

Jane Hutt MS
Minister for Social Justice

18 January 2022

Dear Minister

Legislative Consent Memorandum for the Nationality and Borders Bill

The Health and Social Care and Children, Young People and Education Committees are currently scrutinising the Legislative Consent Memorandum for the Nationality and Borders Bill, laid by the Welsh Government on 6 December 2021. To inform our deliberations, we would welcome your response to the matters set out in the annex to this letter.

To enable us to consider your views in line with the reporting deadline set by the Senedd's Business Committee, it would be helpful to receive your response no later than **Friday 28 January 2022**.

Yours sincerely



Russell George MS
Chair, Health and Social Care Committee



Jayne Bryant MS
Chair, Children, Young People and
Education Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



Annex

To inform the Health and Social Care and Children, Young People and Education Committees' scrutiny of the Legislative Consent Memorandum ("the LCM") on the Nationality and Borders Bill ("the Bill"), we would welcome your views on the matters listed below.

To enable us to consider your views in line with the reporting deadline set by the Senedd's Business Committee, it would be helpful to receive your response no later than **Friday 28 January 2022**.

Discussions with the UK Government

1. An update on discussions with the UK Government, including details of any assurances the Welsh Government is seeking or amendments it is proposing or agreements that have been reached with the UK Government. We would also be grateful to receive copies of any relevant correspondence with the UK Government on these matters.

The Welsh Government's concerns about the LCM

The LCM notes that the Welsh Government has a number of concerns about the Bill. We would welcome further information about the Welsh Government's concerns in respect of:

2. The constitution and functions of the National Age Assessment Board, and the nature of the potential negative impact on Unaccompanied Asylum Seeker Children in Wales.
3. The anticipated implications of centralising the age assessment process on the assessment of needs and provision of care and support under the Social Services and Well-being (Wales) Act 2014 and what, if any, further functions which could be imposed on Welsh authorities.
4. The Welsh Government's concerns relating to the use of scientific methods in age assessments and regulations regarding the assessments, including:
 - a. the appeal process;



- b. any implications for the Welsh Government's implementation of the United Nations Convention on the Rights of the Child;
- c. any implications for the mental health of individuals being subject to scientific age assessment techniques;
- d. any implications for community cohesion that would directly arise as a result of subjecting individuals to scientific age assessment techniques.

Financial implications

- 5. Further information on any potential financial implications associated with the provisions in the Bill and how they will be accommodated within the Welsh Government's financial planning.

