



This form is valid only for applications submitted on or after 20 May 2009

Request to review an application for Indefinite Leave to Remain in the UK in line with the HSMP Forum (UK) LTD High Court judgment of 6 April 2009

This application should be completed in English using BLOCK CAPITALS and BLACK INK.

Section 1: Personal Details of Applicant – ALL applicants must complete this section.

| | | | | | |
|--|-------------------------------|------------------------------|---------------------------------|-----------------------------|---|
| 1. Title | Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other (please state) <input type="text"/> |
| 2. Surname/family name | <input type="text"/> | | | | |
| 3. Surname/family name at birth (if different) | <input type="text"/> | | | | |
| 4. First names | <input type="text"/> | | | | |
| 5. Gender | Male <input type="checkbox"/> | | Female <input type="checkbox"/> | | |
| 6. Date of birth | <input type="text"/> Day | <input type="text"/> Month | <input type="text"/> Year | | |
| 7. Nationality | <input type="text"/> | | | | |
| 8. Passport number | <input type="text"/> | | | | |
| 9. Address in the UK, including postcode (Please let us know immediately if this changes) | <input type="text"/> | | | | |
| 10. Your daytime telephone number (if you have one) | <input type="text"/> | | | | |
| 11. Your email address (if you have one) | <input type="text"/> | | | | |
| 12. Name of your employer (if applicable) | <input type="text"/> | | | | |
| 13. Your job title | <input type="text"/> | | | | |
| 14. Your HSMP reference number | <input type="text"/> | | | | |
| 15. Your Home Office reference number (if you have one) | <input type="text"/> | | | | |

Section 2: Immigration Status – ALL applicants must complete this section.

16. From which British Diplomatic post overseas did you obtain entry clearance and/or a visa?

17. When does/did your current leave expire? Day Month Year

Section 3: Details of your family included in your original application – Applicants must complete this section where applicable.

18. If your application included a partner and/or children under the age of 18 living with you in the UK and you are applying on their behalf for an Indefinite Leave to Remain as your dependants, please give their details below.

| Name | Date of birth (dd/mm/yyyy) | Nationality | Passport number | Relationship to you |
|------|----------------------------|-------------|-----------------|---------------------|
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Section 4: Your Home and Finances and Sponsorship- All applicants must complete this section.

19. Is your home in the UK:

Owned by you?

Rented from a local authority by you?
If so, please give details

Privately rented by you?

Owned or rented by a relative or friend?

Other (please give details)

20. Do you or your partner (or both) pay any mortgage or rent for your home? No Yes
If you have answered yes, how much do you or your partner (or both) pay each month? £

21. Are you receiving any public funds? (See Section 3 of the Guidance Notes for a definition of public funds under the Immigration Rules) No Yes
If you have answered yes, what are you receiving?

22. Are you working in the UK? No Yes
If you have answered yes, what is your net pay each month? £

23. Does a relative or friend regularly give you money? No Yes
If you have answered yes, how much money do you receive each month? £

Section 5: Personal History – ALL applicants must complete this section.

You must answer all the questions in this section on behalf of yourself and any dependants included in this application. It is an offence under Section 26(1)(c) of the Immigration Act 1971 to make a statement or representation which you know to be false or do not believe to be true. **Information given will be checked with other agencies.**

24. Do you or any dependants included in this application have any criminal convictions in the UK Yes No
or any other country (including traffic offences) or any civil judgments made against you?

If you have answered **Yes** to question 24 above please give details below for each criminal conviction and/or civil judgment, starting with the most recent one - but first see **Note 1** about criminal convictions. If you or any dependants included in this application have received more than two sentences and/or civil judgments, give details on a copy of this page and enclose it with this form.

Note 1 Convictions spent under the Rehabilitation of Offenders Act 1974 need not be disclosed. More information about this Act is given towards the end of this section.

| | |
|--|--|
| Name of person convicted or against whom a civil judgment was made | |
| Nature of the criminal offence or the civil action (give details on a separate sheet and enclose it with this form if you need more space) | |
| Date of sentence/judgment | |
| Details of the sentence or civil judgment (give details on a separate sheet if you need more space) | |
| Country where the sentence was passed or the civil judgment was made | |

| | |
|--|--|
| Name of person convicted or against whom a civil judgment was made | |
| Nature of the criminal offence or the civil action (give details on a separate sheet and enclose it with this form if you need more space) | |
| Date of sentence/judgment | |
| Details of the sentence or civil judgment (give details on a separate sheet if you need more space) | |
| Country where the sentence was passed or the civil judgment was made | |

For help in answering the questions below, please see the definitions on the next page.

25. Have you or any dependants included in this application ever been charged in any country with a criminal offence for which you have not yet been tried in court? Yes No

26. In times of either peace or war have you or any dependants included in this application ever been involved, or suspected of involvement, in war crimes, crimes against humanity or genocide? Yes No

27. Have you or any dependants included in this application ever been involved in, supported or encouraged terrorist activities in any country? Yes No

28. Have you or any dependants included in this application ever been a member of, or given support to, an organisation which has been concerned in terrorism? Yes No

29. Have you or any dependants included in this application ever, by any means or medium, expressed views that justify or glorify terrorist violence or that may encourage others to terrorist acts or other serious criminal acts? Yes No

30. Have you or any dependants included in this application ever engaged in any other activities which might indicate that you may not be considered to be persons of good character? Yes No

Section 5: Personal History (continued)

31. If you have answered **Yes** to question 25, 26, 27, 28, 29 or 30 above please give further details in the space provided below. If you need more space, continue on a separate sheet.

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 **0207 840 6464** or by obtaining a free copy of their leaflet on **0207 840 6427**.

DEFINITIONS

For the purposes of answering questions 29 and 30, 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.htm 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 included in this application.

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 and 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 (included the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

Section 6: Documentary Evidence. ALL applicants must complete this section.

- **The documents and photographs required in support of your application, as well as those of any dependants included in the application, are listed below.**
- **You only have to provide those that are relevant to your application.**
- **Tick the boxes next to the relevant items to show the documents and photographs you are sending.**

- Two recent passport-sized photographs of yourself with your name written on the back of each photograph. These must follow the format described in the separate UK Visas & Immigration photograph guidance.
- Two recent passport-sized photographs of each dependant applying for an extension of stay in the UK included in this application, with their name written on the back of each photograph. These must follow the format described in the separate UK Visas & Immigration photograph guidance.
- 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 dependant applying for an extension of stay in the UK and included on this application form – if they last entered the UK on a previous passport(s) or travel document(s), please also provide these documents if you have them.
- Your police registration certificate (if you have been asked to register with the police)
- The police registration certificate(s) of each dependant applying for an extension of stay in the UK (if they have been asked to register with the police) included on this application form
- A full birth certificate (i.e. one that shows the parents' names) for each dependant child included on this application, for whom you are applying unless they have previously been granted leave as your dependant.
- Your marriage certificate/civil partnership document, if you are applying for Indefinite leave in the UK for your spouse/civil partner, unless they have previously been granted leave as your dependant.
- If you are not married or in a civil partnership and you are applying for an extension of stay in the UK for a partner (opposite-sex or same-sex), you should provide document(s) showing that you and your partner have been living together in a relationship akin to marriage or civil partnership, which has subsisted for 2 years or more.
- Evidence that you have the funds to maintain and accommodate yourself and any dependants without recourse to public funds. The evidence must be formal documents such as bank statements, a building society passbook, or wage slips (but do not send us cheques, traveller's cheques or credit cards). If a relative or friend is supporting you, the evidence should be a letter from him/her confirming this together with formal documents showing their financial situation. (The documents provided should cover at least the last 3 months.)
- You must send us documents showing that you are economically active in either employment, self employment or a combination of both. See section 2 of the Guidance Notes for further details.

If you are unable at present to send us any documentation or photographs specified please explain your reasons below:

Section 7: Applicant's Declaration – ALL applicants must complete this section.

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

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 Visas & Immigration 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/UK Visas & Immigration.

I understand that all information provided by me to the Home Office/UK Visas & Immigration 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/UK Visas & Immigration 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 Home Office 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/UK Visas & Immigration 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.

Your signature

Date

Name (CAPITALS please)

Would you like correspondence and documents relating to this application to be sent to your employer or representative? Yes No

If you answer yes please get them to complete the declaration on the next page.

Section 8: Representative/Employer Declarations

If a representative or your employer is dealing with this application on your behalf, please complete the details below.

Name of your employer or representative company

Address (including post code)

Name of contact (if different from below)

Telephone number

Fax number

E-mail address

This declaration MUST be signed by an employer or representative.

- I have been appointed by the applicant to make this application.
- I confirm that the applicant has completed and signed the application, and that the application is, to the best of my knowledge and belief, true and complete.
- Once the application is decided I will provide the applicant with all correspondence from you relating to your decision.
- I declare that I am permitted to provide immigration advice and immigration services by section 84 of the Immigration and Asylum Act 1999.
- 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 do an act which facilitates the commission of a breach of immigration law by an individual who is not a citizen of the European Union, knowing or having reasonable cause to believe that the act has this effect.
- I am (tick as appropriate)

Registered or exempted by the Office of Immigration Service Commissioner (OISC)

My OISC number is:

Authorised to practice by a designated professional body or supervised by such a person

- The Law Society
- The Law Society of Scotland
- The Law Society of Northern Ireland
- The Institute of Legal Executives
- The General Council of the Bar
- The Faculty of Advocates
- The General Council of the Bar of Northern Ireland

Designated professional body is:

My supervisor is (if appropriate):

Registered with or authorised by an EEA body responsible for regulation of the provision of legal advice in that EEA state; or employed or supervised by the person registered as defined in section 84(2) (d), (e) and (f).

The registered or authorised EEA body is:

My supervisor is (if appropriate):

Within a category of person specified in an Order made by the Secretary of State under subsection 84(4)(d) of the Immigration and Asylum Act 1999.

Please tick this box if you do not wish to receive further information and publicity from the Home Office.

Signed

Date

Name (CAPITALS please)

Position

For and on behalf of (the representative/employer)

Section 9: Document Checklist – ALL applicants must complete this section.

- Please complete this part of the form, as it will help us (a) to make sure that we have received the documents which you have supplied and (b) to keep a record of them while they are in our possession. The list of documents is a standard one showing the main documents received with applications for which there is a fee. You are only expected to provide those which are relevant to your application as specified in Section 6: Documentary Evidence of the HSMP ILR Judicial Review reconsideration request.

IMPORTANT - In addition to the documents listed in Section 6 above, *if you are already in the UK under HSMP and are seeking to extend your leave*, please ensure you check what additional documents you must submit under Section 6 of this form or (where applicable) to support statements made under Section 7.

- In the left hand of the box below, please enter as directed the number of documents of the kind described which you have provided with your application.

| | | | |
|---|--|---|--|
| Please state in the boxes below how many of the following you have enclosed ↓ | | FOR OFFICIAL USE ONLY Please do not write on this side of the box | |
| Passports | | | |
| Travel documents | | | |
| Birth certificates | | | |
| Marriage certificates/Civil Partnership Document | | | |
| Police Registration Certificates | | | |

FOR OFFICIAL USE ONLY

Signature Date

Section 10: Personal checklist for the Review Form: HSMP ILR Judicial Review– All applicants must complete this section

Please make the following checks before submitting your application. They should help to ensure that it is valid.

- Are you sure that a Review Form: HSMP ILR judicial review is the right form for your application?
- Is the form valid for use? See the date on the front page.
- Have you completed all the relevant sections of the form?
- Have you sent us the following documents specified in Section 6?
- Current passport(s) or travel document(s) and photographs, including those of any dependants included in the application;
- Police registration certificate(s), if applicable; and,
- Evidence of funds and any other document(s) specified in Section 4, which are relevant to your application and those of any dependants.
- If you are unable at present to send us any documentation or photographs specified in Section 6, have you given an explanation and said when you will be able to send them?
- Have you included all documentation required under Section 6 **and** (if applicable) to support statements made under Section 7 of the application form.
- Have you signed and dated the declaration in Section 7 of the form?

Finally, please make sure that the application is addressed exactly as in Section 5 of the Guidance Notes, i.e.

**Litigation Operations North - Temporary Migration
Appeals and Litigation Directorate
Vulcan House Steel Level 5
Sheffield
S3 8WA**

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