



HOUSE OF COMMONS

LONDON SW1A 0AA

March 2020

Dear Constituent,

Thank you for contacting me about the Windrush generation.

Commonwealth citizens, like the Windrush generation, are a unique group who have built their life here and have contributed enormously to our country. I do not want anyone to be in any doubt about their right to remain here.

When these people came to the UK they were deemed to be settled in the UK under our legislation at the time. This meant some did not get nor need documentation to prove their right to be here. While the vast majority who came before 1973 will now have got documentation that proves their right to be in the UK, there have recently been some cases where people have not obtained the necessary documentation and have struggled to access public services.

This issue has come to light because of measures introduced in recent years to make sure only those with a legal right to live here can access things like NHS treatment and rented accommodation. This has resulted in some people now needing to evidence their immigration status to access certain services.

To ensure this can happen as easily and smoothly as possible, the Home Office has set up a new dedicated team to help those people evidence their right to be here. The team will help applicants demonstrate they are entitled to live in the UK, have a dedicated contact point, and will be tasked with resolving cases within two weeks of when the evidence has been provided.

In addition, no one affected will be charged for the documentation which proves their right to be here.

The Government recognises some of these people may struggle to evidence when they arrived and how long they have been in the UK, so this dedicated team will work across government to help people provide the evidence they need. Any information they can provide, from schools they attended to places of work will help build this



picture. The Home Office is already engaging with charities and High Commissions to ensure people are made aware of this new service.

I welcome the fact that the Government recognises that the launch of the Windrush Compensation Scheme is a vital part of rectifying the mistakes made and losses faced by individuals. I understand that almost 1,500 people and organisations shared their views during the compensation scheme consultation. It is reassuring that the Home Secretary has said that these opinions have been vital in shaping the design of the new scheme.

The main purpose of the scheme is to provide a form of remedy to those who have suffered financial losses or other negative impacts as a result of being unable to demonstrate their lawful immigration status. The scheme will provide payments to eligible individuals who did not have the right documentation to prove their status in the UK and suffered adverse effects on their life as a result. These could range from a loss of employment or access to housing, education or NHS healthcare to emotional distress or a deterioration in mental and physical health.

I understand that the scheme is open to anyone from any nationality who has the right to live or work in the UK without any restrictions or is now a British Citizen, and arrived in the UK before 31 December 1988. The scheme is also open to anyone from a Commonwealth country who arrived and settled in the UK before 1973. Certain children and grandchildren of those arriving before 1973 and some close family members may also be eligible to apply.

I also understand that people who were wrongfully detained or removed from the UK could also be able to make a claim.

I welcome that the Windrush generation, who are British in all but legal status, will be able officially to acquire the British citizenship they deserve, quickly and at no cost. Similarly, the children of the Windrush generation who are in the UK will in most cases already be British citizens. However, where that is not the case they will be able to apply to naturalise at no further cost.

The Government has also said it will ensure that those who made their lives here but have now retired to their country of origin will be able to come back to the UK. The cost of any fees associated with the process will be waived and the Government is working with our embassies and high commissions to make sure people can easily access this offer.



I understand that the report by the independent adviser, Wendy Williams, has not yet been submitted to Ministers. I have been assured that once it is available, the Home Secretary will publish her report. I am sure you agree in the importance of the Wendy Williams report being free of political interference.

Thank you again for taking time to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Chris'.

CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY