



Home Office

James Brokenshire MP
Immigration Minister

2 Marsham Street,
London SW1P 4DF
www.gov.uk/home-office

Rt Hon Nicola Sturgeon MSP
First Minister of Scotland
The Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

13 AUG 2015

Dear Nicola,

IMMIGRATION BILL

Once Parliament returns from the summer break the UK Government will be introducing an Immigration Bill. The Bill will deliver a number of our manifesto commitments, clamping down on illegal immigration and protecting our public services to make sure we put hard working British families first.

As immigration is a reserved matter, all of the immigration measures in the Bill will extend to the whole of the United Kingdom. We recognise that the Bill will impact on public services, local authorities and courts so I am pleased that my officials have started discussions with your officials on how measures in the Bill could impact on Scotland.

In the Immigration Act 2014 the "right to rent" scheme set out to prohibit illegal migrants from having access to private sector rented housing. This scheme has been running successfully in the West Midlands for over six months and we plan to extend it to the whole of England within the current financial year. Although we have not yet set out our plans to extend this to Scotland, the Immigration Bill will go further and provide landlords with a straightforward mechanism to evict illegal migrants from their property. We are currently consulting with landlord and local authority representative groups in Scotland and we have also sought the views of the Scottish Government.

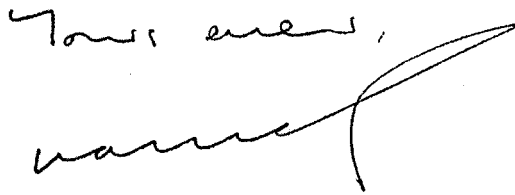
The new Immigration Bill will also reform the support (accommodation and an allowance to cover other living needs) we provide to failed asylum seekers and other illegal migrants. We remain committed to fulfilling our international obligations to meet minimum standards for asylum seekers who would otherwise be destitute until their asylum claim has been finally determined, including while an appeal in the UK is pending. Beyond that, we believe that providing support to illegal migrants who should and could be returning to their country of origin is wrong in principle, sends the wrong message to migrants and undermines public confidence in the asylum system. On 4 August I wrote to Alex Neil to inform him of the consultation that we have launched on the subject. While the consultation concerns failed asylum seekers, I

remain conscious of our commitment to discuss ways of enabling different powers in Scotland in relation to the provision of support and advice for asylum seekers, as agreed by the Smith Commission. We will take forward those discussions separately.

We made a manifesto commitment to "legislate to ensure that every public sector worker operating in a customer-facing role must speak fluent English". We have already introduced language requirements for migrants in immigration rules but now we will introduce new legislation to deliver the commitment. In delivering this legislation we need to be sensitive to the potential impact on public services in Scotland as well as the arrangements you have in place to support Gaelic language speakers. I am also conscious that while implementation of this commitment is a reserved matter in relation to bodies carrying out functions which are reserved to the UK Parliament, beyond that legislative consent from the Scottish Parliament may be required in respect of those bodies whose functions are not reserved to Westminster. Cabinet Office officials have already been in touch with your officials to discuss this further.

There are of course other areas of the Immigration Bill that also merit further discussion, not least our proposals to combat illegal working. I have asked my officials to answer any questions you may have and I look forward to the outcome of constructive discussions.

I am copying this letter to the Secretary of State for Scotland.

A handwritten signature in black ink, appearing to read 'James Brokenshire', with a long, sweeping flourish extending from the end of the name.

Rt Hon James Brokenshire