

Hibiscus Initiatives' submission to the Justice and Home Affairs call for evidence: Settlement, Citizenship and Integration call for evidence

January 2026

Hibiscus Initiatives ('Hibiscus') Hibiscus is a feminist, anti-racist and intersectional women's organisation that has delivered high-impact advocacy and advice services to Black and minoritised migrant women in contact with the Criminal Justice and Immigration systems We have been active in this field for nearly forty years. Between April 2024 and March 2025, Hibiscus supported 654 women from 82 countries. 95% of them identified as Black and minoritised women and 40% came from the Global South. The information in this response is drawn from our own caseload and discussions with our frontline practitioners.

Hibiscus currently works with women in the Greater London area. We partner with women through specialist casework support, advice and advocacy; group information and therapeutic workshops; and engaging them to transform the immigration system and CJS.

Our response to this call for evidence is based on the insights and lived experience of our service users and learned experience and observations of our frontline colleagues.

We are responding to this call for evidence as we are concerned that the government's proposed changes to the pathways to settlement will have a significant negative impact on migrant women living and working in the UK. In addition, we believe that they will have a disproportionately negative, and in many cases devastating, impact on Black and minoritised migrant women.

Recent developments in Government policy on settlement and citizenship

It is clear the policy intention behind the proposals on settlement and citizenship is to create additional barriers for migrant people seeking to live in the UK indefinitely. We do not believe that the proposed changes will significantly influence most women's decisions to migrate to the UK, as migration is rarely motivated by long-term settlement prospects. Many women migrate, or are forced to migrate, because they are fleeing violence and persecution, trafficked into the UK, seeking safety after violence against women and girls (VAWG), or joining family. Such decisions are made in circumstances where safety, survival, and protection far outweigh considerations about future settlement rules.

What is clear, however, is that the proposed changes will make life significantly harder for those who are already here. Many of the women we support (59% of whom have no recourse to public funds) are already pushed into poverty, exploitation, and abusive relationships because of their insecure status and exclusion from essential support. Extending the length and conditions of settlement will only deepen this vulnerability,

keeping women in exploitative work or violent relationships for longer, and worsening poverty, instability, and mental health outcomes for them and their children.

The proposals will also intensify fear of enforcement and mistrust of authorities, making women less likely to seek help or report abuse. Rather than reducing migration, these changes will entrench precarity, marginalisation, and intergenerational harm among Black and minoritised migrant women who are already contributing to the UK.

It is not clear what the government means by the concepts of “earned settlement” and “earned citizenship”. There is no universally understood definition of what constitutes a “good migrant” or “good citizen”, nor of what makes someone “worthy” of settlement. It is concerning that the government has adopted such subjective terms at a time when rhetoric around migration is so divisive.

The public discourse on migration has been dominated by those who oppose it, including many with explicitly racist and xenophobic views. This risks allowing policy to be driven by a small group, likely resulting in significant and avoidable harm and suffering for migrant people. This must be avoided. First, the government must listen to a wider range of voices, including migrant people themselves and those who experience additional marginalisation, such as Black and minoritised migrant women. Second, it must make a positive case against far-right policies by engaging in public debate and communicating evidence-based information on migration, rather than simply following the far right in policymaking.

Historical and International Context

The concepts of “earned settlement” and “earned citizenship” continue a legacy of racism and xenophobia that runs through the UK’s foreign and domestic policy. The history of colonialism and subjugation persists today in the othering and exclusion of migrant people in the UK. This is reflected clearly in the weight placed on migrant people to prove their worth in applying for settlement.

Past errors and systemic failings (such as the Windrush scandal) have made the cruelty of the Home Office’s treatment of migrant people, and of anyone deemed to be ‘foreign’, undeniable. These failures have caused devastating and large-scale harm. They also demonstrate that even those who comply with Home Office requirements are not protected from injustice.

The Home Office has clearly shown itself incapable of implementing such policy changes or mitigating the considerable risk of harm. As immigration has become increasingly politicised, it appears that policy no longer reflects the complexity of migration but instead mirrors the harshest rhetoric. When policy so directly and comprehensively impacts human beings, compassion and respect must be at its core. In immigration policy, that has not been the case for some time.

The Citizenship Process

The processes for applying for Indefinite Leave to Remain (ILR) and citizenship are unnecessarily complex and prohibitively expensive. This creates significant barriers to applying and places a financial burden on those who do, especially those in lower-paid work, disproportionately Black and minoritised migrant women. These costs also risk making women financially dependent on partners or family members, trapping them in abusive or exploitative relationships.

Application costs in the UK are significantly higher than in other European countries and, on some routes, among the highest in the world. There is no clear justification for these fees. The complexity of the system appears arbitrary and intentionally prohibitive.

The Life in the UK Test further illustrates this. The triviality of many questions (e.g. identifying tourist attractions or sports trivia) suggests it is not intended to measure meaningful knowledge of British life. It functions only as an additional barrier, particularly for those with low incomes, limited English, caring responsibilities or little free time, again disproportionately impacting Black and minoritised migrant women. We believe the test should be removed as a criterion for all applications.

We are concerned that the Immigration White Paper's expansion of the points-based system and the introduction of "earned settlement" will leave many people without long-term leave to remain. Lack of settled status creates sustained uncertainty, stress, and vulnerability.

We do not support the inclusion of "character" as a criterion for settlement. Such assessments are inherently subjective and risk embedding systemic bias into immigration decision-making. Criteria used to judge "good character" often penalise those who already face structural barriers and may bring people into contact with the criminal justice system despite years of positive contribution. This disproportionately impacts Black and minoritised migrant women, who already experience discrimination in policing and sentencing. Linking immigration decisions to criminal justice outcomes allows this discrimination to directly affect settlement. If character is included, it must be assessed holistically and contextualised, recognising factors such as trafficking, coercion, destitution and trauma.

We have similar concerns about proposals to assess "integration." Measures that reward financial stability, continuous employment or civic participation inevitably privilege those with resources and free time, while penalising those in precarious or low-paid work, with caring responsibilities or with limited opportunities to learn English. Victim/survivors of violence, exploitation or trafficking may be actively prevented from participating in public life, making rigid criteria inappropriate and unfair. Integration must therefore be assessed flexibly and with an understanding of trauma, inequality and long immigration battles.

Extending residence requirements before settlement would also undermine integration. Prolonged insecurity keeps families in limbo and discourages participation in community life, long-term planning and meaningful relationships. This instability disproportionately affects women with children and undermines children's wellbeing, development and sense of belonging in the UK. Any residence-based criteria must account for the realities of trauma, exploitation and complex journeys to safety. Victim/survivors of trafficking, modern slavery and VAWG often face prolonged immigration battles and barriers to stability. Penalising gaps in residence would entrench harm and prolong vulnerability. Exemptions must be made for victim/survivors of VAWG and trafficking, refugees and long-term residents already in the UK.

We are deeply concerned about proposals to penalise applicants who claim public funds. Many women we work with face structural barriers—including trauma, mental health challenges and intensive caring responsibilities—that make financial crises unavoidable. Restricting access to essential support would be punitive, unrealistic and likely to trap victim/survivors of violence in abusive situations. In some cases, abusers may claim benefits in women's names, extending economic control and exposing them to penalties through no fault of their own. These proposals conflict with basic human rights, including access to safe housing and essential services. No one should be deterred from seeking help when destitute, unsafe or unwell.

We are particularly concerned about the proposed focus on “contribution” in settlement decisions. This concept is subjective and reflects values that privilege financial security and continuous employment, while disregarding unpaid labour such as childcare, eldercare and domestic work, roles disproportionately undertaken by migrant women and essential to the functioning of society. Penalising career breaks for childcare or caring responsibilities would further entrench gender inequality. If retained, this criterion must be redefined to recognise unpaid care, community participation and engagement with services that promote safety and wellbeing.

Applying for Citizenship and its impact on integration and social cohesion

Retaining certain rights or benefits exclusively for those with British citizenship while excluding people with Indefinite Leave to Remain (ILR) risks creating a two-tiered society that is likely to fall along racial and ethnic lines.

We believe the proposed changes to settlement would deepen the disproportionate harms already produced by the current system, particularly for those who face additional marginalisation, such as Black and minoritised migrant women. The “hostile environment” framework has long contributed to heightened vulnerability, serious mental health stresses, and substantial barriers to accessing essential services, employment, justice, and safety. Rather than enhancing integration or protecting

migrant women, the proposals are likely to amplify marginalisation, particularly for those who have survived violence, exploitation, or trafficking.

Before any changes are implemented, there must be a full, independent equality impact assessment focused specifically on the discriminatory and disproportionate effects on Black and minoritised migrant women, victim/survivors of VAWG, and victims of modern slavery. We strongly call for the proposed policy to be set aside; the structural disadvantages it would introduce for already marginalised women are too severe.

Conclusion

The current immigration system, including the hostile environment policies that remain in place, have produced disproportionate harms to Black and minoritised migrant women. This includes increased vulnerability, mental health harms, barriers to accessing essential services, employment, and justice. This system must change to ensure that migrants receive the support and protection that they need, particularly Black and minoritised migrant women who face additional marginalisation.

There must be a thorough review of the potential impacts of these proposed policies before they are implemented. This must include detailed consideration of any disproportional or discriminatory impacts, such as that on Black and minoritised migrant women and victim/survivors of VAWG and human trafficking.

Migrant people must be treated with compassion and respect, not by being made subject to harmful and discriminatory policies.

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