

Martin Salter MP
House of Commons

GURKHAS

Thank you for your letter of today's date about the new guidance on Gurkhas which the Government published on 24 April.

As a Government, we are not only confident that this guidance fully meets the requirements set out by the Court and that it will see a significant number of successful applications for settlement in the UK, in line with our desire to reward outstanding quality and length of service. But as the Prime Minister said today in the House we want to keep the impact of the guidance under review.

We have committed to reviewing around 1350 individual cases where there is an outstanding application by 11 June. We will inform the House immediately thereafter of the impact of the guidance on those cases, and the numbers of cases which fell to be granted, the number refused, and the number where we have requested and are still awaiting further information from the applicant. In the light of lessons learned from this we will review carefully what further policy changes may be required. I am happy to confirm that we will begin this work before the summer recess.

Some of the outstanding applications are from ex-Gurkhas who are already in the UK, and have for some time been resident here, whether lawfully or unlawfully. My officials will consider these applications on a case by case basis to assess whether they fall to be granted settlement under the revised guidance.

Subsequent to that, UKBA is required under the immigration rules to consider all the relevant factors of an individual's circumstances to see whether the person should be allowed to stay in the United Kingdom. I cannot foresee circumstances in which these honourable men, who have served the UK so well, would ever be removed from the UK.

Jacqui Smith