



COUR EUROPÉENNE DES DROITS DE L'HOMME  
EUROPEAN COURT OF HUMAN RIGHTS

FOURTH SECTION

**CASE OF DODDS v. THE UNITED KINGDOM**

*(Application no. 59314/00)*

JUDGMENT  
*(Striking out)*

STRASBOURG

12 June 2007

**FINAL**

*12/09/2007*

*This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.*



**In the case of Dodds v. the United Kingdom,**

The European Court of Human Rights (Fourth Section), sitting as a Chamber composed of:

Mr J. CASADEVALL, *President*,

Sir Nicolas BRATZA,

Mr G. BONELLO,

Mr K. TRAJA,

Mr S. PAVLOVSKI,

Mr J. ŠIKUTA,

Mrs P. HIRVELÄ, *judges*,

and Mr T.L. EARLY, *Section Registrar*,

Having deliberated in private on 22 May 2007,

Delivers the following judgment, which was adopted on that date:

**PROCEDURE**

1. The case originated in an application (no. 59314/00) against the United Kingdom of Great Britain and Northern Ireland lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by Mr Steven Dodds (“the applicant”) on 2 June 2000.

2. The applicant was represented before the Court by Paul Dodd Solicitors, London. The United Kingdom Government (“the Government”) were represented by their Agent, Mr C. Whomersley of the Foreign and Commonwealth Office.

3. The applicant complained under Articles 8 and 14 of the Convention and Article 1 of Protocol No. 1 that, because he was a man, he was denied social security benefits equivalent to those received by widows.

4. By a partial decision of 10 October 2001 the Court decided to communicate this application. On 8 April 2003, after obtaining the parties' observations, the Court declared this application admissible in so far as the complaint concerned Widowed Mother's Allowance and declared the remainder of the application inadmissible.

**THE FACTS****I. THE CIRCUMSTANCES OF THE CASE**

5. The applicant was born in 1952 and lives in London.

6. His wife died on 2 September 1990, leaving him with four children born in 1980, 1982, 1986 and 1988 respectively. His claim for widows' benefits was made on 8 May 2000 and was rejected on 24 May 2000 on the ground that he was not entitled to widows' benefits because he was not a woman. The applicant did not appeal further as he considered or was advised that such a remedy would be bound to fail since no security benefits were payable to widowers under United Kingdom law.

## II. RELEVANT DOMESTIC LAW

7. The domestic law relevant to this application is set out in *Willis v. the United Kingdom*, no. 36042/97, §§ 14-26, ECHR 2002-IV.

## THE LAW

8. Article 37 § 1 of the Convention provides as follows:

“The Court may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to the conclusion that

(a) the applicant does not intend to pursue his application; ...

However, the Court shall continue the examination of the application if respect for human rights as defined in the Convention and the protocols thereto so requires.”

9. On 27 March 2006 the Court received the Government's last observations on the case. The Government submitted that the application was, in fact, inadmissible, since the applicant's wife had not paid sufficient National Security Contributions to give rise to entitlement to widows' benefits. On 11 May 2006 the Court transmitted the observations to the applicant's representative, who was invited to submit his written comments by 22 May 2006. Having received no reply, by a registered letter of 12 October 2006 the Court pointed out to the representative that the deadline for submitting comments had expired and warned him that the Court might decide to strike the case out of its list unless comments were received by 1 November 2006. The applicant did not reply.

In the light of the above, in accordance with Article 37 § 1 (a) of the Convention, the Court considers that the applicant does not intend to pursue his application. Furthermore, the Court finds no special circumstances regarding respect for human rights as defined in the Convention or its Protocols which require the continuation of the examination of the application.

10. Accordingly, the application should be struck out of the Court's list.

FOR THESE REASONS, THE COURT UNANIMOUSLY

*Decides* to strike the application out of its list of cases.

Done in English, and notified in writing on 12 June 2007, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

T.L. EARLY  
Registrar

Josep CASADEVALL  
President