



Home Affairs Committee

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From the Committee Chair

Home Office
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By email only

18 February 2022

Dear Home Secretary

The Government's response to the Committee's Report on the Windrush Compensation Scheme

I would like to thank you for your Department's response to the Committee's Report on the Windrush Compensation Scheme, which we received on 27 January 2022.

I was pleased to note your expectation that the design and operation of the scheme is to be considered within Wendy Williams' review of the Department's progress since the publication of the Windrush Lessons Learned Review in March 2020.¹ The Committee awaits the outcome of Ms Williams' review with interest.

It is disappointing that the Government rejected many of the Committee's recommendations, including the introduction of legal assistance for claimants, increasing the general award for loss of access to employment, bringing loss of occupational pension within scope of the scheme, and ensuring a more swift and robust review process. It is particularly disappointing that the Government has rejected the recommendation to transfer the scheme to an independent organisation: a step this Committee believes would increase trust in the scheme and encourage more claimants to come forwards.

Having said this, we welcome the numerous reviews being undertaken into aspects of the scheme, such as the review of the customer contact strategy and the reviews of compensation for immigration fees and the discretionary award. The Committee was also pleased to note your commitment to setting out a process by which people can obtain expert medical evidence to support the determination of impact on life awards.

¹ Wendy Williams, HC 93, [Windrush Lessons Learned Review](#), March 2020

We are keen to receive further updates on the actions and reviews set out in the Government's response to our Report and look forward to engaging with you further on this matter. We would therefore appreciate further information on the following points:

1. The Government's response referred to several reviews which are currently underway. For each of the following reviews, please indicate the timeframe for completion:
 - The review into the Department's customer contact strategy;
 - The review into the Department's approach to compensation for immigration application fees;
 - The review into the Department's definition of homelessness;
 - The review into the discretionary award;
 - The review into the rules on mitigation of loss.
2. When do you expect to set out the process by which individuals can obtain expert medical evidence on their own behalf?
 - Will the Department provide funding to support individuals who wish to obtain expert medical evidence?
3. The published compensation scheme data shows that the Home Office is currently receiving a greater number of new applications each month than the number of final decisions it is making on existing claims.

When will you have the casework capacity to finalise existing claims and start keeping on top of new applications?

4. In March 2021, the Home Office set itself an internal milestone to hold only six months of cases awaiting a decision by the end of November 2021. Between July 2021 and December 2021, the proportion of cases in progress which have been in the system for more than six months has increased from 47% to 61%.

Why has this happened?

- What are the Department's current internal milestones for progress on processing claims?
5. As at the end of December 2021, 35% of the final decisions issued were a zero award, meaning that the claimant met the scheme's eligibility criteria but were found to be unentitled to any compensation.

Are you surprised by this figure?

- What is your assessment as to why this figure is so high?

Yours sincerely

A handwritten signature in black ink that reads "Diana Johnson". The signature is written in a cursive, flowing style.

Dame Diana Johnson MP