Asylum and settlement plans

Background

1. Two recent immigration announcements were foreshadowed by the May white paper Restoring control over the immigration system; this parliamentary briefing contextualises where the new proposals fit.

Asylum and refugees

2. A major overhaul of the asylum system was announced on 17 November set out in the policy statement 'Restoring Order and Control' (you can also read the text of the Home Secretary's speech) with a clear three-page summary in the Appendix. The proposals fall into three categories: reducing arrivals, increasing returns, and 'safe and legal routes.' Changes include:

- Reducing refugee status to being renewed every 2.5 years with a 20 year wait for permanent settlement (instead of a single five-year period) but allowing refugees who are working or studying to change to a new route that allows for quicker settlement and family reunion.

- Government will consult on removing families who have their asylum claim refused and removing their support while in the UK.
- Refugee resettlement will be mainly through community sponsorship. Resettled refugees will wait 10 years for settlement.

Settlement

3. Days after the asylum announcement, the Home Secretary launched 'A Fairer Pathway to Settlement' as a move to the idea of 'earned' settlement, a consultation on proposals for much longer waits before new arrivals can apply to stay indefinitely in the UK without needing a visa – known as (permanent) settlement or Indefinite Leave to Remain (ILR). Proposals are summarised in this Home Office news item.

4. The key idea is to change the standard length of waiting time from five to ten years for many migrant groups (but 20 years for refugees) with further flexibility to make this wait shorter (by meeting certain criteria such as skilled workers with higher salaries, or volunteering) or longer.

5. Other major points include:

- It will be a 15 year wait for people who came on the (now closed) health and care visa, 20 years for people dependent on benefits, and 30 years for people who arrive illegally or overstay their visa.

- Importantly, settlement changes are expected to apply to everyone already in the country who has not already received ILR before Immigration Rules are changed.
- Partners of British citizens, people with status through the EU Settlement Scheme (EUSS) and people from Hong Kong holding a BN(O) visa are exempt from the changes in this consultation.

Timescales and impacts

6. These are only policy statements at this stage. Visa and settlement changes usually happen through updating the Immigration Rules (updated twice a year, without a vote) and MPs weren't given a vote on the white paper. Items like the levy on student fees (in the white paper) and naturalisation law require legislation. In September, government began procurement for facial age estimation of disputed age cases using AI.

7. We know there are two consultations prior to making specific changes:

- The current consultation on settlement changes closes in February with a view to changing Immigration Rules from April 2026, although changes may be phased in gradually after that point.
- A consultation on prioritising benefits for those who are working (including refugees) will happen in 2026.

- No timescale was given for consulting about removing families.

8. An immediate implication is likely panic and stress about the unknown or potential impacts upon people in the asylum system, people with a form of refugee status, and support services. This will include uncertainty about whether different changes are retrospective or apply to those already with refugee status. In the longer term as policy changes, the impacts on arrival patterns, operational effects, and local communities will become clearer.

About this briefing

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