

**APPLICATION FOR
INDEFINITE LEAVE TO REMAIN
IN THE UK
AS A
VICTIM OF DOMESTIC VIOLENCE**

In accordance with paragraph 34 of the Immigration Rules, this form is a specified form for the purpose of the Immigration Rules as of 6 April 2009 and must be used for all applications made on or after that date for the purpose stated on this page.

You also need the separate guidance documents listed below, which you should read before making your application:

- *SET(DV) guidance notes (version 04/2009)*
- *UKBA photograph guidance (version 04/2009)*

If you do not already have these documents, you can get them from our website at www.ukba.homeoffice.gov.uk or by calling 0870 241 0645.

Our application forms change periodically. If you obtain this form some time before applying, please check that it is still the version which must be used when you are ready to apply.

Applications on this form may be made by post only.

You must send your application to the following address:

**UK Border Agency
Leave to Remain - SET(DV)
PO Box 495
Durham
DH99 1WR**

PAYMENT GUIDANCE

THE FEE

If you are a single applicant on form SET(DV) and no dependants are applying with you, there is a fee of **£820**.

The fee does not need to be paid if you are destitute at the time of making the application. See part 4 of the guidance notes mentioned at the front of the form.

The premium service at our Public Enquiry Offices is not available for applications on form SET(DV).

If one or more dependants are applying with you, the fee increases by **£50** for each dependant applying as shown in the table below.

Number of applicants	Fee
Yourself and 1 dependant	£870
Yourself and 2 dependants	£920
Yourself and 3 dependants	£970
Yourself and more than 3 dependants	Add £50 to the amount above for each additional dependant

For more information about the current fees, please see the SET(DV) guidance notes - version 04/2009.

Unless you are destitute at the time of making the application, **please note that your application will be rejected as invalid** if you do not pay the specified fee.

WHO MAY APPLY WITH YOU?

You may include your children under the age of 18 if they are applying as your dependants. But they must pay the specified fee if they apply separately.

Children aged 18 or over may not be included. They must apply individually and pay the specified fee in each case.

HOW CAN YOU PAY?

You must pay by one of the methods specified below. **Please note your application will be rejected as invalid** if you pay by any other method.

- Cheque
- Postal Order
- Credit card - Visa (including Electron) or MasterCard only
- Debit card - Delta, Maestro* (including Solo)
- Banker's draft

Please don't send cash.

* **Maestro** - we will only accept Maestro cards issued in the UK.

CHEQUES AND POSTAL ORDERS

You must make the cheque or postal order payable to **Home Office Leave to Remain** and cross the cheque or postal order(s) **A/C Payee only**.

Write the full name, nationality and date of birth of the main applicant on the back of each cheque and/or each postal order and keep the postal order stub(s).

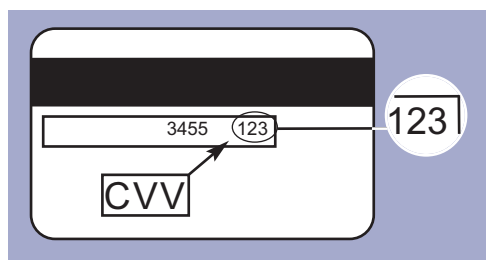
Make sure that the date and the amount (words and figures) are correct and that the cheque is signed properly.

Attach your cheque or postal order(s) to the front of the application form.

COMPLETING THE PAYMENT DETAILS PAGE

To ensure that your payment is processed without any delay, please note the points below when completing the payment details.

- 1** This should be the full name of the main applicant as given in his or her passport or travel document.
- 2** Date of birth - for example, 3 January 1980 should be written 03 01 1980 in the spaces provided.
- 3-4** The address at **3** should be the contact address in the UK for any correspondence. If it is not your home address (eg a solicitor or other authorised immigration adviser may be submitting the application), give the contact name at **4**.
- 8-12** Complete only if paying by card.
- 11** The card security number is a three-digit security code known as the card verification value (CVV). It consists of the last three numbers on the signature strip on the back of the card as shown below.



If you do not provide the CVV number, we cannot take the payment and your application will be rejected as invalid.

- 12** It is the cardholder as named on the credit or debit card who must sign and date.

If you are producing a double-sided copy of this application form, please include this page and make sure it falls on the reverse of the payment details page in the two-sided copy.

For administrative reasons, it's important that the rest of the form begins with Section 1 - Applicant's Details facing upwards.

SECTION 4 - EVIDENCE OF DOMESTIC VIOLENCE

In this section we ask for information and documentary evidence to satisfy us that you are a victim of domestic violence. You must answer the relevant questions and provide evidence from independent and objective sources. The documents must relate to violence committed against you by your partner and/or by his or her family. Where available, the evidence must come from the sources detailed below but you may also provide evidence from other sources. We do not accept witness statements by your friends or family, or letters from official sources that only provide unproven reports.

- 4.1 Have any of the legal actions described in a), b) and c) below been taken against the person(s) who committed the violence of which you claim to be a victim? Yes No

If **yes**, please provide relevant documentary evidence and tick one or more boxes immediately below to show which you are providing. You should then go to **4.3**. If **no** to this question, go to **4.2**.

- a) **An injunction, non-molestation order or other protection order (other than an ex-parte or interim order)** (see **Note 2**). Where the order refers to any undertakings made in writing by either yourself or the person(s) who committed the violence, you must provide these.

Note 2 We cannot accept an ex-parte or interim order.

- b) **A relevant court conviction.**
- c) **A relevant police caution.** This should include the full name, date of birth and nationality of the person(s) who committed the violence, as well as their address(es) at the time of the incident(s), and now, if different; and the date, time and place of the incident(s) in respect of which the caution was issued or a prosecution is taking place.

- 4.2 If you are not able to provide any of the evidence listed in **4.1**, you **should** provide **at least two** of the types of evidence listed at a) to g) below. Tick the relevant boxes to show which you are providing.

- a) **A medical report from a hospital doctor or GMC registered family practitioner (GP)** who has examined you confirming that the injuries are consistent with being a victim of domestic violence. The report must include the doctor's GMC Registration Number and must provide the date of your first registration, the dates of visits in which domestic violence was reported, and an extract from the record of these details.
- b) **An undertaking given to a court** that the person(s) who committed the violence will not approach you.
- c) **A police report** confirming that, because of a domestic violence incident, they attended the address at which the incident(s) took place. A copy of the incident log must be provided. It must show the address(es) at which the incident(s) took place.
- d) **A letter from a social services department** confirming its involvement in connection with domestic violence committed against you.
- e) **A letter of support or a report from a domestic violence support organisation/refuge.**
- f) **If you are the subject of a multi-agency risk assessment conference (MARAC)**, evidence from the chair of the MARAC stating that you have been the victim of domestic violence.
- g) **Other documentary evidence** - if you are unable to provide any evidence as listed in **4.1** and **4.2 a - f** above, please explain the reason for this in the space below and list any other evidence you are providing. Continue on a separate sheet and enclose it with this form if you need more space.

SECTION 8 - PERSONAL HISTORY

If you have answered **yes** to question **8.2, 8.3, 8.4, 8.5, 8.6** or **8.7** on the **previous page**, you must give further details in the space provided below. If you need more space, continue on a separate sheet and enclose it with this form.

REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed. Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline on **020 7840 6464** or by obtaining a free copy of their leaflet on **020 7840 6427**.

DEFINITIONS

For the purposes of answering questions **8.3** to **8.7**, the following information provides guidance on actions which may constitute war crimes, crimes against humanity, genocide, or terrorist activities.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 8 of the International Criminal Court Act 2001 at www.opsi.gov.uk/acts/acts2001/20010017 or purchased from The Stationery Office (telephone **0870 600 5522**). It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately on behalf of yourself and any dependants applying with you.

War crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Terrorist activities

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purposes of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

Organisations concerned in terrorism

An organisation is concerned in terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

SECTION 9 - PHOTOGRAPHS

It is mandatory to provide the relevant photographs specified below. Please note that this application will be invalid if you do not provide them.

The photographs must be in the format in the separate UKBA photograph guidance provided with this form. If they are not, they may be rejected as unacceptable and you will have to provide others which are acceptable. This will delay consideration of your application.

Tick the relevant box(es) to confirm the photographs you are providing and enclose them in a small sealed envelope attached to section 1 as instructed there.

- Two recent identical passport-size photographs of yourself** with your full name written on the back of each photograph. Please see the separate photograph guidance on the approved format.
- Two recent identical passport-size photographs of each dependant child under 18** included in section 2 and applying for indefinite leave to remain in the UK with you, with their full name written on the back of each photograph.

SECTION 10 - DOCUMENTS

You must provide the documents specified below which are relevant to your application. If you do not, we reserve the right to decide your application on the basis of the information and documents provided.

Tick the relevant boxes to show the documents you are providing. They must be originals.

Please note that, in some cases, we may have to ask for other documents in addition to those specified in this form.

Passport and immigration documents

- Your current passport or travel document.** If you last entered the UK on a previous passport or travel document, please also provide this document if you have it.
- Current passport(s) or travel document(s) for each dependent child under 18** included in section 2 and applying for indefinite leave to remain in the UK with you. If they last entered the UK on previous passport(s) or travel document(s), please also provide these documents if you have them.
- Your identity card for foreign nationals** if you have been issued with one since entering the UK. See **Note 5**.
- Identity cards for foreign nationals for each dependent child under 18** included in section 2 and applying for indefinite leave to remain in the UK with you if they have been issued with them since entering the UK. See **Note 5**.

Note 5 Identity cards have been issued to certain foreign nationals since 25 November 2008 when they have been given permission to remain in the UK. Unless reported lost or stolen, they should be enclosed with any application for further permission to remain in the UK.

SECTION 10 - DOCUMENTS

Children's birth certificates

- A full birth certificate** (one which shows the parents' names) for each child under 18 of your present marriage or civil partnership or relationship who is applying for indefinite leave to remain in the UK with you.

Evidence of previous cohabitation with your partner

- Letters or other correspondence** as evidence that you and your partner lived together from the time you were granted leave to enter or remain in the UK as a partner until the relationship broke down.

Evidence of domestic violence

- Evidence of domestic violence as listed in section 4.** If you are unable to provide any such evidence, you must provide an explanation of why you cannot do so.

Evidence of relationship with your partner

- A letter from you** stating whether you are still living with your partner and, if the marriage or relationship has broken down, whether domestic violence was the reason for this.

Evidence of destitution

- Letters or other documents as evidence that you are destitute** e.g. from the local authority or agency supporting you confirming that they have assessed you and that they for their purposes in providing support to you, accept that you are, at the time of this application, destitute. If you are receiving support from a third party, e.g family and friends, you must provide a letter confirming what support arrangements are in place, together with other documents to prove your inability to pay the application fee. Please note that the UK Border Agency will decide whether you are destitute for the purposes of not paying the application fee.

SECTION 11 - DECLARATION

You must now read the declaration below and sign it. This must be signed by you (the applicant) and not by a representative or other person acting on your behalf.

It is mandatory for the declaration to be signed.

Please note that this application will be invalid if it is not signed as specified above.

I hereby apply for indefinite leave to remain in the UK for myself and any dependants listed in this form. The information I have given in this form is complete and is true to the best of my knowledge.

I confirm that the photographs submitted with this form are a true likeness of myself and any dependants who are applying with me, as named on the back of each photograph and that I have had the opportunity to see the UK Border Agency (UKBA) photograph guidance.

I confirm that if, before this application is decided, there is a material change in my circumstances or new information relevant to this application becomes available, I will inform the Home Office.

I consent to the Home Office obtaining information or evidence from the agencies or other sources mentioned in this application form in connection with my claim to be a victim of domestic violence, and using such information or evidence in reaching a decision on my application.

I understand that all information provided by me to the Home Office will be treated in confidence; that it may be disclosed to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions; and that, if such bodies provide the Home Office with any information about me which may be relevant for immigration purposes, it may be used in reaching a decision on my application.

I understand that my details may in certain circumstances be passed to fraud prevention agencies to prevent fraud and money laundering. I also understand that such agencies may provide the Home Office with information about me. Further details explaining when information may be passed to or from fraud prevention agencies and how that information may be used can be obtained from the UKBA website.

I understand that documents provided in support of this application will be checked for authenticity; and that false documents will be retained and may result in my application being refused and in my prosecution and subsequent removal from the United Kingdom.

I understand that the Home Office may also use the information provided by me for training purposes.

I am aware that it is an offence under the Immigration Act 1971, as amended by the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002, to make to a person acting in execution of any of those Acts a statement or representation which I know to be false or do not believe to be true, or to obtain or to seek to obtain leave to remain in the United Kingdom by means which include deception.

Signature

Date

PHOTOGRAPHS AND DOCUMENTS CHECKLIST

Please complete this part of the form to help us check that we have received your photographs and documents. At "A", tell us how many of each of the listed items you are providing with your application. At "B", list any other documents provided by you and state how many in each case. Continue on a separate sheet if necessary and enclose it with this form. All documents must be originals.

A. Listed items	How many?	B. Other documents	How many?
Photographs of yourself			
Photographs of any children applying			
Passports and/or travel documents			
Birth certificate(s) of any children applying			
Injunction or other court order			
Evidence of court conviction			
Evidence of police caution			
Medical report of injuries suffered			
Police report of domestic violence incident			
Letter(s) from social services			
Letter(s) from support organisation			

Please note that in some cases, we may have to ask for other documents in addition to those specified in this form.

FINAL CHECKS

To ensure that your application is complete, please make the following final checks. Tick each box that is relevant to your application.

- | | |
|--|--|
| Is SET(DV) the right form for you and is it valid for use? See date and notes on front page. <input type="checkbox"/> | Have you completed the payment details page as required and have you made the correct payment if required to do so? <input type="checkbox"/> |
| If you are claiming fee exemption on the grounds of destitution, have you provided documentary evidence to prove it? <input type="checkbox"/> | Have you completed section 1 and, if required to do so, sections 2 and 5? <input type="checkbox"/> |
| Have you completed section 8 and the rest of the form as specified? <input type="checkbox"/> | Have you provided the photographs specified in section 9 and are they in the approved format? <input type="checkbox"/> |
| Have you provided your current passport(s) or travel document(s) and all other relevant documents specified in section 10 and are they originals? <input type="checkbox"/> | Have you signed and dated the declaration in section 11? <input type="checkbox"/> |
| If you are unable to send us any of the documents specified in section 10 which are relevant to your application, or if you are unable to provide originals, have you given an explanation and said when you will be able to send them? <input type="checkbox"/> | |

Finally, please make sure that the application is addressed exactly as shown below.

**UK Border Agency
 Leave to Remain - SET(DV)
 PO Box 495
 Durham
 DH99 1WR**