



**Black Equity
Organisation**

HOMES LOST, LIVES SHATTERED

**The Windrush
Housing Scandal**



EMPIRE WINDRUSH

After answering the call to help rebuild Britain after the war and despite having British Citizenship, the Windrush generation continue to face discrimination and mistreatment.

No Blacks, No Dogs, No Irish

Yet they stayed – rebuilding the NHS, working and contributing both economically and culturally enriching the arts, music and public services.

Yet in 2012, due to the hostile environment policy the very same British Saviours lost their right to work, were denied healthcare, lost their homes, access to their pensions and entitled benefits, were detained and passports confiscated. 78 years after the arrival of the Windrush we are still fighting for basic human rights of liberty and security.

In April 2023, BEO launched successful legal proceedings against the systemic racism underpinning the Government's refusal to implement all of the recommendations from the Independent review of the Windrush scandal.

Help us to continue to fight for justice for the Windrush generation. Do this by supporting BEO's fight to eradicate systemic racism - donate here: **www.blackequityorg.com/donate**

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HOMES LOST, LIVES SHATTERED

The Windrush Housing Scandal

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About us:

The **Black Equity Organisation (BEO)** is an independent, national Black civil rights organisation created to dismantle systemic racism in Britain, drive generational change and deliver better lived experiences for Black people across the country. We exist to promote economic, legal, social and political equality for Black communities in Britain in order to ensure equal opportunity for progress and prosperity. Our efforts will endorse and amplify Black talent, Black enterprises, and Black greatness in Britain. Our vision is to realise the empowerment, self-determination, and welfare of Black people in the UK, and to be a credible and effective catalyst for dismantling structural racism within British society.

You can read more about this project here: www.blackequityorg.com

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Professor Patrick Vernon OBE

Chair of the Advisory Board, he is a social commentator, campaigner and political activist who has been at the forefront of several high profile campaigns on cultural heritage and social justice in the UK over many years. He started a campaign in 2010 for Windrush Day to be acknowledged and continues to fight on all Windrush related issues.

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Global Afrikan Congressuk Official 2002 Ltd (GACuk) is the UK Chapter of Global Afrikan Congress (GAC), an international network of organisations formed after Afrikans at the UN World Conference Against Racism 2001 successfully encouraged nation states to recognise our enslavement as a crime against humanity. Our key objective is to achieve Reparations for these crimes which still continue today, including neo-colonialism, genocide and racism.

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**The Home Office
Windrush Scandal
is one of the most
serious failures
of the British
state**

Executive summary

The Home Office Windrush Scandal is one of the most serious failures of the British state – a systemic national injustice in which tens of thousands of people who had the legal right to call the United Kingdom home were wrongly classified as illegal immigrants. The impacts are far-reaching, and some victims have passed away before receiving justice.

This report examines the profound and lasting housing-related consequences of that failure. Without urgent action, Windrush survivors will continue to face displacement, instability and the erosion of the lives they built in Britain. The impact goes far beyond one generation: inaction entrenches intergenerational disadvantage – in an already unequal Britain – and signals that the state bears no obligation to remedy the harms it has caused.

To explore the experiences of those affected by the Scandal, we interviewed six Windrush survivors and four Windrush justice advocates.

Key findings

- Survivors have experienced a loss of identity and displacement due to housing and citizenship issues caused by the Home Office Windrush Scandal.
- The Windrush Scandal has been wrongly treated as a collection of individual and isolated cases as opposed to a systemic national failure, placing the burden of proof of citizenship on survivors. This intentional mischaracterisation has allowed injustices to go unaddressed.
- The consequences of housing instability do not exist in isolation. Survivors' inability to access secure housing has compounded disadvantage across multiple areas of their lives – including their ability to access NHS services and employment – with knock-on effects for education and intergenerational outcomes.

Summary of recommendations

Two key recommendations were identified, grounded in a wider pool of recommendations from both interviews and stakeholder roundtable discussions:

1. All councils and housing departments should implement Mandatory Windrush training and written guidance, funded by central government and monitored by a dedicated Windrush task force in each council. The Equality and Human Rights Commission (EHRC) should oversee compliance and use its enforcement powers where authorities fall short. Guidance should cover how to identify Windrush survivors, understanding why conventional documentation may not exist, how to handle cases where documentation is limited without disadvantaging applications, and training to embed anti-discrimination practice.

2. The government should abolish the Right to Rent scheme.

This scheme has been found to cause discrimination and harm to Windrush survivors and ethnic minorities at large in the private rented sector. The Home Office should lead in dismantling the scheme in coordination with the Department for Levelling Up, Housing and Communities (DLUHC), with the EHRC overseeing the process and enforcing.

3. The government should establish an independent body to administer the Windrush Compensation Scheme.

Alongside the call for an independent investigation, participants believed that the compensation scheme should not be administered by the Home Office. Many felt that the scheme would be better run by a separate department. This relates to concerns around conflict of interest, with the Home Office mistrusted and considered unfit to administer the compensation scheme for a scandal which it was responsible for creating and to make fair determinations of eligibility or restitution. An independent body should be set up to lead the scheme, with expertise in compensation and assets evaluation to ensure fair awards are granted. Caseworkers should not rule on decisions without talking to the survivors:

The Windrush Scandal has been wrongly treated as a collection of individual and isolated cases as opposed to a systemic national failure.



our participants expressed concerns that currently, 'caseworkers sit behind a desk and make decisions without having a conversation with you' (Faye). The compensation scheme and the Windrush scheme at large are in desperate need of revision and removal from the Home Office.

4. The Windrush Commissioner and the Home Office should work with African High Commissions to notify and assist African Windrush survivors, especially those locked out of the UK.

One demographic extensively impacted by the two-year lapse in ILR is African Windrush survivors of the Windrush generation. This population has been disproportionately under-represented in Windrush claims and scheme applications.

Addressing this gap should include the establishment of a working group comprising High Commissions, tasked with identifying, contacting and supporting Windrush survivors from African countries. This strategy would mirror the diplomatic approach taken by the CARICOM nations.¹

Next steps

As part of the second phase of this project, Black Equity Organisation (BEO) will work in collaboration with members of the Windrush community, housing advocates and Windrush advocates to push for a commitment from all councils and housing authorities to implement mandatory training and clear guidance. The goal of this campaign is to ensure that council staff can identify Windrush survivors and support them into suitable housing. To learn more or participate in the campaign, please visit <https://blackequityorg.com/windrush-legacy> or email research@blackequityorg.com.

The goal of this campaign is to ensure that council staff can identify Windrush survivors and support them into suitable housing.

¹ Embassy Networking for Diplomats (n.d.). Diplomatic push wins Windrush rights. <https://embassymagazine.com/diplomatic-push-wins-windrush-rights>.

Introduction

The Home Office Windrush Scandal describes the cumulation of decades of racist immigration policy that left hundreds of thousands of legal, largely Black residents of the UK without documentation.² With the inability to prove their legal immigration or citizenship status, this population was targeted by the government – especially during the ‘hostile environment’ of the 2010s. This resulted in the wrongful detention, deportation and refused re-entry of Windrush survivors and the denial of basic access to, among other things, jobs, education and housing. Since the Scandal broke in 2018, media reports have circulated of victims experiencing different forms of injustices, including housing insecurity and homelessness.³ Many survivors report numerous barriers to obtaining housing even if they have been awarded status or compensation; thus, housing concerns evidently remain unaddressed. BEO believes that survivors should be in safe and secure housing at the minimum, even if their claims are still being processed.

Commonly, people assume that Windrush-related issues occurred for a brief period of time in the 2010s and have now been resolved. They have not. The Scandal may have been exposed then, but generations of people have been affected over decades, some who have been locked out of the UK dating back to the 1980s.⁴ *‘The Windrush Scandal may be making fewer headlines, but its lasting impact is far from over.’*⁵ The main population affected by the Scandal, known as the Windrush generation, is the people who came to mainland UK before the late 1980s.⁶ However, the Scandal does not affect only them, as many of the Windrush generation have had children or grandchildren who are now in the same wrongfully undocumented predicament – including some born and raised in the UK after the Scandal broke.

Various government officials have publicly acknowledged the Scandal to varying degrees. Former prime minister Theresa May and then home secretary Amber Rudd apologised to the Caribbean heads of state *‘for any anxiety caused’* when the Scandal broke in 2018.⁷ The next home secretary, Sajid Javid, apologised to members of the Windrush generation:

I have been very clear that the experiences of some members of the Windrush generation has [sic] been completely unacceptable, which is why I am committed to right the wrongs of successive governments.⁸

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- 2 Williams, W. (2018). *Windrush lessons learned review*. https://assets.publishing.service.gov.uk/media/5e74984fd3bf7f4684279faa/6.5577_HO_Windrush_Lessons_Learned_Review_WEB_v2.pdf.
 - 3 Gentleman, A. (2020, 19 March). ‘Lambs to the slaughter’: 50 lives ruined by the Windrush scandal. *Guardian*. www.theguardian.com/uk-news/2020/mar/19/lambs-to-the-slaughter-50-lives-ruined-by-the-windrush-scandal.
 - 4 White, N. (2024, 15 April). Windrush Scandal victim finally back in UK after 40 year exile in Caribbean. *Independent*. www.independent.co.uk/news/uk/home-news/windrush-scandal-returns-uk-passport-b2528841.html.
 - 5 McIntosh, K. (2022, 30 November). The Windrush Scandal is far from over. Action for Race Equality. <https://actionforraceequality.org.uk/windrush-scandal-far-from-over/programme>.
 - 6 There are two cut off dates for the Windrush generation: 1988 for those from former Commonwealth countries and 1973 for all other arrivals.
 - 7 Bates, L. (2018, 17 April). Theresa May tells Caribbean leaders she is ‘genuinely sorry’ over treatment of Windrush children. Politics Home. www.politicshome.com/news/uk/political-parties/conservative-party/theresa-may/news/94452/theresa-may-tells-caribbean.
 - 8 Home Office. (2019, 10 June). Home secretary apologises to members of Windrush Generation. www.gov.uk/government/news/home-secretary-apologises-to-members-of-windrush-generation.

With the UK government publicly acknowledging that this Scandal and the related issues are their responsibility, it is reasonable to expect them to take ownership to ensure that every survivor is able to flourish in society. The Home Office has created two schemes, to address documentation issues and to provide compensation for the harm caused: the Windrush Scheme and the Windrush Compensation Scheme.

The Scandal has inspired various books, documentaries and research projects detailing the stories of those impacted, the political history leading up to the Scandal and the breaking of the Scandal.⁹ Two of the most notable are the *Windrush lessons learned review* by Wendy Williams and *The historical roots of the Windrush Scandal*,¹⁰ commissioned by the Home Office in response to the former. There is also research on the impact of the Scandal, including JUSTICE's report *People need legal help: The value of legal representation in the Windrush Compensation Scheme*¹¹ and 'The persistence of the hostile environment after the Windrush Scandal'.¹²

Although many media reports cover individual cases of housing issues, there is limited literature disaggregated data on the Scandal and housing specifically. Given the increasing numbers of unresolved cases, and the limited data around housing, this report seeks to identify common themes highlighting how the Home Office Windrush Scandal impacts survivors' access to housing. It also outlines possible remedies for the housing issue.

The Windrush Compensation Scheme

Then home secretary Sajid Javid launched the Windrush Compensation Scheme on 3 April 2019. Javid appointed Martin Forde QC as an independent adviser to oversee the design of the compensation scheme between 2018 and 2021. Forde gave oral evidence about the scheme at a House of Commons Home Affairs Committee in 2020, raising concerns including 'poor communication about the scheme' and describing the guidance as 'fairly opaque to non-lawyers and to those who are not used to dealing with documentation'. Forde also commented about the sentiments of the Home Office administering the scheme and effectively 'marking their own homework':

I was very troubled by it being in charge of the scheme because it does not sit well with a lawyer ... the tortfeasor, as we would describe it in law, the wrongdoer, isn't normally the compensator in terms of controlling the amount of compensation.¹³

This concern has been echoed and emphasised by advocates and survivors.

9 Brinkhurst-Cuff, C. (2018). *Mother country: Real stories of the Windrush children*. Headline.

10 Home Office (2024, 26 September). *The historical roots of the Windrush Scandal: Independent research report*. www.gov.uk/government/publications/the-historical-roots-of-the-windrush-scandal/the-historical-roots-of-the-windrush-scandal-independent-research-report-accessible.

11 Wilding, J., JUSTICE, University of Sussex, & Dechert LLP (2025, June). *People need legal help: The value of legal representation in the Windrush Compensation Scheme*. <https://justice.org.uk/reports/people-need-legal-help-the-value-of-legal-representation-in-the-windrush-compensation-scheme>.

12 Slaven, M. (2024). The persistence of the hostile environment after the Windrush Scandal. *The Political Quarterly*, 95(2), 272–280. <https://doi.org/10.1111/1467-923x.13411>.

13 House of Commons (2020, December). *Home Affairs Committee oral evidence: The Windrush Compensation Scheme*. HC 1013. <https://committees.parliament.uk/oralevidence/1372/pdf>.

Applications to the scheme can be made as either a primary claimant, including on behalf of a person's estate if the primary claimant is deceased, or as a close family member of a primary claimant. At the end of January 2026, data from the Office of National Statistics (ONS) revealed that since the start of the scheme a total 11,475 claims had been received, and that 9,224 final decisions had been made.¹⁴ Out of the 9,224 final decisions, 3,148 claims resulted in an 'offer' of compensation, 5,203 were told that they were not entitled to compensation.¹⁵ The 3,148 claims resulting in compensation being offered represent a 34% redo calc success rate, but the use of the term 'success' warrants caution, as we cannot assess whether the offers were proportionate to the harm suffered and the losses experienced by survivors. Many of our participants shared that some of their losses could not be quantified or rectified monetarily. Also, these figures represent not solely applicants of Black Caribbean or Black African heritage but all those who are Commonwealth citizens who arrived in the UK before 1 January 1973 or those of any nationality who arrived prior to 31 December 1988, who have suffered losses due to being unable to prove their right to live in the UK.

Many of our participants shared that some of their losses could not be quantified or rectified monetarily



The data on compensation applications can be filtered by country of residence and country of nationality, but it is not disaggregated by race or ethnicity. It is impossible to know whether Black Caribbean and Black African applicants – who are among the most affected communities – are experiencing better or worse outcomes than the already low 33% average success rate across all final decisions. The absence of ethnicity monitoring is a policy failure in itself: it makes it impossible to assess whether the scheme is reaching Black communities proportionately or whether there are disparities in outcomes by ethnicity.

14 Suspended claims are defined as any eligible claim where despite numerous requests the claimant has either failed to make contact about their claim and the Home Office is unable to locate them, or has failed to provide information essential to progress their claim. Where the Home Office is unable to progress a claim, the claim is suspended and removed from 'work in progress' until such time as the claimant remakes contact. If the required information is subsequently provided, the claim will be reopened at the point it was suspended.

15 National Audit Office report on an overview of the Windrush Compensation Scheme as at January 2026 [Government's compensation and financial recognition schemes](#)

The compensation scheme has undergone several adaptations. Despite the changes, in its current form BEO regards it as unfit for purpose, unjust and unnecessarily complex. As it currently stands, the Windrush Compensation Scheme and other initiatives do not sufficiently address access to housing for survivors of the Scandal who have experienced difficulties proving their right to rent and maintaining employment in order to afford rent or a mortgage, due to the Home Office either destroying documentation which would have proved their British nationality or not keeping records of their nationality at all.

Various organisations, advocates and campaigners, such as Action for Race Equality¹⁶ and Age UK,¹⁷ have made recommendations on how the scheme can be improved, but these proposals appear to have had limited traction with the government. The Home Office states that it '*remain[s] open to making further improvements and will continue to engage regularly with stakeholders and applicants*',¹⁸ but this is not borne out by the experiences of our interview participants. Considering the politics around race that pre-dates the arrival of affected survivors, and considering their experiences historically and in the present day, it could be argued that the persisting challenges are unfortunately unsurprising.

The direct association of the Home Office Windrush Scandal with this particular ship may be one of the reasons that a misconception exists that the Scandal is a 'Caribbean issue', whereas in reality it affected various communities under British colonial rule.

Historical narrative

The United Kingdom was devastated after the Second World War (1939–1945) and sought an outside labour force to help restaff various sectors and rebuild the country. The British Nationality Act (BNA) of 1948 formalised existing patterns of movement within the Commonwealth by establishing a shared status of Commonwealth citizenship, allowing individuals to reside in parts of the Commonwealth beyond their country of birth, including the UK. Combined with post-war demands to fill labour gaps, this led to a large influx of migration to the UK from colonial and Commonwealth territories.

HMT *Empire Windrush*, the ship which the Scandal was subsequently named after, departed from the Caribbean carrying 1,027 passengers; 802 passengers gave their last country of residence as somewhere in the Caribbean, including 539 from Jamaica and 73 from Trinidad. There were also people on board from Mexico, Scotland, Gibraltar and Wales.¹⁹ The direct association of the Home Office Windrush Scandal with this particular ship may be one of the reasons that a misconception exists that the Scandal is a 'Caribbean issue', whereas in reality it affected various communities under British colonial rule, including those migrating from the African continent.

16 Action for Race Equality (n.d.). *The Home Office Scandal: A manifesto for Windrush justice*. <https://actionforraceequality.org.uk/book/windrush-manifesto>.

17 Age UK (2024, February). Reforming the Windrush Compensation Scheme. www.ageuk.org.uk/our-impact/campaigning/reforming-the-windrush-compensation-scheme.

18 Home Office (2024, 30 April). Windrush Scheme factsheet: March 2024. <https://homeofficemedia.blog.gov.uk/2024/04/30/windrush-schemes-factsheet-march-2024/#:~:text=in%202021%20and%20August%202022,periods%20and%20receive%20more%20money>.

19 Rodgers, L., & Ahmed, M. (2019, 21 June). Windrush: Who exactly was on board? BBC News. www.bbc.co.uk/news/uk-43808007.

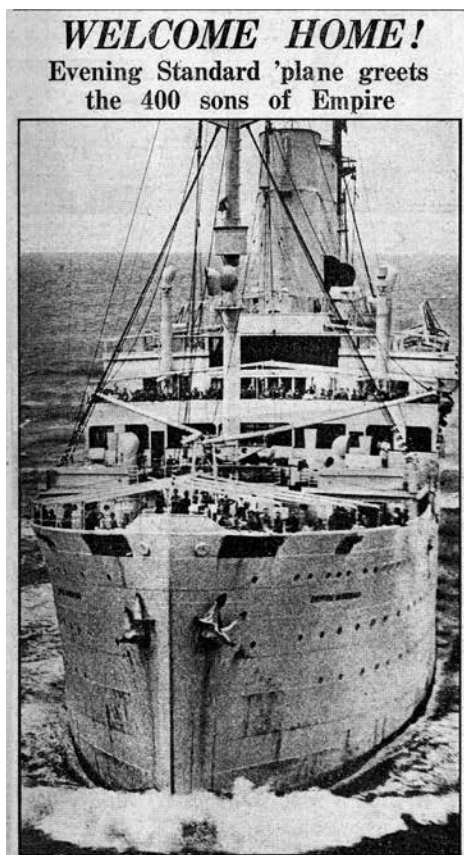
Many of the population that arrived held 'Citizen of the United Kingdom and Colonies (CUKC)' status and had travelled with British-issued passports, some containing stamped vignettes of right to entry. Children did not have their own documents and travelled under their parent's passports, meaning that they too carried CUKC status.

When memorialising this period, people often describe the Windrush generation as having been 'invited' to the UK and frequently suggest that although they were needed, they were not welcome. The *Historical roots of the Windrush Scandal* report details the environment around the time the *Empire Windrush* docked in Tilbury, Essex, in 1948:

Even before the Windrush docked, plans were being drawn up to redirect the ship to East Africa – upon their arrival, the passengers were housed in an underground shelter in Clapham, classified as 'Jamaican unemployed', and essentially left to fend for themselves.

A coordinated campaign was launched across the Civil Service to discourage a repeat of Windrush. The Colonial Office launched a publicity offensive to warn prospective migrants about the challenges they would face in the UK.

On the day the Windrush docked, eleven Labour MPs sent a letter to the then Prime Minister Clement Attlee proposing controls on Black immigration: [Britain has been] blessed by the absence of a racial colour problem ... An influx of coloured people domiciled here is likely to impair the harmony, strength and cohesion of our people and social life and cause discord and unhappiness among all concerned.²⁰



A narrative has grown up around the arrival of the *Empire Windrush* in which the ship was the first of many bringing workers from the British Caribbean to the 'mother country' to assist with the rebuilding of a war-torn United Kingdom. This is true inasmuch as the people who came to Britain did help to rebuild the country and played an irreplaceable role in twentieth-century British life. What is not true, however, is that the UK government, or the Home Office, wanted them to do so.

The report also states that the then home secretary James Chuter-Ede expressed a preference for white European workers for the roles needed to fill the UK labour market gaps due to the war. As the report's authors note, '*Postwar immigration policy did not represent a hiatus from what had preceded it: it was racially discriminatory before the war, and remained so afterwards*'. In the subsequent 20 years, immigration policy evolved in ways that limited patterns of migration and settlement, with disproportionate effects on Black and minority ethnic communities.

20 Home Office, *The historical roots of the Windrush Scandal*.

Windrush and the housing system

In the UK, key housing options include home ownership, private renting, informal living arrangements with family or friends, and social housing. Social housing was conceived as an 'affordable' housing alternative provided by local councils and housing associations. Currently, it is reserved for those who are British or Irish citizens, those who have Indefinite Leave to Remain (ILR), refugees, those who have settled status under the EU Resettlement Scheme, those who have a right of abode as Commonwealth citizens, and those who have a visa that allows recourse to public funds.

To be eligible for social housing and housing assistance, applicants must not exceed certain levels of net income, including assets (i.e. savings),²¹ and must not have partial or full ownership of homes elsewhere in or outside of the UK.²² Some, but not all, councils require a 'local connection', i.e. individuals must have lived in the area they are seeking housing in for a certain period of time or have (familial/job) ties to the area. Everyone except refugees and those settled under the Ukraine or Afghan resettlement schemes, including British citizens, must prove their habitual residency to be eligible for council housing. Habitual residency is not legislatively defined but is considered evidence that a person has been settled in the UK for a continuous period of time and that they intend to make the UK their home.

If a person has been abroad or returned to the UK within the last two years, additional proof is required, though whether they meet this requirement is largely up to the discretion of the local housing authority. Each local council may have further requirements in addition to right to remain and habitual residency. Councils design their prioritisation list and determine where an applicant is categorised regarding priority. For example, in Wandsworth the council requires proof of 'good' renting history,²³ and the City of York council places those who cannot return home from hospitals at its highest emergency priority level.²⁴

The same legal status and eligibility requirements apply for homelessness assistance, which provides support for people to obtain and maintain accommodation.²⁵ Before the Asylum and Immigration Act 1996, those with immigration controls (non-citizens or those without ILR) were able to use social housing as a form of homelessness assistance; naturally, when social housing was removed as an option, so was homelessness assistance. In order to enter the UK, migrants have to prove their ability to sustain themselves without public services. For non-citizens, the act of seeking homelessness assistance can jeopardise their ability to remain in the UK, even while their immigration status remains under review.²⁶ This prevents many people from seeking homeless assistance out of fear of being deported – including Windrush survivors, who are potentially vulnerable to consequences if they are not in possession of having recognised documentation.

21 Net income levels vary by council.

22 Sometimes referred to as 'home abroad' criteria.

23 Wandsworth Borough Council (n.d.). Qualifying and priority criteria for transfer. www.wandsworth.gov.uk/qualifying-and-priority-criteria-for-transfer.

24 City of York Council (n.d.). Who can apply for a council house? www.york.gov.uk/council-homes/can-apply-council-house.

25 Homelessness assistance is listed separately from social housing because there are specific legal consequences for homelessness and additional social services that a person may be eligible for. One does not need to be on the brink of homelessness to obtain social housing.

26 Citizens Advice (n.d.). Check if you can apply for homeless help. www.citizensadvice.org.uk/housing/homeless-help/homelessness/applying-for-homeless-help/check-if-you-can-apply-for-homeless-help.

There is a long history of racial discrimination in housing against Black and minority ethnic communities, from policy to individual practices. This includes longer wait times for private renting and social housing, poorer and overcrowded conditions of homes, and comparatively higher homelessness rates.²⁷ At one time it was common to see signs for private landlord properties that stated 'No Blacks, No Dogs, No Irish', and there is statistical evidence that there continues to be discrimination in renting to Black and other minority populations in the private rented sector.²⁸ Generation Rent found in 2023 that 18% of minority ethnic respondents had experienced racism or discrimination from a letting agent and 28% had experienced this from a landlord.²⁹ Another report found that Black families were almost four times as likely to experience homelessness but less than half as likely to gain social housing compared with white counterparts.³⁰

At one time it was common to see signs for private landlord properties that stated 'No Blacks, No Dogs, No Irish', and there is statistical evidence that there continues to be discrimination in renting to Black and other minority populations in the private rented sector.

Prior to being impacted by the Scandal, many Windrush families were in employment that enabled them to buy or rent homes. If they were in private rented or social housing, they could apply for housing benefits to assist with rent payments. The implementation of right-to-work and right-to-rent policies threatened this population with, and in some cases resulted in the loss of, access to housing options and assistance.

Those who owned homes also faced insecurities, such as losing employment or being locked out of the UK, which rendered mortgage payments and other living expenses unaffordable. This led to forced sales and repossessions. Many who were incorrectly told they were illegally living in the UK felt they had no choice but to leave, moving to countries with which they were unfamiliar. However, leaving was not an option for everyone, and a large population became homeless, 'sofa-surfing' or living on the street.

Since the Scandal emerged, many individuals are still awaiting status decisions and therefore remain unable to access social housing or other resources. Moreover, even those who have received status decisions are still unable to access housing because they cannot meet certain eligibility requirements such as habitual residency or local connection. Only refugees and those with leave to remain with recourse to public funds due to the wars in Ukraine and Afghanistan are exempt from the habitual residency requirement. This raises questions as to why other groups, such as Windrush survivors who are not able to meet these requirements through no fault of their own, are not also provided with an exemption.

Put differently, many Windrush survivors cannot meet residency requirements because

- 27 Gulliver, K. (2017, 11 October). Racial discrimination in UK housing has a long history and Deep Roots: LSE British politics. LSE British Politics. <https://blogs.lse.ac.uk/politicsandpolicy/racial-discrimination-in-housing>.
- 28 Gulliver, K. (2016, October). *Forty years of struggle: A window on race and housing, disadvantage and exclusion*. Human City. <https://humancityinstitute.wordpress.com/wp-content/uploads/2020/01/forty-years-of-struggle.pdf>.
- 29 Generation Rent & Naked Rent (2025, January). *Vanishing communities: How private renting is pricing out young minority ethnic people*. www.generationrent.org/wp-content/uploads/2025/01/Young-minority-ethnic-renters-10.pdf.
- 30 Fitzpatrick, S., Bramley, G., McIntyre, J., Ayed, N., & Watts-Cobbe, B. (2025, 10 July). Race, ethnicity and homelessness in the UK: Final report of a knowledge and capacity building programme. Heriot-Watt Research Portal. <https://researchportal.hw.ac.uk/en/publications/race-ethnicity-and-homelessness-in-the-uk-final-report-of-a-knowl>.

they have been locked out of the UK, are homeless or have been transient for years. Others are ineligible for social housing because they have homes abroad dating to when they were locked out of the UK, and these assets are not disregarded for social housing purposes. This is different to how compensation received for the Scandal is treated, as it is ignored in assessments of savings and income. However, the amounts awarded are insufficient to secure long-term housing at market rates and are often used to cover debts and living expenses to restart lives.

Many Windrush survivors are unable to meet additional housing requirements, such as a good rental history, because right-to-rent restrictions prevented them from accessing housing in the UK for years. Consequently, some have relied on family or friends for accommodation, causing overcrowding, financial strain and emotional tension. Moreover, any homes or assets that Windrush survivors may have owned – potential resources for themselves or their families – have often been lost or subject to disputes regarding who in the family has ownership rights. These circumstances are reflected in the stories of the people interviewed for this study.



Methodology

Research approach

Existing literature on the Home Office Windrush Scandal explores its political, legal and mental health dimensions, and the ramifications of the Windrush Compensation Scheme. While housing loss and challenges feature across this literature alongside news/media articles centred on individual cases, no study has examined housing as its primary focus – exploring the compounding effects of housing instability and commonalities among survivors' experience. This qualitative research study addresses this gap.

Our research questions asked what participants' housing situation was before they were affected by the Scandal, how their housing arrangements changed and their current circumstances regarding housing. For participants who had become unhoused, we asked if they lost any items as a result of losing their house. We also asked if they had any medical issues that had arisen from losing their house and if any other family members had been affected. We were keen to find out if participants had been assisted by or signposted to organisations that could provide relief, and whether they had applied for the Windrush Compensation Scheme.

Participants

We engaged ten participants: six who had experienced housing issues as a consequence of the Home Office Windrush Scandal and who are Windrush survivors, and four who are advocates and campaigners (one of whom is also a lawyer) engaged in obtaining justice and raising awareness about the severity and impact of the Scandal.

Out of the six participants who spoke as survivors with direct experiences of housing instability, five had migrated from Commonwealth countries located in the Caribbean and one from a Commonwealth country located in Africa. Although we recognise the shared African heritage of Caribbean peoples, for the purposes of this study we will refer to individuals who migrated from Caribbean countries as Black Caribbean and those who migrated from African countries as Black African.

Our participants are based across the United Kingdom, and two of the Windrush survivors travel back and forth between St Lucia and the UK.

Participants were purposively recruited via BEO's network and connections. A third of participants were direct referrals by other participants who also took part in the interviews.

Data collection and analysis

We conducted semi-structured interviews with participants. This qualitative design allowed for nuanced insights while still ensuring that we covered key areas in our discussions. Discussions focused on themes relevant to housing, displacement, identity, health and solutions. The same initial questions were asked to all participants, but the conversations developed organically and the variation in interviewees' experiences meant that follow-up questions differed. Interviews were conducted virtually, which helped to promote research accessibility.

We analysed the data using thematic analysis to identify emerging themes, with particular emphasis placed on similarities in experience to identify patterns.

Ethical considerations

The interviews were conducted by two Black female researchers, who prioritised providing a safe space to ensure that interviewees could speak candidly. The research questions were designed by the two researchers alongside a prominent Windrush advocate, who is also the chair of the Windrush Project Advisory Board. It was vital that the research was conducted on terms that were not extractive, and for the findings to benefit those contributing.

All participants were offered compensation, in the form of a voucher, for the time they contributed to the interviews. Support was also provided to participants where appropriate, including signposting to other resources or further advice.

Participants were given the option to use pseudonyms or their real names and were made aware of their rights to withdraw from the process at any time. All data was stored securely and in accordance with the General Data Protection Regulation (GDPR).

Limitations

We experienced a low uptake by participants for a number of reasons:

- Some potential participants were hesitant to be interviewed due to an ongoing mistrust of the government and institutions. This evidently has permeated widely, as this barrier was experienced despite BEO being an independent organisation.
- There was discomfort in sharing personal information, particularly related to interview questions which (lightly) probed financial matters relating to housing arrangements.
- There was also a risk around distress and traumatisation that we believe affected participant uptake, as retelling their stories could be triggering.

We were unable to interview participants who are currently 'locked out' of the United Kingdom. This was primarily due to the lack of established networks or contacts with individuals currently located outside the United Kingdom.

The aim of this research was to identify common themes and shared experiences among Windrush survivors and those advocating on their behalf.

Cases

Annamarie, 42

Annamarie is a mother in her early forties who still has not had her legal status recognised in the UK. Her father came to the UK on a Commonwealth passport in the 1950s, where he lived, had children and worked until his passport was seized by the British Consulate in Germany in the late 1970s on a work trip. This prevented him from working, which caused significant losses and financial burden. Annamarie's father had owned multiple homes and businesses, but with the inability to travel easily and thus to work, he lost all of the properties. He endured numerous inconsistencies regarding his status over the years. At some point, he was given a stamp granting him the 'right to abode' which he used to travel back and forth between the UK and St Lucia for years, as he had children in both locations. In 2003, he was told that the stamp he had was no longer valid and that he had ILR, but he was denied a British passport upon submitting an application. This confusion continued until the Scandal broke around 15 years later, and he had his citizenship (retroactively) recognised. After getting his status recognised, Annamarie's father was able to obtain a council house. Unfortunately, he went missing a few years ago (and now is presumed to have passed away), but without documentation of this, the family is unable to petition for the transfer of his council house into the names of Annamarie or her siblings. This has led to contention between some family members and the father's partner. With citizenship, his children should have inherited his legal status automatically, but they too had to fight for years for recognition. Annamarie's siblings have been awarded British citizenship, but she has not. Annamarie and her two young children, born in the UK, are still pushing for status and as a result have continued to experience housing insecurity. They have been forced to rely on family members for temporary, overcrowded housing.

Euen, 45

Euen, like many Windrush survivors, has used the knowledge he obtained from fighting his own case to help others. At least three generations of his family have been impacted by the Scandal, as his grandfather moved to the UK in the 1950s and his status should have passed down intergenerationally – but was not. Euen has since had his status recognised, but only after an impromptu confrontation with Theresa May: only after he coincidentally passed through Westminster on a Windrush day event in 2018 and ambushed May did the Home Office subsequently contact him. He continues to face problems accessing the 'rights' that hostile-environment immigration crackdowns sought to reserve for legal residents. Housing, education, work and other rights are impossible to access without provable status, but even with status, eligibility requirements create barriers for those who have only recently gained recognition. Euen experienced



homelessness – sofa-surfing or renting under third parties – for 15 years. Trusting another person with his rent money led to theft, which he perceived was possible because people knew he and others like him were afraid of immigration or criminal enforcement. Euen's fears were justified, as he has been detained multiple times – once for three months without trial, charge or conviction. He is only now experiencing stable housing, having obtained social housing since receiving his documents. However, the location is far away from his family, network and other resources. He continues to wrestle with various barriers – including obtaining work and resources for education – as a result of the 15 years of insecure status/ineligibility and ongoing lack of justice and support.

Faye and Robert, both 70

Faye and Robert have been able to support one another through some of the most tumultuous periods of their lives. Both were brought to the UK with their parents as Commonwealth citizens in the 1960s and spent the vast majority of their lives in mainland Britain – including meeting and getting married here. In the mid-1970s, Robert was denied the renewal of his British passport and Faye also encountered passport issues when she travelled abroad. However, it was not until 1984, when Robert lost his job due to his lack of documentation, that the couple were abruptly forced to sell their home and possessions and move themselves and their children to the Caribbean. Faye was also told by the Home Office a few years later that she was no longer British. They had purchased their home for approximately £100,000 but cannot recall the sale price, noting that the transaction occurred rapidly without adequate time for them to consider their options. Now, 40 years later, the home is worth approximately £460,000. The buyers they sold it to still live in the property. Faye and Robert thus lost 40 years of equity, not to mention all of their possessions, which they had to sell when moving abroad. To this day they remain uncompensated for the loss of these assets, as well as the accompanying time and the stress of uprooting the family. Since the 1980s, they have been living in a country where neither speak the language and to which Faye has no heritage ties. In 2021, they were granted recognition of their status and returned to the UK, but they received no support from the government to help with this transition, particularly in regard to housing. They have continued to live abroad but return frequently to the UK, staying in their children's homes, to continue advocating for themselves and others locked out due to the Scandal.

Delroy, 65

Delroy had been living abroad for many decades but identifies as British as he spent his early years in the UK when his family came over as Commonwealth citizens in the 1960s. It was not until 2018 that he attempted to return to the UK – as he had done multiple times over the years – and was told that his citizenship papers were fake. He was forced to move to Jamaica – the country where he was born but one of which he had no memories. When the Home Office Windrush Scandal was exposed, he was informed of his eligibility by an advocate who helped him to get his status recognised. When he returned to the UK in 2022, the Home Office arranged temporary accommodation for six weeks and then abandoned him without any further resources, support or documentation. Delroy experienced homelessness for over a year – roaming London with a suitcase, sleeping at worst in parks and on buses and at best in the empty apartment of an acquaintance. This continued until a Windrush Scandal advocate was able to help his case to draw enough public outrage and attention to get documents and acquire social housing. Delroy, like many who have had their status recognised, still cannot access compensation and is financially struggling.

Jamila, 59



Jamila is among the many under-recorded individuals from African former Commonwealth countries who were caught up in the Home Office Windrush Scandal. Her crisis began in 2015 when starting a new job that required proof of her right to work. Her ILR had been stamped in her old passport but not in her current one. She lost her job in 2015 and was unable to keep up with rent payments. She spent the next year constantly emailing her local council and pleading her case. Despite her hopes, by 2016 the local council had decided to pursue eviction. The day before she was to be evicted (for the first time), lawyers became involved, offering to assist her and her son in an attempt to avoid their pending homelessness. They were able to prevent eviction at the time, but the council continued to pursue her for the debt. After the Scandal broke in 2018, she explained repeatedly that she was a Windrush survivor and was just waiting for her case to be decided and for compensation to be awarded. Despite this, the threat of eviction still hung over her head. Her documentation issues resulted in her loss of the right to work in the UK and reliance on benefits – surviving on £73 a week between her and her child. Jamila incurred £45,000 in rent arrears alongside £2,000 in council tax – juggling this with expenditure on day-to-day living expenses. Her compensation covered only the debt incurred during this period, not other losses or stressors. She has had to move forward – finally able to work, keep her home and advocate for others in the same situation.

It is important to highlight that the Windrush survivors are advocates in their own right. But in addition to them, we also interviewed practitioners with expertise in Windrush and/or housing.

Lara Oyedele is a housing advocate who collaborates with Black housing associations and supports those experiencing homelessness. She is also the daughter of Windrush survivors, whom she helped to preserve their home while navigating the complicated case for status and compensation.

Van Ferguson is a solicitor at Southwark Law Centre – Windrush Justice Clinic, who works on immigration cases, particularly on Windrush cases. He has a number of clients and former clients who were or are experiencing homelessness and has been pushing for housing solutions related to Windrush.

Claude Hendrickson is a housing advocate who works towards alternative solutions to the national housing crisis through self-build and co-operative ownership programmes.

Lastly, **Estelle** is a Windrush advocate who primarily works with Windrush survivors from the African continent. Many have been locked out for decades and have not been notified that they are considered part of the Windrush generation and are therefore eligible as applicants to the schemes. Her mission has been to raise awareness and push the government to make concerted efforts to assist Black African survivors domestically and abroad.

Key finding 1 Loss of identity and displacement

Windrush survivors highlighted reoccurring themes of displacement, rejection and a diminished sense of belonging. Being told they were no longer British and having their rights revoked – including the right to work and access to free healthcare – undermined their sense of belonging and identity. The absence of stable housing reinforced these feelings as, figuratively and literally, they did not feel as though they had a place in the UK.

Faye and Robert were forced to sell their house as they could not afford the mortgage repayments when Robert lost his job. As a result of being unhoused and in an effort to avoid 'invisible homelessness',³¹ they relocated to St Lucia, despite Robert not having lived there since the age of five. Faye recounted:

I am not St Lucian ... I don't speak the language, the culture ... He [Robert] didn't speak the language either ... When we came we went to England as children, we went to England as British citizens. (Faye)

Robert further noted:

We felt this [England] was home. There was nothing else but England. England was the mother country. You know, and the fact of living here was our lives. And all of a sudden you've been told that you don't belong, and you're thinking well, why? (Robert)

The narrative of England as the 'mother country' fuelled waves of immigration, establishing a strong sense of commitment, identity and ideology, leading many Black people from Commonwealth countries to view England as their home and Britishness as central to their identity.³² The UK was the only country Faye and Robert knew after she came from Barbados at the age of eight and served in the British army as an adult, while her mother was recruited from Barbados to work as a nurse in the UK.

[I]t was like a slap in the face, rejecting ... both of us. We were born British, and we came here as British subjects, holding the same status as those that were born in the UK. We held no other status than being born British ... I was born British, so what am I expected to be at this point in time? (Faye)

It is unfortunate but unsurprising that survivors experience confusion surrounding their identities, causing them to question their citizenship and whether the country they have regarded as home throughout their lives truly considers them as belonging.³³ These sentiments around identity were echoed by Van Ferguson:

31 'Invisible' or 'hidden' homelessness refers to people who are homeless but not officially counted in statistics as they may be sofa-surfing or staying temporarily in overcrowded housing.

32 Janes, K., Vernon, P., Estefan, D., Sheibani, F., Caesar, G., & Burgess, R. A. (2024). The ties that bind: Understanding the mental health consequences of the Windrush Scandal and hostile immigration policies on survivors in the UK. *SSM – Mental Health*, 6, 100352. <https://doi.org/10.1016/j.ssmmh.2024.100352>.

33 Janes et al., The ties that bind.

I think it's very, very difficult for them [Windrush survivors] to process how they have been treated ... because it goes to the root of their identity and it's very difficult for them to accept and it's very difficult to have those conversations ... that's why I think it is quite traumatising because it is about identity. (Van Ferguson)

Another participant, Delroy, came to the UK from Jamaica with his father when he was three months old. After travelling outside the UK, he was denied re-entry in 2018 and was forced to relocate to Jamaica:

So, Jamaica was a place I didn't know. But I asked Jamaican High Commission to allow me entry into Jamaica. And the only reason why they said they'll allow me entry is because I was born there. Although I was born there when it under British rule, before Jamaica became independent. (Delroy)

At the point of moving back there, Delroy had not returned to Jamaica for 58 years, but the wrongful accusation by the UK embassy that his citizenship documents were fake left him with little choice. Delroy experienced homelessness when he first arrived in Jamaica and again when he managed to re-enter the UK in 2022. He described a sense of being adrift upon arrival in both countries, not feeling welcome or a sense of belonging in the UK but also feeling somewhat unfamiliar with the country he and other survivors or their parents had migrated from.

Van Ferguson describes the shattering effects of the Scandal and treatment to survivors:

I think it is a sort of existential tension it causes, because it means that, you know, you're not on firm ground in terms of who you are, in terms of why – why you've been working so hard, why you've been ... building your family, setting up roots and the rest of it. (Van Ferguson)

For many people, a house and the community it sits in provide roots, purpose and a foundation. Centrepont – a youth homelessness charity – describes 'home' as the stories we create, treasured memories and a form of self-expression, a foundation for independence and safety.³⁴ It is inevitable that the survivors we spoke to would therefore question their identity, belonging and safety after experiencing housing difficulties and the wider problems associated with the Scandal. Being wrongfully classified as ineligible for access to social housing or experiencing a loss of employment that rendered private renting or a mortgage unaffordable has left many survivors without a home – not only in the literal sense of lacking a roof over their heads but also symbolically, as they described feeling marginalised and alienated and as though the UK was no longer home.

Over time some Windrush survivors have been offered social housing, but the available locations have been far from their jobs, children, other family and friends. This results in individuals having to make a choice between securing shelter and retaining the networks which are crucial for mental health and wellbeing:

The inability to secure housing in areas individuals are familiar with and have connections to contributes to the larger pattern of displacement. Families are displaced and entire communities eroded.

³⁴ Centrepont (n.d.). *Home means belonging*. <https://centrepont.org.uk/support-us/campaign/home-means-belonging>.

The problem is, they may be able to offer you a house. But that house, say you live in London, that house might be in Milton Keynes. That house might be in Oldham. That house might be in Leeds. That house might be 100 miles away from where you live. (Claude Hendrickson)

The inability to secure housing in areas individuals are familiar with and have connections to contributes to the larger pattern of displacement. Families are displaced and entire communities eroded. Black communities more broadly are already facing challenges with gentrification, with neighbourhoods identified as gentrified having seen a significant drop in Black populations.³⁵ These communities are increasingly unable to secure housing in their preferred location, not solely due to being 'priced out' but also, we must acknowledge, because of the role of injustices such as the Home Office Windrush Scandal in the displacement of Black communities.

Despite these consequences being a result of catastrophic failures by the government, the burdensome responsibility of proving citizenship has been shifted to survivors – embedded in legislation such as the Immigration Acts of 1971 and 2014 and through hostile-environment policies and compounded by a compensation scheme that requires survivors to evidence losses caused by the state itself.

35 WPI Economics & Trust for London (n.d.). *Gentrification across London*. <https://trustforlondon.org.uk/data/gentrification-across-london>.

Key finding 2 Individualising the Home Office Windrush Scandal

The Home Office has tried to frame the Windrush Scandal as the consequence of errors of individuals and to move away from it being seen as an orchestrated Scandal, as demonstrated by the *Historical roots report and the BEO Expert evidence report*.³⁶ Since it broke in 2018, the Home Office and government representatives have issued multiple apologies to *individuals* caught in the Scandal.³⁷ Former home secretary Amber Rudd remarked during her apology: 'I am concerned that the Home Office has become too concerned with policy and strategy and sometimes loses sight of the individual. This is about individuals, and we have heard the individual stories, some of which have been terrible to hear.'³⁸ In the years following, the Home Office has stated that it has sent apology letters to individuals who have been affected by the Scandal – one to a group of 18, another to a group of 67. This speaks to the individualisation of what was in fact a systemic initiative.

There was a shift in UK immigration practices during the later 1960s from an 'aggregate model' where the focus was on managing the volume and rate of immigration to a heavily individualised approach that evaluated an individual's entitlement. This created 'increased expectations of individual migrant documentation' which exist to the present day; Slaven (2022) explores how this shift creates impossible standards for racialised individuals – especially long-term residents, including the Windrush generation.³⁹

Individualising the Home Office Windrush Scandal not only makes proving legal status more complicated: it also restricts access to essential rights and services, such as housing, including for those seeking to confirm their status as a British citizen.

Burden of proof and inconsistent standards

It is possible to see the way in which the Scandal has been individualised when focusing on issues relating to burden of proof. Citizenship and other legal statuses in the West exist to delineate who has 'rights' within a given country.⁴⁰ These rights vary and are determined by immigration policy and enforcement. The hostile-environment policies, namely the 2014 and 2016 Immigration Acts, transformed basic needs into rights that could be established only by positively proving one's right to be in the UK.⁴¹ This placed the burden of documenting and proving legal status on individuals rather than the government, which determines status decisions and is responsible

36 'Expert report of Frances Webber of the Institute of Race Relations', Claim No. CO/1527/2023, High Court of Justice.

37 BBC (2019, 10 June). *Windrush: Sajid Javid apologises to 49 more victims of scandal*. www.bbc.co.uk/news/uk-48585147.

38 Gentleman, A. (2018, 16 April). Amber Rudd 'sorry' for appalling treatment of Windrush-era citizens. *Guardian*. www.theguardian.com/uk-news/2018/apr/16/theresa-may-caribbean-representatives-windrush-immigration.

39 Slaven, M. (2021). The Windrush Scandal and the individualization of postcolonial immigration control in Britain. *Ethnic and Racial Studies*, 45(16), 49–71. <https://doi.org/10.1080/01419870.2021.2001555>.

40 Bloemraad, I., Korteweg, A., & Yurdakul, G. (2008). Citizenship and immigration: Multiculturalism, assimilation, and challenges to the nation-state. *Annual Review of Sociology*, 34(1), 153–179. <https://doi.org/10.1146/annurev.soc.34.040507.134608>.

41 Ali, N. (2023). *The violence of Britishness: Racial bordering and the conditions of citizenship*. Pluto Press.

Individualising the Home Office Windrush Scandal not only makes proving legal status more complicated: it also restricts access to essential rights and services, such as housing

for recording those decisions. As already mentioned, the changing citizenship policies of the twentieth century, combined with the Home Office's pattern of misplacing or destroying documentation relating to the Windrush generation, left many unable to prove their status. This was arguably not accidental, and it allowed the government to especially target people of colour, whether through denied re-entry after travelling, deportation or unbearable conditions that invoked self-deportation.⁴²

Since the Scandal was exposed, the government has accepted that landing cards were destroyed in 2010 by the UK Border Agency.⁴³ Despite this, the Home Office still requires survivors to produce evidence spanning decades of their lives to prove their status, often making unnecessary repeated requests for information.

Survivors and their families endure multiple evaluation processes and lengthy waiting periods to obtain documentation of their status. The evaluation process has high evidentiary thresholds which fail to reflect the fact that people did not routinely save documents or information that could prove their status when they never thought that it was in doubt. This leaves survivors in limbo and unable to access support, including securing or maintaining housing.

I find the Home Office is disinterested in – in dealing with them [survivors], unless they have overwhelming, compelling evidence. Because, as you know, most people don't have the all the proof and the task force is there to help them to obtain the proof from government departments. Right? So unless they have that overwhelming evidence, they're not – they're not being helped. The government doesn't want to talk about it. (Euen)

Flaws in the schemes continue to be identified and gradually addressed. It can be argued that the Home Office and its staff are themselves still navigating the processes and protocols. But naturally, survivors will struggle to prove their inability when requirements are burdensome, inconsistent and still being refined. Survivors report that the process treats them with hostility and that they are blamed for their inability to navigate the process.

Interviewees reported that Home Office case workers and courts have denied status and compensation claims over minor issues, or such as brief gaps or minimal missing information within decades of documented evidence:

You've got to go back over your life to try and find people who can verify your information, and then they come back on one little technicality ... And you're thinking, well, you know, why? What is it? (Robert)

This study focuses on the denial of necessities for a population of legal residents, shown by the fact that the UK government has a track record of intentionally delayed status decisions, changed eligibility rules, or granted only temporary statuses to

42 Cummings, R. (2020). Ain't no black in the (Brexit) Union Jack? Race and empire in the era of Brexit and the Windrush Scandal. *Journal of Postcolonial Writing*, 56(5), 593–606. <https://doi.org/10.1080/17449855.2020.1815972>.

43 UK Parliament (2018, 18 April). Point of Order. Volume 639: Debated on Wednesday 18 April 2018. <https://hansard.parliament.uk/Commons/2018-04-18/debates/F7E5808F-BEAC-41DC-BE50-A36941C7AFDA/details>.



keep undesired communities from accessing their needs,⁴⁴ making it easier to exploit or deport a population at a moment's notice. The Windrush Scandal and subsequent ineffective 'remedies' are just one example of this tactic, and unfortunately, a symptom of a much larger problem.

Citizenship by descent in the UK means that if a parent or grandparent is a citizen, the status passes down.⁴⁵ Yet the Home Office did not apply this inheritance (of citizenship or ILR) to descendants of Commonwealth citizens in the UK. Status inheritance should be automatic, but inheritance was not added to the status scheme until 2022 and exemptions to continuous residency for certain applicants did not apply until 2023.⁴⁶ Even after that, it still carries the limitation that a child/grandchild (of a person who arrived before the Windrush cut-off dates) needs to have been born in the UK or to have arrived before the age of 18 to qualify – even though citizenship by descent normally does not carry these physical presence rules.⁴⁷ Thus, automatic status inheritance still has not been applied across the board for Windrush descendants.

[T]he Home Office says, 'Well, you know your grandfather had his status this way for that ten-year period which, you know, we found was historical legislative unfairness'. We've had a new legislation passed in 2022 ... to fix this, and the Home Office has not applied it to my case. (Euen)

44 Ali, N. (2023). *The violence of Britishness: Racial bordering and the conditions of citizenship*. Pluto Press; Lori, N. A. (2017). *Statelessness, 'in-between' statuses, and precarious citizenship*. *The Oxford Handbook of Citizenship*, ed. A. Shachar. Oxford University Press, 742–766. <https://doi.org/10.1093/oxfordhb/9780198805854.013.32>.

45 Hampshire, J. (2005). *Citizenship and belonging: Immigration and the politics of demographic governance in Postwar Britain*. Palgrave Macmillan.

46 Home Office (2024b, 30 April). Windrush schemes factsheet: March 2024. <https://homeofficemedia.blog.gov.uk/2024/04/30/windrush-schemes-factsheet-march-2024/#:~:text=In%202021%20and%20August%202022,periods%20and%20receive%20more%20money>; Home Office (2023, 24 January). Windrush schemes factsheet: December 2022. <https://homeofficemedia.blog.gov.uk/2023/01/24/windrush-schemes-factsheet-december-2022>; Home Office (n.d.). Windrush scheme: Full eligibility details. www.gov.uk/government/publications/windrush-scheme/windrush-scheme

47 Connaught Law (2026, 11 January). Good character requirements British citizenship guide 2026. Connaught Law Limited. <https://connaughtlaw.com/good-character-requirements-british-citizenship>; GOV.UK (n.d.). Apply for citizenship if you have a British parent. www.gov.uk/apply-citizenship-british-parent. Citizenship by descent is normally automatic for children of UK citizens even if they are born outside the UK. There are different rules and eligibility for grandchildren of UK citizens born outside the UK. For Windrush grandchildren, their parents may not have had proper status because their grandparents, who were Windrush generation, were not able to pass it down. There are examples of parents who were wrongfully removed from the UK, making it harder for their grandchildren to gain status. In fact, these grandchildren might have been born and raised in the UK had the parents' wrongful removal not taken place. Even those who were born and raised in the UK have been blocked as a result of their parents not having the proper inherited status. Thus, multiple generations have been blocked from automatic citizenship. The reversal of this should also apply for children and grandchildren.

There are cases where status has been recognised for some people but denied for others within the same families. Before the Scandal broke, Annamarie and her siblings (who were British through their father's Commonwealth citizen status) were instructed to leave the UK because they did not have recognised ILR at the time. Annamarie complied. Her siblings did not and remained in the UK, and due to their non-compliance, they were eventually able to get their ILR recognised as they met the continuous resident requirement. However, Annamarie is still fighting for her ILR.⁴⁸

They're not awarding me citizenship. Because I left. I did what I was told to do, and I left. Whereas my sister and my two younger brothers, they told them to leave the exact same way, but they stayed. So they were illegal for quite a while ... And when Windrush came about they all were given citizenship, despite the fact that ... they were illegal. Whereas I obeyed the rules and left, and I'm being somewhat punished. (Annamarie)

The convoluted process for recognising status and inherited status for the Windrush generation is unlikely to have come about by chance. As previously mentioned, immigration policy and enforcement varies partly by whether or not the target population is *desired* within the host country. Our interviewees believed that the UK government's sanctions allude to group favouritism. Interviewees highlighted examples of non-Black communities who have been awarded written exemptions for eligibility criteria or assistance.

Just like they do for Ukrainians and the British Overseas Hong Kong people. They've all got policies and resettlement and hubs where they help them. But when it comes to Windrush, no, there's not much. Not much available ... It's a policy, a list of countries where [the habitual residency test] doesn't apply to them. And then there's no mention of Windrush at all. (Estelle)

How is it that Cyprus was an island just like Barbados, just like St Lucia in ownership by the British government, and ... [they were] awarded citizenship under the British Nationality Act, and we are told that we are not citizens? ... The only difference is that your skin is white and mine is Black. (Faye)

Another example of disparate application of immigration policy is the lapsing of ILR. For some groups, ILR can lapse if a person travels outside the UK for a certain amount of time.⁴⁹ Many African Windrush survivors, in particular, were told that their ILR had lapsed after travelling abroad for visits, including for family events such as weddings and funerals. They were unaware that there was a time limit on being out of the UK, believing that they were British citizens with no restrictions. This contributed to the unknown but estimably high number of people locked out of the UK for decades.

For EU people, it lapses after five years ... If you're a spouse or a child of a diplomat or a member of the armed forces, it never lapses. You can be abroad for ten, fifteen years, your ILR never lapses ... but for ... Windrush people, and everybody else, it lapses after two years abroad. So, because of all those disparities and differences, the whole thing doesn't make any sense. It shouldn't lapse, because the word indefinite should mean indefinite. (Estelle)

The Home Office and other institutions have acted overscrupulously and made

48 The continuous resident requirement is different from habitual resident standards. Continuous residency looks at how long a person has remained in the UK, therefore determining whether they qualify for legal status as a Windrush survivor/descendant. Habitual residence is for social housing eligibility and considers if a person has lived in the UK for a continuous period of time and intends to make the UK their permanent home.

49 Wilding, J. et al. *People need legal help*.

disparate rulings because they have individualised the Scandal. They refuse to be transparent in their decision-making process. When the Home Office is confronted with its inconsistencies and unlawful rulings, it refers to its inability to comment on individual applications.

I'm seeing the same thing. It's almost as if, and the Home Office say this, we deal with people on a case-by-case basis. We don't speak on individual cases.

(Euen)

When only operating on a case-by-case basis, it is difficult to prove a pattern of racial bias in status, compensation and housing. It is difficult to advocate effectively when it is not possible to demonstrate that individuals with comparable evidence and similar ties to the UK are being assessed differently, particularly disadvantaging those from the Windrush generation or their descendants. Interviewees reported that the Home Office has denied status to those who are proven Home Office Windrush Scandal victims.

I've been going back and forth with the Home Office for years, long, detailed emails. They said, 'Just because somebody satisfies the criteria for returning a resident visa, doesn't mean that it's a blanket'. [The Home Office] use the word 'blanket' [to say] it doesn't mean that everybody's going to be allowed to come back. **(Estelle)**

The UK government is able to effectively push the burden of proof onto individuals and deal with people on a case-by-case basis because of unclear rules. Individualising this Scandal also increases its ability to employ discriminatory policies and practices against Windrush survivors.

Lack of institutional changes

When the UK government individualises the Scandal as a series of tragic errors rather than an intentional systemic effort to deny and remove Black residents, it is easier to turn attention away from the current policies and practices that continue to deny this population.

So if we don't know our own situation and our own policies, how can we fight? And how can we fight for change and for change of policies. If we don't know how those policies are affecting us, and what we should come under, right?

(Faye)

No such legal aid exists, if there were then a lot of people would– would not have these problems. Because when you're not sure of what you're supposed to put on a paperwork, that's where you make a lot of errors. **(Delroy)**

The failure of the UK government to adequately deal with the consequences of the Scandal, specifically in relation to housing, is suggestive of a belief that the burden is on individuals to navigate rebuilding their lives after decades of existing in limbo and harsh conditions at the hands of the government.

The frequent refusal of the Home Office to acknowledge survivors, let alone provide resources, has caused many to find other routes to get relief. Many interviewees have noticed a pattern that survivors have to get media attention to get assistance.

So it almost feels like every time somebody else pops up we have to do it over and over again. It has to come out in the press. We have to show how horrendously they're being treated by the Home Office, and then go through the processes of them doing the right thing. (Euen)

The one thing I realised, if you were in the public eye, and you made the right noise, and you had the right lawyers ... then they get your apartment. (Delroy)

While the government may have issued apologies to a few people publicly, where it matters legally it still refuses to make large-scale institutional changes to assist all Windrush-affected people.

[O]ne of the things that you sign when someone accepts an award on the compensation scheme in the small print it says 'By paying you this amount of money ... this doesn't mean that we accept liability for what's happened to you' ... It is how the British establishment works. (Van Ferguson)

By individualising the Home Office Windrush Scandal, the Home Office can wash its hands of the survivors at various stages. It can deny people's status using high standards of proof, inconsistent interpretation of eligibility criteria and confusing application processes. It can dismiss individuals until they make enough noise in the media and apologise for an individual mistake rather than an intentional strategy carried out by immigration policy. The UK government's case-by-case handling of survivors' claims results in ambiguous rules and grants an exorbitant amount of discretionary power to agents of the state. Even if one's status is recognised, survivors who are in need of housing support are passed off to local councils that are given no guidance on what support and exemptions should be in place to deal with these survivors' housing needs.

Key finding 3 The bigger picture of housing

It is important to understand the negative housing experiences faced by Home Office Windrush Scandal survivors in context. An absence of stable, safe housing affects physical and mental health, personal relationships, and educational opportunities. For many survivors, the inability to afford housing stemmed from the loss of employment caused by documentation-related issues.

Employment and housing

Many Windrush survivors who had the legal right to work were prevented from doing so: 'unemployment was one of the first consequences of the Scandal for many of the survivors and sparked a ripple effect of consequences'.⁵⁰ This resulted in mass job losses which had devastating impacts on individuals' ability to maintain their livelihoods, including affording essential expenses such as rent or mortgage repayments.

Despite Robert having the legal right to work in the UK and having resided in the UK since the age of five, his application to renew his British passport was denied, leaving him without any identification and employment loss:

So that is what basically led up [to losing the home], the fact that he lost his employment. He tried to find other employment. The jobs lasted for maybe about a week, a few weeks, and then he was let go once again ... It became difficult to pay the mortgage and raise three children, and subsequently the building society told us, well, we needed to either sell the property or it will be repossessed because we got into arrears with our bills. (Faye)

Robert and his wife Faye had to quickly sell their house; they then moved into Robert's father's house, which was overcrowded. Due to the barriers to employment and feeling unable to support his family, Robert decided to relocate the family to St Lucia.

Another survivor we interviewed, Jamila, had been in the process of changing jobs and her prospective employer had refused her right to work as her ILR was stamped in her former – and not her current – passport:

And during that time – I'm a council tenant, so my local council was really on me to make my payments and to keep up with the rents. I couldn't simply do that because I didn't have a job ... it just piled up somehow, and eventually they decided to seek possession of the property. (Jamila)

Annamarie described how her father lost multiple properties, including a commercial property, as he could no longer pay the mortgages once his passport was seized and he therefore had no documentation to prove his right to work:

He lost a lot, two or three of his properties ... he could no longer pay the mortgage ... he lost all of it because he could no longer pay. He lost all of his homes. And this is how he ended up in a council flat because we just couldn't afford anything any more. Everything was stripped away from him. (Annamarie)

50 Janes et al., The ties that bind.

Not only had the loss of employment and careers impacted the affordability of housing, but survivors also lost potential promotion opportunities, pensions⁵¹ and future earnings. Difficulties in obtaining and maintaining work also left survivors, such as Euen, vulnerable to exploitation:

[F]rom time to time I do some cash-in-hand jobs, painting and decorating jobs. And even then exploitation would happen ... people know when you don't have the right paperwork ... so you just feel like that whole modern-day slavery situation. (Euen)

Euen described having been exploited on multiple fronts, as he had also had to rely on a third party to rent a property in their name on his behalf. Although he was making regular payments, the intermediary failed to pass these on to the landlord – which he discovered when bailiffs arrived at the property. He lost the home and the money.

The difficulties Euen faced with his documentation meant that he could not maintain a stable job, which had a direct effect on his ability to afford rent or mortgage payments. Several survivors found themselves in such a predicament, wherein they needed employment to afford housing yet simultaneously struggled to gain and maintain employment without a fixed abode.

Health and housing

Health Equals – a UK campaign initiative to improve health opportunities – describes the relationship between homes and health:

Our health is shaped by the world around us – having somewhere safe and secure that we can call home is essential to support our health and wellbeing ... When our homes are unsafe through disrepair or damp, or we face the stress of rising housing costs or the potential of losing our home altogether, these all have a direct impact on our health.⁵²

The National Housing Federation notes that 'Good quality, suitable and affordable housing is vital to a person's resilience, health and wellbeing'.⁵³ And the government itself has highlighted that the link between poor housing conditions and poor health outcomes is long established.⁵⁴ The World Health Organisation (WHO) reports that many refugees and migrants experience distress, anxiety, hopelessness and that mental health outcomes such as depression, post-traumatic stress disorder (PTSD) and suicide are more prevalent among migrants than host populations.⁵⁵ A systemic review found that geographical areas with anti-immigration policies have a higher prevalence of negative mental health outcomes among migrants compared with

51 Private pensions were not included in the compensation scheme's calculation of loss of earnings at the time we undertook our field research but as of 24 October 2025, the government later announced, both occupational and private pensions were to be covered by the scheme.

52 Health Equals (2025, 4 November). How do our homes shape our health? <https://healthequals.org.uk/data-insights/how-do-homes-shape-our-health>.

53 National Housing Federation (2022, December). *Every decision about care should be a decision about housing*. www.housing.org.uk/globalassets/files/resource-files/nhf-care-housing-booklet-2022.pdf.

54 Kulakiewicz, A. (2022, October). Housing and health: A reading list. House of Commons Library. <https://commonslibrary.parliament.uk/research-briefings/cbp-9414>.

55 World Health Organization (2025, September). Refugee and migrant mental health. www.who.int/news-room/fact-sheets/detail/refugee-and-migrant-mental-health#:~:text=Studies%20show%20that%20mental%20health,disadvantages%20throughout%20the%20migration%20journey.

locations with neutral or welcoming immigration policies.⁵⁶ Although migrants' experiences around health are not monolithic and can vary significantly depending on the purpose of migration, the duration of migration and many other factors, the experience of Windrush survivors mirrors that of migrants and refugees: our participants consistently reported negative health outcomes. This can be attributed partially to barriers in securing and maintaining accommodation, which was a direct consequence of the hostile environment and a refusal by institutions to recognise survivors' legal status.

Our participants described the impact of their housing situation on their physical and mental health. It is evident from these discussions that experiencing such insecure and unstable housing has seriously impacted survivors' health in a range of ways, from heart attacks to extreme psychological distress such as suicide ideation:

It [the housing situation] has been hard, it has been very trying. Depressing. Depression has been on another level. Like I said, many times I've just thought about ending everything. I have gone through counselling. (Annamarie)

A lot of stress. A lot of stress. Every single day you're under a certain, a certain amount of stress. And ... I had a heart attack behind all the stress. Last year I had a heart attack. Actually multiple heart attacks. (Delroy)

The Home Office Windrush Scandal has disrupted livelihoods and positive wellbeing, shaping experiences of emotional distress, resulting in symptoms linked to depression, chronic stress and anxiety disorders. Current efforts cannot rectify the harms caused; instead, the compensation scheme in its current form causes further traumatisation.⁵⁷

Another participant described the impact on her mental health from the constant threat of eviction:

Mentally, it just got to a point where, look, there is no point from – What am I living for? Then [it] got to a point where I just wanted to finish everything ... They put in a medical report ... the way that I was at the time, mentally ... So the Home Office were able to see exactly how they had affected me from being a sort of happy-go-lucky individual to somebody who wanted to take their own life. That was all on the record. And how do you compensate that? You know, you can't put a number on damaging somebody's mental health. It makes you completely distrustful of anything and everything. (Jamila)



The current compensation scheme is widely regarded by survivors and advocates as unfit for purpose. An additional challenge that it seems the government is not taking into account is the difficulty – even impossibility – of quantifying the significant damage to health. We can never wholly determine what health outcomes would have been for survivors had they not been subjected to these institutional harms and

56 Martinez, O., Wu, E., Sandfort, T., Dodge, B., Carballo-Dieguez, A., Pinto, R., Rhodes, S., Moya, E., & Chavez-Baray, S. (2013). Evaluating the impact of immigration policies on health status among undocumented immigrants: A systematic review. *Journal of Immigrant and Minority Health, 17*(3), 947–970. <https://doi.org/10.1007/s10903-013-9968-4>.

57 Janes et al., The ties that bind.

Multiple survivors also lost documents – some confiscated by the government, others lost due to frequent moves – such as passports, birth certificates and hospital documents which had sentimental, evidential and practical value.

racism. Despite being lawful UK citizens, due to a lack of documentation some survivors were charged for healthcare by the NHS, further depleting their already stretched funds, or denied treatment if they were unable to pay, further worsening their health.

While some participants describe sofa-surfing, others experienced rough sleeping, defined by Homeless Link as people bedded in the open air, which is distinct from people in hostels or shelters or sofa-surfing.⁵⁸ People experiencing homelessness have poorer health outcomes, with this being even more elevated for those exposed to rough sleeping.⁵⁹ It is notable also that many of the Windrush population who are having issues around housing as a result of the governments' failings are elderly. Older people experience compounded difficulties as a result of increasing frailty,⁶⁰ and 'experiencing homelessness may exacerbate co-occurring chronic diseases'.⁶¹ Stable, safe and suitable housing is integral to health.

Material and emotional losses

A common theme we identified from the research associated with housing instability was the loss of personal possessions, as well as intangible losses such as security, personal relationships and time.

Euen described some of the possessions he lost when he was wrongfully detained, many of which were integral to his work and means of living:

I can remember one time being detained by immigration. It was in 2013. I lost access – I lost my computer. I lost some of my personal possessions. I even had some bitcoins that I lost, you know. Just yeah ... just not being stable ... So yes, over the years I've lost a lot of things: musical equipment, computers. Just things that you know, I would have for work or hobby. So, I do gigs, just fixing people's computers, I'd have equipment that I use. I've lost everything over the years. (Euen)

Multiple survivors also lost documents – some confiscated by the government, others lost due to frequent moves – such as passports, birth certificates and hospital documents which had sentimental, evidential and practical value.

The instability and pressure left many Windrush survivors vulnerable to exploitation. Many survivors were required to make quick decisions to avoid homelessness for themselves and their children. This meant quick sales for less than the value of their home and possessions. Faye and Robert were abruptly forced to sell their home and their possessions when Robert lost his job due to lack of documentation:

58 Homeless Link (n.d.). Definition of rough sleeping. https://homeless.org.uk/areas-of-expertise/rough-sleeping/rough-sleeping-snapshot-estimates-2025/definition-of-rough-sleeping/#:~:text=Rough%20sleeping%20is%20defined%20as:%20*%20Sleeping,or%20wood%2C%20called%20a%20bash%20or%20bender.

59 White, J., Moriarty, Y., Lau, M., Cannings-John, R., Palmer, A., Weightman, A., Kiseleva, M., & Batty, G. D. (2025). Homelessness, type of homelessness, and risk of cause-specific mortality: A systematic review and meta-analysis of 116 studies comprising 2,563,633 homeless people and 129,292,553 population controls. *The Lancet, online 27 March*. <https://doi.org/10.2139/ssrn.5188040>

60 Housing LIN (n.d.). Older homeless people. www.housinglin.org.uk/Topics/browse/Homelessness/Older_Homeless_People.

61 Dobbins, S. K., Garcia, C. M., Evans, J. L., Valle, K., Guzman, D., & Kushel, M. B. (2024). Continued homelessness and depressive symptoms in older adults. *JAMA Network Open, 7(8)*. <https://doi.org/10.1001/jamanetworkopen.2024.27956>.

Losing the home in itself is irreplaceable. Yeah, losing that ... sense of ownership, that there's certain things you pride yourself on being able, as a young person, to achieve buying your first home. (Faye)

The loss of their home also meant the loss of opportunity to build equity over time, which could have contributed to long-term financial security and intergenerational wealth, as the couple explained to us that they would have passed down this home to their children.

Annamarie's father sought assistance from banks and quickly sold his properties but was defrauded of the proceeds due to limited literacy, which reduced his capacity to navigate banking processes. His experience of being desperate and exploited by the banking institution speaks to a wider issue of the barriers people from ethnic minorities groups face in accessing financial services.⁶²

[H]e could no longer pay the mortgage. So the banks actually took ... the homes away from him, and because we didn't have anything to show ... one or two of the banks actually wrote him and said to him, 'Listen, since you cannot pay, we'll sell the property. We'll put it for sale, and whatever, like, balance we'll give you your money back.' They never did. They kept the money, and to be fair to my dad, bless his heart, he was illiterate. He couldn't read and write, so he didn't know the difference. (Annamarie)

For many survivors, the uncertainty surrounding their citizenship and housing difficulties also impacted their relationships with partners, children, neighbours and friends.

It had a huge impact; it practically destroyed my relationship with my daughter's mom at the time, and we broke up because of [losing our home]. Yeah, just it's, it's been difficult, very, very difficult. Yeah, you can say it's virtually impossible. (Euen)

For Faye and Robert, their physical separation as they attempted to find solutions for their housing problems nearly broke their marriage:

It also nearly caused the breakup in our marriage ... there was distance in the relationship. (Faye)

Participants spoke powerfully about not only material losses but also those of a more ephemeral and intangible nature. This helped to build a rich picture of the extent to which people's lives have been impacted, as well as the depth and multiplicity of loss:

Time. Time. The most valuable thing, the most precious thing that you have is time. (Euen)

62 Fair4All Finance (2023, 30 November). 1 in 5 people from minority ethnic groups experience discrimination due to race when dealing with financial providers finds new report. <https://fair4allfinance.org.uk/levelling-the-playing-field-ethnicity-report>.

The feelings of shame attached to having legal and housing difficulties – particularly without the knowledge that the government was at fault for this – had left many people feeling isolated. Various participants noted that numerous survivors carried this pain secretly for years and as a result distanced themselves from friends, neighbours and other community members.

[B]ecause she's going through this traumatic experience for a good ten years without telling anyone. So I imagine that most other people in that situation don't particularly want to talk about it. (Lara Oyedele)

Survivors have experienced huge losses, some of which are not covered by the compensation scheme and would be difficult to quantify monetarily: *'It is difficult to ascribe a monetary value to what has been lost; the years separated from loved ones; the funerals missed; the careers destroyed'*.⁶³ As mentioned in the introduction, there is a misconception that the Scandal has been resolved and is in the past. This is a false narrative, as evidenced by the intergenerational impact following the survivors.

63 Action for Race Equality, *The Home Office scandal*.

Intergenerational impact

Our evidence suggests that the effects of the Scandal spans generations, and the issues surrounding housing are also intergenerational. This is also reflected in existing literature. For example, Janes et al. note that individuals whose parents or grandparents who were part of the Windrush generation were also affected by the Scandal, highlighting the need to include multiple generations in the exploration of impacts.⁶⁴ Some of the issues have been experienced by individuals who were born in Britain and have not even visited the countries their parents or grandparents migrated from, yet they continue to encounter persistent issues relating to citizenship due to the Scandal.

One such issue can be seen in the intersection between status and studying, particularly regarding student finance. To obtain full support from the government for studying purposes, an applicant has to be a British citizen or have settled status and must have been continuously living in the UK for at least three years prior to their first day of their course. This can prove difficult for descendants of survivors who were displaced from their homes and the UK, as was the case for Faye's daughter when she applied for student finance to attend university after two years at a college in Manchester:

The Education Department had denied my daughter claim for her funding ... She got into Salford University, she applied for a grant, and they told her she wasn't entitled because she would have had to have been in the country for three years prior, in order for them to give her a grant ... That was very heartbreaking, to see her go through not being able to get funding to continue school. (Faye)

If Faye and Robert had been able to keep their home or had been rightfully provided with a suitable alternative, there is every chance their daughter – who was a British citizen – would have been residing in the UK and therefore would not encountered these issues with student finance. In addition, their son was excelling in sports but this progress was disrupted due to the lack of accommodation which ultimately led to their move to St Lucia. Faye emphasised that despite the challenges, her son still achieved notable career goals, but she reflected on the untapped potential and dreams which might have been realised had they not been displaced:

It has changed the whole trajectory of our lives and that of our children. (Faye)

It is common for issues with documentation and housing to have ripple effects on family, including children:

It has been a fight from day one for everything. Whether it's to get them into school. Whether it's to just get them a place to stay, rest our head ... It's [been] a very trying time. Especially not being able to provide for my kids, not even with a stable home. Not being able to – not knowing where we would be in the next couple of days. (Annamarie)

64 Janes et al., The ties that bind .

Annamarie reflected on how she was not entitled to the equivalent of what is today referred to as the 'Healthy Start' scheme, to assist her with costs after giving birth such as milk for her baby. She also highlighted the instability in her son's education and lack of support that were a result of moving regularly because of challenges with her citizenship:

My oldest – he did the back and forth with me throughout the years ... Even that in itself was hard, because he wasn't in school full time, because we wanted to be here. But we just were not able to. So we kept moving houses going from one place to the next. Yeah, he had it tougher than [my other son] for sure ... we didn't really have a resting place ... he was actually ... diagnosed with ADHD, and not even that I could get any sort of support with. Nothing. And it's – it's been challenging. (Annamarie)

The Children's Commissioner has reported that there is a stark and direct correlation between the worse GCSE results and the more times children move home between reception and Year 11. Pupils with less stable housing have poorer outcomes.⁶⁵ The National Housing Federation has found that *'In almost half (48%) of overcrowded homes, children struggle to do their homework because of the lack of space'*.⁶⁶ The impact on children's education of homelessness and lack of suitable housing is profound. Frequent school changes, lack of space to do homework and the difficulties in registering at a school contribute to lower academic achievement and long-term inequity. These disruptions are more concerning considering Annamarie's son's diagnosis. The NHS states that children with ADHD require set routines, organisation and learning support in the form of an Individual Educational Health Care Plan, as they may struggle at school and feel 'left behind' by their classmates.⁶⁷ Suitable accommodation is imperative for all children – for their wellbeing, health, education and social development – and there is a unique need for children with SEND to receive tailored support. As a result of the government's failure to provide suitable and stable housing to legal British citizens, the children and grandchildren of survivors encounter a cycle of persistent, mutually reinforcing institutional harm that extends across generations. For many, it is the very instability of their housing – and the associated encounters with landlords, local authorities and benefit systems – that first forces a confrontation with their uncertain legal status. *'For someone born in the UK who has grown up with no reason to think they are not British citizens just like their schoolmates and friends, discovering otherwise can be very distressing, constituting a challenge to a young person's very identity'*.⁶⁸

The Children's Commissioner has spoken with children and found that *'almost unanimously, they agreed that living in this kind of [overcrowded and unsuitable] housing made them embarrassed or ashamed – and that they could never bring friends home'*.⁶⁹ The National Housing Federation concurs: *'Parents in more than half (53%) of overcrowded homes worry that their children are too embarrassed to bring friends home because of how overcrowded it is.'* In 2023 the Federation reported that

65 De Souza, R. (2025, 28 March). No child should be homeless: How housing instability affects a child's GCSE grades. Children's Commissioner for England. www.childrenscommissioner.gov.uk/blog/no-child-should-be-homeless-how-housing-instability-affects-a-childs-gcse-grades.

66 National Housing Federation (2023, 19 April). Briefing: Overcrowding in England. www.housing.org.uk/globalassets/files/resource-files/overcrowding-in-england-april-2023.pdf.

67 Child and Adolescent Mental Health Service & Child and Family Information Group (2016, October). Attention deficit hyperactivity disorder (ADHD). NHS Choices. www.nhs.uk/conditions-and-treatments/general-medical-conditions/attention-deficit-hyperactivity-disorder-adhd.

68 Valdez-Symonds, S., PRCBC, Valdez-Symonds, S., & Amnesty International UK (2018, 17 May). Windrush Scandal exposes what may lie ahead for children born in the UK growing up without citizenship. European Network on Statelessness. www.statelessness.eu/updates/blog/windrush-scandal-exposes-what-may-lie-ahead-children-born-uk-growing-without.

69 De Souza, No child should be homeless.

'more than 310,000 children in England were forced to share beds with adults due to overcrowding'.⁷⁰

I share room with my kids. We share ... all three of us on one bed, and it's hard. Sometimes I have to give up the bed for the boys. And my eldest is getting big now. He's getting – he's a big boy. He's a pre-teen, so he needs his own space. (Annamarie)

Annamarie also spoke about how overcrowding had caused disagreements with relatives, how tension can build even among loved ones when people are forced to be overcrowded in one space. Euen shared these sentiments:

I have never felt secure in that 15-year period. Not until I moved to Birmingham and was able to access social housing. Never before that had I felt secure. You know, never, absolutely at all. You know, living with family, living with other partners, there's always a time when you can be kicked out, you can have an argument. (Euen)

Many survivors have relied on family for housing at one point or another, which can create strain on relationships and further burden on wider family networks. Windrush survivors who are returning to the UK after having been locked out have relied on friends or family for housing solutions, as the government has not provided options.

We stayed with ... our daughter and she has two children and a husband. But obviously, as parents, you know, your kids, they put up your mom and dad and we stayed with her. But at no time at all did the Home Office ever speak to us about accommodation. (Faye)

As previously mentioned, Faye and Robert lost the ability to pass their house to their children, effectively cutting off a source of intergenerational wealth. Annemarie similarly stated that her father – who lost multiple properties as a result of being denied the right to work – would have passed down his assets to his children, again creating an opportunity for intergenerational wealth. These losses are particularly significant for Black communities given long-standing structural wealth inequalities in the UK. In 2025, the Equality Trust reported that 'household wealth holdings by ethnicity vary enormously, from a low of £34,000 where the head of the household identifies as Black African, to £314,000 for households where the head is White British'.⁷¹

For our participants, generational wealth has been lost and prolonged instability has increased the risk of cycles of lasting damage. Moving from place to place and being wrongfully detained and deported results in the separation of families, and the emotional and mental consequences of this are dire.

My children have been impacted by it, and – and we've had to live apart because of it ... it's horrendous, it really is. It destroys your family. (Euen)

70 National Housing Federation, *Briefing: Overcrowding in England*.

71 Karagiannaki, E., Sahni-Nicholas, P., & Tosal, C. (2025, 8 April). The challenge of ethnic wealth inequalities. Equality Trust. <https://equalitytrust.org.uk/evidence-base/the-challenge-of-ethnic-wealth-inequalities>.

The US National Library of Medicine has found 'that stress about eviction or loss of housing was associated with increased odds of internalising issues, such as depression and anxiety, among children'.⁷² It is possible that some of the effects are not immediately visible but may emerge as they grow older.

He [Jamila's son] could see that something wasn't quite right and with his age, there's very little or nothing that he could do to change the situation. But yeah, I could see that he was affected. (Jamila)

While the compensation scheme recognises anxiety, distress and mental health, this is limited to what can be evidenced at the point of claim. This fails to account for delayed-onset trauma. Furthermore, compensation is reserved solely for the primary claimant: there is nothing in the scheme to cover trauma in real time or for affected family members.

How do you compensate the children of the parents that were going through that trauma. Because they've suffered as well ... the Black communities suffered under the hostile environment that was created because of this. And how do you compensate the community, let alone the individuals and their families? (Claude Hendrickson)

The Scandal and subsequent housing issues have undeniably affected generations and rarely have an isolated impact. For some survivors, the harm spans three or four generations. Urgent change is needed to break these cycles.

My dad was wronged. As such I was not able to – to do what was rightfully mine and, you know, I had kids in this country, and I still can't pass it on to them. But it affects generations. (Annamarie)

72 Hanson, J. L. (2025). Stress about eviction or loss of housing and Child Mental Health. *JAMA Network Open*, 8(2). <https://doi.org/10.1001/jamanetworkopen.2024.58984>.

Conclusion

Among the Windrush community, housing access is a pressing issue. It is an aspect under-recognised among the public and inadequately addressed by the Home Office. This study has set out to explore how lack of access to housing affects the Windrush community, and it highlights the various barriers to safe and secure housing that continue to exist.

The Home Office Windrush Scandal has induced feelings of lack of belonging and of displacement, and as a result Black communities have been exposed to grave psychological harm and mental distress. The undermining of people's basic rights and access to essentials has meant that many survivors are exposed to daily struggle and tumult. The Scandal has exposed survivors to rough sleeping, sofa-surfing, living in overcrowded homes, illegally subletting, eviction and being locked out of the UK suddenly.

Participants shared that lacking access to stable housing in the UK compounded their loss of identity and displacement. In fact, material losses served as tangible reminders of more ephemeral and deep-rooted losses. For example, losing one's physical home was a manifestation of being told that the UK was not one's home. People who were legally living in the UK were criminalised and isolated – forced to exist in the shame and fear of punishment by the state or to self-deport to avoid homelessness. This was a consequence of the failure of the government to issue correct documentation to the Windrush generation and their descendants.

Through a process of individualising the Scandal, the government has been able to place the burden of proving one's legal status on Windrush survivors themselves, even after recognising that the lack of documentation was a direct governmental failure. The Home Office reinforces a case-by-case approach to survivors' claims which allows it to dismiss more cases, reducing the number of people who receive documentation and compensation for the harm caused. Moreover, individualising the Scandal allows the Home Office to avoid making systemic policy or procedure changes that would assist the Windrush community. The Home Office may grant an individual their documentation, but there is little acknowledgement of the broader harms that the situation has caused, and little is done to rectify these harms.

This is evident, for example, in the absence of protocols circulated among other departments, such as the Department for Education or the Ministry of Housing, Communities and Local Government, to guide regulation on the resources that Windrush survivors should automatically get access to. This prevents survivors from being able to rebuild their lives.

Housing is a core need for all other aspects of life. Participants shared how the barriers to housing were intertwined with barriers to employment, education and health. Being undocumented caused survivors to lose access to employment under the right-to-work laws, which in turn affected their ability to afford rent or mortgages. Lacking documentation of their long-term residency in the UK (due to transient living or being locked out) prevented survivors from accessing student finance for school even after receiving status documents. Some were unable to access medical care due to documentation issues or developed physical ailments from

The Home Office Windrush Scandal has induced feelings of lack of belonging and of displacement, and as a result Black communities have been exposed to grave psychological harm and mental distress.

unsafe living conditions. The stress of unstable housing, legal status issues and fighting court battles caused deep psychologic harm to many survivors.

Often when people think of Windrush survivors, they think only of the people who arrived in the UK before the 'cut-off dates'. However, the Scandal has an intergenerational impact in multiple ways. UK citizenship can pass through lineage, i.e. legal status passes from a parent or grandparent to their descendants. For undocumented members of the Windrush generation, however, their children and grandchildren were also wrongfully undocumented and therefore suffered the same issues accessing their basic needs. Relatives of Windrush survivors (even with legal status) also felt the harm of the Scandal, whether through financially supporting victims, sharing overcrowded or unstable homes, or dealing with the pain and fear of separation.



Participants shared potential solutions to the housing issues. Ten were identified: six addressing housing issues specifically and four addressing general Windrush-related issues. BEO, in collaboration with survivors, advocates and other organisations, is committed to campaigning to implement the core priority recommendation of this report:

- All councils and housing departments should implement mandatory Windrush training and written guidance, funded by central government and monitored by a Windrush task force in each council.

The Home Office Windrush Scandal will be resolved only when all survivors and their family members are granted secure legal status, compensation for the damaged caused, and access to what they need to meet essential needs such as safe, stable housing. Structural reform is necessary to ensure these injustices, which are rooted in systemic racism, are not repeated.

Current practices for identifying Windrush survivors are inconsistent and insufficient, and there is a lack of resources and uncertainty over exemptions and assistance. BEO sent Freedom of Information requests to 14 city councils and ten London boroughs. We received responses from 12 city councils and eight London boroughs. Despite some respondents recognising the Windrush Scandal none had any specific policies, procedures or guidance for assisting Windrush victims.⁷³ This lack of specific policies and guidelines prolongs homelessness. The written guidance should include a clause that requires a duty to identify Windrush survivors, placing them as a distinct priority group.

73 Responses attached in Appendix #.

Recommendations

A crucial part of survivors' sharing of their stories and experiences was to explore possible ways forward, particularly solutions for addressing and rectifying the harms done that are still being endured. Participants shared recommendations relating to both housing specifically and the broader response to the Scandal which sustains housing-related issues.

Based on insights from survivor interviews, we identified ten recommendations which were then compiled into a list and discussed at a roundtable of housing experts, Windrush survivors and advocates to seek feedback. Emphasis was placed on the recommendations that felt most attainable and impactful.

Key recommendations

Out of the original ten recommendations, two were selected as central:

1. **All councils and housing departments should implement mandatory Windrush training and written guidance**, funded by central government and monitored by a Windrush task force in each council. The Equality and Human Rights Commission (EHRC) should oversee compliance and use its enforcement powers where authorities fall short. Guidance should cover how to identify Windrush survivors, understanding why conventional documentation may not exist, how to handle cases where documentation is limited without disadvantaging applications, and training to embed anti-discrimination practice.
2. **The government should abolish the Right to Rent scheme**. This scheme has been found to cause discrimination and harm to Windrush survivors and ethnic minorities at large in the private rented sector. The Home Office should lead in dismantling the scheme in coordination with the Department for Levelling Up, Housing and Communities (DLUHC), with the EHRC overseeing the process and enforcing.

1. Windrush training and written guidance across all councils and housing authorities

Survivors and advocates describe dismissive and poor treatment from housing officials in local authorities. Survivors were denied constructive assistance and in many cases faced outright denial of essential resources.

Written guidance and training would help to standardise housing and homelessness assistance across councils and housing authorities, easing the burden on housing officers while ensuring that the needs of Windrush survivors are properly addressed. These efforts can be coordinated by working with the representative and trade bodies of these organisations, i.e. the Local Government Association and National Housing Federation. There should be more leniency and understanding from councils when working with survivors.

Requirements: As explored in the 'Windrush and the housing system' chapter, existing housing criteria often prevent survivors from accessing assistance – most notably the habitual residency criteria, but local connection, good tenancy history, home abroad, and income/asset caps are also among the eligibility standards that can impact access to housing. Windrush survivors should be given exemptions under

written guidance in the immediate term and eventually under formal policy. Granting exemptions will ensure that Windrush survivors are not penalised for the inability to meet criteria due to historic government failures.

Succession rights: The process for succession of council tenancy agreements does not have any Windrush-specific considerations.⁷⁴ Immediate guidance, followed by formal policy, should be developed to allow for the transfer of tenancy to family members when a Windrush-affected tenant has passed away, is missing or is unreachable. This distinction is essential, as many Windrush-affected individuals have been locked out of the UK or remain untraceable.

Those awaiting status decisions have the added difficulty of proving their right to rent before addressing additional criteria hurdles. Exemptions should be provided for those who have yet to receive their legalised status. Homeless assistance should be extended until the Home Office assesses their claims, instead of ruling them ineligible before cases are closed.

Waiting lists and temporary accommodation: There is evidence that some survivors are awaiting decisions on their cases which can take years.⁷⁵ Some individuals experienced prolonged delays while waiting for rulings on their status decisions. Despite this, they were wrongfully refused, requiring lengthy appeals during which access to housing remained unavailable.⁷⁶ Housing authorities should, at a minimum, provide temporary accommodation for survivors whose cases are in progress.

Applicants who are approved for social housing are placed on a waiting list to be assigned a home. The length of these waiting lists varies substantially across local authorities. Priority considerations are afforded to individuals who fall into specific categories: these include those experiencing homelessness or threatened by homelessness, pregnant women, families with dependent children, individuals in overcrowded or poor housing conditions including those leaving domestic violence situations, older persons, and those with certain disabilities.⁷⁷ Although the Scandal has had intergenerational effects, the older Black population is disproportionately affected – a cohort which warrants priority consideration.⁷⁸ There is a clear rationale for priority consideration for Windrush survivors, and for the government to provide resources to local authorities to ring-fence housing allocation for Windrush survivors in order to meet their housing needs.

We call on the Windrush Commissioner to urge the UK government to implement the above social-housing-specific recommendations.

74 Citizens Advice (n.d.). Staying in your council home when someone dies. www.citizensadvice.org.uk/housing/staying-in-your-council-home-when-someone-dies/stay-in-your-council-home-when-someone-dies; Shelter (n.d.). Succession rights in a council or housing association tenancy. https://england.shelter.org.uk/housing_advice/council_housing_association/can_you_inherit_a_council_tenancy.

75 UK Parliament (2021, 29 April). Windrush Compensation Scheme: Question for Home Office. Written questions answers and statements, 29 April 2021. <https://questions-statements.parliament.uk/written-questions/detail/2021-04-19/183169>.

76 Parliamentary and Health Service Ombudsman (n.d.). Windrush applicant waited over a year to be rejected. www.ombudsman.org.uk/making-complaint/what-we-can-and-cant-help/how-we-have-helped-others/windrush-applicant-waited-over-year-be-rejected.

77 Citizens Advice (n.d.). Getting on the waiting list for a council home. www.citizensadvice.org.uk/housing/applying-for-council-housing-or-a-housing-association-home/getting-a-council-home; Ministry of Housing, Communities and Local Government (2018, 22 February). Homelessness code of guidance for local authorities. www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-8-priority-need; Shelter (n.d.). *How to get a council home*. https://england.shelter.org.uk/housing_advice/council_housing_association/how_to_apply_for_council_housing.

78 Age UK (2020, 8 October). *The Windrush Scandal and older Black Britons*. www.ageuk.org.uk/discover/2020/10/the-windrush-scandal.

2. Abolishing Right to Rent

The Right to Rent policy has exacerbated the Home Office Windrush Scandal. It is a xenophobic law that increases bias against people who are Black and minority ethnic or have non-English heritage.⁷⁹ Private landlords should not be responsible for immigration enforcement policy, particularly given the barriers to obtaining documentation even for individuals with legal status. While some landlords may object to this policy or wish to exercise discretion, the threat of Home Office penalties for non-compliance leaves them with little choice. As a consequence, landlords may feel obliged to adopt overly cautious approaches, leading to the exclusion of applicants who have a legitimate right to rent in the UK.⁸⁰

Discrimination relating to Right to Rent is replicated and amplified across other hostile-environment policies, including the right to work (the interconnection between employment and housing was explored in the case studies included in this report).

Legislative changes require considerable time to deliberate and implement, and meanwhile individuals are experiencing discrimination in the present. As an interim measure, enforcement of Right to Rent should be suspended while its repeal is debated.

We call on the Windrush Commissioner to raise with the government the issue of the discriminatory impact of the Right to Rent policy.

Recommendations to address the wider impacts of the Home Office Windrush Scandal⁸¹

The roundtable identified four additional recommendations to address the wider impact of the Home Office Windrush Scandal.

3. The government should set up a public inquiry into the Home Office Windrush Scandal

There still has not been a thorough, public investigation into the Scandal by an independent body. Beyond looking at the past harms, a public inquiry should also include an investigation into the Windrush Compensation Scheme and other procedures put in place to address – or rather not address – the consequences of the Scandal. It should investigate claims made by survivors and advocates about inconsistencies in Windrush eligibility rulings. It should also investigate claims of disparate treatment and support regarding paths to citizenship or other legal status depending on ethnic/national origin.

79 McKee, K., Leahy, S., Tokarczyk, T., & Crawford, J. (2020). Redrawing the border through the 'right to rent': Exclusion, discrimination and hostility in the English housing market. *Critical Social Policy*, 41(1), 91–110. <https://doi.org/10.1177/0261018319897043>.

80 McKee et al., Redrawing the border.

81 This study's list of recommendations overlaps with those in Wendy Williams' (2020) *Windrush lessons learned review*, notably recommendations 5, *look beyond the Caribbean*, and 7, *assess and limit the impact of the hostile environment on the Windrush generation*. The recurrence of these recommendations emphasises their relevance; they warrant repetition because the government has failed to address the harm caused by the Home Office Windrush Scandal.

4. The government should establish an independent body to administer the Windrush Compensation Scheme

Alongside the call for an independent investigation, participants believed that the compensation scheme should not be administered by the Home Office. Many felt that the scheme would be better run by a separate department. This relates to concerns around conflict of interest, with the Home Office mistrusted and considered unfit to administer the compensation scheme for a scandal which it was responsible for creating and to make fair determinations of eligibility or restitution. An independent body should be set up to lead the scheme, with expertise in compensation and assets evaluation to ensure fair awards are granted. Caseworkers should not rule on decisions without talking to the survivors: our participants expressed concerns that currently, *'caseworkers sit behind a desk and make decisions without having a conversation with you'* (Faye). The compensation scheme and the Windrush scheme at large are in desperate need of revision and removal from the Home Office.

5. The Home Office should grant automatic ILR/citizenship status recognition to Windrush survivors

Windrush survivors should not be required to navigate bureaucratic obstacles to establish their status. As it currently stands, cross-government cooperation appears aimed at denying claims rather than assisting survivors. Collaboration across government departments materialises only when cases garner media attention and political pressure.

It is the government's responsibility to maintain its records of residents and migrants. As the government has failed in this responsibility – a failure which has caused catastrophic harm – members of the Windrush generation and their descendants should be given automatic retrospective recognition of their lawful status. Government institutions should coordinate their efforts toward identifying and rectifying documentation issues rather than collaborating to obstruct access to assistance.

6. The Windrush Commissioner and the Home Office should work with African High Commissions to notify and assist African Windrush survivors, especially those locked out of the UK

One demographic extensively impacted by the two-year lapse in ILR is African Windrush survivors of the Windrush generation. This population has been disproportionately under-represented in Windrush claims and scheme applications.

Addressing this gap should include the establishment of a working group comprising High Commissions, tasked with identifying, contacting and supporting Windrush survivors from African countries. This strategy would mirror the diplomatic approach taken by the CARICOM nations.⁸²

82 Embassy Networking for Diplomats (n.d.). Diplomatic push wins Windrush rights. <https://embassymagazine.com/diplomatic-push-wins-windrush-rights>.

Appendix

Report on research of local authority housing response to the Windrush Scandal

We undertook research to look into the impact of housing on Windrush Survivors.

The Windrush scandal broke in 2017/18, we know from desk research and our in depth interviews with Windrush survivors and advocates that unfortunately the housing security of residents in social housing and of owner occupiers was affected because of the scandal.

Our research explored what supportive processes, if any, were in place once the Scandal had broken that would have alerted housing services within local authorities to difficulties with rent arrears connected with loss of job or entitlement to benefits, because of the Windrush scandal.

Local Authorities have a number of duties in relation to housing and homelessness, those duties include; defining eligibility, assessing priority need, preventing homelessness, and providing relief for those who are homeless or threatened with homelessness.

The relevant housing legislation is Housing Act 1996 and the Housing Reduction Act 2017.

We made Freedom of Information Act requests of local authorities and city councils who have historically had large densities of communities of Black populations to ask two specific questions.

Q1 Did [name of council] have policies in place to identify tenants at risk of homelessness due to loss of employment or entitlement to benefits due to status issues arising from the Windrush scandal.

Q2. Does [name of council] currently have policies in place to identify and assist in the prevention and or relief of homelessness for individuals whose status has been regularised via the Windrush scheme but who are unhoused/homeless. Several of this cohort are elderly and in ill health, with care requirements.

We sent FOI's to the following city councils:

1. Birmingham City Council
2. Bristol City Council
3. City of Wolverhampton Council
4. Derby City Council
5. Leeds City Council
6. Leicester City Council
7. Liverpool
8. Manchester City Council
9. Nottingham City Council
10. Preston City Council
11. Southampton City Council

We sent FOI's to the following London Boroughs:

1. Barking & Dagenham
2. Brent
3. Croydon
4. Enfield
5. Hackney
6. Haringey
7. Lambeth
8. Lewisham
9. Newham
10. Southwark

The statutory deadline date for responses fell between 24th to 26th September 2025.

Of the ten London Boroughs we sent an FOI to we received responses from eight, a 80% response rate.

The London boroughs that did not respond were Southwark and Brent.

We've reproduced below the answers to the two questions that were contained in the FOI responses from London boroughs.

BARKING & DAGENHAM COUNCIL

Q1 and Q2 response – No.

CROYDON COUNCIL

Q1 response – No. The Council does not have, and has not had, any policies that override or supplement the statutory framework governing eligibility for assistance under homelessness legislation.

Eligibility for homelessness assistance is governed by Part VII of the Housing Act 1996 (as amended), in particular sections 184 and 185, together with the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006. These provisions set out the statutory requirements for determining eligibility, including where immigration status is relevant.

Local authorities do not have discretion to create policies that disapply or override these statutory requirements. Accordingly, the Council did not operate Windrush-specific homelessness policies and there are no policy documents to provide.

Q2 response – No bespoke or Windrush-specific homelessness policies are in place.

Any individual who approaches the Council and meets the statutory eligibility criteria is assessed in accordance with Part VII of the Housing Act 1996, the Eligibility Regulations 2006, and the Homelessness Code of Guidance for Local Authorities.

Where an applicant is eligible, homeless (or threatened with homelessness), and meets the relevant statutory criteria, the Council will provide housing advice and/or assistance as required by law. The Council's duties arise from statute and are not dependent on local policy discretion.

Likewise, where applicants have additional vulnerabilities, including age, health conditions, or care needs, these are considered as part of the statutory assessment process and, where appropriate, through joint working with relevant services.

As no Windrush-specific homelessness policies exist, there are no policy documents to provide.

ENFIELD COUNCIL

Q1 and Q2 response – No.

HACKNEY COUNCIL

Q1 and Q2 response – As Cabinet lead for Windrush, I want to assure you of Hackney's ongoing commitment to residents directly impacted by the Windrush scandal. Hackney Council is dedicated to addressing the concerns of those who have been so negatively affected.

In Hackney, when we passed the motion in 2018, we did an audit of all our frontline services to ensure we were not compounding any harm done to anyone affected by the scandal.

In 2018, the Council responded to a Home Office consultation on the establishment of the Windrush Compensation Scheme, in which we argued that compensation should be given to those who had been prevented from applying for social housing.

The Government has provided housing support as part of the Afghan and Ukrainian resettlement schemes, so we would argue that the same should apply in respect of those returning to the UK having had their claim settled or those who remained in the UK, but were supported by family and friends.

We are working with the Windrush Commissioner to encourage him to include this in his recommendations to Government.

Regarding the Council's own approach, all Hackney residents are encouraged to apply to join the Housing Register. But the reality is that demand for social housing in Hackney greatly outweighs supply, resulting in exceptionally lengthy wait times.

The Council does not have specific affordable social housing schemes for older residents who were unfortunately subject to the Windrush scandal, but housing register officers can assist singles and couples aged over 55 years through the application process and can signpost to our [Windrush support resources](#) and support available from our [Refugee, Migrant and Asylum Seeker Service](#).

We will continue to press the Government to incorporate housing considerations into the Windrush Compensation Scheme and provide Local Authorities with the resources needed to meet the housing needs of those impacted by the Windrush Scandal.

HARINGEY COUNCIL

Q1 and Q2 response – Thank you for your request regarding policies and procedures related to the Windrush scandal and housing.

We understand the significance of this issue and appreciate your interest. However, we do not currently have a specific policy or procedure that directly addresses the Windrush scandal in relation to housing. That said, we remain committed to fair, inclusive, and transparent practices across all areas of our service delivery, and we regularly review our policies to ensure they reflect current legislation and best practice.

NEWHAM COUNCIL

Q1 and Q2 response – We do not have any specific policy document as requested, however in terms of practice, each case is treated on a case by case basis including any supporting information from the Home Office who are the primary determinators in regard to changes in individual immigration status.

Our Adults Social Care Services ensure that we meet our Care Act 2014 duties to all adults with eligible care and support needs irrespective of their immigration status

Newham Council have always prioritised those in most need or have suffered injustice.

LAMBETH COUNCIL

Q1 and Q2 response – We advise that the council has no policies of this nature.

The Black Cultural Archives in Brixton has legal surgeries with support from Lambeth Council to help those affected by the Windrush Scandal.

LEWISHAM COUNCIL

Q1 and Q2 response – Lewisham Council do not have published specific policies directly addressing tenants at risk of homelessness due to loss of employment or benefit entitlement stemming from immigration status issues related to the Windrush scandal. However, the council does offer general homelessness support and housing assistance through its housing services, which may include help for individuals affected by such circumstances.

If an individual now meets the eligibility criteria under the Homelessness Reduction Act 2017—due to their status being regularised—they are entitled to access the Council's Housing Needs service in the same way as any other eligible applicant.

This includes:

- Assessment of housing need
- Support with homelessness prevention or relief
- Access to temporary accommodation where appropriate
- Referral to relevant support services, including adult social care for those with health or care needs

Lewisham Council applies statutory duties equally to all eligible individuals, including those affected by the Windrush scandal, and ensures that vulnerable applicants—such as the elderly or those with care requirements—are assessed in line with safeguarding and housing legislation.

Of the 14 City councils we sent an FOI request to we received a response from 12 a 85% response rate.

The City Councils that did not respond were Birmingham and Cardiff.

We've reproduced below the answers to the two questions that were contained in the responses from City Councils.

BRISTOL CITY COUNCIL

Q1 and Q2 response – I am writing to advise you that, following a search of our paper and electronic records, I have established that the information you requested is not held by Bristol City Council.

We have searched the most likely Service Areas, and we can confirm no information is held.

CITY OF WOLVERHAMPTON COUNCIL

Q1 and Q2 response – No policies specifically around Windrush

DERBY CITY COUNCIL

Q1 and Q2 response – Whilst there are no specific policies relating to Windrush, under the Homeless Reduction Act 2017, all homeless applicants undergo an assessment to determine if they are in 'priority need' and therefore what duties they are owed going forward, this considers many factors such as age, disability, physical and mental illness and care needs.

LEEDS CITY COUNCIL

Q1 response – Whilst Leeds City Council doesn't have a specific policy on how it will identify tenants at risk of homelessness due to loss of employment or entitlement to benefits arising from the Windrush scandal, we consider affordability issues of all tenants who go into rent arrears and would seek to work with tenants to maximise income through benefit entitlement and wider support and guidance.

Q2 response – Leeds City Council has no mechanisms to actively identify applicants experiencing or at risk of homelessness prior to approaching the local authority. Information is widely available online, via community hubs and third sector organisations on how an applicant can approach the homeless service if they are experiencing or at risk of homelessness. Leeds City Council works with a number of partners and third-party agencies who are aware of the referral mechanisms available to alert the homeless service of an applicant where an assessment will then be undertaken and steps agreed to prevent or relieve homelessness.

LEICESTER CITY COUNCIL

Q1 response – We do not have any specific policies relating to the above scandal. We comply with the Homelessness code of Guidance for Local Authorities. We have not identified any households affected by the Windrush scandal who were/are at risk of homelessness. However, anyone in a homelessness position is offered the opportunity to speak to our service and we carry out a full assessment to check their Housing eligibility and qualifying support.

The team collects data in line with the "Homelessness Case Level Information Collection" (H-CLIC) as specified by the Ministry of Housing, Communities & Local Government (MHCLG).

Q2 response – As above, we do not have specific policies regarding the Windrush scandal and we have not identified any applicants in this position.

LIVERPOOL CITY COUNCIL

Q1 response – Liverpool City Council would advise that we do not hold information relevant to your request. In relation to your questions our responses are as follows –

Q2 response – There are no specific policies around those impacted by the Windrush scandal experiencing homelessness.

LUTON COUNCIL

Q1 response – I can confirm we do not hold information within the scope of your request. Luton Borough Council does not have specific policies for Windrush. Section 17 FOIA states that we must issue a formal refusal notice when this is the case.

We do carry out homeless assessments in accordance with the housing act 1996 as amended. All statuses are carefully checked and we refer to guidance from gov.uk Windrush Scheme and helplines if necessary to ensure that correct advice is given whilst carrying out homeless assessments.

MANCHESTER CITY COUNCIL

Q1 response – Manchester City Council did not have any specific policies in place to identify tenants at risk of homelessness due to loss of employment or entitlement to benefits due to status issues arising from the Windrush situation. Nevertheless, the Council assisted any persons who presented as homeless via the usual functions provided under the Housing Act 1996 and the Homelessness Reduction Act 2017. This included signposting to internal and external services which could provide assistance to those who had issues arising from the Windrush situation.

Q2 response – Manchester City Council does not currently have specific policies in place to identify and assist in the prevention and/or relief of homelessness for individuals who status has been regularised via the Windrush scheme but who are unhoused/homeless. Nevertheless, the Council will continue to assist any persons who presents as homeless via the usual functions provided under the Housing Act 1996 and the Homelessness Reduction Act 2017. This includes those affected by the Windrush situation.

NOTTINGHAM CITY COUNCIL

Q1 response – No the council did not and does not have specific policies to identify tenants at risk of homelessness due to loss of employment or entitlement to benefits due to status issues arising from the Windrush scandal.

Q2 response – No the council did not and does not have specific policies to identify and assist in the prevention and or relief of homelessness for individuals whose status has been regularised via the Windrush scheme but who are unhoused/homeless.

PRESTON CITY COUNCIL

Q1 and Q2 response – PCC don't currently have a policy in place to identify the threat of homelessness due to loss of employment or benefits because of the Windrush scandal so it would be N/A to all the other questions.

READING BOROUGH COUNCIL

Q1 response – Reading Borough Council did not introduce a specific policy in 2017/18 to identify tenants at risk of homelessness due to loss of employment or entitlement to benefits arising from the Windrush scandal. However, the Council's broader homelessness prevention framework, as set out in the Homelessness Strategy included measures to support residents facing financial hardship or housing insecurity. These measures focused on early intervention, partnership working, and targeted support for vulnerable individuals.

Q2 response – With regard to your second question, Reading Borough Council continues to provide support to individuals whose immigration status has been regularised via the Windrush Scheme. While there is no standalone policy, our current approach is governed by national legislation.

Support is provided under the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017), which places a duty on local authorities to assess and assist eligible individuals who are homeless or threatened with homelessness. Individuals with confirmed status under the Windrush Scheme are considered eligible for assistance under this legislation.

The Council is committed to upholding the principles of the Equality Act 2010, ensuring that all residents have fair and inclusive access to housing services.

SOUTHAMPTON CITY COUNCIL

Q1 and Q2 response – No.

The background of the existence of the hostile environment and the assessments from the Wendy Williams Lessons Learned Review, the Historical Roots of the Windrush Scandal report and our own expert report commissioned for our JR intervention.

Despite anecdotal evidence that individual local authorities like Newham and Hackney had put measures in place it is clear from the responses, and the failure of some London Boroughs to respond, that no procedures or policies were formally adopted or put in place to assist the victims of State harm perpetrated by central government to ensure mitigation took place at a local level.

The results pose essential questions – Why was there such a failure? What can be done now and in the future to ensure that local government can prevent the harm of homelessness inflicted on individuals by State action.

