

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

Ein cyf/Our ref MA/JH-/0928/23



Llywodraeth Cymru
Welsh Government

Elin Jones MS
Llywydd - Senedd Cymru
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23 March 2022

Dear Elin,

The Home Secretary, Suella Braverman MP, introduced the Illegal Migration Bill (the Bill) in the House of Commons on 7 March.

From our initial analysis, the Bill touches upon areas of devolved competence. In a letter to me on the 7 March, the Minister for Immigration, Robert Jenrick MP, stated the UK Government's view that the entirety of the Bill's contents relate to reserved matters. Therefore, the UK Government is not seeking the consent of the Senedd to the Bill.

Given the complete absence of meaningful engagement by the UK Government ahead of introduction and the complexity of the issues raised in the Bill, it has not yet been possible to consider properly the devolution consequences of what is being proposed.

I have major concerns that the Bill has the potential to breach international obligations and further analysis is required to inform our position. The UK Government has not been able to state that the Bill is compliant with the European Convention on Human Rights, and the UN Refugee Agency claims that the Bill is a breach of the 1951 Refugee Convention.

I expect to lay a Legislative Consent Memorandum before the Senedd as soon as we have a clear picture of the devolution consequences of the proposed legislation. However, this is outside the normal two-week Standing Order 29 deadline. We expect to be able to provide an LCM shortly before Senedd Cymru's Easter recess. We anticipate that the Bill will make progress into the House of Lords around the same time as the first week after Senedd Cymru returns.

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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.

I am copying this letter to the First Minister, the Counsel General and Minister for the Constitution, the Minister for Rural Affairs and North Wales, and Trefnydd, the Chair of the Equality and Social Justice Committee and the Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely

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

Jane Hutt AS/MS

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