

# **Written Evidence by the Skilled Worker Justice Alliance (SCI0345)**

## **1. Introduction and Statement of Interest**

The Skilled Worker Justice Alliance (SWJA) is a representative body comprised of more than 500 international professionals currently residing and working legally in the United Kingdom under the Skilled Worker visa route. Our membership is a testament to the success of the UK's post-Brexit immigration policy, drawing high-skilled talent from across the globe—including medical doctors, software architects, civil engineers, research scientists, and educators. We submit this evidence to the Justice and Home Affairs Committee to address the catastrophic implications of the policy proposals outlined in "A Fairer Pathway to Settlement" (CP 1448). Our members relocated their lives, families, and capital to this country based on a clear, legal, and stable "social contract": the promise of a five-year qualifying period for Indefinite Leave to Remain (ILR).

The SWJA proceeds from the professional understanding that while settlement in any nation is never an inherent right, it is a status that is meticulously and exhaustively earned through a rigorous contract of contribution. We contend that the proposal to extend this qualifying period to ten years, particularly if applied retrospectively to those who have already spent years fulfilling their side of this bargain, represents a profound injustice and a breach of the Rule of Law. We do not merely represent 500 individuals; we represent the vanguard of the UK's essential high-skilled workforce who have already "paid their dues" through professional service and sustained taxation, only to find their promised security subject to unilateral cancellation.

## **2. The Reciprocal Contract: Earned Status vs. Arbitrary Extension**

The SWJA categorically rejects the mischaracterisation of a ten-year residency requirement as a form of "earned settlement." For the Skilled Worker cohort, settlement is not a gift bestowed by the State, but the fulfillment of a reciprocal legal contract. Our members do not view Indefinite Leave to Remain as a discretionary privilege; it is the hard-earned result of years of high-level professional labour, exhaustive fiscal contribution, and deep social integration. When a professional of this calibre chooses the United Kingdom, they do so based on a specific, high-stakes mutual exchange: the UK acquires their rare expertise and immediate tax revenue, and in return, the individual is guaranteed a stable, five-year path to permanent security. To unilaterally move the

goalposts mid-way through this journey is not a legitimate policy adjustment; it is a predatory and arbitrary extension of a bargain already struck.

The scale of this betrayal is underscored by the absolute reliance our members placed on the UK's word. Data from our collective confirms that a staggering **90%** of respondents identified "immigration policy certainty" as the decisive factor in their relocation. This was not a passive preference, but a reliance that triggered life-altering financial commitments that cannot be undone. Based on the 5-year promise, nearly half (**46%**) of our households have already purchased residential property, anchoring their futures to the British economy. Furthermore, **67%** have liquidated their global family estates to transfer their entire wealth into the UK banking system, and over half (**53%**) explicitly walked away from higher-paying career opportunities in competing nations specifically to commit to the UK. For the State to now attempt to retrospectively double the qualifying period is a demonstration of bad faith. It ignores the reality that the migrant has already "earned" their status through years of sustained performance. Changing the terms of residency after the work has been performed is not "restoring order"—it is an unprincipled breach of the social contract that treats high-skilled professionals as disposable economic units rather than valued future citizens.

### **3. The Economic Injustice of the "Perma-Temp" Trap**

The Committee asks what the implications are of having many long-term residents on temporary visas. Our evidence suggests that the result is the creation of a "Perma-Temp" class—individuals who are economically indispensable but legally and socially precarious. This state of "permanent precarity" creates a significant drag on UK productivity. When a worker is kept in a temporary state for a decade, they are forced into a state of "defensive career planning." Data from our membership shows that **38%** of high-skilled workers are now actively suppressing their own career progression. They are avoiding promotions or refusing to change employers to fill skill gaps because they fear any administrative change might jeopardize their fragile standing.

This "talent freezing" means that the UK is not receiving the full benefit of the skills for which these individuals were recruited. Furthermore, while **84%** of our members have entered into long-term housing commitments, the extension of temporary status prevents them from fully integrating into the social fabric. A resident who cannot plan beyond a

two-year visa renewal is a resident who cannot fully commit to local community leadership or long-term financial investments. This creates a state of chronic psychological stress, reported by **76%** of our members, which leads to decreased professional efficiency. The "Perma-Temp" trap treats the world's most valuable recruits as disposable economic units rather than future citizens, keeping them at arm's length from the society they are actively building.

#### **4. Fiscal Extraction and the Moral Argument for Earned Settlement**

The Government's proposal utilizes the term "earned settlement," yet our evidence shows that this settlement is being earned every single day through significant fiscal contributions. The cohort we represent consists of high earners, with a vast majority contributing between £38,700 and £125,000 in taxable income annually. These individuals are not a burden on the state; they are its financiers. Every member of our alliance pays full Income Tax and National Insurance, and **60%** fill roles in critical skill-shortage sectors that sustain the NHS, the aerospace industry, and the green energy transition.

Beyond taxation, the "cost barrier" to residency has become a punitive wealth tax. Our data indicates that **45%** of families have already invested more than £100,000 into the UK through visa fees, the Immigration Health Surcharge (IHS), and housing costs. If the settlement route is doubled to ten years, these families will be forced to pay these exorbitant fees multiple times over. This would impose an "Extreme" financial burden on nearly half of all affected households, with **92%** reporting that the proposed changes would create significant or extreme financial pressure. The UK is effectively telling these professionals that their high taxes, essential skills, and social contributions are not enough—they must also endure an additional five years of financial extraction. This turns settlement into a privilege reserved for those with the most capital, rather than a transparent reward for those who have already "paid their way" into British society.

#### **5. International Competitiveness and the Retention Crisis**

Global Britain must compete in a global market for mobile talent. Peer nations like Canada offer permanent residency in as little as 12 to 24 months for high-skilled applicants. If the UK moves to a ten-year route, it becomes a global outlier—a destination of "last resort." Our evidence indicates that nearly **70%** of current Skilled Workers would have actively avoided the UK had they known the route to settlement would be extended mid-way.

The danger is not just that the UK will fail to attract *new* talent, but that it will trigger a "brain drain" of the established 2021–2025 cohort. These are individuals who have already integrated, who have "British" experience, and who are currently powering UK industry. Our members are already identifying alternative destinations. If the contract of trust is breached, these professionals will take their tax revenue, their expertise, and their families to countries that respect the "Social Contract." The UK cannot afford the loss of the establishment costs it has already "sunk" into this group. Retrospective policy changes are a signal to every high-skilled person in the world that the UK is an unreliable partner that views its legal residents as a resource to be exploited rather than a community to be settled.

## **6. The Humanitarian Impact: Integration and the Welfare of Children**

The most egregious aspect of the proposed policy is the harm potentially inflicted upon the children of Skilled Workers. We represent a cohort of children who are "British in all but passport." Our data shows that **72%** of these children are currently being educated in UK schools, where English is their primary or only fluent language. They know no other home. Under Section 55 of the Borders, Citizenship and Immigration Act 2009, the Home Secretary has a statutory duty to consider the best interests of the child as a primary concern.

Forcing these children to remain in a state of visa precarity for ten years—denying them the security of permanent residency during their most formative years—is a direct violation of this duty. **76%** of parents in our group report that the continued instability and the potential threat of being forced to leave the only home their children know would cause "severe and long-lasting harm." Promoting integration requires providing a stable foundation for the next generation. A child who spends ten years waiting for their home to "accept" them is a child whose integration is being actively obstructed by the state. This is a humanitarian crisis masquerading as an administrative change.

## **7. The Injustice of Retrospectivity**

The SWJA wishes to emphasize to the Committee that while a government has the right to change its immigration policy for *future* entrants, applying such changes retrospectively to those already on the 5-year route is a violation of fundamental fairness. Our members did not arrive here with a "temporary" mindset; they arrived

with a "settlement" mindset, encouraged by the Home Office's own marketing of the Skilled Worker route.

To tell a professional who has worked, paid tax, and contributed for several years that their qualifying period has been doubled is to ignore the reality of their "earned" contribution. It punishes those who have most successfully integrated and most dutifully followed the law. Retrospective application is an admission that the State is willing to exploit the "sunk cost" of its residents, knowing they are now too deeply embedded to leave easily. This is predatory policy-making. We believe that once a migrant has entered the route and begun their contribution, the terms of their settlement should be protected.

## **8. Recommendations to the Committee**

The Skilled Worker Justice Alliance represents a community that has already proven its commitment to the United Kingdom. To protect the UK's reputation and economic stability, we recommend:

1. **Mandatory Transitional Arrangements (Grandfathering):** The Committee must urge the Home Office to formally guarantee that any change to the duration of the settlement route will exclusively apply to new visa applicants who enter the UK after the policy has been enacted. The five-year path to ILR must be protected for all those who entered the route prior to the policy change.
2. **Consistency of Criteria:** The Government should provide a formal guarantee that the criteria for settlement will remain consistent with the rules in place at the time of an applicant's initial entry into the route.
3. **Fiscal Relief:** If the route is extended for any future category, the Government must waive subsequent renewal fees and the IHS for those affected, to prevent the financial exhaustion of working families.
4. **Prioritization of Children's Stability:** Any settlement policy must include a "protected status" for children who have completed at least three years of education in the UK, ensuring their right to a stable home is never used as a bargaining chip in immigration reform.

The SWJA represents 500+ professionals—and thousands more beyond our group—who came to the UK in good faith. We have brought our skills, our families, and our hearts to this country. We have worked, we have

paid our taxes, and we have contributed to our communities. We have earned our place. We ask only that the UK honours the promise it made to us when we arrived. Honouring the 5-year route is not just a matter of immigration policy—it is a matter of national honour and the integrity of the British State.

*19 January 2026*