

LABOUR ministers yesterday masterminded one of Britain's most shameful days by telling thousands of hero Gurkhas they have no right to live here.

With a treacherous swing of the political axe the Government ruled that only those awarded for bravery or at death's door would be allowed to settle in Britain.

Campaigners condemned new rules supposed to give more former Gurkhas the right to live in the UK as a "disgrace". Immigration Minister Phil Woolas said the changes – ordered by Home Secretary Jacqui Smith – would allow 4,300 more Gurkhas to settle here out of the 36,000 who served in the British Army before July 1997.

But supporters of the soldiers' campaign attacked the criteria as "unattainable", with actress Joanna Lumley describing the Government's actions as "despicable".

Critics argue that fewer than 100 people will meet the new requirements and campaigners have vowed to return to the courts. David Enwright, a solicitor representing the Gurkhas, said: "This Government should hang its head in shame.

"This is a disgrace and a betrayal of our armed forces and our veterans." The Gurkhas have won the overwhelming support of the nation in their battle for citizenship.

And the Daily Express, which has crusaded relentlessly for Gurkha rights, will continue to champion the cause of the Nepalese warriors. Under the new rules announced by Mr Woolas, Gurkhas and their families will only be allowed to settle in Britain if they meet certain criteria. These include 20 years' service, a chronic medical condition as a result of their service, or a bravery award.

Ms Lumley, whose father Major James Lumley served with the Gurkhas in the Second World War, said the strict rules could not be met by most ordinary Gurkhas. Only officers would have achieved 20 years' service and it would be almost impossible for Gurkhas who served in the 1950s and 1960s to prove their medical conditions were caused by their time in the forces.

She said: "The treatment of the Gurkhas has been a huge injustice." The decision was also condemned by Tory MP and Gurkha campaigner Ann Widdecombe. She said: "It is a complete shambles, a very deceitful shambles."

A defiant Mr Woolas denied he had betrayed the Gurkhas. He said: "It has never been the case that all Gurkhas pre-1997 were to be allowed to stay in the country. With their dependents you could be looking at 100,000 people.

When people read the guidelines they will see the sense of them." Gurkhas have been part of the Army for 200 years. Up to 200,000 fought in the two world wars and 45,000 have died fighting for Britain.

The regiment moved its main base from Hong Kong to the UK in 1997 and the Government argued that Gurkhas discharged before then were unlikely to have strong residential ties with the UK. It meant those who wanted to live here had to apply for British residency.

In September last year, the High Court ruled that denying Gurkhas who retired before 1997 an automatic right to stay in the UK was unlawful. The Home Office claims that yesterday's decision will mean 4,300 Gurkhas who served prior to 1997 will now be eligible for residency. But the soldiers' legal team is determined to continue the battle.

They will write to the Home Secretary condemning the new rules and Ms Smith will have three weeks to respond. Gurkhas' solicitor Martin Howe said: "Once we receive their reply we will take the Government to whatever court we have to."

For those that have not signed Joanna Lumley's petition [www.gurkhajustice.org.uk](http://www.gurkhajustice.org.uk).

[full details of the Government's decision](#)