

Jayne Bryant MS, Chair, Children and Young People  
Committee [seneddchildren@senedd.wales](mailto:seneddchildren@senedd.wales)  
Jenny Rathbone MS, Chair, Equality and Social Justice  
Committee [seneddequality@senedd.wales](mailto:seneddequality@senedd.wales)

Eich cyf/Your ref:

Ein cyf / Our ref:

Dyddiad / Date: 8 June 2023

Dear Jayne Bryant MS and Jenny Rathbone MS,

I am writing in response to your letter dated 22 May 2023 concerning the UK Government's Illegal Migration Bill, and the Welsh Government's laying of a Legislative Consent Memorandum in relation to clauses 19 and 20 of the Bill.

You have written to ask the Care Inspectorate Wales' (CIW) views on legislative consent. Our response to the issues outlined are as follows:

### **A very brief overview of your view of the Bill**

It would not be appropriate for CIW to comment outside of a formal consultation on proposed UK Government legislation.

### **Any concerns you may have in respect of the impact the Bill would have on: separated asylum seeking children in Wales, including whether you have any concerns about existing arrangements for these children**

We are aware local authorities in Wales are working hard to provide suitable care arrangements for unaccompanied asylum-seeking children and this can be challenging. We have been involved in ongoing discussions and options appraisal about whether a reception centre model is required in Wales, and if so whether this would require registration with CIW. There is potential the Bill may adversely impact on the number of unaccompanied asylum-seeking children requiring care and support.

### **Any anticipated implications of the Bill on the assessment of needs and provision of care and support under the Social Services and Well-being (Wales) Act 2014**

We are aware many local authorities in Wales are under significant pressure to meet their statutory duties to assess and meet the care and support needs of children.

Arolygiaeth Gofal Cymru (AGC)  
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Llywodraeth Cymru  
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CF48 1UZ  
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☎ 0300 7900 126

✉ [ciw@gov.wales](mailto:ciw@gov.wales)

Care Inspectorate Wales (CIW)  
Merthyr Tydfil Office  
Welsh Government  
Government Buildings  
Rhydycar Business Park  
Merthyr Tydfil  
CF48 1UZ  
[www.careinspectorate.wales](http://www.careinspectorate.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.

**Whether the Bill is compatible with the Rights of Children and Young Persons (Wales) Measure 2011, including what impact it would have on the 'Child First, Migration Second approach' which underpins the delivery of support to child asylum seekers in Wales.**

The Social Services and Well-Being Act and Registration and Inspection of Social Care Wales Act are underpinned by a rights based approach for all people in need of care and support but as above, CIW does not comment specifically on proposed UK legislation.

**Any concerns you may have relating to the Bill and compatibility with Convention rights.**

CIW does not have any comment to make on this.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'G. Baranski', written in a cursive style.

Gillian Baranski  
**Chief Inspector**  
Care Inspectorate Wales

Children and Young People Committee

Equality and Social Justice Committee

To: See attached annexe

22 May 2023

Dear Colleague,

### UK Government's Illegal Migration Bill

As you may be aware, the UK Government's Illegal Migration Bill ("the Bill") was introduced to the UK Parliament on 7 March 2023. The Bill seeks to change the law regarding the detention and removal of those who arrive in the UK in breach of immigration control, either to their home country or a safe third country.

The Welsh Government laid a Legislative Consent Memorandum (LCM) setting out that clauses 19 and 20 of the Bill require consent from the Welsh Parliament. The LCM has been referred to several Senedd Committees and this letter is being issued jointly by the Children, Young People and Education Committee and the Equality and Social Justice Committee. As part of considering its response to the LCM, we would like to invite you to give written evidence regarding your views on the issue of legislative consent.

Please note that debates regarding the merits or otherwise of the legislation more broadly are not being considered by the Committee at this time, as they are not devolved matters. We kindly ask therefore for you to focus your comments on the specific provisions that require consent (i.e. clauses 19 and 20). Given the short timescales for the Committees' consideration we would also emphasise the need for brevity, more detail on how to respond is set out in the annex. In particular, we would be most interested to hear your views on the following:

- A very brief overview of your view of the Bill;



**Senedd Cymru**  
Bae Caerdydd, Caerdydd, CF99 1SN

✉ Cysylltu@senedd.cymru  
☎ 0300 200 6565

**Welsh Parliament**  
Cardiff Bay, Cardiff, CF99 1SN

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☎ 0300 200 6565


- Any concerns you may have in respect of the impact the Bill would have on: 'separated asylum seeking children in Wales, including whether you have any concerns about existing arrangements for these children;
- Any anticipated implications of the Bill on the assessment of needs and provision of care and support under the Social Services and Well-being (Wales) Act 2014; and
- Whether the Bill is compatible with the Rights of Children and Young Persons (Wales) Measure 2011, including what impact it would have on the 'Child First, Migration Second approach' which underpins the delivery of support to child asylum seekers in Wales.
- Any concerns you may have relating to the Bill and compatibility with Convention rights.

Time is very much of the essence in this matter and therefore the Committee asks that all written responses are received by no later than 1 June 2023.

Yours sincerely,

Jayne Bryant MS

Jenny Rathbone MS



Chair, Children and Young People Committee  
Welsh Parliament

Chair, Equality and Social Justice Committee  
Welsh Parliament



## Annexe 1

### How to share your views

Please email your response to both [seneddequality@senedd.wales](mailto:seneddequality@senedd.wales) and [seneddchildren@senedd.wales](mailto:seneddchildren@senedd.wales) by no later than Thursday 1 June 2023.

The Senedd has two official languages, Welsh and English. In line with the Senedd's Official Languages Scheme the Committee requests that documents or written responses to consultations intended for publication or use in Senedd proceedings are submitted bilingually. When documents or written responses are not submitted bilingually, we will publish in the language submitted, stating that it has been received in that language only. We expect other organisations to implement their own standards or schemes and to comply with their statutory obligation. Please see guidance for those [providing evidence for committees](#). Please ensure that you have considered the Senedd's policy on disclosure of information before submitting information to the Committee.



## Annex 2

### List of consultees

The Association of Directors of Social Services (ADSS) Cymru;

Barnados (Independent Child Trafficking Advocacy Service);

Bevan Foundation;

British Red Cross;

Care Inspectorate Wales

Children's Commissioner;

Children in Wales;

Ethnic Minorities and Youth Support Team Wales (EYST);

Equality and Human Rights Commission;

Haven of Light

National Youth Advocacy Service;

Wales Strategic Migration Unit;

Welsh Local Government Association;

Welsh Refugee Council; and

Women Connect First.

Voices from Care

