What happens when a family visa application is refused?

Understanding a family visa refusal

When a family visa application is refused, the Home Office sends a formal decision letter explaining why. This letter is not the end of the road, but it does start a clock. You usually have 14 days from the date of the decision if you are inside the UK, or 28 days if you are outside, to take action. The refusal will cite one or more specific reasons, and the options available to you depend on what those reasons are and whether you have a right to appeal or must make a fresh application.

Common reasons for refusal

Family visa applications are refused for a range of reasons. The most frequent ones relate to the relationship itself, financial evidence, English language requirements, or accommodation. Understanding which category your refusal falls into is the first step in deciding what to do next.

Relationship evidence

For a partner or spouse visa, you must prove that your relationship is genuine and subsisting. This usually means providing a marriage certificate or civil partnership certificate, plus evidence of cohabitation, communication, and shared finances. If the Home Office is not satisfied that the relationship is genuine, they will refuse the application. Common issues include a lack of joint documents, gaps in cohabitation evidence, or a marriage that appears to have been entered into primarily for immigration purposes.

Financial requirement

The financial requirement is one of the most common grounds for refusal. For a partner visa, the sponsoring partner must show a minimum income, usually from employment or self-employment, or a combination of savings. The exact figure depends on whether there are dependant children. If the evidence does not meet the specified format, or the income falls short of the threshold, the application will be refused. The rules are strict, and even a small shortfall can lead to a refusal.

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English language test

Applicants for a family visa must normally pass an approved English language test at level A1 or higher, unless they are from a majority English-speaking country or have a degree taught in English. A refusal can happen if the test certificate is from an unapproved provider, the test was taken too long ago, or the applicant did not meet the required level.



Accommodation

The Home Office also checks that there is adequate accommodation for the family. This does not mean you must own your home, but you must show that the property is not overcrowded and that it is available for the family to live in. A refusal can occur if the accommodation is considered too small or if the tenancy agreement does not allow the applicant to live there.

Your options after a refusal

Once you have the refusal letter, you have several possible routes. The right one depends on the type of refusal and your personal circumstances.

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Administrative review

If the refusal was based on a casework error, such as a missing document that was actually submitted or a miscalculation of the financial requirement, you may be able to request an administrative review. This is not a full appeal but a check that the decision was made correctly based on the evidence you provided. You cannot submit new evidence at this stage. The review must be requested within 14 days if you are inside the UK, or 28 days if you are outside.

Appeal

If the refusal was based on a decision that can be challenged on human rights grounds, or on a point of law, you may have a right of appeal to the First-tier Tribunal (Immigration and Asylum Chamber). This is a more formal process where you can present new evidence and argue your case before an independent judge. Appeals can take several months, and the outcome is not guaranteed. You need to lodge the appeal within the same time limits as an administrative review.

Fresh application

In many cases, the most practical option is to make a fresh application. This means addressing the reasons for refusal and submitting a new application with corrected evidence. For example, if the financial evidence was insufficient, you might wait until you have the correct documents or a higher income. A fresh application resets the process, but it also means paying the application fee again and waiting for a new decision.

How a solicitor can help

Navigating a family visa refusal can be stressful and confusing. The decision letter may use legal language that is not easy to understand, and the time limits are tight. A solicitor who

specialises in UK immigration law can review the refusal letter, explain the specific reasons, and advise on the best course of action. They can also help gather the right evidence and prepare the application or appeal.



For those seeking expert guidance, Adamir Immigration Solicitors London offers advice on UK immigration matters, including family visas and refusals. Their team can assess your situation and explain your options based on the facts of your case. It is always worth speaking to a professional before deciding how to proceed, as the wrong choice can delay your case or lead to further refusals.

Practical steps to take

If you have received a refusal, here are some practical steps to consider:

- Read the refusal letter carefully and note the exact reasons given.
- Check the date on the letter to know your deadline for any action.

- Gather any missing evidence that addresses the refusal reasons.
- Consider whether an administrative review, an appeal, or a fresh application is the right route.
- Seek legal advice from a qualified immigration solicitor.

Do not ignore the deadline. Missing it can mean losing the right to appeal or review, and you may have to leave the UK or start the entire process again from outside the country.

The impact on dependants

If your family visa application was for you and your dependants, such as children, a refusal affects everyone. Each person's application is considered separately, but a refusal for the main applicant usually means the dependants' applications are also refused. You may need to make fresh applications for all family members together, ensuring that each application meets the requirements. This can be more complex, as you must show that the financial requirement covers the whole family and that accommodation is adequate for everyone.

Long-term consequences

A refusal does not automatically bar you from applying again, but it can have consequences. If the Home Office believes that you have tried to deceive them or that your application was dishonest, they may impose a ban on re-entering the UK for a period. Repeated refusals can also make future applications more difficult, as the Home Office will scrutinise your history more closely. For this reason, it is important to address the reasons for refusal thoroughly and honestly in any subsequent application.



Final thoughts on the process

A family visa refusal is a setback, but it is not necessarily the end of your plans to live with your family in the UK. The key is to understand why it was refused and to take the right action quickly. Whether you choose to appeal, request a review, or make a fresh application, the

quality of your evidence and the clarity of your argument matter a great deal. Professional legal advice can make a significant difference in navigating this complex area of immigration law.

If you need help with a family visa refusal, you can contact Adamir Immigration Solicitors London at Unit-1, 5 Norman Rd, London N15 4ND, UK, or call +44 20 3302 0074.