

Person granted indefinite leave as a victim of domestic violence or abuse, and children

(use this category only if the academic year you are paying fees for starts on or after 1 August 2024)

The requirements for this category were different in academic years that started before 1 August 2024. So if you started before 1 August 2024, it is important you also look at the category titled 'Person granted indefinite leave as a victim of domestic violence or abuse (use this category only if the academic year you are paying fees for starts before 1 August 2024)'.

This category is only for students who start their course on or after 1 August 2021.

In order to qualify for 'home' fees under this category, both criteria (a) and (b) must be met:

(a) you must be *ordinarily resident* in the *UK* on the day on which the first term of the first academic year actually begins (note this is a different date from the *first day of the first academic year of the course*)

Note: Usually you do not count as 'ordinarily resident' in a place unless your residence there is lawful. However, the regulations make a special adjustment to that for requirement (a) in this category. They say that if you or your parent became a 'person granted leave as a victim of domestic violence or abuse' after the day on which the first term of the first academic year actually began, you get special treatment. The special treatment means you are treated as though your residence was lawful, even if it was unlawful. The residence can therefore count as 'ordinary residence' for the purpose of requirement (a).

(b) on the **first day of the academic year you are paying fees for** (unless you are being assessed for the first academic year of your course, in which case use instead the day on which the first term of the first academic year **actually** begins), you must fit 1 or 2:

1. a person with indefinite leave to enter or indefinite leave to remain as a victim of domestic violence or domestic abuse, under any of the following provisions of the Immigration Rules: paragraph VDA 9.1 of the Appendix Victim of Domestic Abuse; paragraph 289B; Appendix FM paragraph D-DVILR.1.1; Appendix Armed Forces paragraph 40; and

- you have been **ordinarily resident** in the **UK and Islands** throughout the period since being given your indefinite leave.

2. the **child** of a person described in 1. You must have been their child at the time they made the immigration application that resulted in their leave as a victim of domestic violence or domestic abuse, and under 18 on that date; and

- you must have indefinite leave to enter or indefinite leave to remain; and
- you must have been ordinarily resident in the UK and Islands throughout the period since being given your own indefinite leave.

Note: Once you have qualified for this category for one year of your course, requirement (b) is less strict for later years of your course. So for later years of your course, it is acceptable if either one or both of you has lost your indefinite leave, as long as one of the following things is true, on the first day of whatever academic year you are paying fees for:

- One of the two of you has some kind of leave to remain; or
- One of the two of you is a British or Irish citizen; or
- One of the two of you is still waiting for a decision on an application for some kind of leave to remain, but made that application late (after previous leave expired). There is an extra requirement for this group: the person waiting for a decision must also be someone who qualifies under paragraph SUI 13.1 of the Immigration Rules not to be treated as an overstayer (read [paragraph SUI 13.1](#) to see who that covers).

This is a special adjustment to requirement (b) that the regulations make. It has not always existed, so the options in the first two bullet points exist for academic years that start on or after 1 August 2024, and the option in the third bullet point exists for academic years that start on or after 24 July 2026.

Becoming eligible

If your parent or you are granted indefinite leave after the start of the course, you will be entitled to 'home' fees from the start of the next academic year, if you meet the requirements above.