

Windrush Compensation Scheme extended by 2 years

The Windrush Compensation Scheme has been extended to give people more time to make a claim for compensation, the Home Secretary announced today (Thursday 6 February).

Extending the scheme by another two years is one of several measures the Home Secretary is bringing forward as part of the ongoing work to right the wrongs experienced by the Windrush generation.

To make the scheme more flexible to those who have suffered losses, the mitigation policy – the criteria by which financial settlements are made – is also being amended to take a wider range of circumstances into account.

The change means people will no longer only be expected to show they took immediate steps to resolve their immigration status.

For example, if someone lost their job as a result of not being able to evidence their lawful status and they tried to contact the Home Office or sought advice at any time to resolve this, then this will be taken into account.

This change may help some people qualify for a higher award, particularly where it relates to loss of employment.

Home Secretary Priti Patel said:

Successive governments failed the Windrush generation which is why we have listened to feedback from community leaders and those affected, to hear how the government can begin to do justice to those who have contributed so much to our country.

The Windrush Compensation Scheme has been developed in conjunction with those affected and I hope the scheme will ease the burden from the unacceptable mistreatment experienced by some members of the Windrush generation by successive governments.

Commenting on the changes, the independent adviser to the compensation scheme, Martin Forde QC said:

The compensation scheme that I designed aims to be fair, accessible and generous. Importantly, as these changes show, it has also been designed so that it can be updated and improved without delay in response to any difficulties of implementation.

By taking a more generous approach to mitigation evidence and

continuing the support available for those wanting to claim, the scheme will now be easier to navigate, more accessible than ever and will provide fair compensation to all those affected.

Martin Forde QC was appointed as Independent Adviser in 2018 and has made an invaluable contribution to both the design and implementation of the scheme.

The government previously committed to having an independent person appointed to provide oversight and reassurance of the compensation scheme. To deliver on this commitment, an advert will be brought forward in due course with Martin Forde continuing to provide support on an interim basis.

The Home Office is currently funding Citizens Advice to provide expert and independent advice to those who request support applying for compensation.

The charity has been appointed to continue the service for a further six months, whilst a contract to continue the support for the duration of the extended scheme is launched.

The scheme has been operational since April 2019 and made a compensation payment within just four months.

Figures shared with Parliament today show that up until 31 December, 1,108 claims had been received, with 36 payments made so far totalling £62,198.

Detailed compensation statistics will be published later this month. Compensation payments continue to be paid by the Home Office. Many of these payments are interim, which means claimants may receive further awards later.

The extension to the scheme was brought forward following ongoing engagement with stakeholders and members of the Windrush generation. It will remain open until 2 April 2023 but the duration of the scheme will be kept under review.

Rules and guidance to reflect these changes will be published imminently.