



SKILLED WORKER JUSTICE ALLIANCE

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"We followed the rules; we did not expect the rules to stop following us."

Briefing Note 02

Speech to the APPG on Migration: Transitional Protection for Existing Skilled Worker Visa Holders

Topic: Addressing the Earned Settlement Policy (CP1448)

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Baroness Lister, Honourable Members, we thank you for the opportunity to address this briefing alongside such distinguished experts and advocates.

My name is Shiyi. I'm here to speak on behalf of the Skilled Worker Justice Alliance. We are a newly founded community group representing over a thousand Skilled Workers and their families who came to the UK legally, in good faith, and in reliance on the immigration rules that allowed settlement applications after five years.

We are ESG consultants, energy engineers, carers, and media producers. Not only do we contribute to the economy, we provide services to the British people and take part in and organise community events. However, the lives of our members and other economic migrants are at risk of being upended by an unforeseeable policy proposal that will move goalposts by doubling or tripling the qualifying period to 10 or 15 years and applying them retrospectively. This fundamental change is raised by the Home Office with alarmingly limited parliamentary scrutiny, and workers will be impacted in three key ways:

Firstly, these changes would cause career stagnation and economic sabotage. Highly qualified professionals are locked into static job codes to avoid the high costs associated with re-sponsorship. For example, brilliant marketing professionals are excluded from promotions because 'marketing manager' would be a different job code. This results in an artificial freeze in the labour market and massive 'brain waste'. Doubling the qualifying period will more than double the issues, as skilled workers gain more experience over time but remain stagnated.



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Secondly, the proposals would create a 'guest worker' underclass trapped in constant anxiety. While the current five-year route is already a test of resilience, across a 10- or 15- year period, a serious illness or family emergency is no longer a remote risk. A skilled worker is effectively one serious illness away from losing the life they built in this country. It could happen to anyone, really. The insecurity is compounded by the cruel irony that after paying years of National Insurance and the Immigration Health Surcharge in the UK, they would return to their home country where they lack the recent contributions required to access free treatment. This guest worker status is exacerbated by housing and credit barriers; landlords tend to reject tenants who need to extend their visas, while banks refuse mortgages or offer higher interest rates.

Thirdly, family instability is the primary trigger for a mass 'brain drain'. For a skilled professional in their 30s or 40s, family is the ultimate anchor. When the path to security for their partners and children vanishes, it is no longer a matter of 'waiting longer'—it becomes a rational decision to leave the UK. We are already seeing mid-career talent—the very people at the peak of their tax-paying potential—preparing to take their expertise and their families to more stable jurisdictions.

Finally, this level of betrayal of trust would permanently damage the UK's institutional integrity. Foreseeability is a cornerstone of the British legal system. If the government makes such a life-upending policy shift as if it's just 'Ts and Cs have changed', there will be no credibility. This sends a chilling message to innovators, global talents, and skilled workers with high incomes who are not affected by the current proposals: the rules can change anytime, no one can feel secure, ever.

I will just add another point on the proposed reduction of qualifying period if certain volunteering requirements are met. As someone who volunteered before and is currently employed in the charity sector, I agree with NCVO and hundreds of other charity organisations who have opposed these changes and advocated to keep volunteering voluntary. Additionally, as we have heard many times today, skilled workers and migrants are vulnerable to exploitation from their employer-sponsors which already result in significant higher number of hours worked in their main job.

At the end of the speech today, I ask the question, after 5 years, has a skilled worker 'earned' settlement? My answer would be an emphatic *yes*. Settlement has never been 'automatic'; it has always required continuous employment, sponsorship, compliance,



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and contribution. The current rules form a transparent policy with clear parameters that these proposals seek to break by creating a precedent of moving goalposts that workers and their families have relied on to move their lives to the UK.

We urge you to protect these migrants who came legally to contribute to the country, but also to protect the UK's future by starting discussions with your colleagues and seeking explicit confirmation from the Home Secretary that transitional protections will be put in place to prevent the new settlement rules from being applied retrospectively to skilled workers and dependants.

Draft speech completed on 21.1.26 and edited after the meeting to reflect oral improvisations, but this may not be 100% accurate.