

Kevin Foster MP
Minister for Future Borders and Immigration
Home Office

17 February 2021

Dear Minister,

Changes to freedom of movement after Brexit – follow up work

The External Affairs and Additional Legislation Committee at the Senedd has undertaken a follow-up inquiry into changes to freedom of movement after Brexit.

The Committee first addressed this subject in 2019, culminating in the publication of our report on changes to freedom of movement after Brexit – implications for Wales, on 8 November 2019. During the follow-up inquiry we heard evidence from EU citizens and partner organisations, academics, and the EU's Ambassador to the UK.

I have written to the Counsel General and Minister for European Transition to outline the Committee's recommendations to the Welsh Government, and I enclose a copy for your information.

We also heard evidence in relation to areas outside the competence of the Welsh Government, and I would like to take this opportunity to raise these with you as points that the UK Government may wish to consider.

In considering the EU Settlement Scheme, we heard evidence from Marley Morris, from the Institute for Public Policy Research, in relation to the application deadline of 30 June 2021. Mr Morris stated that it was not clear which circumstances would constitute reasonable grounds if the deadline was missed.

In light of this evidence, I would be grateful if you would consider:

- providing more information about the reasonable grounds that may allow for a late application to the scheme;



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- the case for a change in circumstance due to the COVID-19 pandemic to be recognised as reasonable grounds; and
- whether the needs of vulnerable groups can be taken into account when assessing reasonable grounds.

Claire Thomas of the Bevan Foundation raised concerns about the digital-only nature of the EUSS, and the lack of physical documentation as proof of status, comparing the situation to the Windrush scandal.

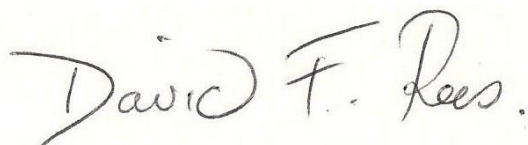
This concern was echoed by an EU citizen who told us: *"I can't help but think that 20 years from now, there'll be another Windrush type scenario, where we'll be told to go home."*

In our view, there is merit in considering the provision of physical proof of settled status and pre-settled status. I would be grateful for your view on whether the UK Government is willing to consider the provision of physical proof.

I would appreciate it if you would provide your response by Wednesday 10 March 2021 so that it can be put before the Committee before the end of this Senedd.

I am copying this correspondence to Jeremy Miles MS, Counsel General and Minister for European Transition at the Senedd.

Yours sincerely,



David Rees MS

Chair of the External Affairs and Additional Legislation Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

