

BREXIT AND DUBLIN FAMILY REUNION

WHAT IS BREXIT?

Brexit refers to the fact that the UK left the European Union (EU) on 31 January 2020.

Even though the UK left the EU on 31 January 2020, there was then a 'transition period' until 31 December 2020. During this transition period, Dublin family reunification stayed the same.

This meant that applications for family reunification from Greece and other European countries to the UK were accepted as normal until 31 December 2020.

WHAT IF I APPLIED FOR FAMILY REUNIFICATION TO THE UK BEFORE 31 DECEMBER 2020?

If Greece sent a request to the UK to 'take charge' of your asylum case before 31 December 2020, the same Dublin laws apply.

However, if the UK has not answered within 2 months, this does not mean that they have accepted the request and can refuse after the 2 month window has passed.

If you receive a refusal after 31 December 2020, it is not possible to request a reexamination in the usual way.

WHAT CAN I DO TO CHALLENGE A REFUSAL RECEIVED AFTER 31 DECEMBER 2020?

The only way to challenge a refusal received after 31 December 2020 is to bring an administrative law challenge in the UK courts. This type of legal challenge is called a 'judicial review'.

A judicial review must be started within **3 months** of the date of the UK's refusal of the 'take charge request'.

To bring a judicial review, you will need legal advice and assistance from a UK lawyer. You will also need help to apply for 'legal aid' so that you do not have to pay for legal representation and court fees.

WHAT HAPPENS IF I DIDN'T APPLY FOR UK FAMILY REUNIFICATION BEFORE 31 DECEMBER 2020?

It is no longer possible to apply for Dublin family reunification to the UK. The UK has its own laws about refugees and other people bringing family members.

Under UK law, certain family members in certain circumstances can make visa applications to bring their family members to the UK. These applications are called 'Entry Clearance' applications.

While this means there are still some possibilities to join family in the UK, the UK law on family reunification is less generous than the Dublin system.

This means that narrower categories of family members can apply and there are stricter requirements to meet in order for an application to be successful.

WHAT CAN RLS DO TO HELP WITH FAMILY REUNIFICATION APPLICATIONS TO THE UK AFTER BREXIT?

Please refer to the FAQ sheet on 'UK Family Reunion' for more information on the possibilities for family reunion to the UK after Brexit and the RLS UK Family Reunion From Europe Project.