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Windrush scandal: Albert Thompson still in dark about cancer treatment despite May's promise

Londoner still has not received any appointment date for radiotherapy – or an apology

Amelia Gentleman

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Albert Thompson, the Londoner whose case has come to epitomise the Windrush scandal, has spoken of his anguish as he remains uncertain about whether he is to get radiotherapy for his cancer a day after he heard Theresa May announce on television that he would “be receiving the treatment he needs”.

As the fallout from the scandal continued to emerge, Thompson told the Guardian he was distressed to have no clarity, and upset that he had had no apology from the Royal Marsden hospital for the ongoing interruption to his cancer treatment.

Thompson (not his real name) received a brief call on Wednesday night from a consultant at the Royal Marsden telling him that he would receive an appointment letter in “two or three weeks’ time,” and asking him in to come in so he could have some blood tests. He was despondent about the cursory nature of the contact.

“He didn’t mention anything about radiotherapy,” Thompson said, noting that the hospital did not appear to be treating his case as particularly urgent. He remains concerned that despite the

commitment from May that he was to receive treatment, the hospital seemed in no hurry to reschedule the 12-week series of daily radiotherapy sessions he was due to start last November, before he was told that he was not eligible for free treatment without proof that he was in the UK legally.

The call he had from the hospital is only the second contact he has had from his cancer specialist since he was told he needed to pay £54,000 if he wanted to go ahead with treatment (a sum he was, naturally, unable to raise). The phone conversation lasted three or four minutes, he thinks, and he had no chance to ask questions about what was going to happen next, or for professional reassurance about his fears about his health. The earlier call was equally brief, he said.

His unease over his suspended treatment came as the scale of the Windrush scandal continued to grow, as a flood of new cases emerged of lives ruined by the brutal application of the prime minister's "hostile environment" policy towards a group of people who have lived in the UK legally for over half a century. The Home Office's new Windrush hotline has had 232 calls since it was launched on Monday.

Thompson, 63, moved to London as a teenager 44 years ago to join his mother, who was here working as a nurse. Despite tax and national insurance records going back decades, he is still struggling to prove that he has the right to be here. He has never had a British passport, was not aware he needed one, and assumed he was British until suspicion over his immigration status led to him being evicted from his council-owned accommodation last year.

Even though his case exemplifies the difficulties experienced by this cohort of people, a technicality means that Thompson does not qualify as a Windrush person, eligible for assistance under the government's new schemes announced this week, as Theresa May pointed out as she responded to questions about him in the Commons on Wednesday. He arrived a few months after the 1973 Immigration Act was implemented.

Thompson's lawyer Jeremy Bloom described his client's treatment as "grossly unfair". "Albert has still not received any clear communication, either verbally or in writing, that sets out exactly what treatment he can expect to receive and when. His clinicians first discussed the possibility of radiotherapy treatment with Albert in November 2016. He was told that it would start in November 2017. Nothing that the hospital have said since the PM's announcement has clarified whether or when he will be receiving the radiotherapy treatment that he requires," Bloom, of Duncan Lewis solicitors, said.

"It is grossly unfair that someone in Albert's position, who can demonstrate that he has been resident in the UK for 44 years, should have to demonstrate that he has Indefinite Leave to Remain before the hospital can provide him with treatment that they have previously decided is necessary."

Thompson was trying to be upbeat: "The prime minister said I would get treatment, so I presume it is true, but I won't believe it until I get the go-ahead for the treatment," he said. He was enraged at the revelation that the Home Office had destroyed Windrush landing papers in 2010, and suspected that the disappearance of these records might have complicated his attempts to get evidence of his long stay in the UK.

He said he had repeatedly visited the Home Office in an attempt to sort out his difficulties. "They can't find any trace of me at all. That's not my fault – they need to sort that out," he said.

A spokesperson for the Royal Marsden hospital said: "Mr Thompson's cancer specialist is arranging for Mr Thompson to come into the clinic for the next stage of his NHS treatment."

The Commonwealth heads of government meeting was entirely overshadowed by the unfolding scandal. In a joint statement, the high commissioners for Barbados and St Kitts and Nevis, the

primary advocates for the Caribbean on this matter, said that the home secretary Amber Rudd had indicated “acute awareness of the need for urgency” in a meeting with the Caribbean leaders, and hoped the issue could be resolved.

Keith Mitchell, the prime minister of Grenada, was more pessimistic. He said the use of the phrase “hostile environment” with regard to immigrants “doesn’t feel good”. “I think we have been making the point that Britain, being our former colonial masters, have not necessarily treated us in the postcolonial period in the way we expected,” he told the BBC.

Many Windrush people contacted the Guardian to tell their stories, including an 89-year-old ex-bus conductor who described how in 2017 he went on holiday to Grenada (a country he left in 1957), and was told he could not return to the UK, where he had lived for 60 years because he had no proof of his right to reside. He is still trying to untangle his immigration problems. “When the Windrush scandal broke, I couldn’t believe what I was reading and hearing. I thought I was an unusual case,” he said. Others told disturbing stories of how they had lost jobs and homes and been asked to pay for hospital treatment as a result of their difficulties persuading officials that they were not in the UK illegally.

Meanwhile, immigration case workers voiced profound concern about the Home Office’s new Windrush hotline, which is manned by untrained call processors, and which requires individuals to hand over all their personal details before they can get any advice.

Gail Lyle, manager of the Citizens Advice immigration service in Bolton, with 15 years of immigration casework experience, tried calling the helpline on behalf of a client who came to the UK from Barbados aged 10, in 1965, and who was recently suspended from his job because he had no papers. She said he was nervous about giving all his personal details to the service without clear reassurances that if he was not found to have legal status here, for whatever technical reason, his details would not then be sent to the UKBA for removal purposes.

The Home Office needed to understand that “our clients are out of the blue losing their homes and being told they can no longer work, therefore they are a bit reluctant to give all their personal details to the department that’s doing this”, Lyle said.

Case workers from the Joint Council for the Welfare of Immigrants were also concerned about the hotline, and fact that it was not possible for applicants to get discreet, anonymous advice. “The helpline doesn’t work, doesn’t show any sensitivity or knowledge,” Satbir Singh, CEO of the charity, said.

“The JCWI caseworker asked the person manning the phones: ‘How does somebody from the Windrush generation get their status regularised?’ The helpline worker replied: ‘Just apply as normal.’ The caseworker then asked, ‘What does somebody need to apply?’ The response was: ‘Go to the website. It’s got more information than I have,’” Singh said.

The Home Office has been contacted for comment.

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Windrush generation: 'I'm an Englishman'

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Windrush deportation row



Explained: What is the 'hostile environment' policy?

Some members of the so-called Windrush generation, who arrived in the UK decades ago as children, have been incorrectly identified as illegal immigrants. Here are some of their stories.

Waiting for cancer treatment

The case of Albert Thompson - not his real name - has become the focus of much coverage during the current row.

The 63-year-old is not technically of the Windrush generation as he arrived in the UK from Jamaica in 1973 as a teenager.

But **his case was brought to light** after he was told he would have to pay £54,000 for prostate cancer treatment unless he could produce the right documentation.

"I was less than two weeks away from my treatment. That was really upsetting," he told the BBC.

"I get to the Royal Marsden and they gave me this form to fill out where they want to see passport or visa, benefits letter and bank statement.

"At the end of the day, I don't have those things to show so I've got to pay £54,000, which I haven't got."

Labour leader Jeremy Corbyn has raised Mr Thompson's struggles at Prime Minister's Questions, first in March and again on Wednesday, when he accused Theresa May of declining to help him.

The prime minister insisted the Home Office has been in contact with Mr Thompson's representatives, and said his NHS treatment should never have been withheld.

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But Mr Thompson said he first heard that he would receive treatment on the TV news.

"It makes me feel a bit better but not really completely. When I get the treatment - then I'll be over the moon," he said.

A spokesperson for the Royal Marsden Hospital in London said it had been committed to resolving Mr Thompson's eligibility for further NHS treatment with his legal advisers.

They added that his cancer specialist has contacted Mr Thompson to assess him in clinic for his next stage of treatment.

In response, Jeremy Bloom, Mr Thompson's solicitor, said his client had been told radiotherapy treatment would only go ahead if he paid in advance or proved he had indefinite leave to remain. The Royal Marsden disputes this.

'I'm still going through hell'

Paulette Wilson, here alongside her daughter Natalie, spent time at an immigration detention centre

Paulette Wilson came to Britain from Jamaica aged 10 in the late 1960s. Now 61, she said she was confused when she received a letter saying she was in the country illegally.

"I just didn't understand it and I kept it away from my daughter for about two weeks, walking around in a daze thinking 'why am I illegal?'"

Her daughter Natalie Barnes booked an appointment with the Home Office and was told her mother had six months to leave the country.

Ms Wilson then spent two years with the threat of deportation hanging over her, including **a week at Yarl's Wood immigration removal centre**, which she describes as "a nightmare".

- [Windrush peers attack 'incompetent' Home Office](#)
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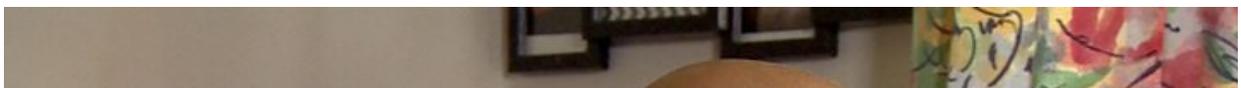
Her MP and a local charity intervened to prevent her removal, and she has since been given a biometric residence permit which proves she can stay in the country.

"It's not ended because I've just got a card saying I have a right to stay in England - I still have to renew it in 2024," she said.

Ms Wilson welcomed the government's apology, but asked: "What about all the other people who were sent away before my case became big?"

"It's just upsetting to think that an ordinary person like me could go through something like that. I'm still going through hell at the moment."

'I didn't exist'





Winston Walker has lived in the UK since he was 18 months old

Winston Walker arrived in the UK from Jamaica in 1966 aged 18 months, on his father's passport.

"I'm as British as anyone," said the 53-year-old, who grew up in Birmingham and now lives in Bristol.

He ran into difficulty in 2008 when applying for a provisional driving licence.

"I kept sending documents to the DVLA and they kept on sending it back," he told the BBC.

Mr Walker later contacted an MP to help, after which he said he was told he did not "exist on any data in this country".

"It was frightening. I've been schooled here - had the same National Insurance number since I was 16... To be told you don't exist, it's overwhelming."

Mr Walker was able to get a resident's permit but that does not make him a British citizen. He said he wanted a British passport, but found it "insulting" that it would cost him "about £1,500".

"My grandmother would be turning in her grave to find out the way her offspring had been treated," he added.

'I couldn't understand'





Junior Green was not allowed to return to the UK for his mother's funeral

Junior Green arrived in the UK from Jamaica at 15 months old, in 1958.

"Sixty years, it's a long time. I'm an Englishman," he told BBC Newsnight.

In 2009, Mr Green tried to update his passport with the proper visa information, but was told by the Home Office he had to prove he had lived in the UK for each of the previous 10 years.

His application was rejected twice. In March last year, Mr Green travelled to Jamaica to be with his dying mother, but when he tried to return to the UK in June, he was not allowed on the flight.

"I was upset - virtually in tears. I couldn't understand why," he said.

Months passed and Mr Green's mother was repatriated to the UK, but her son was unable to return to attend her funeral.

He finally came back to the UK in September, after his local MP intervened.

'I just want a normal life again'





Windrush migrant Nick Broderick: 'I contemplated suicide'

Nick Broderick, who came to the UK as a baby in 1962, has been fighting for the past four years to prove his legal status.

He was working for a recruitment company in Dunstable when his office was subject to an immigration check.

"I wrote to the Jamaican embassy, I sent £70 to get a birth certificate. That didn't happen 3 or 4 times... So they gave me these papers to fill out and after I filled it out, they said to me 'I'm sorry, we seem to have lost the papers that you sent in and so now you're going to be deported'," he told Radio 4's Today programme.

In the months that followed, Mr Broderick had to report to the police station every month, could not work or use his driving licence.

He said he knows others, in a similar position, who have been seriously ill with cancer and denied NHS treatment.

"It was an awful, awful time" which sent him "into a spiral of depression", he said.

"I always thought myself as being English. I just want to have a normal life again," Nick added.

'Nearly destroyed him'

Whitfield Francis - here with his eldest daughter Maria - came to England with his parents at the age of nine

Whitfield Francis was born in Jamaica in 1958 and came to England with his parents at the age of nine.

He only realised there was an issue over his right to remain in the UK when he tried to change jobs four years ago and was unable to provide proof of his status - something he didn't have - and he hasn't been able to work since.

The father-of-four says he can't afford to pay for a biometric residence permit or for legal assistance.

"No-one has given me any help," the 59-year-old said.

"If I haven't got these certain documents, my children could be affected. They may not be eligible for a British passport although they were born in Britain."

His former partner Helen Cappasso says the situation "nearly destroyed him" and being unable to provide for their four children has "broken his heart".

"I cannot express here what a nightmare it's been, and it's not over yet," she said.

Mr Francis, who is currently "sofa surfing" in Birmingham as he is unable to rent somewhere to live, said the government's pledge to help those affected has given him renewed hope that he would finally be able to work again.

'Sometimes I just want to give up'

Sonia Williams says she doesn't accept the government's apology

Sonia Williams, who came to the UK from Barbados in 1975, aged 13, has been fighting to prove she is British for four years.

She was made redundant in 2014, and lost her driving licence in 2016.

"I can't drive, I can't work, I can't claim benefits, I can't do anything," she said. "Sometimes I just want to give up."

"My mum's got citizenship, my dad had right to remain. So I just presumed I had all that, because I was leaving Barbados to come and live with my family. I wasn't just coming on holiday."

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She said she feels "stressed" and "numb", and doesn't accept the government's apology.

"I'm not working, I can't claim benefits, so where am I going to get this money to apply for these things that they're asking me for?"

The Home Office said it would get in touch with Ms Williams.

'Stripped of my identity'

Londoner Katrice, 18, and her mother are both unable to get British passports



The impact has not only been felt by the Windrush generation, but many of their children as well.

Katrice Louis, whose mother, now 59, came to England from St Lucia aged 8, was born and raised in London but is unable to get a British passport.

The 18-year-old says she only found out she wasn't classed as a British citizen when her mother tried to get passports for a family holiday in 2005.

Two of Katrice's older siblings, born in the 1980s, have British passports, but Katrice and two of her other sisters, born in the 1990s, are unable to get one.

"The only option we have been given is to spend thousands of pounds to apply for citizenship and a passport which we cannot afford," she said.

"I have never understood how I have been born and raised here, but still not classed as a British citizen and been stripped of my identity. I have been denied a job.

"I have been living in fear of being deported to a country I have never even seen."

'I cried my heart out'

Tanya Simms, from Sheffield, was born in the UK in 1990. Her grandparents came to the UK from Jamaica in the 1960s and settled in Reading, Berkshire.

They were granted British citizenship in the late 1960s and Tanya's mother joined them in the UK in 1975.

Last year Tanya applied for a passport so she could go on her friend's hen do but was turned down on the grounds that neither of her parents were settled at the time of her birth.

"I cried my heart out when I got the letter," she said.

"It hurts. I've put into the system, I've been educated here, paid national insurance here."

She fears for the future: "Where would they send me and my daughter? I've never been to Jamaica. What are they going to do? Just stick me in the sea?"

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Government in chaos over Windrush after double setback for May

PM's claim about destruction of landing cards and assurances over Albert Thompson's treatment called into question

Peter Walker and Amelia Gentleman

Wed 18 Apr 2018 20.03 BST

Theresa May's attempt to get a grip on the Windrush crisis descended into chaos on Wednesday after two major announcements she made on the subject were immediately called into question.

In a day of confusion over the treatment of Windrush-era arrivals unfairly targeted over their immigration status, May promised that Albert Thompson, a London man denied free NHS cancer treatment despite living in the UK for 44 years, would now get the care he needed.

However, his lawyers said they had not been contacted to be told of any policy change, while Thompson – whose case was first exposed by the Guardian – also complained about being left in the dark.

Separately, an effort by May to blame Labour for a controversial decision to destroy landing card slips recording people's arrival dates rebounded after it emerged that one of the decisions to implement the policy took place in 2010, when she was home secretary.

In other developments on a day of recriminations as the government tried and failed to draw a line under the crisis:

Two Home Office whistleblowers rejected May's claim that the destruction of landing cards had no impact on immigration cases, saying they were routinely used as an information source before their destruction.

The home affairs committee summoned Amber Rudd, the home secretary, to appear before it next week and answer questions on the Windrush saga.

The Home Office said 113 cases had been reported to a hotline set up to try to resolve the issue.

The Jamaican prime minister, Andrew Holness, and the Labour MP David Lammy called for those denied services, wrongfully detained or deported to be awarded compensation. The greatest uncertainty surrounded the case of Thompson – not his real name – who arrived in the UK from Jamaica as a teenager in 1973 to join his mother, and had been asked to pay £54,000 for prostate cancer treatment after he was unable to provide sufficient documents to show that he is in the country legally.

Pressed over the case at prime minister's questions by Jeremy Corbyn, May said Thompson would now get "the treatment that he needs". However, Thompson released a statement saying no one had got in touch with him to confirm what this meant, and that he considered the situation "outrageous".

Praxis, a London immigration charity that is assisting Thompson, said he had been telephoned by a doctor from the Royal Marsden hospital late on Wednesday afternoon, but that this only informed him that he would be called in for new blood tests within two or three weeks.

The 63-year-old has been getting medication from his GP to control the cancer, but has been told he needs radiotherapy treatment, and it remains unclear whether he might still have to pay for his.

A statement from the Royal Marsden said: "Mr Thompson has been continuing on treatment by his GP under the direction of his cancer specialist. Throughout this period we have been committed to resolving Mr Thompson's eligibility for further NHS treatment with his legal advisers. The cancer specialist has contacted Mr Thompson to assess him in clinic for his next stage of NHS treatment."

However Thompson's lawyer, Jeremy Bloom, said the position remained opaque. "The line from the hospital has always remained the same, which is, he can be treated if can pay or if he can prove that he has indefinite leave to remain," he said. "And as far as we have been told, nothing has changed.

"It's not just about Albert. People who can demonstrate that they've been here for decades should not be told that they need indefinite leave to remain or else they have to pay in advance for their NHS treatment."

Thompson arrived in the UK in December 1973, months after the cutoff date for a law that gave Commonwealth citizens living in the UK indefinite leave to remain. In his statement, he said: "I got here in 1973, legally, to join my parents who arrived in the 1960s. I have worked and paid taxes. I have to get my treatment ASAP. I am very worried for all that is going on. If the Home Office destroyed the paperwork stating that I arrived here legally it's their fault, not mine."

The row prompted Thompson's MP, Chuka Umunna, to accuse May in the Commons of misleading the chamber and request that she return to set the record straight.

In the dispute over the destruction of the landing records, May sought to ambush Corbyn at PMQs when the Labour leader asked her how this had happened. To gleeful shouts from Tory MPs in the chamber, the PM said the decision had actually been taken in 2009, when Labour were in power.

This contradicted a Home Office briefing from the day before. It later emerged that two decisions were made – in June 2009 and October 2010 – and that both were made by officials with the UK Border Agency, rather than ministers.

A Labour spokeswoman said the government position on the landing cards was “shifting by the hour”.

Corbyn devoted all his PMQs questions to the Windrush subject, saying the crisis had been caused by May’s decision as home secretary to create a hostile environment in which people had to actively prove their immigration status.

“This is a shameful episode and the responsibility for it lies firmly at the prime minister’s door,” he said. “Her pandering to bogus immigration targets led to a hostile environment for people who were contributing to our country. It led to British citizens being denied NHS treatment, losing their jobs, homes and pensions, thrown in detention centres like criminals and even deported.”

May countered by insisting it was right to seek to remove people without the right to be in the UK. “There is a difference between the Windrush generation, who are British, who are part of us and have a right to be here – and we want to ensure that we give them the reassurance of that right – and those other people who are here illegally,” she said.

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