

# Home Affairs Committee

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From the Committee Chair

Rt Hon Priti Patel MP  
Secretary of State  
Home Office  
2 Marsham Street  
SW1P 4DF

19 June 2020

Dear Home Secretary,

## **Home Office response to the Windrush Scandal**

As you will be aware, Monday 22 June is the third annual Windrush Day to celebrate the Windrush generation who have contributed so much to this country.

I am also writing to you to mark two years since the Home Affairs Select Committee first reported on the Windrush Scandal and made recommendations to the Home Office to right the wrongs faced by the Windrush generation and to make sure they could never happen again.

On 13 June 2018, the Committee published its emergency report *Windrush: the need for a hardship fund*, which made the following urgent recommendation:

“We are concerned that some people from the Windrush generation face destitution; are unable to settle legal bills; or are facing bailiffs due to debts run up when they were forced to give up work or had their social security payments stopped, through no fault of their own. They cannot wait many months for consultations to be concluded on the design and scope of the compensation scheme. We urge the Government to act immediately to set up a hardship fund for those in acute financial difficulty.”

On 3 July 2018, the Committee published its full report, *The Windrush Generation*, which made a number of recommendations, including the following recommendation about setting up a compensation scheme:

“The full compensation scheme, which must recognise both financial loss and emotional distress, should be established as soon as possible and payments made by the end of the year.

Where UKVI has charged fees wrongly these should be refunded. In the meantime we urge the Government to act on our previous report and immediately establish a hardship fund for those in acute financial difficulty.”

However, the latest Windrush Compensation Scheme statistics indicate that of 1,275 claims for compensation, only 60 payments have been made. Of those 1,275 claims, 529 were made a year or more ago.

Under the urgent and exceptional support scheme, of 142 requests made by March 2020, only 35 have been approved. 63% were declined.

It is unconscionable that more than two years after the Home Office committed to compensating people affected by the Windrush Scandal, so many are still waiting for payment.

I am also very concerned about a series of individual cases where their experiences of applying to the compensation or exceptional payment scheme appear to have fallen short of the commitments made by the Home Office, including long delays and unresponsive bureaucratic processes which are particularly troubling given their previous experiences at the hands of the Home Office. We will be seeking to raise these issues with the Permanent Secretary in our evidence session on 1 July.

On 10 February 2020, I raised with you in the House cases where members of the Windrush generation had faced great hardship and were in urgent need of compensation but were still suffering. I wrote to you privately on the same day with the details of an individual case and also on 11 March 2020 seeking assurances about the Home Office’s response to those individuals in urgent need. You replied on 28 April as part of your regular update to the Committee on matters relating to Windrush.

My office has since been in contact with one individual, who, despite being told that his full compensation claim was being finalised in January, has still not received payment. Following our correspondence he was granted an urgent and exceptional payment to cover accommodation costs.

In your letter of 28 April 2020, you told the Committee that “The Taskforce Vulnerable Persons Team or the Windrush Compensation Scheme have been in contact with all the individuals [whose cases were raised], their representatives, or their family members, *to ensure that they receive the right level of support and will continue to do so.*”

However, this individual has been made destitute again since the urgent payment made to him in February ran out, he has never been proactively contacted by the Taskforce Vulnerable Persons Team, and still hasn’t received his main compensation payment. After contacting the Home Office on 5 June he was issued with a fresh application form on 11 June to begin the process of receiving an urgent, exceptional payment again.

I have also been contacted by another individual who has not received any compensation since making his claim in April 2019, despite being told in January that his compensation claim was being finalised. He served in the Armed Forces for 13 years but has suffered considerable hardship since losing his job

as a result of the Windrush Scandal in 2013. I am sending his personal details privately so that your officials can urgently look into his case.

I am very concerned about the delays and problems in these and other cases. It is clearly vital that those who have experienced considerable injustice at the hands of the Home Office previously get the urgent support, compensation and justice they deserve now.

I would therefore be grateful for your response to the following questions by Friday 26 June:

- What is the average waiting time, for an individual whose claim is successful under the Windrush Compensation Scheme, from submitting an application to receiving payment?
- What is the average length of time all current applicants have been waiting?
- Why are some individuals waiting over 12 months for their compensation claims to be processed and paid?
- How many staff are currently employed by the Home Office to process claims made under the Windrush Compensation Scheme?
- The Home Office said on 28 May that many payments made so far are interim payments, which means people will likely receive more at a later date.<sup>1</sup> To date, how many individuals have received an offer of compensation which seeks to settle their claim in full?
- To date, what percentage of offers made have resulted in a request for review?
- When an urgent and exceptional payment has been made to an individual, does the Taskforce Vulnerable Persons Team proactively follow up with that individual, their representative or family member, to ask if they have received the right level of support or need additional support?
- When the Taskforce Vulnerable Persons Team refers an individual to, for example, their local authority for accommodation services or to the Department for Work and Pensions for the reinstatement of benefits, who is ultimately responsible for ensuring that those individuals receive the support that they need, and that they receive it in a timely manner? Does the Vulnerable Persons Team follow up with individuals it has referred elsewhere for support to ensure that their needs are being met?

Next week, I will send separately to the Permanent Secretary a list of individual cases the Committee has received permission to raise with you directly as an illustration of the enduring harm to individuals waiting for claims to be processed. We would like to know what stage those cases are at, when payments for those individuals are due, and why the Compensation Scheme has taken so long to process them.

I know that you will be very concerned to ensure that people who have already endured considerable injustice at the hands of the Home Office are properly treated and supported now. I would therefore be grateful if you can ensure that the Home Office investigates these individual cases as quickly as possible.

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<sup>1</sup> Home Office, [Windrush Compensation Scheme pays out £360,000 within first year](#), 28 May 2020

Yours sincerely

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

**Yvette Cooper MP**