MOD is unable to replicate the full range of families support to those who have to remain in their country of origin

- Service personnel will be given a degree of reassurance when they are deployed on operations that their families are received additional support

- There be a reduction in the strain placed on service personnel who under the previous rules would have been separated from their foreign national partners
• HM forces can concentrate on their key roles as they are no longer concerned about their partners being prevented from entering the UK.

There are no negative impacts to the proposal for HM forces and their partners.

The policy will be kept under review on an ongoing basis.

The Immigration Rules changes will be laid in parliament and be available on the UK Border Agency website at [http://www.bia.homeoffice.gov.uk/](http://www.bia.homeoffice.gov.uk/)

**ACTION PLAN**

An action plan has not been completed as the policy change has no negative impacts for HM forces and their partners.