

UK immigration court victory for highly skilled migrants

In what is being hailed as a landmark judgement that will affect 44,000 doctors, engineers and professionals, highly skilled migrants have won a legal victory overturning new tough immigration rules.

The new tough immigration rules came about as Home Office believed that the previous rules were not rigorous enough in selecting those migrants who were making the greatest economic contribution to the UK.

Simply put, it claimed that some people already on the programme were not doing highly skilled work.

This sparked fears that thousands of migrants (including doctors) who went to work in the UK under the HSMP programme that was introduced in 2002 to attract highly skilled people to the UK and encouraged them to settle there, faced the possibility of being forced to leave because they would have to reapply under a new, stricter system.

Critics argued that many of these migrants faced the prospect of deportation with their families, despite having made their main home in Britain.

The HSMP Forum group who went to court, called the unexpected changes "grossly unfair" and "a clear case of breach of legitimate expectation".

High Court Judge Sir George Newman ruled that the government has acted 'unlawfully' in changing the HSMP rules midway, and that the original HSMP scheme should be honoured.

It's been reported that the Home Office is considering an appeal against the judgement, and has also disputed that only about 1,370 people would have to leave the country under the new rules.

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About the Author

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