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The Rt Hon. Lord Boswell of Aynho  
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**House of Lords European Union Committee Report: 'Brexit: UK-EU Movement of People', 14th Report of Session 2016–17**

I am grateful to the House of Lords European Union Committee for its report which considers the implications of the UK's withdrawal from the European Union on the future movement of people between the UK and the EU once the UK leaves the EU. This is a complex issue and I welcome the Committee's contribution to the debate in this area. I am very sorry for the delay in responding.

The Government's approach to managing EU Exit, including citizens' rights and our future immigration arrangements, has been set out clearly over the past year.

The Committee will, of course, be aware that the Government published its White Paper, "The United Kingdom's exit from and new partnership with European Union" on 2 February. It provides a comprehensive articulation of the objectives and the rationale for the Government's approach to the forthcoming negotiations.

The Prime Minister then invoked Article 50 of the Treaty on European Union on 29 March. In accordance with the wishes of the British people, the United Kingdom is leaving the European Union.

The EU(Withdrawal Bill) White Paper (Cm 9446) was published on 30 March. The White Paper sets out the detail of our approach to the EU (Withdrawal Bill) and how the domestic legal system will work once we have left the EU. The EU (Withdrawal Bill) will end the authority of EU law in the UK, and return powers from Brussels to the UK.

The Prime Minister set out the Government's proposals "Safeguarding the rights of EU citizens in the UK and UK nationals in the EU" (Cm 9464) to Parliament on 26 June. We value the contribution that EU citizens make to the UK and we want those who have chosen to live here to be able to stay and continue to live their lives broadly as now. No EU citizen lawfully resident in the UK will be asked to leave when the UK leaves the EU. All those who are resident before a specified date (which is being agreed as part of

negotiations) will be able to apply for Settled Status, which will enable them to stay permanently and be eligible for benefits and healthcare on the same basis as British citizens.

Since the result of the referendum last summer, the Government has made it absolutely clear how important it is that we secure, as early as possible, both the rights of EU citizens in the UK and UK nationals in EU Member States.

That is why the Prime Minister has put forward a fair and serious offer which puts citizens first in our exit negotiations. Our proposals will give EU citizens that are resident here before a specified date the opportunity to acquire settled status under UK law after five years' continuous residence, enabling them to carry on with their lives as before.

The UK remains determined to swiftly reach an agreement that provides reassurance for both EU citizens in the UK and UK nationals in the EU.

In her speech in Florence on 22 September, the Prime Minister set out that, when the UK leaves the EU, neither we nor the EU will be in a position to immediately move to the future arrangements. Therefore, we propose an Implementation Period, to last around two years, to put in place the necessary arrangements. During this time, EU citizens will be able to continue to come to visit and work in the UK as now, but there will be a registration scheme for new arrivals. We would expect the EU to treat UK nationals in the same way.

The precise way in which the Government will control the movement of EU citizens to the UK beyond the Implementation Period is yet to be determined. But Government has been clear that Free Movement under EU law will end, and the migration of EU nationals will be subject to UK law.

We have always been clear of the need to ensure a smooth and orderly exit. This will avoid a disruptive cliff edge and give businesses and employers enough time to plan and prepare for the new arrangements.

The UK will remain an open and tolerant country; one that recognises the valuable contribution migrants make to our society and welcomes those with the skills and expertise to make our nation better still. We will control immigration but manage the process properly so that our immigration system serves the national interest.

We are considering the options for our future immigration system very carefully and we will be setting out initial proposals later in the year.

We are working to understand the potential impacts of any proposed changes on the economy and labour market. We will build a comprehensive picture of the needs and interests of all parts of the UK and look to develop a system which works for all.

On 27 July, the Home Secretary commissioned the Migration Advisory Committee (MAC) to gather evidence on patterns of EU migration and the role of migration in the wider economy, ahead of our exit from the EU. Their independent advice will inform our decisions about the future immigration arrangements. The MAC's Call for Evidence on EEA workers in the UK labour market closed on 27 October, and they will now consider the evidence.

## **Migration evidence and statistics**

On 30 November, the Migration Statistics Quarterly Report showed net migration fell to 230,000 in the year ending June 2017.

The fall in net migration – for the fourth quarter in succession – is encouraging but we are not complacent. There is still more work to do to bring net migration down further to sustainable levels.

People who come to our country to work bring significant benefits to the UK, but there is no consent for uncontrolled immigration.

That is why we have reformed routes to the UK from outside Europe, and why we will ensure that, in future, we will be able to control EU immigration in the national interest.

The Committee made a number of points about the robustness of migration statistics (conclusions/recommendations 2 & 3). The Committee will be aware that migration statistics are published by the independent Office for National Statistics (ONS) and it has confirmed that the International Passenger Survey (IPS) continues to be the best source of information to measure long-term international migration.

The internationally accepted definition of migration includes all of those who move for more than 12 months, including students. Other countries also include long-term students in their estimates of net migration. Like other migrants, international students who stay for longer than 12 months have an impact on communities, infrastructure and services - so it is right they are included in the net migration statistics.

Data collected at the border does not record passengers' onward travel plans or duration of stay, so cannot be used to measure migration figures. Over time the data obtained through exit checks will contribute to and enhance the statistical picture, but the ONS has stated that it will not replace the current IPS survey or provide a comprehensive alternative measure of net migration.

All long-term migrants contribute to population change. As this is the case, UK nationals are included in net migration figures, but they can be separately identified. Short-term migrants do not contribute to long-term growth in the population (as they come and go over the short period) and as such are not included in net migration figures.

We continue to work closely with the ONS and support its work in providing an accurate understanding of all migration to and from the UK. Officials across Government and the ONS continue to draw together evidence, and are undertaking a wide range of data analysis covering the full range of impacts of EU migration.

The advice of the MAC in response to the Home Secretary's commission of 27 July will provide additional evidence which will form a crucial element in the Government's decisions about our future immigration arrangements.

### **Impacts on the labour market and low skilled work (conclusions/recommendations 21-27)**

We recognise that it is important that we understand the impacts on the different sectors of the economy and the labour market and want to ensure that decisions on the long-term system are based on evidence.

That is why on 27 July, we commissioned the Migration Advisory Committee to consider the patterns of EU migration, and the role of migration in the wider economy, ahead of our exit from the EU.

We have asked the MAC to report by September 2018 and flagged that interim reports throughout the period would be helpful to our input into our developing policies. The Government will carefully consider any recommendations made to it by the MAC before finalising the details of the future immigration system for EU nationals.

I am copying this letter to Baroness Prashar and to the Clerks for the European Union Committee and the Sub-Committee on Home Affairs.

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a series of loops and a long horizontal stroke extending to the right.

**Rt Hon Brandon Lewis MP**  
**Minister of State (Immigration and International)**