



COMMENT

‘Stranded spouses’ suffer enough trauma without the hardship of fighting through the courts

A strategy must be created and funded to help to stop the devastation caused to all family members involved

Teertha Gupta | Mani Singh Basi | Thursday June 23 2022, 12.01am, The Times

The number of “stranded spouses” is rising and will continue to grow unless increased awareness and a better strategy are established to cope with this complex social issue.

In our multicultural society, British citizens often marry spouses from other countries. In a typical scenario a non-British wife will be reliant on her British husband for her to secure immigration status in the UK after marriage — even if they have children.

If the marriage breaks down, the wife may find herself in a vulnerable position financially and socially, especially so if it is during her two-year spousal visa period. The wife may not even realise that the marriage has broken down.



The couple then travel abroad on the husband's suggestion of a holiday or to visit relatives. While abroad the husband deliberately abandons the wife without her travel documents — and if their children have accompanied them, he returns to the UK with them. Back in the UK, the husband informs others that the wife has abandoned them.

This is a classic example of a stranded spouse case. The abandoned partner is in a vulnerable situation, with an uncertain immigration status, without travel documents and finances. These cases are a common complaint of Indian victims marrying spouses abroad.

Fortunately, the English courts are adept at dealing with stranded spouse cases but their resolution can be a lengthy process that can cause significant trauma, especially when the allegations are denied by the spouse. The children may be given protection by being made ward of the courts and efforts can be made to bring the wife back to the UK, but it is not a simple process, especially if the wife is in a remote part of the world.

Additionally, immigration issues may arise and with that, significant delay — stranded spouses cannot claim to be part of a subsisting marriage and therefore entitled to a spousal visa. The wife, lacking in finances and support, may face obstacles to travelling to the UK and instructing lawyers, meaning it can take months, if not years, to gain help.

Stranded spouse cases illustrate the complex nature of abuse and coercive control and can have a long-lasting emotional impact on a couple's children — and of course the adult victim.

Although there are mechanisms to deal with these cases, greater awareness and research is required so that a national strategy can be created and funded that will stop this perverse phenomenon devastating the lives of children and adults alike.

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