



SKILLED WORKER JUSTICE ALLIANCE

Analysis • Evidence • Scrutiny

Dear Sir Keir Starmer MP,
Prime Minister of the United Kingdom,

I write to you regarding a matter of significant legal, constitutional and human concern affecting thousands of law-abiding residents currently on the Skilled Worker route, and expressing deep concern regarding the proposal within the Earned Settlement consultation (CP 1448) to **apply new settlement requirements with retroactive effect to individuals who are already on the established 5-year Skilled Worker pathway.**

I am writing on behalf of the **Skilled Worker Justice Alliance (SWJA)**. Although I am not personally resident in Holborn and St Pancras, the direct involvement of our organisation and its members, combined with the significance of this issue, compels us to write to you in your dual capacity as both constituency MP and Prime Minister.

SWJA is a non-profit organisation registered with Companies House (Company No. 16883778), representing over one thousand Skilled Worker migrants across the UK – professionals in healthcare, education, social care, engineering, technology, hospitality and other essential sectors. Many live or work within your own constituency of Holborn and St Pancras.

Our organisation was formed because thousands of families now face the alarming possibility that settlement rules they relied upon in good faith may be fundamentally altered mid-journey. Your long-standing record as a human rights barrister, and your public commitment to fairness, proportionality and evidence-based policymaking, give us confidence that you will appreciate the gravity of this situation and understand the profound implications of these proposals.

1. The Rule of Law and the proposal's potentially retrospective effect

The Government's proposal to retrospectively extend the settlement qualifying period from 5 years to 10–15 years has caused deep anxiety across our community. We fully respect the Government's authority to reform immigration policy for future entrants. However, applying new rules retrospectively to those already living in the UK raises serious concerns regarding fairness, legal certainty, proportionality and adherence to principles of trust between the state and its



SKILLED WORKER JUSTICE ALLIANCE

Analysis • Evidence • Scrutiny

residents.

Prime Minister, throughout your career you have championed the **predictability and integrity of the legal system**. Many of our members chose the UK precisely because they believed in these values. For this reason, we respectfully ask:

- Does imposing a fundamentally different settlement timeline on people who have already lived in the UK for years not raise serious human rights concerns about **legal certainty, proportionality, and respect for private and family life**?
- The House of Lords Constitution Committee has made clear that although Parliament is sovereign, it "must exercise this power with due care, bearing in mind compliance with the state's international obligations." **A mid-journey rule change undermines core rule-of-law principles.**

2. A Crisis of Trust and Stability

Every major life decision our members made—buying homes, taking mortgages, relocating families, accepting employment, enrolling children in schools—was based on long-standing Home Office guidance clearly setting out a 5-year route to settlement.

Changing the rules midway creates instability not only for families but also for employers, local services and communities that rely on them. As one member said: "We followed the rules exactly. What we did not expect was that the rules would stop following us."

Applying new rules with retroactive impact undermines public trust, causes profound anxiety, and creates uncertainty for the employers and public institutions that rely on Skilled Worker professionals. This contradicts your Government's call for "integration" and weakens confidence in the UK's immigration system.

3. Political Risk and the Return to Principle

Prime Minister, you once articulated a truth that resonated deeply with our community: "**The immigration system is broken. But that is not a failure of immigration — it is a failure of politics.**"



SKILLED WORKER JUSTICE ALLIANCE

Analysis • Evidence • Scrutiny

The decision to impose a fundamentally altered settlement pathway on individuals already partway through the existing route—despite the significant legal and social risks—creates a strategic trap. The consequences are predictable: widespread Judicial Review challenges, strong opposition from unions and civil society, and the loss of talent from essential sectors. These outcomes would almost certainly produce headlines of “administrative chaos” and “legal failure”.

We respectfully urge you to avoid taking a course that would generate a crisis of the Government’s own making, offering political opponents the very “failure of politics” that could undermine your broader reform agenda.

4. A Genuine Protective Transition

What we seek is simple, fair and legally coherent: **Anyone who entered the UK under the existing 5-year Skilled Worker settlement route, and who continues to meet the original requirements, should remain on that pathway.**

We understand and fully accept that the Home Office has the authority to reform immigration rules. We do not oppose creating a new framework for future applicants, nor are we seeking to stop the Earned Settlement framework. Our concern is specific and limited: to protect those already lawfully residing in the UK who committed to the existing pathway.

5. Our Request

Many members express a painful but simple truth:

Had they been told before entering the UK that the 5-year pathway was uncertain, they would have made fundamentally different life decisions, including choosing another country. Changing the terms only after people have built their lives here is not something any reasonable person would consider fair.

In light of the legal and human impacts described above, we respectfully ask that you:

1. Oppose any settlement reform that would be applied with retroactive effect to existing Skilled Worker migrants who relied on the long-standing 5-year ILR pathway.

2. Issue a clear instruction to the Home Office

to ensure that:

- any new settlement framework is not applied with retroactive effect to



SKILLED WORKER JUSTICE ALLIANCE

Analysis • Evidence • Scrutiny

existing residents;

- a full grandfathering provision is guaranteed for all who entered under the current 5-year route;
- policy development strictly observes the principles of legal certainty, legitimate expectation, proportionality, and the rule of law, as emphasised by the House of Lords Constitution Committee.

3. Raise this matter urgently within Cabinet and with the Home Affairs Committee

highlighting the significant legal, operational and workforce risks to the NHS, social care, education, engineering, technology and other critical sectors.

4. Publicly reaffirm your commitment

to humane, evidence-based immigration policy, ensuring that lawful, contributing residents are not penalised for political targets or numerical objectives.

5. Agree to a brief meeting with SWJA

We respectfully request a 30-minute meeting with you or a senior representative of your office, to present evidence and lived experience from affected families and employers. Given the scale of national anxiety, even a short meeting would provide critical reassurance and demonstrate your Government's commitment to fairness.

6. Support Parliamentary action by endorsing EDM 1956

We ask that you personally support – or encourage members of the governing party to support – Early Day Motion 1956, which calls for retaining the 5-year ILR pathway for current Skilled Worker residents. Such support would send a strong signal that your Government upholds the principles of fairness, legal certainty and constitutional responsibility. <https://edm.parliament.uk/early-day-motion/64360/fiveyear-indefinite-leave-to-remain-pathway-for-skilled-worker-visa-holders>

Given the seriousness of the legal, constitutional and human implications, it is essential for our community – and for the employers and public services that rely on us – to understand the Government's unequivocal position on whether the new settlement framework will be applied with retroactive effect to existing Skilled Worker residents.

A clear, unambiguous answer from you would provide the certainty that thousands of families urgently need. We kindly request a written response to each of the points outlined above.



SKILLED WORKER JUSTICE ALLIANCE

Analysis • Evidence • Scrutiny

A solution that maintains stability for existing residents while allowing reform for future applicants is both possible and necessary. We would be grateful for your response and hope to continue constructive dialogue as this issue develops. SWJA primary focus is advocacy, constructive dialogue and collaborative problem-solving. We are committed to engaging respectfully with Government, Parliament and all relevant institutions to seek a fair and workable solution through communication and negotiation. Legal avenues are not our preferred approach, and we would only consider them **as a measure of last resort**, should all efforts at engagement, consultation and cooperation fail. Our hope is firmly that principled dialogue will prevail, avoiding unnecessary legal escalation for all parties involved.

Thanks for your consideration.

Yours Sincerely,

Skilled Worker Justice Alliance (SWJA)

9 December 2025

Prepared by Zonglin Lyu

for Skilled Worker Justice Alliance (SWJA)