

Preston Windrush Generation & Descendants UK and Windrush Defenders Legal C.I.C.

Press Statement: 05.01.2021, Give the Windrush Generation their citizenship back!

The wrong done to the Windrush Generation by changes to the law since the 1960s up to 2014 still continues to have grave impact. Also, delays in restoring citizenship, delays in compensation for lost employment, being put in detention, being deported, refused re-entry to the UK and denied access to the NHS is a new scandal. Justice delayed is Justice denied.

To begin to right the wrongs and protect future generations a Pre Action Protocol Letter has been served on the Home Secretary, Right Honourable Priti Patel MP on the 23rd December 2020. The Home Secretary is required to respond by 6th January 2021. The objective is to persuade the Home Secretary to effect changes to the law, that could hopefully lead to the passing of the Windrush Act and that will allow more Windrush Generation and descendants to regain their citizenship and claim compensation.

In the event of no satisfactory response to the Pre Action Protocol letter is received, an application for Judicial Review of the decision of the Home Secretary's letter to Anthony Brown of 12th October 2020 will be made by 12th January 2021. The aim of the Judicial Review will be to challenge the Home Secretary's refusal to restore citizenship to those Windrush migrants whose statuses were removed by operation of law. We believe that the litigation will have the effect, at least, of clarifying the measures that Parliament should take to put right the wrongs done to the Windrush generation through the revocation of their citizenship and to compensate them for that loss.

Anthony Brown's letter of 22nd June 2020 to the Home Secretary requested the following actions to be taken:

- 1) All people who were born as either British Subjects prior to 1948 or as Citizens of the UK and Colonies post-1948 and who had been settled in the UK for a period of 5 years by 1 January 1983, should, for the purposes of the Immigration Act 1971 and the British Nationality Act 1981, be treated as having continued to be Citizens of the UK and Colonies throughout this period irrespective of the impact of any independence legislation passed in relation to their countries of origin.**
- 2) An additional payment should be made on top of any compensation to everyone that successfully applies to the Windrush Scheme from the Caribbean who came before 1st January 1973 of £10,000 automatically as a symbolic payment of reparation for the harm cited in recommendation (1) of the Wendy Williams Windrush Lessons Learned Review.**

Recommendation 1 of the Windrush Lessons Learned Review (WLLR) states – Ministers on behalf of the department should admit that serious harm was inflicted on people who are British and provide an unqualified apology to those affected and to the wider black African-Caribbean community as soon as possible. The sincerity of this apology will be determined by how far the Home Office demonstrates a commitment to learning from its mistakes by making fundamental changes to its culture and way of working, that is both systemic and sustainable.

Legislation is required to fully right the wrongs and in particular deliver on WLLR recommendation 1 to stop the Home Office treating the Windrush Generation and their descendants as foreigners when they have lived in the UK most of their lives.

First wave of supporters of this statement.

Professor Sir Geoff Palmer

Professor Carole Baxter

Professor Gus John, Independent consultant

George Brown, Barrister, Kenworthy Chambers

Peter Herbert, OBE, Human Rights Barrister, Chair of The Society of Black Lawyers

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Faye Bruce, Chair, Caribbean and African Health Network (CAHN).

Michael Parker, CBE, CEO, Chartered Certified Accountants and Business Advisors

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Link for fund raising gofundme.com/f/windrushcitizenship