

To: see attached annex

18 January 2022

Dear colleague

**Legislative Consent Memorandum for the Nationality and Borders Bill**

The Health and Social Care and Children, Young People and Education Committees are currently scrutinising the Legislative Consent Memorandum for the Nationality and Borders Bill, laid by the Welsh Government on 6 December 2021. To inform our deliberations, we would welcome your response to the matters set out in the annex to this letter.

It would be helpful to receive your response no later than **Friday 28 January 2022**. We appreciate that this is a very tight timescale but this is unfortunately unavoidable if we are to be able to consider your views in line with the reporting deadline set by the Senedd's Business Committee.

Yours sincerely



Russell George MS

Chair, Health and Social Care Committee





Jayne Bryant MS

Chair, Children, Young People and  
Education Committee



Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



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

 Cysylltu@senedd.cymru  
 0300 200 6565

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

 Contact@senedd.wales  
 0300 200 6565

## Annex 1

To inform the Health and Social Care and Children, Young People and Education Committees' scrutiny of the Legislative Consent Memorandum ("the LCM") on the Nationality and Borders Bill ("the Bill"), we would welcome your views on the matters listed below.

### Overall views

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1. Your overall views on part 4 of the Nationality and Borders Bill which involves the age assessment of Unaccompanied Asylum Seeker Children, and includes:
  - a. the establishment of a National Age Assessment Board
  - b. the making of Regulations by the Secretary of State in respect of procedures to be followed in the age assessment process
  - c. the use of scientific methods to establish age; and proposals to reform appeals arrangements.

### Impact on areas of devolved competence

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2. To what extent the proposals set out in the Bill could undermine the Senedd's devolved responsibilities by requiring referral of age-disputed children to other decision-makers, including the establishment of a National Age Assessment Board?
3. To what extent it could undermine the requirements placed on Welsh local authorities set out in the Social Services and Wellbeing (Wales) Act 2014 which determines whether children have care and support needs which need to be met?

### UN Convention on the Rights of the Child

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4. Your views on whether the proposals will undermine compliance with the UN Convention on the Rights of the Child to act in the best interests of children.

### 'Scientific' methods and assessments

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5. Your views on the use of use of "scientific methods" to determine age.
6. The anticipated implications for local authorities and the NHS who may be required to carry out "scientific" assessments of age.



## Implications for mental health and community cohesion

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7. The potential mental health impact for those who are age-disputed.
8. To what extent the proposals would undermine community cohesion in Wales.

## How to share your views

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Please email your response to **both** [seneddhealth@senedd.wales](mailto:seneddhealth@senedd.wales) and [seneddchildren@senedd.wales](mailto:seneddchildren@senedd.wales) by no later than Friday 28 January 2022.

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

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The Association of Directors of Social Services (ADSS) Cymru  
Welsh Local Government Association  
British Association of Social Workers Cymru  
British Medical Association  
British Dental Association  
Royal College of GPs  
Royal College of Nursing  
Royal College of Paediatrics and Child Health  
Royal Pharmaceutical Society  
Royal College of Physicians  
Royal College of Psychiatrists  
Royal College of Surgeons  
NHS Trusts and Local Health Boards  
Children's Commissioner for Wales  
Children in Wales  
The Welsh Refugee Council  
Wales Strategic Migration Unit  
SNAP Cymru  
National Youth Advocacy Service  
Ethnic Minorities and Youth Support Team Wales (EYST)  
British Red Cross  
Women Connect First  
BAWSO  
NSPCC  
Observatory on Human Rights of Children  
The Fostering Network

