

GREC is a registered charity based in Aberdeen, taking a leading role in advancing equality across North East Scotland - including Aberdeen City, Aberdeenshire and Moray - since 1984. GREC focuses on tackling prejudice and discrimination, celebrating diversity, building positive community relations, and providing evidence to change policy and practice through a range of services and projects.

Our response is built on our years of working with migrant individuals, families, and communities, the lived experience of members of our team, and research conducted both by ourselves and other researchers. We believe that the immigration system and hostile/compliant environment policies need radical change to promote human rights. However, the proposed changes to indefinite leave to remain criteria would put some of the most vulnerable members of our communities at further risk of harm and stoke division and inequality across and within communities.

What is the likely impact of longer routes and stricter requirements for settlement on migrant households already in the UK? This could include: the financial and economic impact, including access to benefits...

Longer and stricter requirements for settlement will result in more households trapped within the settlement process, prolonging a period that is expensive for service providers, detrimental for employment, and financially dangerous for families. As more families are forced to live with No Recourse to Public Funds (NRPF) and Restricted Eligibility (RE) conditions for longer periods of time, more families will be pushed into poverty. As research by the Joseph Rowntree Foundation<sup>1</sup> and COMPAS<sup>2</sup> has found, the immigration system drives destitution among migrant households by restricting opportunities for employment and safety nets from deprivation. Poverty is in turned linked with a wide range of poorer outcomes, including health, homelessness, employment, and life expectancy.

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<sup>1</sup> [https://www.jrf.org.uk/deep-poverty-and-destitution/destitution-by-design-righting-wrongs-of-uk-immigration-policy-in-scotland#\\_-work](https://www.jrf.org.uk/deep-poverty-and-destitution/destitution-by-design-righting-wrongs-of-uk-immigration-policy-in-scotland#_-work)

<sup>2</sup> <https://www.compas.ox.ac.uk/wp-content/uploads/2024-b-Understanding-Migrant-Destitution-in-the-UK-Executive-Summary.pdf>

Deprivation is expensive not just for individuals and families, but for societies: according to COSLA's analysis on NRPF<sup>3</sup>, in 2022/23, Scottish local authorities spent £8.3 million on NRPF cases, with over 40% of those cases involving homelessness or rough sleeping. Furthermore, the same report points out that Home Office decision making and policy changes were increasing pressure on council services. Expanding the population of people with NRPF/RE conditions as a result of longer pathways to indefinite leave to remain would consequently overwhelm local authority and third sector services, which are already under pressure from decades of cuts, austerity, and shifting of social responsibility. The NHS will also be financially affected by more people without ILR: research by the King's Fund<sup>4</sup> demonstrates that people in poverty experience worse mental and physical health and greater difficulty accessing care in the early stages of illness, both of which compound to create much higher costs for healthcare services.

For those migrants with a right to work, increasing the time and requirements of the settlement process will make them more reliant of workplace visa sponsorship. At the same time, because longer pathways to settlement mean higher expenses associated with sponsorship, employers will be less willing to sponsor individual workers, leading to financial precarity for migrant households and forcing more people to find work in irregular and exploitative areas. It is fundamentally unfair for the Home Office to demand that migrants find employment, especially highly paid employment, as a condition of their settlement, while making it more difficult for employers to hire migrants and denying many migrants the right to work at all.

Even for the most highly skilled migrants, by making employment precarious for up to ten years, there is little incentive to pay for the validation of overseas professional qualifications or invest in further training, resulting in a deskilling of the workforce. Because of the lack of a social safety net, the low salaries of positions most likely to be held by migrants, and the proposed penalisation of those who receive benefits,

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<sup>3</sup> [https://www.cosla.gov.uk/\\_data/assets/pdf\\_file/0028/47674/24-02-16-CWB-Board-Item-3.1-Ending-Destitution-Together-App.-A.-COSLA-NRPF-Survey-Report.pdf](https://www.cosla.gov.uk/_data/assets/pdf_file/0028/47674/24-02-16-CWB-Board-Item-3.1-Ending-Destitution-Together-App.-A.-COSLA-NRPF-Survey-Report.pdf)

<sup>4</sup> <https://www.kingsfund.org.uk/insight-and-analysis/long-reads/relationship-poverty-nhs-services>

employed migrants are likely to feel pressured to increase their working hours unsustainably, leading to poorer service provision and the risk of catastrophic health issues or family breakdown for people in such situations.

Finally, for migrants with low literacy, the proposed changes to settlement will be doubly discriminatory. People with low literacy have poorer employment prospects and greater difficulty accessing services<sup>5</sup>. The current availability of ESOL classes is also inadequate, due to the siloed, uncoordinated nature of services and lack of teachers able to lead classes. By increasing the requirements for English language proficiency without providing support for ESOL services to increase capacity, the Home Office will be setting people up to be trapped in systems of deprivation.

... or the personal and social impact.

Extending and expanding the criteria for settlement would have devastating impacts on the physical and mental health of migrant households. As mentioned when describing the financial impacts of the proposals, restricting ILR will push more people into poverty, leading to poorer health outcomes. Because of the lack of knowledge around NRPF/RE conditions among service providers, people with those conditions also face barriers to accessing services to which they are entitled, limiting access to healthcare even further. Increasing the population waiting for ILR will only multiply this effect.

The bureaucratic infliction of ‘temporal insecurity’, as described by Victoria Canning<sup>6</sup>, both compounds the traumas of experiences of violence and produces additional harms by isolating individuals from society and denying their autonomy to make meaningful choices about their futures. In effect, temporal insecurity denies people of their agency and subjecthood, leading to some people with whom GREC have worked saying they don’t feel like they even exist. Temporal insecurity is also associated with geographical insecurity, as people for whom migration and

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<sup>5</sup> <https://www.ageuk.org.uk/latest-press/articles/low-literacy-and-numeracy-skills-lead-to-difficulties-accessing-essential-services-and-benefit-entitlements-says-age-uk/>

<sup>6</sup> Canning, V. (2021) ‘Compounding Trauma Through Temporal Harm’. In Bhatia, M. and Canning, V. (eds) *Stealing Time: Migrations, Temporalities and State Violence*. Cham: Palgrave Macmillan, pp. 105-126

displacement occupy significant portions of their lives may feel without ILR that they are never allowed to belong to a place. Especially for young people, a five year wait for ILR is difficult. To see that goal moved to ten years, or even longer, would be untenable.

Because of the insecurity inherent in waiting for leave to remain, it is difficult for many migrants to establish deep, lasting relationships with others. Experiences of impermanence, including employment precarity, mean that it can be necessary to view every relationship as temporary. By further extending the period of waiting for settlement, more people will have to face the experience of living with fewer meaningful friendships and romantic relationships for even longer, and communities will miss out on entire cohorts of people forced into isolation by their immigration status.

### What potential effect could changes to eligibility for settlement have on integration?

By unfairly changing the requirements for indefinite leave to remain, the Home Office will undermine the credibility and legitimacy of UK institutions. As Sonia Lenegan wrote for Free Movement, those who chose to come to the UK would have done so with awareness of the five-year route to settlement, and changing the rules on them is unfair. For those who didn't have a choice in coming to the UK, either because of trafficking or the pressures of seeking humanitarian protection, changing the rules is even more unjustifiably cruel. If the Home Office makes such arbitrary, punitive steps, research indicates scepticism towards UK institutions will increase among migrant communities<sup>7,8</sup>.

By communicating to migrant communities through policy and rhetoric that they are not considered "true" members of society, the Home Office will also discourage civic engagement and participation. Without a feasible process to be granted ILR, migrants will feel less belonging and investment in their communities and therefore will be less likely to participate in activities that promote social cohesion. The granting of leave to remain to refugees often marks a point at which individuals feel able to move past the immediate concern for safety and start incorporating their cultural life into their

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<sup>7</sup> <https://www.tandfonline.com/doi/full/10.1080/1369183X.2024.2320715>

<sup>8</sup> <https://www.frontiersin.org/journals/political-science/articles/10.3389/fpos.2025.1573017/full>

community. However, if the insecurity of temporary leave to remain is extended, many people will feel unable to fully actualise within their community, instead remaining trapped, scrutinised, and isolated.

As discussed previously, increasing the length and requirements for ILR will place additional burdens on local services such as GPs, food banks, and local authorities. The inability for these services to meet demands already serves as a point for malicious actors to spread misinformation and stoke division against migrants. If the induced deprivation caused by stricter requirements for settlement caused further strain on local services, such actors would be emboldened to further inflame tensions and blame migrants for issues caused by governmental failures. Such changes would then increase the vulnerability of an already-targetted group. Addressing social division and unrest with post-hoc measures such as increased policing would be costly inadequate to mitigate the consequences of a system that produces those tensions. As described by Wilkinson and Pickett<sup>9</sup>, unequal societies result in worse outcomes for everyone – not just the worst off.

How should “long-term contribution” to the UK be defined and quantified, when considering pathways to settlement?

It is our belief that contribution to the UK should not be quantified, and fundamentally could not be in a fair, meaningful way. Reducing human social relations to measurable targets will drive cynicism and damage communities. Such a system flattens the meaning of social relations and reduces the inherent value of a person’s humanity to their ability to meet narrow numerical targets.

The risks of such a system have already been demonstrated, as in the recent case of a care worker cancelling the benefits to which she is entitled, including disability living allowance for her daughter, in response to the Home Secretary’s announcements that people in such cases would have to wait 20 years for ILR<sup>10</sup>. The Home Secretary’s plans

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<sup>9</sup> Wilkinson, R. and Pickett, K. (2009) *The Spirit Level: Why Greater Equality Makes Societies Stronger*. New York: Bloomsbury Press

<sup>10</sup> <https://www.theguardian.com/uk-news/2025/nov/29/immigration-status-fears-carer-cancel-disability-living-allowance-benefit>

have put not only this family at risk, but also the people who receive care support from migrants who are forced to take dangerously long hours and manage the stresses of navigating a hostile immigration system for, potentially, decades.

If it is the Home Office's desire to encourage integration and contribution to the UK through volunteering and making National Insurance contributions, it would be beneficial to reduce, rather than increase, restrictions on working and civic participation. People who are forced to work unreasonably long hours in stressful, low-paid jobs do not have the capacity to volunteer. People who are not allowed to work are not able to make National Insurance contributions. People who are denied agency and humanity are pushed away from contributing as active citizens of society. Individual migrants, local communities, and society as a whole would benefit from a more humane approach to immigration.

The immigration system is not functional. It is expensive, dehumanising, irrational, and drives division. The system needs radical change, but the Home Office's proposals are reactionary, not evidence based, and help no one. Instead, changes to the immigration system must adopt a human rights-based approach, based on the PANEL principles, to respond to the humanitarian crises we face both domestically and internationally. The UK has obligations under the Human Rights Act 1998 to secure the right to liberty and security, to respect family and private life, and to prevent punishment without law, regardless of an individual's immigration status. Furthermore, the right to an adequate standard of living, the right to social security, the right to work, the right to health, and the right to participate in cultural life are recognised as vital human rights by the UK as a signatory to the International Covenant on Economic, Social and Cultural Rights. To both fulfil these obligations and move towards a more just society, the UK government must reevaluate its immigration and settlement policies.