IMMIGRATION REFORM
CHILDREN AND EARNED SETTLEMENT

The Home Office's earned settlement proposals would affect people across the immigration system. It will impact over two million people living in the UK, including **hundreds of thousands of children** and young people. Roughly 430,000 to 520,000 children held temporary visas with a path to settlement[1] at the end of 2024.[2] Children across the UK, in classrooms up and down the country, would be negatively impacted. Coram Children's Legal Centre has long argued that short periods of leave are not in a child's best interests; children need stability and a future horizon.

When over a third of babies born in England and Wales in 2025 were born to non-UK-born mothers,[3] it is clear that immigration reform has the potential to affect a significant proportion of children. The impact on these children should be considered through a **Child Rights Impact Assessment**.[4] The Government should consider how immigration reform will affect its wider ambitions for children and young people, including assessing the impact on child poverty.

These children will be UK adults of the future; the proposal is not for them to leave. But they would be subject to a system that holds them back rather than helps them thrive. When such a large group of children is affected, this threatens efforts to improve outcomes for children overall.

Life plans upended by retrospective effect
Families have planned their lives, families, children's education and finances and moved across the world and then the goalposts will change. The worry and uncertainty among families is enormous.[5] They are in limbo and cannot plan, for example putting off decisions to have a baby or buy a home, concerned about instability and educational disruption for their children if they have to leave the UK.

Entrenching inequalities – banker child's on three years, care worker's on 15
The plans go directly against efforts to equalise opportunities, with the child dependant of a banker earning over £125,140 on a three-year route to settlement and the child dependant of a care worker on a 15-year route. Some children – including British children – would have parents on 30-year routes to settlement, or parents barred by mandatory requirements from ever settling at all.

Racialised impacts
IPPR's estimates of the qualifying period for ILR under the earned settlement proposals for people

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[1] Children on a route to settlement include dependants of skilled workers, international sportspeople, innovator founders, global talent visa-holders, ancestry visa-holders and those on private life and family routes. Routes that do not lead to settlement include: visitors, students, seasonal workers, temporary work visas, global business mobility visas and graduate work visas.

[2] https://migrationobservatory.ox.ac.uk/resources/commentaries/changes-to-settlement-what-do-they-mean/

[3] https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/livebirths/bulletins/birthsummarytablesenglandandwales/2025finalrates

[4] We welcome the Government stating in the House of Lords its commitment to the UN Convention on the Rights of the Child in this context, with Lord Hanson stating on 26 January 2026: "The UK Government are committed to the United Nations Convention on the Rights of the Child. I give that commitment to the noble Lord: that is what we are committed to. The policies that we are bringing forward, which are subject to consultation, will be in line with those policy objectives." Hansard, 27 January 2026: https://hansard.parliament.uk/lords/2026-01-27/debates/2B4BBB9A-BF8C-4E87-93A3-D27354180760/AsylumAndImmigrationChildren. However, the Home Office is not undertaking not a Child Rights Impact Assessment but a "children impact assessment" and has not committed to publish it: https://questions-statements.parliament.uk/written-questions/detail/2026-09-01/hl2952

[5] https://contact-mp.justice-for-carers.workers.dev/reports/full-report.pdf

granted skilled worker entry clearance visas in 2022-23 indicate that the majority of people from Africa and South Asia will wait 15 years to settle, while most people from North America and Europe will wait five years.[6]

Missing out on opportunities

Paying immigration fees over long periods strains family finances. As the Immigration Law Practitioners' Association has pointed out, for a family of four, where the main applicant is a standard skilled worker, the total cost of fees and Immigration Health Charge for a 10-year route at today's rates would be **£68,236**.[7] Saving for the next application diverts money from other things like saving a deposit on a family home but also from trips, clubs, swimming lessons – the things that shape a child's life chances.

Holding young people back

Children's route to settlement can determine the point at which they can access home fee status and student finance for university (though some young people with limited leave can get these), become eligible for NHS bursaries, join the civil service or army or police, vote and stand for political office, represent their country in sport, spend extended time abroad, get UK consular protection, and pass on British nationality to any children they may have. Delaying ILR for UK-adults-of-the-future prevents them achieving their potential and contributing fully to the society they call home.

Identity and belonging

If the proposals go ahead, legal status will lag integration. To grow up in a country – to be *from* a country – but not be recognised as permanently belonging to that country creates a disconnect. Childhood and teenagerhood are a distinct phase of life in forming a person's identity and the immigration system must reflect this. It should reflect public opinion on the importance of speaking English, growing up here and feeling British to what people think constitutes British identity.[8]

The Government should listen to youth organisation **We Belong**. They have highlighted what they call "state-sponsored unwantedness".[9] Their research gives insight from young people who have grown up in the UK but remain on short-term leave:

"I've lived in the UK from such a young age. I feel I am part of British society – but it's just the immigration system that does not want me to be part of British society. You don't feel British sometimes because they don't want you to be British and that's the problem."

"I have literal reminders that I don't belong here. Having to renew constantly is a reminder, and because there is no certainty that I am going to complete this [LLR] route that's also a huge reminder."

"You're literally trying to fight so hard to stay in a country that you think that you belong to; that you want to belong to; that you want to give back to in any way, shape or form that you can."

"In your head, you're thinking, 'why do I have to go through all this bureaucracy?' because you feel like you belong. It has a way of changing how you see yourself."[10]

More children in poverty

Giving parents no recourse to public funds (NRPF) for longer periods of their children's infancy and childhood will increase child poverty. Independent analysis by Landman Economics and IPPR

[6] https://www.ippr.org/articles/windrush-day-the-unfinished-business-of-immigration-reform
[7] https://ilpa.org.uk/ilpa-letter-20-things-you-may-not-know-about-the-earned-settlement-proposals/
[8] https://www.ippr.org/media-office/revealed-shared-values-still-define-britishness-for-most-but-ethno-nationalist-views-are-rising-fast
[9] https://www.webelong.org.uk/latest/home-secretary-responds-concerns-state-sponsored-unwantedness-young-migrants
[10] https://www.webelong.org.uk/sites/default/files/uploads/WB%20mental%20health%20report.pdf

estimated that the proposed earned settlement rules could prolong poverty for up to 90,000 children of migrant workers by 2029.[11] Costs will increase for local authorities supporting children.

More children missing out on early years entitlements
One of the groups losing out on the 30-hour entitlement is children in families with NRPF. Earned settlement will make this worse, with hundreds of thousands of families living with NRPF for longer.

RECOMMENDATIONS

1) Treat the best interests of children as a primary consideration
This is what is required under the UK's international legal obligations.

2) Listen to children
Consult children and young people growing up on visas or with parents on visas.

3) Do not apply the proposals retrospectively
Legitimate expectation must apply. This means an application will be decided according to the rules as at the date of decision unless you were on an existing route, in which case you must be allowed to continue on that route. Families need predictability.

4) Public sector workers' dependants on a five-year route
Dependant children of those in public service occupations must also be on five-year routes.

5) Allow amalgamation of time on different routes
It must be possible to merge time spent on different routes to qualify for settlement. If someone moves to a shorter route, the total route length should be that shorter one, for example if they become the family member of a British person their total route should be five years.

6) Keep existing private life routes for children and young people
We welcomed that the November 2025 consultation mentioned the specific need to consider children, stating "[i]n developing an earned settlement system, we will take full account of the appropriate pathways to settlement and citizenship for children either born in the UK or arriving here". We welcomed that on 5 March 2026 the Home Secretary said "we will have to have bespoke routes for children".[12] This should mean keeping existing private life rules for children and young people, [13] only recently reformed in 2022 under the Conservative Government to provide:

a) **ILR at seven for children born in the UK**: A child born in the UK who has been continuously resident for seven years qualifies for immediate settlement, irrespective of parent's status.
b) **Five-year route for long resident children and young people**: For children not born in the UK who have spent seven years in the UK, and for and young adults aged 18-24 who have spent half their life in UK, there is a five-year private life route to settlement.

Alternatively, grant immediate ILR to children who have spent seven years in the UK. This has been done in the past in the UK. Seven years is used as a benchmark in Denmark for those who have spent formative years there.

7) Sort status by 18 not at 18
The Home Office has repeatedly stated it will "adhere to commitments laid out in the 2025 UK Immigration White Paper … to ensure children who have been in the UK for most of their life, turn 18 and discover they do not have status, are fully supported and able to regularise their status and

[11] https://www.praxis.org.uk/news/settlement-proposals-threaten-to-keep-90000-children-in-poverty
[12] https://www.youtube.com/watch?v=6yFLnx5zmw4
[13] https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-private-life

settle." We urge the Home Office not to wait until children turn 18. Immigration status should be resolved before a young person's 18th birthday if it is not to hold them back as they enter young adult life. The Home Affairs Committee recommended in March 2026 (emphasis added):

> *As a matter of principle, the Government should ensure that all children who arrive at a young age and grow up in the UK are granted settled status **by** the age of 18. Children who arrive at a later stage—such as those in their mid-teens— should have clear, realistic and accessible pathways to settlement that do not inhibit them from beginning their adult lives.*[14]

8) Allow a child to settle as a dependant with the first settling parent

At the moment children can acquire settlement as dependants without a qualifying period, for example as the dependant of a skilled worker, but usually only when both parents are settled. The Home Office should grant children settlement as a dependant in line with their first settling parent. This is even more important if the Home Office keeps the proposed individualised routes rather than household assessment of income because, as originally proposed, the child would be held back by having a parent who was a care-giver or who could not work due to disability or was barred by the mandatory requirements.

9) Treat young adults fairly

As above, the private life route should remain for 18-24s. Additionally, where a young person who arrived as a child could settle as a dependant with their parent, they should not have to earn settlement in their own right. The Home Office should impose no age cut-off after 18 so a young adult can settle alongside their family without having to independently meet income and other requirements – which would be overly onerous at this stage of life and in the current youth labour market. To stay as a dependant on a family-determined route they should not have to, as now, evidence financial or other dependency which would stop them building their adult life.

10) Treat families with settled sponsors like families with British sponsors

Do not introduce differentiation between family members of settled persons and family members of British persons. This could mean a child is on a longer route simply because their parent cannot afford the £1709 naturalisation fee or otherwise cannot naturalise, for example if they are from a country that does not allow dual nationality.

11) Parents of British children on a five-year route

It is important that those with leave under Appendix FM as the parent of a British child are included in the five-year route cohort. The effort to give weight to where one family member is British should go further: anyone with a British child (i.e. even if they do not hold leave in this category) should be on a five-year route.

12) Recognise that contribution includes parenting and care-giving

A system based so centrally on income as has been proposed is one that will penalise women. It will fail to take account of care for babies, children and young people.

13) Do not proceed with penalties making routes of up to 30 years

The consultation proposed routes of up to 30 years for those who arrived in the UK illegally, arrived on a visitor visa or overstayed any type of permission for six months or more. These penalties do not take account of how the Home Office has already considered past immigration breaches when it puts someone on a route to settlement in the first place. The Home Affairs Committee said: "A 30-year route is too long". Proposals that accessing benefits at all could put you on a 15-year route and accessing them for over a year could put you on a 20-year route should also be abandoned. They create real safeguarding risks if families are deterred from accessing support for their babies and

[14] https://committees.parliament.uk/publications/52138/documents/290281/default/

children, including disabled children, children in families where there has been domestic abuse and children living in destitution.

A family with British children is on the existing ten-year route to settlement, about to apply for their final tranche of leave before expecting to apply for settlement in 2029. They have saved thousands for the fees. The proposals would give them a 20-year penalty for a period of overstaying which originally came about due to the rejection of an application over 15 years ago because passport photographs they had submitted had the wrong coloured background and multiple subsequent applications were refused due to their status as overstayers which took years to resolve.

At minimum, the Government should not impose the 10- and 15-year public funds and 20-year immigration breach penalties retrospectively for families already granted leave on the basis of private or family life – routes designed to ensure the UK complies with its human rights obligations. If penalties go ahead, proportionality and reasonableness of a penalty must be considered in view of the whole family's situation. If a parent has a British child, a 30-year route for the parent due to past overstaying is inappropriate. The British child could spend their entire childhood cut off from mainstream support due to their parent's status.

14) Limit visa fees and cap the Immigration Health Surcharge

Families should not pay tens of thousands of pounds to settle, diverting income away from meeting children's needs. The Immigration Health Surcharge must not be paid beyond five years.

15) Improve the fee waiver process and review settlement fees

The fee waiver process is difficult to access for families making eligible applications and needs to be improved. At settlement stage, children, young people and families should not be blocked by the £3226 ILR fee; it should be reduced and there should be an option to apply for a fee waiver for settlement.

16) Introduce flexibility into any mandatory requirements to prevent permanent unsettlement

The Home Office should ensure that being barred from ever settling is minimised. In relation to suitability, criminal convictions as a child must be disregarded. Before proceeding with further mandatory requirements for ILR, the Home Office should review how many people are being knocked off a route to settlement by the November 2025 suitability changes and consider what will happen to them.

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