



Rt Hon Yvette Cooper MP
Home Affairs Committee
Committee Office, House of Commons
London
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Dear Yvette,

17 December 2018

Below is my latest monthly update on the work of my department in relation to Windrush, in line with the commitments I have previously made to your Committee. This update reflects the status as of 31 October 2018, and provides further detail on:

- The work of the Taskforce, including the first refusals made under the Windrush Scheme
- The historical review of removals and detentions
- The Windrush Compensation Scheme

This month's update also provides financial information on Home Office Windrush activity, at Annex A.

The Work of the Taskforce

I have provided detail below on the work of the Taskforce, covering the following areas:

- Initial regularisation of status process
- The Windrush Scheme – in-country applications
- The Windrush Scheme – overseas applications

Initial regularisation of status process

On 16 April, the Home Office established a Taskforce to ensure that members of the Windrush generation could evidence their right to be in the UK. This section provides details relating to this immediate Home Office response to Windrush. The data provided covers:

- Individuals contacting the Taskforce and called back by an experienced caseworker
- Individuals given documentation confirming their status
- Nationality of those given documentation confirming their status
- Date of arrival in the UK
- Decision timeliness

Some figures for April to September have changed slightly since the last update, because of the normal process of assuring records on the Casework Information Database, which is a live operational system. There may be more adjustments in future as a result of further assurance work. I have included these figures in italics to make clear where these slight changes have occurred.

Call-back referrals

This table relates to people who believed themselves to be part of the Windrush generation and contacted the Taskforce after the call centre opened on 19 April. They were asked for further details during that call and, if they were considered possible Windrush cases, were referred for a call back from an experienced caseworker.

Month	Total number referred for call backs	Number referred for call backs (enquiry received by phone)	Number referred for call backs (enquiry received by email)
Apr-18	2,873	2,748	125
May-18	3,302	2,925	377
Jun-18	264	197	67
Jul-18	110	89	21
Aug-18	15	12	3
Sep-18	25	25	0
Oct-18	9	9	0
Total	6,598	6,005	593

These numbers include only first contacts with the Taskforce leading to a call back. For the first ten days of the call centre operation, before the introduction of a bespoke IT system, it was possible for a single individual to receive multiple call backs.

Call and email volumes have continued to significantly reduce and there are now very few new Windrush cases contacting the Taskforce.

Individuals given documentation confirming status

The following tables refer to individuals referred to a UK Premium Service Centre after contacting the Windrush Taskforce, and who have been issued with documentation to confirm their right to remain in the UK. Documentation confirming status includes people given Indefinite Leave to Remain (ILR) and No Time Limit (NTL). Data is broken down by date, by nationality and by date of arrival in the UK. This data comes from the Casework Information Database.

Month	Number of individuals given documentation confirming status
Apr-18	139
May-18	1,284
Jun-18	698
Jul-18	168
Aug-18	114
Sep-18	28
Oct-18	9
Total	2,440

Some of the people helped by the Taskforce are excluded from this data, such as those people who attended a Premium Service Centre appointment but for whom it was confirmed that they already held the necessary documentation, or those who went on to submit a successful application for citizenship under the Windrush Scheme before they had been issued with ILR or NTL documentation.

Nationality of those given documentation confirming status

In previous updates we have provided the Committee with a snapshot of the nationalities with the highest proportion of individuals who have been granted documentation confirming status. For this month's update we have included the full list of nationalities.

The Committee will note that one of the individuals in this table is a British citizen. This is a person who approached the Taskforce to request confirmation of their status, and was issued with a document to confirm the British nationality they already possessed.

Nationality	Windrush pre-1973	Windrush 1973- 1988	Windrush Family Member	Not Recorded	Total
Antigua & Barbuda	6	3			9
Aruba	2				2
Australia	21	10			31
Bahamas		1			1
Bangladesh	2	4		1	7
Barbados	197	23	10	3	233
British Citizen	1				1
'British person overseas'*	12		2		14
Brunei Darussalam	1				1
Burma (Myanmar)	1	1	1		3
Cameroon		1			1
Canada	38	4			42
Curacao	1				1
Cyprus	2	2			4
Denmark	1				1
Dominica	56	8			64
Dominican Republic	2	1	1		4
France	2				2
Gambia	1	1			2
Germany	1				1
Ghana	7	4	3		14
Grenada	73	19	4	2	98
Guadeloupe	3				3
Guyana	59	12	2	2	75
India	81	22	3		106
Ireland	1				1
Jamaica	1,015	109	40	21	1,185
Kenya	12	5			17
Libya	1				1
Malawi		1			1
Malaysia	11	17		2	30
Malta	9				9
Mauritius	9	3	2	2	16
Morocco		1			1
New Zealand	11	8	1	2	22
Nigeria	40	11	4	4	59
Pakistan	13	9			22

Philippines		1			1
Seychelles	2		1		3
Sierra Leone	5	5	2	1	13
Singapore	3	2			5
South Africa	7	4			11
Sri Lanka	4	2			6
St Kitts & Nevis	23	2	3	1	29
St Vincent & the Grenadines	72	5	4	1	82
St.Lucia	61	6	6	1	74
Stateless Person (Article 1 of 1954 Convention)	1				1
Trinidad & Tobago	77	13	2		92
Uganda	7	4			11
United Rep of Tanzania	4	3			7
United States of America	6	2	1		9
Unspecified Nationality			1		1
Zambia		3			3
Zimbabwe	3	3	2		8
Grand Total	1,967	335	95	43	2,440

*'British person overseas' includes: British National (Overseas), British Overseas Citizen, British Overseas Territories Citizen, British Protected Person, British Subject.

Date of arrival in the UK

This table shows whether individuals given documentation arrived in the UK before or on 1 January 1973 or later, based on evidence gathered and recorded by the Taskforce.

Month	Arrived before 1 January 1973	Arrived after 31 December 1972	Family Member	Not recorded	Total
Apr-18	120	15	4	0	139
May-18	1,075	160	48	1	1,284
Jun-18	551	114	29	4	698
Jul-18	113	22	8	25	168
Aug-18	78	20	4	12	114
Sep-18	22	4	1	1	28
Oct-18	8	1	0	0	9
Total	1,967	336	94	43	2,440

Decision timeliness

This table shows the amount of time taken for decisions for those given documentation based on the time between biometric enrolment and the date of the decision being despatched. Biometric enrolment is a key part of the evidence gathering process, which normally occurs at the individual's first appointment at the Premium Service Centre. The Taskforce aims to complete the decision-making process within two weeks of all the

evidence being gathered. Usually this will be from the point that biometrics are taken, although in some cases further evidence is supplied by the applicant or other sources after this point. Some decisions will fall outside these timescales due to their complexity, but for those completed within two weeks the vast majority have been completed on the same day.

Numbers of decisions have continued to reduce during October as we move through the outstanding applications made before the Windrush Scheme launch. These outstanding cases were more complex cases which required more detailed information gathering before we could issue documentation to the individuals, hence a greater number of these decisions took longer than two weeks.

Month	Decided within 2 weeks of biometric enrolment	Decided beyond 2 weeks of biometric enrolment	Total
Apr-18	139	0	139
May-18	1,259	25	1,284
Jun-18	585	113	698
Jul-18	15	153	168
Aug-18	4	110	114
Sep-18	4	24	28
Oct-18	3	6	9
Total	2,009	431	2,440

The Windrush Scheme – in-country applications

On 24 May, I laid a Written Ministerial Statement setting out the Windrush Scheme, which ensures that members of this generation, their children born in the UK and those who arrived in the UK as minors will be able to apply for citizenship, or various other immigration products, free of charge. The Scheme came into force on 30 May.

The following section includes information on:

- Number of individuals granted citizenship or NTL/ILR under the Scheme
- Nationality of individuals granted citizenship or NTL/ILR under the Scheme
- Date of arrival in the UK
- Refusals under the Windrush Scheme

Number of individuals granted citizenship or NTL/ILR under the Scheme

Month	Number of individuals granted citizenship or NTL/ILR	Number of individuals granted citizenship	Number of individuals granted NTL/ILR
May-18	0	0	0
Jun-18	589	586	3
Jul-18	901	870	31
Aug-18	788	660	128

Sep-18	381	295	86
Oct-18	530	412	118
Total	3,189	2,823	366

Nationality of individuals granted citizenship or NTL/ILR under the Scheme

In previous updates we have provided the Committee with a snapshot of the nationalities with the highest proportion of individuals who have been granted citizenship or NTL/ILR under the scheme. For this month's update we have included the full list of nationalities.

There are 17 British citizens included in this table. These are individuals who approached the Taskforce to request confirmation of their status, and were issued with a document to confirm the British nationality they already possessed.

Nationality	Windrush pre-1973	Windrush 1973-1988	Windrush Family Member	Not Recorded	Total
Antigua & Barbuda	6		1		7
Aruba	3				3
Australia	51	6	1		58
Austria	1				1
Bahamas	1				1
Bangladesh	7	5			12
Barbados	246	11	15		272
Belgium		1			1
British Citizen	6	1	10		17
'British person overseas'*	23	2	1		26
Brunei Darussalam	1				1
Burma (Myanmar)	4		1		5
Canada	71	6			77
Curacao	1				1
Cyprus	10				10
Democratic Republic of the Congo		1			1
Denmark	2				2
Dominica	71	4			75
Dominican Republic	3		1		4
Ethiopia			2		2
Fiji	1				1
France	2	1			3
Gambia	1				1
Germany	7	2			9
Ghana	17	6	5		28
Grenada	98	10	5		113
Guadeloupe	3				3
Guyana	66	4	1		71
Honduras		1			1
India	247	44	9	1	301
Ireland	3	1			4
Italy	14	5			19

Jamaica	1,284	74	79	1	1,438
Kenya	14	4	2		20
Libya	1				1
Malawi	1				1
Malaysia	23	9	3	1	36
Malta	21	5	1		27
Mauritius	13	3	2		18
Netherlands	1	2	1		4
New Zealand	15	6	2		23
Nigeria	39	6	7		52
Norway		1			1
Pakistan	16	6	2		24
Portugal	1				1
Seychelles	1	1	1		3
Sierra Leone	6	2	4		12
Singapore	2	4			6
Slovenia			1		1
South Africa	13	4			17
Spain	1				1
Sri Lanka	3	1			4
St Christopher & Nevis	1				1
St Kitts & Nevis	19		2		21
St Vincent & the Grenadines	78	6	7		91
St.Lucia	80	5	12		97
Sweden	1	1			2
Tonga	1				1
Trinidad & Tobago	90	12	4		106
Turkey		1			1
Uganda	9				9
Ukraine				1	1
United Rep of Tanzania	5	1			6
United States of America	9	7	3		19
Unspecified Nationality			4		4
Uruguay			1		1
Zimbabwe	6	2	1		9
Grand Total	2,721	274	191	4	3,189

*'British person overseas' includes: British National (Overseas), British Overseas Citizen, British Overseas Territories Citizen, British Protected Person, British Subject.

Date of arrival in the UK

Month	Arrived before 1 January 1973	Arrived after 31 December 1972	Family Member	Not recorded	Total
May-18	0	0	0	0	0
Jun-18	531	31	27	0	589
Jul-18	789	33	77	2	901
Aug-18	665	83	40	0	788
Sep-18	306	57	17	1	381
Oct-18	429	70	30	1	530
Total	2,720	274	191	4	3,189

Refusals under the Windrush Scheme

Further to the 41 refusals that were issued in September, we issued another 145 refusals in October. 86 of these were refusals issued to people who were already in the UK. The other 59 were refusals of applications from individuals currently overseas. That brings the total refusals issued under the Windrush scheme to 186.

As I outlined in my previous update, none of the refusal decisions have been made lightly, and all of them have had lengthy and detailed consideration. The decision to refuse in these cases has been checked and challenged extensively at operational level and been approved at Ministerial level. Policy experts have been engaged to ensure that all refusals are in line with our policies and guidance.

Over 1,000 cases remain outstanding which, due to their complexity, are taking longer than anticipated to process. It is likely that a significant proportion of these cases will lead to more refusals. Any individuals who receive refusal notifications have the right to request a free review, which will be undertaken by an experienced member of staff in the Chief Casework Unit. This team is entirely independent of the teams responsible for initial decision-making and can provide additional assurance that decisions are correct. To the end of October the team unit had received 15 requests for review of a refusal, 10 of which were from individuals overseas and five from within the UK. The unit has concluded two of these, upholding the original decision to refuse.

I will continue to provide updates on these cases.

The Windrush Scheme – overseas applications

Since the launch of the Windrush Scheme, the Taskforce has also received applications overseas, albeit in much smaller volumes than from people in the UK. We continue to work through these applications, and the following table details the types of documentation granted to date:

Period	Granted Right of Abode	Granted Returning Residents Visa	Granted Visit Visa	Application Withdrawn	Total
May to October 2018	10	31	12	10	63

The breakdown of nationalities granted overseas is as follows:

Nationality	April-Oct 2018
Barbados	2
Canada	1
Cyprus	1
Ghana	2
Grenada	1
Guyana	3
India	2
Jamaica	31
Nigeria	1
St Lucia	3
St Vincent	1
Trinidad and Tobago	2
United States	3
Total	53

Support to vulnerable individuals and those experiencing hardship.

The Taskforce has a dedicated Vulnerable Persons Team in place to provide help and advice where it is identified that a need exists with regard to safeguarding and vulnerability. On identifying a need, the team works in close partnership with the relevant department, local authority or charity, to ensure that the appropriate services and support are in place.

The team maintains a direct contact point with service providers to ensure individuals are not placed at risk through homelessness, benefit suspension or due to an inability to access healthcare. Any individual identified as vulnerable or facing hardship or suffering from a mental or physical impairment is provided with a direct point of contact within the Taskforce team and is supported through the Windrush process.

In addition, the Home Office has contracted Citizens Advice Bureau to provide bespoke professional advice, including debt advice to those experiencing immediate financial problems.

When I announced the extension of the consultation period for the Windrush Compensation Scheme on 11 October, I acknowledged that there may be some urgent and exceptional cases where it is right to consider whether individual circumstances warrant a payment to be made before the Compensation Scheme is in place. That policy, setting out the approach and decision-making process in these cases has now been published.

Historical review of removals and detentions

In a previous update, I informed the Committee that I had written to offer a full, formal apology to the 18 individuals (or, in the case of the three deceased, their families) whom we consider are most likely to have suffered detriment between 2002 and 2017/18 because their right to be in the UK was not recognised, of which 15 have been sent. My officials continue to work proactively to trace the remaining two individuals and next of kin of the other deceased individual so that the three outstanding letters can be sent on.

For the wider group of 164, who were detained and / or removed and who told the Home Office they came to the UK before 1 January 1973, identified in the historical review, which includes the 18, I can now confirm that we have traced 124 individuals. These individuals either already have status, are now in contact with the Taskforce or, in the case of 16 individuals, are deceased. The Taskforce is continuing to work proactively with partners in the UK and overseas to obtain contact details for the remaining individuals, and to make contact.

I will continue to keep the Committee updated on the progress of this work and as I have said before, the work of the historical review unit will be independently audited.

Contact made with the 83 individuals removed

I would also like to provide an update on the contact we have made with those who have been removed. Of the 83 individuals identified in the historical review who were removed, we have made contact with 44. Those 44 individuals are a subset of the overall total of 124 individuals we have made contact with and which we refer to above.

10 individuals are deceased and there are 29 individuals whom we have so far been unable to contact, despite attempting to do so in a number of different ways. For example, where the Home Office does not hold contact details, we have contacted the Department for Work and Pensions to see if their records confirm a pension from overseas is being received and we have worked with the relevant British High Commissions to try and make contact with those who may be living overseas.

Of the 44 individuals with whom we have made contact, their current status is as follows.

Status of individuals removed with whom the Home Office has made contact

Current status of individuals contacted

Indefinite Leave to Remain/other Leave to remain granted by the Taskforce	3
10 year visitor visa granted by the Taskforce	3
Right of Abode / Citizenship granted by the Taskforce	7
Will be submitting an application under the Windrush Scheme	30
Confirmed they will not be making an application	1
Total	44

Windrush Compensation Scheme

In my last update I outlined my decision to extend the consultation on the Windrush Compensation Scheme to 16 November. Since that announcement the Home Office has undertaken a range of further engagement activities to broaden the number and range of responses to the consultation. The department has been leading a series of focus groups, at locations across the country, specifically seeking to capture the views of hard to reach communities. The views shared at these events will be fed into the consultation outcome and form part of the Government's consideration of the key issues. These focus groups are in addition to the roadshows and other engagement events that Martin Forde QC has been taking part in, including with communities and the legal profession.

The Windrush Taskforce continues to offer support to those in immediate need, for those who contact the Home Office and through outreach support and events. To the end of October, the Home Office has funded the flights from Kingston, Jamaica to London Gatwick for three individuals who were in contact with the Taskforce and who faced urgent and exceptional circumstances. These flights were made on 28 July, 5 September and 14 September. The published policy on exceptional and urgent payments, sets out the approach and decision-making process in these cases. The Taskforce will continue to act as the contact point for the public, including for those who believe that their circumstances should be considered under this exceptional policy.

I am determined that we design a Compensation Scheme that effectively addresses the losses people have faced. It is important that we listen to the views of those affected and understand their experiences, through the consultation, to help us get the Scheme right. I will announce details of the final Scheme and ensure it is open for applications as soon as possible after the consultation process has ended.

I continue to believe it is important that we take a cross party-approach which recognises the most important thing we can do is ensure the wrongs which some members of the Windrush generation have faced are put right. I can reassure members that my department remains entirely focussed on righting the wrongs experienced by the Windrush generation.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'S. Javid', with a small flourish at the end.

Rt Hon Sajid Javid MP

Totals:

As of accounting period 7 in the 2018/19 financial year, the Home Office has spent a total of £6.05 million on activities relating to the Windrush Reform Programme and the Independent Windrush Lessons Learned Review. This figure omits the cost of staff time in some teams (such as communications and policy) whose remit is wider than Windrush.

Design work for the Windrush Compensation Scheme is ongoing and as such, currently it is not possible to give an accurate forecast for the total cost of Windrush-related activities in the future.

At the close of period 7 in the 2018/19 financial year, there are 175.35 full-time-equivalent staff working on the Windrush Reform Programme and Independent Windrush Lessons Learned Review. Additional staff have been utilised at points throughout the financial year to accommodate for changing demands on the Taskforce, the historical review unit and Independent Windrush Lessons Learned Review.

External legal advice:

Regarding legal issues relating to the Windrush Reform Programme, the department has made use of 7 external barristers.

In total the Home Office to the end of period 7 in the 2018/19 financial year has spent £56,623.85 excl. VAT) on external Legal Advice relating to activities within the Windrush Reform Programme.

Independent advisers and consultants:

A total of seven contractors and independent advisers have been employed to work on the Windrush Reform Programme and Independent Windrush Lessons Learned Review at a total cost of £165,455.75 (excl. VAT) to the end of period 7 in the 2018/19 financial year.

Assistance for those facing urgent and exceptional circumstances:

To the end of period 7 in the 2018/19 financial year, the Home Office has funded the flights from Kingston Jamaica to London Gatwick for three individuals involved with the Taskforce and who faced urgent and exceptional circumstances. These flights were made on 28 July 2018, 5 September 2018 and 14 September 2018. A full policy setting out the details for assistance to Windrush individuals who face urgent and exceptional circumstances has now been published.

Fees foregone as a result of the Windrush Scheme:

The Windrush Scheme allows for eligible applicants to obtain their status from the Taskforce free of charge. The notional fee income foregone from waiving application fees is approximately £4m, with the caveat that this is not an exact amount as it doesn't account for any differentials whilst considering cases.

A table summarising the standard fees that have been waived by the Windrush Scheme is included below.

Fee Category	Fee Level 2018-19
Nationality (British Overseas Territories Citizen / British Overseas Citizen / British Subject / British Protected Person) Registration child	£810
Nationality (British Overseas Territories Citizen / British Overseas Citizen / British Subject / British Protected Person) Registration adult	£901
Naturalisation as a British Overseas Territories Citizen single application	£1,000
Nationality (British Citizenship) Registration adult	£1,126
Naturalisation (British Citizenship)	£1,250
Nationality (British Citizenship) Registration child	£1,012
Right of Abode	£372
Returning Residents	£516
NTL (No Time Limit)	£229
Visit Visas – Long up to 10 years	£798