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

FOURTH SECTION

DECISION

Application no. 65487/16
Jennifer Kate ROBINSON
against the United Kingdom
(see appended table)

The European Court of Human Rights (Fourth Section), sitting on 19 May 2022 as a Committee composed of:

Armen Harutyunyan, *President,*
Jolien Schukking,
Ana Maria Guerra Martins, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 4 November 2016,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases, and the applicant's reply to this declaration,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Mr M. Scott, a lawyer practising in London with Bhatt Murphy Solicitors.

The applicant's complaints under Articles 8 and 10 of the Convention concerning the bulk interception regime provided for by section 8(4) of the Regulation of Investigatory Powers Act 20000 were communicated to the United Kingdom Government ("the Government").

The Government submitted a declaration with a view to resolving the issues raised by these complaints. They further requested the Court to strike out the application.

The Government acknowledged, based on the leading case *of Big Brother Watch and Others v. the United Kingdom* ([GC], nos. 58170/13 and 2 others, 25 May 2021) that the section 8(4) regime was not compliant with Article 8 of the Convention, or Article 10 of the Convention, in relation to the treatment of confidential journalistic material, for the reasons identified by the Grand

Chamber. The Government indicated that in accordance with Article 46 of the Convention, they would abide by the judgment in Big Brother Watch and Others, including by adopting general measures to prevent similar violations, The Government also agreed to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. This amount would be converted into pounds sterling at the rate applicable on the date of payment, and would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

The applicant informed the Court that he agreed to the terms of the declaration.

THE LAW

The Court finds that, following the applicant's express agreement to the terms of the declaration made by the Government, the case should be treated as a friendly settlement between the parties.

It therefore takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and the Protocols thereto and finds no reasons to justify the continued examination of the application.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Decides to strike the application out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 9 June 2022.

Viktoriya Maradudina Acting Deputy Registrar	Armen Harutyunyan President

APPENDIX

Application raising complaints under Articles 8 and 10 of the Convention

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Date of receipt of Government's declaration	Date of receipt of applicant's acceptance	Amount awarded for costs and expenses (in euros, to be converted into pounds sterling)[1]
65487/16 04/11/2016	**Jennifer Kate ROBINSON** 1981	Mark Scott of Bhatt Murphy Solicitors, London	28/02/2022	05/04/2022	1,000

[1] Inclusive of any tax that may be chargeable to the applicant.