



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Tuesday 24 March 2020

**COMMITTEE OF THE WHOLE HOUSE
PROCEEDINGS**

**WINDRUSH COMPENSATION SCHEME (EXPENDITURE)
BILL**

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

Negated on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Withdrawn after debate 1

Clause 1, page 1, line 2, at the beginning, insert “Subject to subsection (3),”

Windrush Compensation Scheme (Expenditure) Bill, *continued*

Ms Diane Abbott
 Bell Ribeiro-Addy
 Jeremy Corbyn
 Mr Nicholas Brown

Not selected 3

Clause 1, page 1, line 2, at the beginning insert “Subject to section [Migrants’ Commissioner]”

Ms Diane Abbott
 Bell Ribeiro-Addy
 Jeremy Corbyn
 Mr Nicholas Brown

Not called 4

Clause 1, page 1, line 7, after “persons” insert “from not only Caribbean but also from other Commonwealth countries who arrived in the United Kingdom before 1 January 1973 and persons who have a right of abode or settled status (or who are now British citizens) and who arrived to live in the UK before 31 December 1988,”

Stuart C McDonald
 Ian Blackford
 Patrick Grady
 Joanna Cherry
 Kenny MacAskill

Not called 2

Clause 1, page 1, line 9, at end, insert—

- “(3) Subject to subsection (4), modifications that must be made to the scheme before subsection (1) comes into force are set out in sections [*Responsibility for the operation of the Compensation Scheme*], [*Consultation on simplifying the application process*], [*Time limit*], [*Public consultation on limits, tariffs and caps*], [*Legal assistance*], [*Restrictions*] and [*Standard of proof*], and [*Appeal to the First Tier Tribunal*].
- (4) Subsection (3) does not prevent payment of interim awards under the Windrush Compensation Scheme.”

Ms Diane Abbott
 Bell Ribeiro-Addy
 Jeremy Corbyn
 Mr Nicholas Brown

Not called 5

Clause 1, page 1, line 9, at end insert “, taking into account the impact of those difficulties on the family life of those persons”

Windrush Compensation Scheme (Expenditure) Bill, *continued*

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Not called NC1

To move the following Clause—

“Responsibility for the operation of the Windrush Compensation Scheme

Within two months of the date on which this Act is passed, the Secretary of State must arrange for operation of the Windrush Compensation Scheme to be the responsibility of an institution other than the Home Office.”

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Not called NC2

To move the following Clause—

“Consultation on simplifying the application process

The Secretary of State must launch a public consultation on the applicants’ experience of the application process under the Windrush Compensation Scheme.”

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Not called NC3

To move the following Clause—

“Time Limit

No time limit applies to when applications for compensation under the Windrush Compensation Scheme must be received.”

Windrush Compensation Scheme (Expenditure) Bill, *continued*

Stuart C McDonald
 Ian Blackford
 Patrick Grady
 Joanna Cherry
 Kenny MacAskill

Not called NC4

To move the following Clause—

“Public consultation on limits, tariffs and caps

The Secretary of State must launch a public consultation on the limits, tariffs and caps in the Windrush Compensation Scheme.”

Stuart C McDonald
 Ian Blackford
 Patrick Grady
 Joanna Cherry
 Kenny MacAskill

Not called NC5

To move the following Clause—

“Legal assistance

The Windrush Compensation Scheme must make provision for the reimbursement to applicants under the scheme of their reasonable costs of legal assistance in making applications for compensation under the Scheme.”

Stuart C McDonald
 Ian Blackford
 Patrick Grady
 Joanna Cherry
 Kenny MacAskill

Not called NC6

To move the following Clause—

“Restrictions

- (1) Compensation under the Windrush Compensation Scheme may not be denied to any individual on the basis that they have a criminal record.
 - (2) Awards of compensation under the Windrush Compensation Scheme may not be reduced on grounds that the individual failed to contact the Home Office at an earlier stage.
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Windrush Compensation Scheme (Expenditure) Bill, *continued*

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Not called NC7

To move the following Clause—

“Standard of proof

No requirement may be made of applicants for a level of proof beyond the balance of probabilities for claims under the Windrush Compensation Scheme, including any claims relating to—

- (a) loss of earnings
- (b) reimbursement of private medical fees,
- (c) reimbursement of international student fees, and
- (d) loss of access to banking.”

Stuart C McDonald
Ian Blackford
Patrick Grady
Joanna Cherry
Kenny MacAskill

Not called NC8

To move the following Clause—

“Appeal to the First Tier Tribunal

- (1) The Secretary of State must make provision by way of regulations for claimants to have a right of appeal to the First Tier Tribunal against any determination issued under the Windrush Compensation Scheme.
- (2) An appeal under subsection (1) must be brought on the grounds that the determination was not in accordance with the Windrush Compensation Scheme.”

Ms Diane Abbott
Bell Ribeiro-Addy
Jeremy Corbyn
Mr Nicholas Brown

Not selected NC9

To move the following Clause—

“Migrants’ Commissioner

- (1) The Home Secretary must appoint, within six months of the date on which this Act is passed, a Migrants’ Commissioner.
- (2) The responsibilities of the Migrants’ Commissioner must include—
 - (a) speaking up for migrants and those affected by the immigration and nationality system directly or indirectly,

Windrush Compensation Scheme (Expenditure) Bill, *continued*

- (b) engaging with migrants and communities,
 - (c) being an advocate for individuals as a means of identifying any systemic concerns, and
 - (d) working with the Government and the Independent Chief Inspector of Borders and Immigration to address those concerns.
- (3) The Secretary of State may make regulations on the powers, duties, appointment, terms of reference, resources and any other provision necessary for the Migrants' Commissioner to fulfil effectively the responsibilities in subsection (2)
- (4) Regulations under this section are subject to annulment by either House of Parliament.”

Clauses 1 and 2 agreed to.

Bill to be reported.
