



Home Office

Baroness Butler-Sloss  
House of Lords  
London  
SW1A 0PW

The Lord Murray of Blidworth  
Parliamentary Under Secretary of State  
for Migration and Borders

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London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

26 June 2023

Dear Baroness Butler-Sloss,

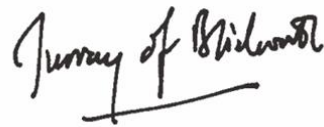
## **ILLEGAL MIGRATION BILL: HOUSE OF LORDS COMMITTEE STAGE**

I am writing to follow up the debate in the Lords on day one of Committee (Official Report, 24 May, column 971) where I agreed to write to you about the status of a child born in the UK to a woman who meets the conditions of clause 2 of the Illegal Migration Bill.

As I set out, the child in this scenario would not satisfy the conditions in clause 2 as the child did not arrive in the UK illegally. This would not prevent the mother who meets the conditions of clause 2 from being removed, and the child could be removed in line with the mother under existing removals provisions. However, there may be scenarios where it would not be appropriate to remove the child from the UK. For example, if the child's father was a British national or settled in the UK, or if a child is adopted, and the child is entitled to British citizenship. If it was not appropriate to remove the child for any reason, the mother would have the opportunity to raise either a serious harm suspensive claim against removal to a safe third country as listed in Schedule 1 or raise exceptional circumstances against removal to a section 80AA listed country. Under clause 29(5) the Bill provides for the Secretary of State to give a person indefinite leave to remain in the UK if the Secretary of State considered that failure to do so would contravene the UK's obligations under the Human Rights Convention.

I am copying this letter to Lord Coaker, Lord Ponsonby of Shulbrede, Lord Paddick, Lord Carlile of Berriew, Baroness Chakrabarti, Baroness Hamwee, Baroness Finlay of Llandaff, Baroness Suttie, Lord Kerr of Kinlochard, Baroness Lister of Burtersett, the Bishop of Chelmsford, Baroness Bakewell of Hardington Mandeville, Lord Cashman, Baroness Ludford, Lord Etherton, Lord Hope of Craighead, Baroness Lawlor, Baroness Bennett of Manor Castle, Lord German and Lord Hannay of Chiswick. I will also place a copy of this letter in the library of the House.

Yours sincerely,

A handwritten signature in black ink, reading "Murray of Blidworth". The signature is written in a cursive style with a horizontal line underneath.

**The Lord Murray of Blidworth  
Parliamentary Under Secretary of State  
for Migration and Borders**