

Home Affairs Committee

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From the Committee Chair

17 April 2018

Rt Hon Amber Rudd MP
Home Secretary
Home Office
2 Marsham Street
London SW1P 4DF

Dear Amber

Following your response to the Urgent Question from David Lammy MP on the Windrush children, the Home Affairs Committee would be grateful for answers to the following questions on the scale of the problem and the Home Office response to it.

Scale and nature of the problem in relation to Windrush children

1. What work is the Home Office doing (including with other departments) to identify the scale of the problem?
2. Why were people with a legal right to be in the UK caught up in immigration enforcement processes?
3. How many Windrush children may have been deported in error?
4. How many Windrush children have been detained and for what periods of time? We know from the media that there are awful cases – including the case of Paulette Wilson – where people have been asked to ‘report’ to the Home Office over a period of time, and have then been detained.
5. How many Windrush children have been subject to ‘reporting’ requirements due to the Home Office considering their immigration status to be uncertain?
6. How many people over the age of 40 have been removed to Commonwealth countries in the last four years, and how many have been detained in the UK over the same period? Are the Home Office reviewing these cases, and have any been identified as errors?
7. How many Windrush children may have:
 - (i) been denied employment
 - (ii) been denied healthcare
 - (iii) lost their accommodation as a result of Home Office action, for example by being evicted using Immigration Act 2016 powers, which allows for this without a court order?
 - (iv) had their driving licences seized
 - (v) had their bank accounts frozen
8. How many Windrush children have paid legal fees and documentation fees as a result of hostile environment policies leading to questions over immigration status?
9. How many reports have the Home Office received of documents being lost or destroyed as part of documentation processes for Windrush children?

Action plan and practical solutions

10. Yesterday you said 'there will be no removals or detention as part of any assistance to help former Commonwealth citizens get their proper documentation in place'. Can you confirm there will be no removals or detention of anyone within or outside of the Home Office system, who may have been affected by this crisis, regardless of whether they have contacted the new Home Office team?
11. What action is the Home Office taking to ensure people currently within the immigration system are released from enforcement processes?
12. Is the taskforce you announced yesterday actively contacting people and reviewing cases which may reveal people adversely affected?
13. Will people be able to access legal aid to assist with their case?
14. What action is being taken to ensure that Windrush generation children will not face hostile environment barriers while these problems are solved?
15. What action is being taken to ensure that Windrush children do not lose healthcare, employment, benefits or accommodation – whether they have contacted the Home Office or not?
16. Do you expect to suspend other aspects of the 'hostile environment' policy which may be adversely affecting Windrush children?
17. What are the current evidentiary requirements for people to get the necessary documentation and what will happen to people who cannot supply that evidence?
18. In addition to the waiving of documentation fees in the future, are you considering refunding the legal and documentation fees of Windrush children affected by this crisis before yesterday's announcement?
19. What guidance is provided to Home Office staff when they are presented with a case of someone who has been in the UK for several decades?
20. Do you expect everyone affected by Home Office action be compensated?
21. Is the government considering grants of British citizenship to everyone affected?
22. Will the problems encountered by people over recent months and years be considered as part of the government's review of legal aid?
23. Are you exploring whether other groups of longstanding residents, such as future dependents who were covered by the 1971 Act, may have been affected by changes to immigration rules after their arrival and what advice would you give to people in this situation?

Yours sincerely



Yvette Cooper MP