

Mike Buchanan
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16 December 2013
Our Reference: 29186

Dear Mr Buchanan

Thank you for your email of 5 October, in which you ask for information regarding SET (DV) applications. Your request has been handled as a request for information under the Freedom of Information Act 2000.

I am able to disclose the following information;

I am writing with respect to Domestic Violence Settlement Visas. Could you please inform me how many such visas have been applied for, and how many granted, by gender, by year, since they were introduced? And does the award of these visas give applicants the right to permanent residence in the UK?

The information you have requested can be found on the table enclosed as Annex a.

Those wishing to make an application for leave to remain as a victim of domestic violence are provided for in Appendix FM Section DVILR of the Immigration Rules. These rules provide equally for male or female victims of domestic violence.

Paragraph DVILR.1.1. sets out the requirements to be met for indefinite leave to remain in the UK as a victim of domestic violence which are:

- (a) the applicant must be in the UK;
- (b) the applicant must have made a valid application for indefinite leave to remain as a victim of domestic violence;
- (c) the applicant must not fall for refusal under any of the grounds in Section S-ILR: Suitability-indefinite leave to remain; and
- (d) the applicant must meet all of the requirements of Section E-DVILR: Eligibility for indefinite leave to remain as a victim of domestic violence.

Section E-DVILR sets out the eligibility criteria for victims of domestic violence and paragraph E-DVILR.1.1. states:

To meet the eligibility requirements for indefinite leave to remain as a victim of domestic violence all of the requirements of paragraphs E-DVILR.1.2. and 1.3. must be met.

E-DVILR.1.2. also states that the applicant's last grant of limited leave must have been:

- (a) as a partner (other than a fiancé(e) or proposed civil partner) of a British Citizen or a person settled in the UK;
- (b) granted to enable access to public funds pending an application under DVILR.; or
- (c) granted under paragraph D-DVILR.1.2.

Paragraph E-DVILR.1.3. states that the applicant must provide evidence that during the last period of limited leave as a partner the applicant's relationship with their partner broke down permanently as a result of domestic violence.

If the applicant meets all of the requirements for indefinite leave to remain as a victim of domestic violence the applicant will be granted indefinite leave to remain under D-DVILR.1.1. of Appendix FM. Period of limited leave to remain can also be granted which will allow a victim of domestic violence to remain in the UK.

To make a valid application under any route within the immigration rules, including Domestic Violence, applicants must:

- apply on the current version of form SET(DV)
- pay the specified fee by one of the methods specified in the payment guidance, unless they can prove that they are destitute
- provide photographs of themselves and any children under 18 who are applying with them
- complete the Personal History section
- sign the declaration.

If the applicant fails to do any of the things listed above when making their application for ILR on the basis of Domestic Violence, the application will be invalid and will be rejected and returned to them.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 29186. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

Emma Byrne
North West Correspondence Team