

11 Emson Close
Saffron Walden
Essex, CB10 1HL

T: (01799) 516501
T: (01799) 516502
F: (01799) 516503



27th July 2020

The Rt Hon Priti Patel MP
Secretary of State for the Home Department
(Direct Communications Unit)
2 Marsham Street
London SW1P 4DF

Dear Ms Patel

Immediate Implementation of the Windrush Compensation Scheme and end to the “hostile environment” immigration policy for the Windrush Generation

At the Full Council meeting on 13 July 2020 Saffron Walden Town Council unanimously resolved to call on the UK Government for the “Immediate implementation of the Windrush Compensation Scheme, release and repatriate those wrongly detained and deported, issue passports without an additional qualifying period and end the “hostile environment” immigration policy.

The Council’s resolution arises from the examination of structural and systemic racism in this country, following the extra-judicial killing of George Floyd by the Minneapolis police on 25 May 2020, and on noting that only 60 people, of the 1,275 registered by March 2020, have received any compensation and only one of those has received their full amount. Further that 164 were incorrectly detained and/or deported, at least 19 had died before officials could contact them and 27 more could not be traced. It is believed that some 150,000 individuals and their families may have been impacted.

On Windrush Day, June 22, 2020 Prince Charles said the nation owes a ‘debt of gratitude’ to the Windrush generation, who were asked to come and help rebuild Britain after World War Two. He went on to thank people of Caribbean and African descent for their critical role in the NHS and transport systems and to express his profound sympathy for the disproportionate number of corona deaths they had experienced.

The British Nationality Act 1948 gave citizens of the UK and colonies alike the status and right of settlement in the UK by virtue of being born in a British colony. The 1971

Immigration Art confirmed that the Windrush generation had, and have, the right of abode in the UK. But they were not given any documents to demonstrate this status. Nor were records kept. They had no reason to doubt their status, or that they didn't belong in the UK. As successive governments passed laws creating a hostile immigration environment, this was done with complete disregard for the Windrush generation.

The Immigration and Asylum Act 1999 specifically protected longstanding UK residents from the Commonwealth from enforced removal, this was not transferred to the 2014 immigration legislation because those living in the UK before 1 January 1973 were "adequately protected from removal", according to a Home Office spokesperson.

In developing the hostile environment policy an incorrect assumption was made in the impact assessments for the 2013 and 2015 Immigration Bills that those who were in the country without the ability to demonstrate it with specific documents were here unlawfully. Again, in 2017 when a settled but undocumented population was identified this was not looked into despite a pre-1973 at-risk cohort being identified over a decade earlier.

Belated as it is, it is now time that the Home Office took a leaf from Prince Charles' gratitude and concern for our citizens of Caribbean origin and redress the tremendous injustice and injury that has been meted out to them. Most of the original Windrush arrivals will be, deceased, or in their 90's with distinctive Caribbean accents. Those who came as young children, will be in their 70s and 80s with English accents, those born to the Windrush generation will also have English accents which will identify them from recent arrivals. The identification of those that arrived after Windrush and before 1 January 1973 will be identifiable by age and accent. There is no need for the ridiculous and pernicious one or more documents for every year that they have been here.

Additionally, we ask that the Home Office department put in place training and development for all immigration and policy and senior civil servants in relation to the Equality Act 2020 and the equality duty and obligations under the Human Rights Act 1998 (and publish annually details of training courses and how many people completed them).

Yours sincerely

A handwritten signature in blue ink, reading "Heather Asker", enclosed in a thin black rectangular box.

Councillor Heather Asker
Mayor of Saffron Walden