



House of Commons
Home Affairs Committee

Windrush: the need for a hardship fund

Fifth Report of Session 2017–19

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 12 June 2018*

Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

Current membership

[Rt Hon Yvette Cooper MP](#) (*Labour, Normanton, Pontefract and Castleford*)

[Rehman Chishti MP](#) (*Conservative, Gillingham and Rainham*)

[Sir Christopher Chope MP](#) (*Conservative, Christchurch*)

[Stephen Doughty MP](#) (*Labour (Co-op), Cardiff South and Penarth*)

[Kirstene Hair MP](#) (*Conservative, Angus*)

[Sarah Jones MP](#) (*Labour, Croydon Central*)

[Tim Loughton MP](#) (*Conservative, East Worthing and Shoreham*)

[Stuart C. McDonald MP](#) (*Scottish National Party, Cumbernauld, Kilsyth and Kirkintilloch East*)

[Douglas Ross MP](#) (*Conservative, Moray*)

[Naz Shah MP](#) (*Labour, Bradford West*)

[John Woodcock MP](#) (*Independent, Barrow and Furness*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publications

Committee reports are published on the Committee's website at www.parliament.uk/homeaffcom and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Phil Jones (Clerk), Harriet Deane (Second Clerk), Simon Armitage (Committee Specialist), David Gardner (Senior Committee Assistant), Mandy Sullivan (Committee Assistant) and George Perry (Senior Media and Communications Officer).

Contacts

All correspondence should be addressed to the Clerk of the Home Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6856; the Committee's email address is homeaffcom@parliament.uk.

Contents

Report	3
Formal minutes	5
Witnesses	6
Published written evidence	7
List of Reports from the Committee during the current Parliament	8

Report

1. The Immigration Act 1971 confirmed that Commonwealth citizens present and settled in the UK at the time of the Act coming into force on 1 January 1973 were entitled to stay indefinitely in the UK. Those who arrived between the end of the Second World War and 1973 are commonly described as the ‘Windrush generation’—in reference to the ship *MV Empire Windrush* on which citizens from the Caribbean first arrived in 1948 to help rebuild a post-war nation. Despite being lawfully resident in the UK for decades it has become clear that, over the last ten years, members of this generation have been wrongly denied their rights and entitlements. People have lost their jobs and their homes, and have been unable to access healthcare, pensions or social security. Many have built up huge debts trying to convince the Home Office of their legal status, some have been left destitute as a result.

2. In April 2018 we launched an inquiry to understand what went wrong, why the issues affecting the Windrush generation were not picked up sooner and whether the Government’s response to the crisis has been adequate. We expect to publish an interim report for that inquiry in the very near future. However, there is an urgent and pressing issue which the Committee wishes to focus on in this short report, one which cannot wait for the conclusion of our broader inquiry, that is the financial hardship that many members of the Windrush generation are currently facing, through no fault of their own.

3. The Home Secretary has acknowledged, “there is no question [...] that a number of people from that generation have been mistreated and have had to suffer through anxiety in so many other ways”;¹ they “have been seriously let down by the immigration system”.² People the Home Secretary referred to include:

- Anthony Bryan, a painter and decorator who lost his job when he was told he was in the country illegally. Mr Bryan has lived in the UK since 1965. He estimates that he has spent £3,000 on legal and application fees and owes £5,000 in overdue council tax and loans. He has been placed in immigration detention on two occasions. Last week he had his car removed by bailiffs.³
- Sarah O’Connor, who moved to Britain from Jamaica 51 years ago when she was six, and has lived here ever since. When we met Sarah she told us how she was challenged to prove she was here legally when she was applying for benefits last summer, after losing the job in the computer shop where she had worked for 16 years. Although she has successfully interviewed for several new jobs, the employers have had to withdraw their offers when they discovered she has no passport. Unable to get work and told she is not eligible for benefits, she built up large debts, she had to sell her car and in March was facing bankruptcy.⁴
- Hubert Howard, 61, who arrived with his mother in the UK aged three from Jamaica and who has never lived anywhere else. Because he had insufficient paperwork proving he had a right to be in the UK, he was told he was an illegal immigrant with no right to live here. Consequently, he lost his job with the

1 Oral evidence taken on [15 May 2018](#), HC 990, Q217

2 HC Deb, [2 May 2018](#), Col 349

3 The Guardian, [Windrush victims say government response is a ‘shambles’](#), 8 June 2018

4 The Guardian, [Windrush victims voice shock at scandal’s political consequences](#), 1 May 2018

Peabody Trust. His problems first emerged when he wanted urgently to visit his mother in Jamaica when she became ill. He was unable to get a British passport and his mother died without him seeing her. Unable to work, he was also told he was not entitled to benefits because he had no immigration status here. As a result, he has accumulated substantial debts.⁵

- Judy Griffith joined her parents in the UK in 1963. After 52 years, a Jobcentre Plus employee told her that she was an “illegal immigrant” and, because her passport with evidence of leave to remain had been stolen, she was unable to work or travel. She could not visit her sick mother in Barbados in 2016, nor attend the funeral. Without work she got into significant arrears on her flat in London, and narrowly escaped eviction but still owes thousands of pounds to Islington Council.⁶

4. The Government has announced that people affected by the Windrush crisis would be compensated. On 23 April 2018 the then Home Secretary told the House:

The state has let these people down, with travel documents denied, exclusions from returning to the UK, benefits cut and even threats of removal—this, to a group of people who came to help build this country; people who should be thanked. This has happened for some time. I will put this right and where people have suffered loss, they will be compensated.⁷

5. On 10 May 2018, the Government issued a call for evidence, in preparation for a compensation scheme for those members of the Windrush generation who have suffered because of difficulties proving their immigration status. The call for evidence closed on 8 June 2018, and the Home Office intend that it “will be followed by a full consultation on the detail of the scheme”.⁸ Clearly it will be many months before compensation is paid.

6. 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.

5 The Guardian, [Windrush victims share their relief at being listened to](#), 29 April 2018

6 The Guardian, [I live in fear of deportation Mr Javid. What price my years of fear and shame?](#), 11 May 2018

7 HC Deb, [23 April 2018](#), Col 621 [Rt Hon Amber Rudd MP]

8 Home Office and UKVI, ‘Windrush Scheme and information’, published 13 April 2018, updated [30 May 2018](#)

Formal minutes

Tuesday 12 June 2018

Members present:

Rt Hon Yvette Cooper, in the Chair

Rehman Chishti Stuart C. McDonald

Stephen Doughty Douglas Ross

Tim Loughton Naz Shah

Draft Report (*Windrush: the need for a hardship fund*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 6 read and agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

[Adjourned till Tuesday 19 June at 2.15pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 25 April 2018

Adrian Berry, Chair, Immigration Law Practitioners' Association, **Lucy Moreton**, General Secretary, The ISU, and **Satbir Singh**, Chief Executive, Joint Council for the Welfare of Immigrants

[Q1–60](#)

Rt Hon Amber Rudd MP, Home Secretary, and **Glyn Williams**, Director General responsible for Border, Immigration and Citizenship

[61–216](#)

Tuesday 15 May 2018

Rt Hon Sajid Javid MP, Home Secretary, and **Glyn Williams**, Director General responsible for Borders, Immigration and Citizenship, Home Office.

[Q217–343](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 [Letter from the Home Secretary dated 25 May 2018](#)
- 2 [Letter from the Home Secretary dated 14 May 2018](#)
- 3 [Letter from the Permanent Secretary dated 14 May 2018](#)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Report	Home Office delivery of Brexit: customs operations	HC 540 (HC 754)
Second Report	Immigration policy: basis for building consensus	HC 500 (HC 961)
Third Report	Home Office delivery of Brexit: immigration	HC 421 (HC 1075)
Fourth Report	UK-EU security cooperation after Brexit	HC 635
First Special Report	The work of the Immigration Directorates (Q1 2016): Government Response to the Committee's Sixth Report of Session 2016–17	HC 541
Second Special Report	Asylum accommodation: Government Response to the Committee's Twelfth Report of Session 2016–17	HC 551
Third Special Report	Unaccompanied child migrants: Government Response to the Committee's Thirteenth Report of Session 2016–17	HC 684