

# Discretionary Leave to Remain in the UK: A Comprehensive Guide

Discretionary Leave to Remain (DLR) in the UK is a form of immigration status granted at the discretion of the Home Office to individuals who do not qualify under standard visa routes but have compelling reasons to stay. This guide explores eligibility, application processes, and key considerations for applicants.

## What is Discretionary Leave to Remain (DLR)?

DLR is a temporary immigration status granted outside the Immigration Rules. It is typically issued when removal from the UK would violate human rights (Article 8 of the European Convention on Human Rights – ECHR) or when exceptional circumstances justify staying.



## Key Features of DLR:

- **Temporary status** (usually 2.5 to 5 years)
- **No recourse to public funds** (unless explicitly granted)
- **Pathway to settlement** after 10 years in some cases

## Eligibility for Discretionary Leave to Remain

The Home Office considers DLR in the following circumstances:

### 1. Human Rights Claims

- **Family life (Article 8 ECHR):** Where removal would unjustly separate a family.
- **Private life:** Long-term residence in the UK (usually 10+ years).

### 2. Exceptional Circumstances

- **Medical grounds:** Severe health conditions with inadequate treatment in home country.
- **Risk of persecution or harm** if returned.
- **Other compassionate reasons** (e.g., victims of trafficking).

### 3. Cases Outside Immigration Rules

- When refusal would lead to **unjustifiably harsh consequences**.

## Application Process for DLR

### Step 1: Prepare Supporting Documents

- Proof of identity (passport, biometric card)
- Evidence of UK residence (bills, tenancy agreements)
- Medical reports (if applicable)
- Witness statements (for human rights claims)

### Step 2: Submit Application

- Apply online or via post using **Form FLR(HRO)**.
- Pay the application fee (£1,048 as of 2024) and Immigration Health Surcharge (£1,035/year).

### Step 3: Biometric Enrollment

- Attend a UKVCAS appointment for fingerprints and photo.

### Step 4: Decision

- Processing time: **6–12 months**.
- If refused, applicants may have **right of appeal**.

## Rights and Restrictions Under DLR

### Permitted Activities:

- Work (without restrictions in most cases)
- Study (access to education)
- Access to NHS healthcare

### Restrictions:

- **No access to most public funds** (benefits, housing support)
- **Cannot sponsor family members** unless granted settlement



## Extending DLR and Settlement

- **Extensions:** Apply before expiry using **Form FLR(DL)**.
- **Indefinite Leave to Remain (ILR):** Possible after **10 years** of continuous DLR.

## Challenges and Refusals

- **Common refusal reasons:** Insufficient evidence, criminal record, or false information.
- **Appeals:** Must be filed within **14 days** of refusal.

## Conclusion

**Discretionary Leave to Remain UK** provides a crucial lifeline for individuals with strong humanitarian or human rights grounds to stay in the UK. While the process is complex, thorough preparation and legal advice can improve success rates. Applicants should ensure they meet eligibility criteria and provide robust evidence to support their case.



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