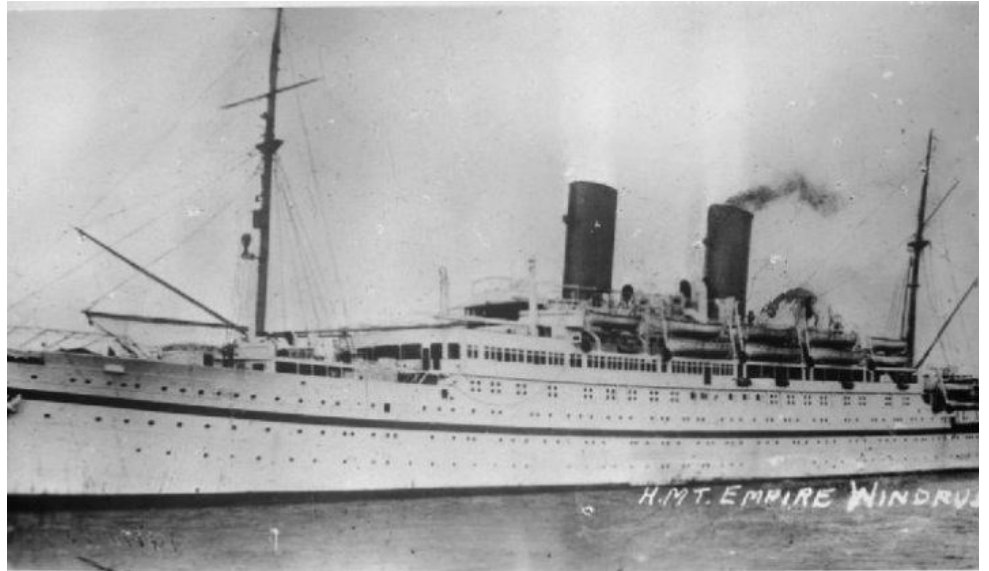


The latest news and announcements from Derbyshire UNISON

## Windrush

High Court will hear how former home secretary Suella Braverman reneged on key recommendations from the Windrush scandal inquiry



## UNISON given go-ahead to join judicial review of government inaction over Windrush

**In December, a High Court judge granted a private individual, Trevor Donald, permission to lodge a judicial review of Ms Braverman's actions, in a hearing that is likely be heard some time between March and May this year.**

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At the same time, both UNISON and civil rights group the Black Equity Organisation (BEO) were granted permission to 'intervene', or join the case. Each will be able to give evidence and argue their position when the matter comes to court.

UNISON general secretary Christina McAnea said today:

"This is a landmark case to tackle a dreadful injustice caused by this grim period of recent history. Hundreds of lives and relationships have been torn apart by this government's cruel and catastrophic decisions.

"Prior to and since the Windrush scandal broke, UNISON has worked actively to represent

people who have been similarly affected by the “hostile environment”, through no fault of their own. It’s important for the union to be part of this case, to ensure all those affected have the best chance to rebuild what they’ve lost.”

The Windrush scandal came to light in 2018, when it was revealed that members of the Windrush generation were being declared “immigration offenders” and denied access to public services, housing and jobs. At least 83 people were wrongly deported despite having the right to live and work in the UK.

### **‘Ignorance and thoughtlessness’**

Led by Wendy Williams, the inquiry published its findings, the Windrush Lessons Learned Review, in March 2020. It concluded that the Home Office had shown “ignorance and thoughtlessness” on race throughout the scandal, that immigration regulations were tightened “with complete disregard for the Windrush generation” and officials had made “irrational” demands for multiple documents to establish residency rights.

Ms Williams made 30 recommendations to avoid a repeat of the scandal, and the then-home secretary Priti Patel confirmed an action plan to implement them. Key among these was a commitment to create the post of a migrants’ commissioner, who would be responsible for speaking up for migrants and identifying systemic problems within the UK immigration system.

However, in January 2023 the new home secretary, Ms Braverman, decided to abandon the commitment to the commissioner role alongside the commitment to strengthen the powers of the immigration watchdog and to run reconciliation events with Windrush families.

### **UNISON litigation**

UNISON launched its litigation in June 2023, during the Year of the Black Worker. The union believes that both the migrants’ commissioner and a strengthened watchdog would help to protect against a future ‘Windrush scandal’, allowing for greater

protections for migrant workers and act as a break on yet more inhumane policies towards refugees.

The claimant in the judicial review, Mr Donald, is a member of the Windrush generation who arrived in the UK in 1967, aged 12, and was granted indefinite leave to remain in 1971.

Yet, when he visited Jamaica in 2010, to attend his mother’s funeral, he was prevented from returning to the UK and, effectively, exiled for nine years – until the scandal of which he was one of many victims finally came to light.

UNISON’s application to the High Court was supported by evidence from UNISON member Michael Braithwaite, a London teaching assistant, working in particular with children with special educational needs, who lost his job due to the Windrush scandal, “a total nightmare that destroyed my life.”

When he learned of Ms Braverman’s reversal of the government commitment, Mr Braithwaite’s view was that, “It felt like we were being treated as if we didn’t matter again, as if no one really cared about what had happened... What scares me is that the hostile environment is still with us.”

Read [Surviving the Windrush scandal](#)