



# HOUSE OF LORDS

European Union Committee

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Mark Harper MP  
Minister of State for Immigration  
Home Office  
Peel Building, 2 Marsham Street  
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15 October 2013

*Dear Mark,*

**9124/13: Proposal for a Directive of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers**

Thank you for your letter of 17 September 2013 on the above proposal. This was considered by EU Sub-Committee B on the Internal Market, Infrastructure and Employment at its meeting of 14 October 2013.

We were reassured by your response to some of the issues raised in our letter of 4 September letter. Your analysis and the action you propose in relation to consulting with business and industry, and extending the powers of the EHRC seem well thought out and reasonable.

However, we remain concerned about the lack of data provided to back up the claims you have made to the European Commission and to this Committee that the UK is being put under considerable strain by immigrants from other Members States claiming benefits. We were surprised that, given the length of time it has taken to respond to our letter, the figures you have provided are not particularly illuminating. We have been given evidence backed up by clear figures which suggests that, contrary to your view, EU migrants pay more into the economy than they take out. Given your strong stance on this matter, we had expected similarly robust data to back up your contrary view.

The estimated figures in your letter indicate that although 7 per cent of EU claimants were non-UK nationals, a relatively low number of benefits claimants (121,230; just over 2 per cent of the total number of claimants) were EU nationals. The figures do not reveal how long these claimants were on benefits which we believe is a significant factor. It could be that benefits were claimed for a short time, only on initial arrival in the UK. Conversely, if the 2 per cent of claimants are comparatively long-term recipients of benefits, this could be an area which requires more detailed scrutiny. We would welcome further information on this point, if available.

You state that "there is some very clear documented evidence of such abuse" in relation to sham marriages, documentation fraud and abuse of the social welfare system. We would be interested in seeing this documented evidence.

We acknowledge that you are in the process of producing a report on the issue of abuse of free movement rights, and that our request for more detailed figures may be addressed by the report. We thank you for offering to share the findings of the report with the Committee, and look forward to considering your findings before the end of the year.

Since as pointed out above, many of our queries remain unanswered, we have decided to retain the document under scrutiny.

I am copying this letter to William Cash MP, Chair of the Commons European Scrutiny Committee, Sarah Davies, Clerk to the Commons Committee, Paul Hardy, Legal Adviser to the Commons Committee, Les Saunders (Cabinet Office), and Deborah Maggs, Departmental Scrutiny Co-ordinator.

A handwritten signature in black ink, appearing to read 'Lord Boswell', with a horizontal line underneath.

Lord Boswell  
Chairman of the European Union Committee