

The Lord Davies of Gower  
House of Lords  
London  
SW1A 0PW

10 November 2025

Dear Byron,

**BORDER SECURITY, ASYLUM AND IMMIGRATION BILL: HOUSE OF LORDS  
REPORT STAGE**

I am writing further to the debate at Lords Report Stage of the Border Security, Asylum and Immigration Bill on 5 November, where you asked (Official Report 5 November Column 1964) about administrative costs related to clause 42.

I welcome the broad cross-party support for clause 42, which provides that all EU citizens and their family members with EU Settlement Scheme (EUSS) status will be treated as having Withdrawal Agreement (WA) rights in the UK.

You asked whether clause 42 is expected to increase administrative burdens on the Home Office. I can confirm that it is not. Clause 42 is simply giving legal effect to what has been UK policy since the outset of the EUSS, by removing differences in treatment amongst EUSS status holders which have arisen through certain court judgments since the end of the transition period on 31 December 2020.

Perhaps I could also take this opportunity to dispel any impression left by our debate on 5 November that a person's pre-settled status – where this was granted to them in error under the EUSS – will simply be allowed to expire after five years without them being properly informed of this and being able to take action accordingly.

First, they will have been informed by the Home Office that their pre-settled status may have been granted to them in error and what was needed to show – to a caseworker able to exercise the same evidential flexibility as was available in considering their initial application – that it was granted correctly.

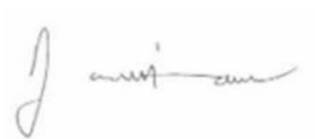
Second, where they were not able to show their eligibility for it, they will then have been reminded by the Home Office of the date on which their pre-settled status will expire and informed of the options available to them. These include the scope to reapply to the EUSS before that date, meaning that they will retain that status and the right to live and work in

the UK, pending the outcome of that application and, if it is refused, of the appeal which they can then bring.

I look forward to further debate of the Bill as Report Stage continues.

I will place a copy of this letter in the library of the House.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Hanson', written in a cursive style.

**Lord Hanson of Flint**