

Mr A Kapadia
HSMP Forum

Web www.ukba.homeoffice.gov.uk

19 April 2011

Dear Mr Kapadia

Following our letter of 24 January 2011 we have received a number of requests for correction, which we are now considering. We are continuing to correct those which fall within the policy agreed in response to the Judicial Review and will consider refunding fees if we find any unnecessary applications were made.

Some of the requests fall outside the criteria we agreed to reconsider and I am writing to clarify which cases we will action. I would be grateful if you could publish this information on the HSMP Forum website.

To be clear we will only action cases that meet the following scenario -

Those who first entered the HSMP before 7 November 2006¹ and, when they applied for an extension, were not given enough leave to enter/remain in order for them to obtain the qualifying period for settlement.

This is set out in paragraph 9 of the 9 July 2008 policy document. N.B. This also includes persons who were given an extension before the 9 July 2008 document was published.

The 9 July 2008 policy document does not cover those who first entered the HSMP after 5 December 2006. Where a person first entered the HSMP after 5 December 2006 they continue to be subject to the periods of grant set out in the Immigration Rules at the time.

Where we have requests for reconsideration that do not meet the criteria above we will write to the person who made the request setting out why we cannot proceed.

Yours sincerely

Kate Chubb
Non-Points Based System Operational Policy Lead

¹ And are therefore covered by the HSMP Forum Ltd judicial review: policy document dated 9 July 2008 available at <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/workingintheuk/hsmptjudicialreview>