

Summary of the Commission's interventions in the European Court of Human Rights

Year of intervention	Case	Subject matter	Application number	Outcome
2009				
	RP v UK	<ul style="list-style-type: none"> • Parents with learning difficulties • Access to justice, right to a fair hearing, Article 6 ECHR; role of the Official solicitor. • Procedural aspects of right to family life, Article 8 ECHR 	Application No. 38245/08	Submission made, awaiting judgment.
	JM v UK	<ul style="list-style-type: none"> • Whether same-sex couples are a 'family' for Art.8 purposes or merely covered by the 'private life' aspect. 	Application No. 37060/06	Submission made, awaiting judgment.
	Kay v UK	<ul style="list-style-type: none"> • Challenging possession orders, proportionality and Article 8 ECHR • Tension between Doherty in the HL and conflicting ECHR cases 	Application No. 37341/06	Submission made, awaiting judgment.

	O'Donoghue v UK	<ul style="list-style-type: none"> • Discriminatory marriage certificates of approval scheme for immigrants • Govt failure to respond to domestic declaration of incompatibility. 	Application No. 34848/07	Submission made, awaiting judgment.
	Seal v UK	<ul style="list-style-type: none"> • Whether the requirement for leave to bring proceedings in s 136 and 139 of Mental Health Act causes violations of Article 6 ECHR 	Application No. 50330/07	Submission made, awaiting judgment.
	Al Saadoon v UK	<ul style="list-style-type: none"> • transfer of two Iraqi suspects to Iraqi jurisdiction in violation of an order ("interim measures") of the European Court of Human Rights • Extent of ECHR jurisdiction • International law obligations v ECHR obligations: status of interim measures 	<p>Application No 61498/08</p> <p>Admissibility decision 30.06.09</p> <p>Judgment 2.3.2010</p>	<p>The ECtHR found that the government's arrest and detention of the men violated their rights under Articles 3,13 and 34 of the European Convention. The ECtHR criticised the Government for failing to take all reasonable steps to comply with its interim order and to obtain assurance from the Iraqi authorities that the men would not face the death penalty. The Commission had submitted to the Court that where Britain's international law obligations conflict with their obligations under the ECHR, human rights considerations should prevail. The ECtHR agreed, confirming that human</p>

				rights considerations are paramount in cases such as this and that “it is not open to a Contracting State to enter into an agreement with another state which conflicts with its obligations under the Convention”.
	Knaggs and Khachik v UK	<ul style="list-style-type: none"> • Need for ban on the use of intercept evidence in court to be lifted • Privacy • Impact of counter terrorism measures on ECHR rights 	Application Nos. 46559/06 and 22921/06	Submission made, awaiting judgment.
	Hode v UK	<ul style="list-style-type: none"> • Rights of spouses to join refugee partners on non-discriminatory basis. • Articles 8 and 14 ECHR 	Application No. 22341/09	Submission made, awaiting judgment.
	Redfearn v UK	<ul style="list-style-type: none"> • Banning of BNP members in particular sectors of employment • Balancing conflict between human rights • Articles 10 and 11 either alone or with Article 14 	Application No 47335/06	Submission made, awaiting judgment.

2010				
	Bah v UK	<ul style="list-style-type: none"> • Housing allocation to people whose priority need depends on a dependent who is subject to immigration control. • Articles 14 and 13 ECHR • Whether govt response to declaration of incompatibility in Morris v Westminster is adequate. 	Application No.56328/07	Submission made, awaiting judgment.
	Greens v UK	<ul style="list-style-type: none"> • Voting rights of prisoners • Article 3 of Protocol 1 ECHR • Failure to implement earlier judgment of the ECHR in Hirst 	Application No. 60041/08	Submission made, awaiting judgment.
	Namubiri v UK	<ul style="list-style-type: none"> • Clarification of difference between forced labour and exploitation, ILO Convention 29 • Failure to provide a remedy, • Article 14 ECHR 	Application No. 4239/08	Submission made, awaiting judgment.
	Van Colle v UK	<ul style="list-style-type: none"> • Scope of the positive obligation inherent in Art 2 ECHR to protect the lives of vulnerable people 	Application No.7678/09	Submission made, awaiting judgment.

	Fox v UK	<ul style="list-style-type: none">• What is needed to satisfy the obligation to carry out the investigatory duty under Art 3 ECHR	Application No. 61319/09	Submission made, awaiting judgment.
--	----------	---	--------------------------	-------------------------------------