

Jane Hutt AS/MS
Y Gweinidog Cyfiawnder Cymdeithasol
Minister for Social Justice



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref IM/JH-/10022/21

Kevin Foster MP
Minister for Future Borders and Immigration
2 Marsham Street
London
SW1P 4DF
MinisterforImmigration@homeoffice.gov.uk

24 May 2021

Dear Kevin,

I am responding to a letter you sent to the then Counsel General and Minister for European Transition, Jeremy Miles MS, on 1 April 2021 regarding the EU Settlement Scheme and wider migration policy. As the newly appointed Minister for Social Justice, matters relating to the EU Settlement Scheme (EUSS) now fall within my portfolio. I would like to take this opportunity to introduce myself, to set out the Welsh Government's position and to respond to points raised in your correspondence.

The Welsh Government remains focussed on supporting EU, EEA and Swiss citizens in making applications for settled status. We have therefore extended funding to immigration specialists Newfields Law, Citizen Advice Cymru and third sector organisation 'Settled' past the 30 June 2021 EUSS application deadline, to ensure that support remains in place for complex cases.

I am pleased to see that the Home Office's case worker guidance has been updated to offer a level of flexibility and reassurance to those who have complex cases or for whatever reason are unable to submit an application by the deadline. I urge the UK Government to monitor the application of this guidance and ensure it remains fit for purpose as we approach and go beyond that date. I also look forward to publication of the latest quarterly statistical release, which I hope will provide additional evidence upon which to test to effectiveness of the scheme.

However, I must reiterate that the Welsh Government's position remains that the EUSS application deadline itself should be extended to ensure that come June 30 we aren't left with EU citizens who are illegally resident in the UK. We must recognise that we find ourselves in challenging times. The scheme was developed in very different circumstances to those in which our citizens currently live and work. Despite our efforts, many will have found it difficult

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

to finalise applications or access support and advice. We must make allowances for this by extending the deadline. I acknowledge that the updated case worker guidance will support the acceptance of late applications but this will not be enough for those citizens who are beginning to return to the UK as travel restrictions are eased. As a Government we value the contribution that EU citizens make to our economy, public services and communities, and want to ensure that all are given the best possible opportunity to stay here in Wales, if that is what they wish.

In addition to this I also remain concerned around the recent media coverage of EU citizens being detained at airports. Many may be returning to the UK having been unable to previously due to the pandemic and as travel restrictions are relaxed we need to ensure we are supporting EU citizens to return and not creating a hostile environment which may impact on their decision to stay.

The Welsh Government's interests in migration of course go wider than EUSS - going forward we must work collaboratively for the benefit of all those individuals and families who choose to make their home in the UK and who contribute so much to our society and economy. I welcome your statement that 'the new points-based immigration system must work for every nation, region and community in the UK' and hope that the UK Government upholds this ethos.

To support this, I hope you will develop a proactive and open style of working with Devolved Governments on all migration issues, many of which have cross cutting impacts on devolved areas of competence. Any changes to the UK's immigration system – including the proposed 'Borders Bill' – have different impacts across our nations; in recognition of this, the Devolved Governments must be given meaningful opportunities to work together with the Home Office on the development and implementation of migration policy. This is vital in order to ensure that we can support our economies, communities and citizens, and is a prerequisite of any system which does indeed work for 'every nation, region and community in the UK'.

In specific respect of the impact of the UK Immigration System on the education system in Wales, the Welsh Government will continue to engage with the sector and raise any issues as they arise through channels such as the Education Advisory Group.

More broadly, however, I hope that the Inter-ministerial Groups on Safety, Security and Migration that are currently being developed will facilitate this and I look forward to discussing these issues in more detail in that forum in the near future.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first name.

Jane Hutt AS/MS

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