

# From Recognition to Remedy

A Roadmap for the New  
Windrush Commissioner

June 2025

**ACTION FOR RACE  
EQUALITY**



# Windrush Day is a symbol of recognition. Every year, it reminds us to celebrate and commemorate the contribution of the Windrush Generation to the making of modern Britain.

But seven years' on since the Home Office Scandal made national news, victims and survivors are still waiting for compensation and restitution. Windrush Day is a reminder that justice remains deferred and denied.

The new Windrush Commissioner is an opportunity to move from recognition to remedy. This short paper presents some recommendations for the new post-holder, informed by the groups on our Windrush Justice Programme.

## Who we are

Action for Race Equality champions fairness, challenges race discrimination and pioneers' innovative solutions to empower Black, Asian and Mixed Heritage communities through education, employment, and enterprise. Through our projects, we support Black, Asian and Minority-led organisations through onward grant giving and capacity building, and in our policy work on tackling race disparities in education, employment, and criminal justice.

Through our Windrush Justice Programme, we fund and do capacity building work with 26 Windrush advocacy groups across the UK covering Scotland, the Midlands, the Northwest, and London. These small, grassroots groups, embedded in their communities, support people applying to the Windrush Scheme for Documentation and the Windrush Compensation Scheme.



## What should the new commissioner consider?

The Windrush Commissioner will be a challenging role with responsibility for not only advocating for victims and survivors, but also for advising on the delivery of the compensation scheme, implementing the Wendy William's Lessons Learned Review and supporting long-term cultural change at the Home Office.

A report by the [Institute for Government](#), *How to be an effective commissioner*, outlines some of the difficulties faced by other government-appointed commissioners, as they tried to succeed in their "[lonely roles with no handbook](#)".

In collaboration with groups on our [Windrush Justice Programme](#), we have created some practical considerations for the new commissioner to consider:

- › Make it clear to stakeholders that their role is to sort the system, not to support individual cases or manage individual complaints
- › Hire a strong team including policy analysts, an engagement team and a point of contact that can refer individual cases and complaints to caseworkers, advocates and legal support
- › Build relationships with other government-appointed commissioners and with the teams working on other compensation schemes to learn from them
- › Ensure they are developing policy across Whitehall and the operational teams (for example, the Windrush Help team and Home Office caseworkers)
- › Establish how they will work with the [Independent Chief Inspector of Borders and Immigration](#) (ICIBI),

Public and Health Services Ombudsman (PHSO), Equality and Human Rights Commission (EHRC), Race Equality Engagement Group (REEG) and Home Office strategic race board

- Ensure they're engaging with a wider range of stakeholders, not just the most well-known organisations and individuals, with representation of people with non-Caribbean heritage
- Hold regular meetings with Home Office caseworkers, lawyers and advocates, where they can share issues directly
- Increase transparency and trust by providing frequent updates on the claimant journey, the number of zero offers and compensation claim success rates and plans for improvement
- Deliver a comprehensive training programme that is available to new organisations that have received funding from the Home Office Windrush Compensation Advocacy Support Fund.

## A Windrush reset: What has the Labour government done so far?

Ahead of general election in July 2024, Action for Race Equality launched *The Home Office Scandal: A Manifesto for Windrush Justice* in collaboration with eleven organisations. It set out a set of recommendations for government to achieve justice for the Windrush Generation once and for all.

Following the launch Labour leader Sir Keir Starmer announced a 'fundamental reset to respect and dignity for the Windrush Generation'.

This was followed by an article by Home Secretary Yvette Cooper MP in *The Guardian* stating that if elected the Labour government would:

- Appoint a Windrush Commissioner
- Open up access to the compensation scheme
- Re-establish the Windrush Unit

As the first year of the new government approaches, the Labour government has made progress. The Windrush Commissioner will be in post by the Summer 2025. The Windrush Unit at the Home Office has been reestablished and the Home Secretary launched the £1.5 million Windrush Compensation Advocacy Support Fund for advocates to help Windrush claimants through the compensation application process. This is a **recommendation from our Windrush manifesto**, and we welcome the government's support for the vital work Windrush advocates do. They are a critical bridge to those trying to access the unwieldy and often re-traumatising, compensation scheme.

However, the Advocacy Support Fund alone does not go far enough. Without legal representation, the compensation scheme will remain difficult to access, leaving too many survivors waiting for justice.

## How can the commissioner fulfil their duty to improve access to the compensation scheme?

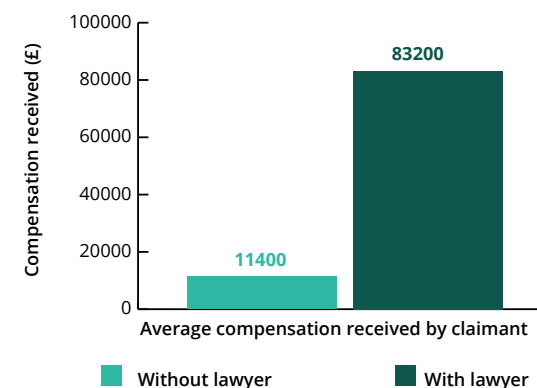
The Home Office scandal is far from over and the road to repair and restitution remains long. The government continues to argue that the Windrush Compensation Scheme has been designed to be as simple as possible to access, so legal aid for claims is not necessary.

Yet data from the Government fact sheet shows that eligible claimants are struggling to access compensation. As highlighted in the graphic below, £110.53 million has been paid across 3,291 claims since the scheme launched in April 2019 up to the end of April 2025. Over the same period, over 5,500 claims that meet the eligibility criteria have been rejected and offered nothing. This falls far below success rates of other national compensation schemes.

A recent report by JUSTICE, the University of Sussex and Dechert LLP found that Windrush claimants that had the support of a lawyer were more likely to receive compensation and received bigger offers.

The role and remit of the Windrush Commissioner will be essential to resolving these well-documented issues.

**Cohort 1 - Average Compensation Received by a Claimant With Vs Without The Help of a Lawyer**



Source: JUSTICE report, 'The value of legal representation in the Windrush Compensation Scheme'

# Why Windrush still matters: Wilson's story

## 2014-present

Wilson\* was born in Trinidad in the 1980s to a British mother and Trinidadian father. Born prematurely, he was unable to travel back to the UK as a newborn until he was stable enough. At 3 months old, his mother took him to Liverpool, where he's lived ever since.

In 2014, now in his early 30s, Wilson tried to go on holiday with his child and former partner. He tried to apply for a British passport but was told he wasn't eligible for one. Three months later, his employer of 8 years began hassling him for his immigration documents. This was the start of saga that would eventually lead to Wilson losing his job twice in 2018, through no fault of his own.

## The struggle to secure status

Wilson was in constant contact with the Windrush Taskforce, and in 2019, they encouraged him to get a Trinidadian passport.

He travelled from Liverpool to London twice to try and get a Trinidadian passport. On the second trip with his mother, after he lost his job, the pair made their way to the Trinidadian High Commission and spent a freezing cold night outside on a bench waiting for it to open. He was turned away, told that he needed to get his documents notarised. They spent that day looking for a legal practitioner to fulfil this requirement.

Having lost his job, Wilson's livelihood quickly deteriorated, and *he found himself homeless, sleeping on the streets and eating out of bins*. He was unable to maintain a meaningful relationship with his son and family, to participate in family events or trips. *His relationship with his son's mother also broke down beyond repair*.

With support, he was eventually able to settle his British nationality, but he locks his passport in a safe because he's scared they'll take it away. He is receiving therapy and is trying to get his life back on track.

## Working with the Windrush Justice Programme

Wilson is now working with Windrush Justice Programme group, the award-winning [Liverpool Advocates for Windrush](#), to try and apply for compensation for the loss he has suffered because he couldn't prove his lawful status.

Wilson told LAW that he suspects that the Home Office contacted his former employer after he first attempted to



apply for a British passport, which subsequently threatened them with a £20,000 fine.

## The need for legal expertise

When LAW wrote to Wilson's former employer under the Freedom of Information Act to find out why they dismissed him, they initially gave them the runaround and refused to help. LAW proceeded to write a formal letter, in legalese, formal letter head, quoting relevant legislation. Wilson's old employer quickly wrote back and explained that *they let Wilson go because they could not prove his lawful status*.

They are continuing to work on his compensation claim and have written to the Department for Work and Pensions for Wilson's records. They've since responded, with a 486-page document – filled with complex, and partly redacted information, with details of Wilson's job-seeker's allowance, *dating back 20 years*.

LAW's legal expertise, as well as their affiliation with a law centre, has enabled them to get this far with Wilson's application. Without being able to escalate the issue with his employer through legal means, they fear they would never have received the information they needed from them. Their next hurdle is analysing the complex nearly 500-page document from the DWP, something which a layperson would struggle to get through without having a legal background.

\* Names have been changed.