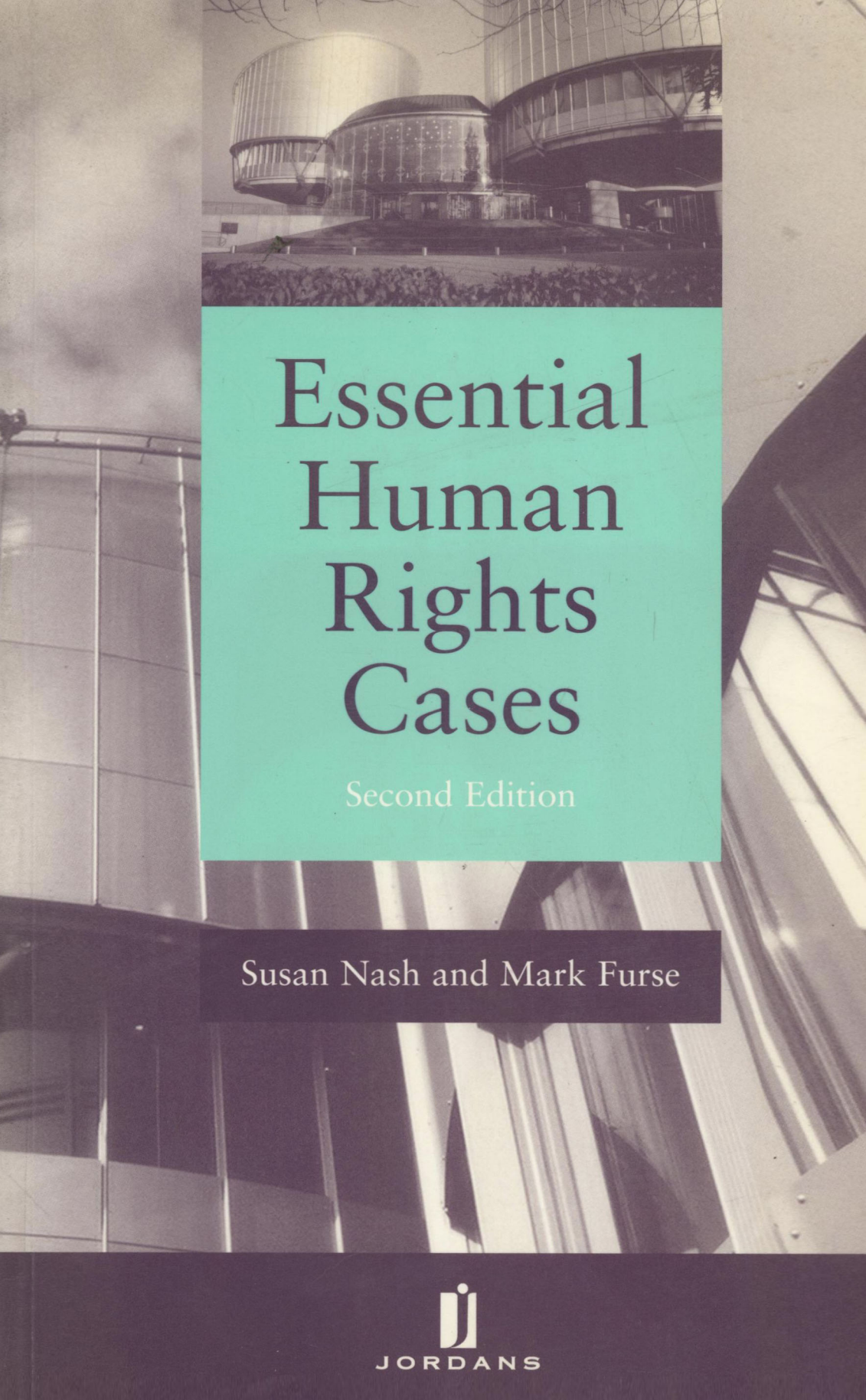




Essential Human Rights Cases

Second Edition

Susan Nash and Mark Furse



JORDANS

ESSENTIAL HUMAN RIGHTS CASES

SECOND EDITION

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Preface

When the first edition of this book was published, the Human Rights Act 1998 had not yet entered into force in the UK, and human rights law could still be viewed as a 'foreign' subject. That of course has now changed, and in this edition of the book we have been faced with an avalanche of case-law to consider for inclusion. We have included additional Convention cases where these have been brought to our attention as meriting inclusion in the first edition, or in response to our own considerations of the earlier material, or to new cases. Our response to the current plethora of domestic cases has been to include only those which appear to us to be of the utmost significance or interest, and our watchword in the preparation of this second edition has been the first word of the title: 'essential'.

There have been a number of developments that have affected human rights case-law since the first edition. Institutional changes within the Convention architecture have altered the procedures by which case-law emerges from Strasbourg and these are dealt with in the first chapter. The accession to the Council of Europe of new States, with differing traditions, has been reflected in the work of the Court, and of course, in the UK, domestic courts have grappled with human rights issues across a wide range of areas.

In addition to the inclusion of new material, we have made some substantial reorganisation of existing material. The incidents of duplication of treatment of cases has been reduced, although we will continue to refer to cases in more than one entry where this is appropriate to the treatment of the subject matter. Material referred to in that part of the first edition dealing with discrimination has been absorbed into the substantive chapters of the book to which the discrimination relates. Nothing has been lost in this process, and we hope that the end result makes the book easier to use.

It is clear that as the role played by human rights law in the UK expands, an increasing number of cases will be come to be regarded as 'essential', and we would be pleased to hear from any reader of this book who would like to recommend material for inclusion.

In the preparation of this edition we are both jointly responsible for all the content, and any errors are ours alone. However, Susan Nash has been primarily responsible for the first chapter and areas of the book relating to criminal law, and immigration and deportation issues, while Mark Furse has been primarily responsible for the commercial areas. Other areas have been shared out more or less equally.

In the preparation of this edition the publication team at Jordans have done an excellent job in dealing with a great number of changes, and we are grateful to them for their patience and professionalism. While we have prepared this edition ourselves, and have made changes to material included in the first edition where it has been retained, we remain grateful to those who made contributions to the first edition. Contributions by Merris Amos, Leroy Bunbury, Amanda Hopkins, Charles King and Claire de Than that were present in the first edition continue to appear in this edition.

The cut off date for the inclusion of cases in this edition was 1 June 2002.

SUSAN NASH, MARK FURSE

October 2002

Table of Cases

References are to *page numbers*. References in **bold type** are to where cases are considered.

A (Children) (Conjoined Twins: Surgical Separation), Re [2001] Fam 147, [2001] 2 WLR 480; <i>sub nom</i> A (Conjoined Twins: Medical Treatment), Re [2001] 1 FLR 1, CA	74
A (Permission to Remove Child from Jurisdiction: Human Rights), Re [2000] 2 FLR 225, [2000] Fam Law 706; <i>sub nom</i> GA (A Child), Re [2000] UKHRR 572, CA	264
A v Commission (Case T-10/93) [1994] ECR II-179, [1994] 3 CMLR 242, CFI	389
A v France (1993) 17 EHRR 462, ECHR	22, 149
A v UK (Human Rights: Punishment of Child) (1999) 27 EHRR 611, [1998] 2 FLR 959, (1998) 5 BHRC 137, ECHR	13, 262
A Health Authority v X (Discovery: Medical Conduct) [2001] EWCA Civ 2014, [2001] UKHRR 1213, [2002] 2 All ER 780, (2002) <i>The Times</i> , February 1, CA	238
ADT v UK (2001) 31 EHRR 33, [2000] 2 FLR 697, 9 BHRC 112, ECHR	23, 281
AM&S Europe Ltd v Commission (Case 155/79) [1982] ECR 1575, [1982] 2 CMLR 264, ECJ	382
Abdulaziz, Cabales and Balkandali v UK (1985) Series A No 94, (1985) 7 EHRR 471	14, 40, 53, 55, 61, 201, 273
Adolf v Austria Series A No 49, (1982) 4 EHRR 313, ECHR	18, 77
Ahmad v UK (1982) 4 EHRR 126, EComHR	23, 300
Ahmed v Austria (1996) 24 EHRR 278, [1998] INLR 65, ECHR	14, 217
	340
Ahmed and Others v UK (2000) 29 EHRR 1, ECHR	18, 25, 343
Ahmut v The Netherlands RJD 1996-VI 2017, (1996) 24 EHRR 62, ECHR	203, 249
Air Canada v UK (1995) Series A No 316, (1995) 20 EHRR 150, (1995) <i>The Times</i> , May 13	18, 78
Airedale NHS Trust v Bland [1993] AC 789, [1993] 1 FLR 1026, [1993] 2 WLR 316, [1993] 1 All ER 821, HL	73
Airey v Ireland Series A No 32, (1979) 2 EHRR 305, ECHR	40, 57
Akdeniz v Turkey Application No 23954/94, unreported, ECHR	184
Akkoc v Turkey (2002) 34 EHRR 51, ECHR	9, 65, 121, 180
Akkus v Turkey (2000) 30 EHRR 365, ECHR	367
Al-Adsani v UK (2002) 34 EHRR 11, [2001] HRCD 899, ECHR	74, 86
Amuur v France (1996) 22 EHRR 533, ECHR	14, 204
Andersson v Sweden (1992) 14 EHRR 615, ECHR	22, 244
Application No 9237/81 (European Commission Procedure), unreported	284
Application No 9369/81 (European Commission Procedure) (1983) 5 EHRR 601, EComHR	284
Arslan v Turkey (2001) 31 EHRR 9, ECHR	310
Artico v Italy Series A No 37, (1980) 3 EHRR 1, ECHR	48
Ashdown (Paddy) MP v Telegraph Group Ltd [2001] EWCA Civ 1142, [2001] 3 WLR 1368, [2001] UKHRR 1242, [2001] 4 All ER 666, CA	312
Ashingdane v UK Series A No 93, (1985) 7 EHRR 528, ECHR	18, 78
Arrowsmith v UK Application No 7050/75, (1978) 19 D&R 5	23
Arrowsmith v UK (1978) 3 EHRR 218, EComHR	299

Atlan v UK (2002) 34 EHRR 33	112
Attorney General's Reference (No 3 of 1999); <i>sub nom</i> R v B [2001] 2 AC 91, [2001] 2 WLR 56, [2001] 1 All ER 577, HL	108
Attorney General's Reference (No 7 of 2000) [2001] EWCA Crim 888, [2001] 1 WLR 1879, [2001] BPIR 953, [2001] 2 Cr App R 19, CA	138
Automec v Commission of the European Communities (Case T-24/90) [1992] ECR II-2223	388
Autronic AG v Switzerland Series A No 178, (1990) 12 EHRR 485, [1991] FSR 55, ECHR	25, 374, 375
Averill v UK (2002) 31 EHRR 36, 8 BHRC 430, [2000] Crim LR 682, ECHR	19, 20, 139
Aydin v Turkey (1997) 25 EHRR 251, 3 BHRC 300, ECHR	193
B (A Minor), Re [2001] UKHL 70, [2002] 1 WLR 258, [2002] 1 FLR 196, [2001] TLR 692, HL	251
B v France Series A No 232C, (1992) 16 EHRR 1, [1992] 2 FLR 249, ECHR	39, 57, 287
B v UK Series A No 121, (1987) 10 EHRR 87	245
Barbera, Messegue and Jabardo v Spain Series A No 146, (1988) 11 EHRR 360	19
Beard v UK (2001) 33 EHRR 19, [2001] 12 HRCd 25, ECHR	356
Belgian Linguistic Case (No 1) Series A No 5, (1967) 1 EHRR 241, ECHR	270
Belgian Linguistic Case (No 2) Series A No 6, (1968) 1 EHRR 252, ECHR	26, 268, 270
Bendenoun v France Series A No 284, (1994) 18 EHRR 54, ECHR	113
Benham v UK (1996) 22 EHRR 293, (1996) <i>The Times</i> , June 26, ECHR	15, 90
Benrachid v France Application No 39518/98 1999 RJD II	233
Bensaid v UK (2001) 33 EHRR 10, [2001] INLR 325, 11 BHRC 297, ECHR	217
Bentham v The Netherlands Series A No 97, (1985) 8 EHRR 1, ECHR	369
Berrehab v The Netherlands Series A No 138, (1988) 11 EHRR 322, (1988) <i>The Times</i> , June 30	22
Beyeler v Italy (2001) 33 EHRR 52, ECHR	367
Bordeaux Vineries Ltd v States Board of Administration (1993), unreported, Guernsey	97
Bouamar v Belgium Series A No 129, (1988) 11 EHRR 1, ECHR	16, 161, 258
Boyle v UK Series A No 282-B, (1994) 19 EHRR 179, ECHR	22, 223
Bozano v France Series A No 111, (1987) 9 EHRR 297	16, 155, 212
Brandstetter v Austria Series A No 211, (1993) 15 EHRR 378, ECHR	110
Brennan v UK (2002) 34 EHRR 18, [2001] HRCd 791, (2001) <i>The Times</i> , October 22, ECHR	19, 20, 88
Brogan and Others v UK Series A No 145-B, (1988) 11 EHRR 117, ECHR	15, 16, 156, 158, 165
Bronda v Italy (2001) 33 EHRR 4, [1998] HRCd 641, ECHR	22, 223, 226
Brown v Stott [2001] 2 WLR 817, [2001] 2 All ER 97, 2001 SC (PC) 43, PC; [2000] UKHRR 239, 2000 SLT 379, 2000 JC 328, High Ct of Justiciary	43, 142
Buckley v UK RJD 1996-IV 1271, (1996) 23 EHRR 101, ECHR	22, 42, 355
Burdov v Russia Application No 59498/00, unreported, ECHR	66
Buscarini v San Marino (2000) 30 EHRR 208, 6 BHRC 638, ECHR	23, 294
CG v UK (2002) 34 EHRR 31, [2001] HRCd 929, [2002] TLR 3, ECHR	19, 93
CR v UK; SW v UK. <i>See</i> SW v UK; CR v UK	
Caballero v UK (2000) 30 EHRR 643, [2000] Crim LR 587, (2000) <i>The Times</i> , February 29	17, 165, 166
Campbell (Naomi) v Mirror Group Newspapers Ltd [2002] EWHC 499, [2002] EMLR 617, (2002) <i>The Times</i> , March 29, QBD	312

Campbell and Cosans v UK Series A No 48, (1982) 4 EHRR 293, ECHR	44, 267
Campbell and Fell v UK Series A No 80, (1984) 7 EHRR 165, ECHR	18, 20, 125
Cardoso and Johansen v UK Application No 47061/99, unreported	232
Casado Coca v Spain (1994) 18 EHRR 1, (1994) <i>The Times</i> , April 1, ECHR	375
Castells v Spain Series A No 236, (1992) 14 EHRR 445, ECHR	48
Catscratch Ltd and Lettuce Holdings Ltd v Glasgow City Licensing Board (No 2) [2001] UKHRR 1309, 2001 SCLR 817, 2001 GWD 19-748, Ct of Sess (OH)	361
Ceylan v Turkey (2000) 30 EHRR 73, ECHR	309
Chahal v UK (1996) RJD-V 1831, (1996) 23 EHRR 413, ECHR	16, 17, 26, 51, 214
Chapman (Sally) and Others v UK (2001) 33 EHRR 18, (2001) 1 BHRC 48, (2001) <i>The Times</i> , January 30, ECHR	22, 270, 355
Chappell v UK (1989) 11 EHRR 543, (1989) <i>The Guardian</i> , April 18, ECHR	333, 357
Chassagnou v France (2000) 29 EHRR 615, 7 BHRC 151, ECHR	25, 347
Chiuchlian and Ekindjian v France Series A No 162B, (1989) 13 EHRR 553, ECHR	19, 91
Chinoy v UK (1998) (unreported), ECommHR	105
Chorherr v Austria Series A No 266-B, (1993) 17 EHRR 358, ECHR	340
Cinéthèque SA and Others v Fédération Nationale des Cinémas Français (Cases 60–61/84) [1985] ECR 2605, [1986] 1 CMLR 365	380
Clunis v UK Application No 45049/98 [2001] HRCD 987	85
Condron v UK (2001) 31 EHRR 1, 8 BHRC 290, [2000] Crim LR 679, ECHR	20, 141
Conka v Belgium Application No 51564/99, (2002) 34 EHRR 54, [2002] HRCD 47, ECHR	15, 208
Cornwell v UK Application No 36578/97, (2001) 29 EHRR CD 62, (2000) <i>The Times</i> , May 10	276
Cossey v UK Series A No 184, (1990) 13 EHRR 622; <i>sub nom</i> The Cossey Case [1991] 2 FLR 492, ECHR	38, 39, 57
Costello-Roberts v UK Series A No 247-C, (1993) 19 EHRR 112, [1994] ELR 1, [1994] 1 FCR 65, ECHR	22, 266
Coster v UK (2001) 33 EHRR 20, [2001] HRCD 25, (2001) <i>The Times</i> , January 30, ECHR	356
Council v Heidi Hautala (Case C-353/99P) judgment of 6 December 2001, unreported, ECJ	393
Council of Civil Service Unions v UK Application No 11603/85, (1987) 50 D&R 228	25
Cremieux v France (1993) 16 EHRR 357, ECHR	22, 145
Crompton (Alfred) Amusement Machines Ltd v Customs & Excise Comrs (No 2) [1974] AC 405, [1973] 3 WLR 268, [1973] 2 All ER 1169, HL	383
Curley v UK (2000) 31 EHRR 14, (2000) <i>The Times</i> , April 6, ECHR	17, 172
Cyprus v Turkey Application No 27581/94, (2002) 35 EHRR 30, 11 BHRC 45, ECHR	75
D v UK (1997) 24 EHRR 423, 2 BHRC 273, (1998) 42 BMLR 149, ECHR	216, 217
Dalban v Romania (2001) 31 EHRR 39, 8 BHRC 91, ECHR	315
Darby v Sweden Series A No 187, (1991) 13 EHRR 774, ECHR	23, 297
De Haan v The Netherlands 84/1996/673/895, (1998) 26 EHRR 417, ECHR	97
De Haes and Gijssels v Belgium (1998) 25 EHRR 1, ECHR	320
De Wilde, Ooms and Versyp v Belgium Series A No 12, (1971) 1 EHRR 373	15
Decision 69/71/EEC, unreported, EC Commission	378
Decision 82/123 (1982) OJ L54/36, EC Commission	391
Decision 93/731/EC, (1993) OJ L340/43, EC Commission	393
Decision 95/551/EEC, (1995) OJ L312/79, EC Commission	387
Dede and Others v Turkey Application No 32981/96, unreported, ECHR	18, 101
Demirel v Stadt Schwäbisch Gmünd (Case 12/86) [1987] ECR 3719, [1989] 1 CMLR 421, ECJ	390

Devenney v UK Application No 24265/94, (2002) 35 EHRR 24, [2002] HRCD 251, [2002] TLR 159, ECHR	18, 85
Devlin v UK (2002) 34 EHRR 43, [2001] HRCD 809, ECHR	18, 86
Director General of Fair Trading v Proprietary Association of Great Britain and Proprietary Articles Trade Association [2001] 1 WLR 700, [2001] UKCLR 550, [2001] ICR 564, CA	94
Djaid v France Application No 38687/97, unreported, ECHR	234
Dombo Beheer BV v The Netherlands Series A No 274-A, (1993) 18 EHRR 213	20
Doorson v The Netherlands RJD 1996-II 70, (1996) 22 EHRR 330, ECHR	19, 20, 117
Douglas (Michael), Zeta Jones (Catherine), Northern & Shell plc v Hello! [2001] QB 967, [2001] 1 FLR 982, [2001] UKHRR 223, [2001] 2 WLR 992, [2001] 2 All ER 289, CA	313
Dudgeon v UK Series A No 45, (1981) 4 EHRR 149, ECHR	21, 56, 279, 280
Duyonov v UK Application No 36670/97, unreported	90
East African Asians v UK (1973) 3 EHRR 76, 78-A DR 5, EComHR	14, 202
Edwards v UK Series A No 247-B, (1992) 15 EHRR 417, (1993) <i>The Times</i> , January 21, ECHR	20, 21, 109
Edwards v UK Application No 46477/99, (2002) 35 EHRR 19, [2002] HRCD 237, [2002] TLR 151, ECHR	11, 63, 70, 182
Eisenstecken v Austria (2002) 34 EHRR 35, ECHR	361
Elliniki Radiophonia Tileorassi AE v Dimotiki Etairia Pliforissis and Sotirios Kouvelas (Case 260/89) [1991] ECR I-2925, [1994] 4 CMLR 540, ECJ	383, 392
Engel v The Netherlands (No 1) Series A No 22, (1979–80) 1 EHRR 647, ECHR	54, 163
Erdogdu v Turkey 2000 RJD VII, (2002) 34 EHRR 50, ECHR	310
Eriksson v Sweden Series A No 156, (1989) 12 EHRR 183, ECHR	241
Ezelin v France Series A No 202, (1991) 14 EHRR 362, ECHR	25, 338
F (Adult Patient), Re [2001] Fam 38, [2000] 3 WLR 1740, [2000] UKHRR 712, [2000] 2 FLR 512, CA	164
F (Mental Patient – Sterilisation), Re [1990] 2 AC 1, [1989] 2 WLR 1025, [1989] 2 All ER 545, HL	164
F v Switzerland Series A No 128, (1987) 10 EHRR 411, ECHR	26, 225
Fayed v UK Application No 17101/90, Series A No 294-B, (1994) 18 EHRR 393, (1994) <i>The Times</i> , October 11, (1994) <i>The Independent</i> , October 6	18, 80
Ferrantelli and Santangelo v Italy (1997) 23 EHRR 288, ECHR	18, 100
Fielding v UK Application No 36940/97, [2002] TLR 86, (2002) <i>The Times</i> , 25 February, ECHR	276
Firma J Nold v Commission (Case 4/73) [1974] ECR 491, [1974] 2 CMLR 338, ECJ	380
Fischer (Franz) v Austria Application No 37950/97, [2001] HRCD 341, ECHR	21, 102
Fitt v UK (2000) 30 EHRR 481, ECHR	20, 110
Fitzpatrick v Sterling Housing Association Ltd [2000] 1 FLR 271, [1999] 3 WLR 1113, [2000] UKHRR 25, [1999] 4 All ER 705, HL	224
Fogerty v UK (2002) 34 EHRR 12, [2001] HRCD 905, ECHR	86
Former King of Greece v Greece (2001) 33 EHRR 21, ECHR	27, 366
Foucher v France (1997) 25 EHRR 234, ECHR	114
Fox, Campbell and Hartley v UK Series A No 181-A, (1990) 13 EHRR 157, ECHR	16, 44, 156
Foxley v UK (2001) 31 EHRR 25, 8 BHRC 571, (2000) <i>The Times</i> , July 4, ECHR	22, 335
Fressoz and Roire v France (2001) 31 EHRR 2, 5 BHRC 654, ECHR	308, 309
Frette v France Application No 3651/97, [2002] HRCD 91, [2001] HRCD 451	231

Funko v France: Application No 10828/84, Series A No 256-A, (1993) 16 EHRR 297, ECHR	18, 20, 22, 126, 134, 370
GA (A Child), Re. See A (Permission to Remove Child from Jurisdiction: Human Rights), Re	
GL v Italy (2002) 34 EHRR 41, ECHR	27, 363
Garcia Alva v Germany Application No 23541/94, judgment of 13 February 2001, unreported, ECHR	112
Gaskin v UK Series A No 160, (1989) 12 EHRR 36, [1990] 1 FLR 167, ECHR	22, 24, 243
Gast and Popp v Germany (2001) 33 EHRR 37, [2000] HRCD 79, ECHR	73
Gay News Ltd and Lemon v United Kingdom (1982) 5 EHRR 123, EComHR	192
Gillow v UK (1991) 13 EHRR 593, ECHR	357
Glaser v UK (2001) 33 EHRR 1, ECHR	22, 228
Golder v UK (1975) Series A No 18, (1979-80) 1 EHRR 524, ECHR	18, 60, 77
Goodwin v UK: Application No 17488/90, (1996) 22 EHRR 123, (1996) 1 BHRC 81, (1996) <i>The Times</i> , March 28	7, 24, 305
Grading v Austria 23 October 1995, unreported, ECHR	189
Grande Oriente D'Italia Di Palazzo Giustiniani v Italy (2002) 34 EHRR 22, [2001] HRCD 631, ECHR	25, 297
Granger v UK (1990) 12 EHRR 469, (1990) <i>The Times</i> , March 29, ECHR	89
Gregory v UK (1997) 25 EHRR 577, (1997) <i>The Times</i> , February 27, ECHR	103
Guillot v France RJD 1996-V No 19, ECHR	232
Gül v Switzerland (1996) 22 EHRR 93, RJD 1996-I 159, ECHR	22, 250
Gustafsson v Sweden (1996) 22 EHRR 409, ECHR	344
Guzzardi v Italy Series A No 39, (1980) 3 EHRR 333, ECHR	15, 45, 155
H v UK Series A No 120, (1987) 10 EHRR 95	
HLR v France (1998) 26 EHRR 29, ECHR	213
HM Advocate v McIntosh [2001] UKPC D1, [2001] 3 WLR 107, [2001] UKHRR 463, [2001] 2 All ER 638, PC	129, 133
HM Advocate v Smith (Peter Thompson) 2000 SCCR 910, High Ct of Justiciary	118
Halford v UK (1997) 24 EHRR 523, [1997] IRLR 471, 3 BHRC 31, ECHR	149
Handyside v UK Series A No 24, (1976) 1 EHRR 737, ECHR	23, 24, 36, 42, 294, 324
Hashman and Harrup v UK (2000) 30 EHRR 241, 8 BHRC 104, [2000] Crim LR 185, ECHR	15, 161
Hatami v Sweden [1998] HRCD 951, ECHR	205
Hatton v UK (2002) 34 EHRR 1, 11 BHRC 634, (2001) <i>The Times</i> , October 8, ECHR	22, 354
Heaney and McGuinness v Ireland Application No 34720/97, (2001) 33 EHRR 12, [2001] Crim LR 481, ECHR	127, 130, 140
Hennings v Germany (1993) 16 EHRR 83, ECHR	82
Hilal v UK (2001) 33 EHRR 2, [2001] INLR 595, 11 BHRC 354, ECHR	14, 219
Hill v Chief Constable of West Yorkshire [1989] AC 53, [1988] 2 WLR 1049, [1988] 2 All ER 238, HL	84
Hirst v UK Application No 40787/98, [2001] Crim LR 919, [2001] HRCD 577, (2001) <i>The Times</i> , August 3, ECHR	17, 171
Hoffman v Austria (1994) 17 EHRR 293, [1994] Fam Law 673, [1994] 1 FCR 193, ECHR	247, 299
Hokkanen v Finland Series A No 299-A, (1995) 19 EHRR 139, [1996] 1 FLR 289, ECHR	240
Hornsby v Greece (1997) 24 EHRR 250, [1998] ELR 365, ECHR	119

Hugh Jordan v UK (2002) 34 EHRR 20, [2001] HRCd 287	12
Hussain v UK (1996) 22 EHRR 1, 1 BHRC 119, (1996) <i>The Times</i> , February 26, ECHR	17, 169, 172
Huvig v France Series A No 176-B, (1990) 12 EHRR 528	22, 148
IJL, GMR and AKP v UK (2001) 33 EHRR 11, 9 BHRC 222, [2001] Crim LR 133, ECHR	101, 111
ISKON (International Society for Krishna Consciousness) v UK (1994) 18 EHRR CD 133, 76 A DR 90, EComHR	295, 359
Ignaccolo-Zenide v Romania (2001) 31 EHRR 7, ECHR	21, 263
Imbrioscia v Switzerland Series A No 275, (1994) 17 EHRR 441	19
Immobiliare Saffi v Italy (2000) 30 EHRR 756, 7 BHRC 256	363
Informationsverein Lentia v Austria Series A No 276, (1994) 17 EHRR 93	332
Internationale Handelsgesellschaft mbH v Einfuhr- und Vorratsstelle für Getreide und Futtermittel (Case 11/70) [1972] CMLR 255, [1970] ECR 1125, ECJ	378
Inze v Austria Series A No 126, (1987) 10 EHRR 394, ECHR	26, 258
Ireland v UK Series A No 25, (1978) 2 EHRR 25, ECHR	12, 36, 178
JB v Switzerland Application No 31827/96, 3 ITL Rep 663, [2001] Crim LR 748, ECHR	128, 135
Jabari v Turkey [2000] INLR 136, (2000) 9 BHRC 1, ECHR	14, 218
Jacobsson (Allan) v Sweden Series A No 163, (1989) 12 EHRR 56, ECHR	358
Jacobowski v Germany Series A No 291, (1995) 19 EHRR 64, ECHR	330
James v UK Series A No 98, (1986) 8 EHRR 123, ECHR	361
Jasper v UK (2000) 30 EHRR 441, [2000] Crim LR 586	110
Jégo-Quére et Cie SA v Commission (Case T-177/01) judgment of 3 May 2002, unreported, CFI	379
Jersild v Denmark (1994) 19 EHRR 1, (1994) <i>The Times</i> , October 20, ECHR	24, 307
Jerusalem v Austria Application No 26958/95, [2001] 12 HRCd 93, ECHR	320
Johansen v Norway Application No 17383/90, (1997) 23 EHRR 33, ECHR	246
Johnston v Ireland Series A No 112, (1986) 9 EHRR 203, ECHR	21, 26, 46, 56, 60, 225, 255
Joint Declaration of the European Parliament, Council and Commission (1977) OJ C103/1	377, 385
Jordan (Stephen) v UK Application No 30280/96, (2001) 31 EHRR 6, (2000) <i>The Times</i> , March 17, ECHR	16, 98
Kadubec v Slovakia (2001) 33 EHRR 41, [1998] HRCd 844, ECHR	95
Kalac v Turkey (1997), unreported, ECHR	302
Kamanski v Austria Series A No 168, (1989) 13 EHRR 36	19
Kaur (Surjit) v Lord Advocate [1980] 3 CMLR 79, Ct of Sess	384
Keegan v Ireland Series A No 290, (1994) 18 EHRR 342, ECHR	228, 250
Keenan v UK (2001) 33 EHRR 38, 10 BHRC 319, (2001) <i>The Times</i> , April 18, ECHR	64, 183, 186, 187
Kelly v UK (1993) 16 EHRR CD 20, EComHR	197
Khan v UK (2001) 31 EHRR 45, 8 BHRC 310, [2000] Crim LR 684, ECHR	19, 20, 23, 106, 107, 150, 152, 153
Kilic v Turkey (2001) 33 EHRR 58, ECHR	11, 66
Kingsley v UK (2001) 33 EHRR 13, (2001) <i>The Times</i> , January 9, ECHR	19, 98
Kjeldsen, Busk Madsen and Pedersen v Denmark Series A No 23, (1976) 1 EHRR 711, ECHR	266
Klass and Others v Federal Republic of Germany Series A No 28, (1978) 2 EHRR 214, ECHR	22, 26, 53, 146

Klass and Others v Federal Republic of Germany No 15473/89, (1994) 18 EHRR 305, ECHR	195
Kokkinakis v Greece Series A No 269-A, (1993) 17 EHRR 397, (1993) <i>The Guardian</i> , June 14, ECHR	21, 23, 189, 298
Kostovski v The Netherlands Series A No 166, (1989) 12 EHRR 434, ECHR	19, 115, 116
Kraska v Switzerland Series A No 254-B, (1994) 18 EHRR 188, ECHR	92
Kroon v The Netherlands Series A No 297-C, (1994) 19 EHRR 263, ECHR	21, 22, 229, 252
Kuopila v Finland (2001) 33 EHRR 25, ECHR	18, 114
LCB v UK (1999) 27 EHRR 212, 4 BHRC 447, [1998] HRCD 628, ECHR	11, 68
Lambert v France (2000) 30 EHRR 346, [1998] HRCD 806, ECHR	22, 332
Laskey, Jaggard and Brown v UK (109/1995/615/703-705) (1997) 24 EHRR 39, (1997) <i>The Times</i> , February 20, (1997) <i>The Independent</i> , February 25, ECHR	23, 197, 280, 282
Lauko v Slovakia (2001) 33 EHRR 40, [1998] HRCD 838, ECHR	19, 95
Lawless v Ireland (1961) Series A No 3, (1979-80) 1 EHRR 15, ECHR	16, 45
Leander v Sweden Series A No 116, (1987) 9 EHRR 433, ECHR	24, 26, 333
Lee v UK (2001) 33 EHRR 29, (2001) <i>The Times</i> , January 30	356
Lietzow v Germany Application No 24479/94, judgment of 13 February 2001, unreported, ECHR	113
Lingens v Austria Series A No 103, (1986) 8 EHRR 103, ECHR	24, 317
Lithgow v UK Series A No 102, (1986) 8 EHRR 329, ECHR	372
Loizidou v Turkey Series A No 310, (1996) 23 EHRR 513	75
Luisa Diamantina Romero de Ibanez and Roberto Guillermo Rojas v UK Application No 58692/00, unreported, ECHR	18, 83
Lustig-Prean and Beckett v UK (No 2) (2001) 31 EHRR 23	285
Lynch (Stuart) v DPP [2001] EWHC Admin 882, unreported, DC	133
M and Co v Federal Republic of Germany (1990) 64 D&R 138, EComHR	32, 385
MB v Switzerland Application No 28256/95, unreported, ECHR	17, 159
McCann v UK Series A No 324, (1996) 21 EHRR 97, (1995) <i>The Times</i> , October 9, (1995) <i>The Independent</i> , October 6, ECHR	12, 50, 52, 196
McElhinney v Ireland (2002) 34 EHRR 13, [2001] HRCD 895, ECHR	86
McFeely v UK (1984) 38 D&R 11, EComHR	13
McGee v UK Application No 28135/95, unreported, ECHR	19, 20, 140
McGinley and Egan v UK (1998) 27 EHRR 1, 4 BHRC 421, (1998) 42 BMLR 123, ECHR	95
McGonnell v UK (2000) 30 EHRR 289, 8 BHRC 56, [2000] 2 PLR 69, ECHR	18, 97
McKerr v UK; Jordan v UK; Kelly v UK; Shanaghan v UK (2002) 34 EHRR 20, ECHR	71
McLaughlin v UK (1994) 18 EHRR CD 84, EComHR	318
McLeod v UK (1999) 27 EHRR 493, [1998] 2 FLR 1048, 5 BHRC 364, ECHR	22, 143
McMichael v UK (1993) 15 EHRR CD 80	226
McMichael v UK Series A No 307B, (1995) 20 EHRR 205, [1995] 2 FCR 718, ECHR	238
McShane v UK Application No 43290/98, (2002) 35 EHRR 23, [2002] TLR 235, (2002) <i>The Times</i> , June 3, ECHR	9
McVicar v UK Application No 46311/99, (2002) 35 EHRR 22, ECHR	19, 89, 317
Malone v UK Series A/82, (1984) 7 EHRR 14, ECHR	22, 49, 147
Mannesmannrohren-Werke AG v Commission (Case T-112/98), [2001] ECR II-729, [2001] 5 CMLR 1, CFI	388

Manoussakis v Greece RJD 1996-IV 1346, (1996) 23 EHRR 387, ECHR	23, 295
Marckx v Belgium Series A No 31, (1979) 2 EHRR 330, ECHR	39, 56, 61, 256, 323
Markt Intern Verlag GmbH and Beermann v Federal Republic of Germany Series A No 164, (1989) 12 EHRR 161, ECHR	24, 329, 373
Matthews v UK (1999) 28 EHRR 361, 5 BHRC 686, [1999] TLR 148, ECHR	31, 385
Mattoccia v Italy [2001] EHRLR 89, ECHR	18, 91
Melleacher v Austria Series A No 169, (1989) 12 EHRR 391, (1990) <i>The Times</i> , January 3, ECHR	362
Miaillhe v France Series A No 256-C, (1993) 16 EHRR 332, ECHR	22, 143
Modinos v Cyprus Series A No 259, (1993) 16 EHRR 485, (1993) <i>The Times</i> , May 17, ECHR	278
Morris v UK Application No 38784/97, (2002) 34 EHRR 52, [2002] HRCd 95, ECHR	18, 99
Moustaquim v Belgium Series A No 193, (1991) 13 EHRR 802, (1991) <i>The Times</i> , May 8, ECHR	22, 233
Muller and Others v Switzerland Series A No 133, (1988) 13 EHRR 212, ECHR	24, 326
Murray v UK Series A No 300A, (1995) 19 EHRR 193, (1994) <i>The Times</i> , November 1	15, 157
Murray v UK (1996) 22 EHRR 29, (1996) <i>The Times</i> , February 9	19, 20, 87, 126, 138, 141
Musique Diffusion Française SA v Commission (Cases 100–103/80) [1983] ECR 1825, [1983] 3 CMLR 221, ECJ	386
NHS Trust A v M; NHS Trust B v H [2001] Fam 348, [2001] 2 WLR 942, [2001] 1 All ER 801, FD	73
Napier v The Scottish Ministers [2002] UKHRR 308, Ct of Sess	13, 182
National Panasonic (UK) Ltd v Commission (Case 136/79) [1980] ECR 2033, [1980] 3 CMLR 169, ECJ	389
News Verlags GmbH & Co KG v Austria (2001) 31 EHRR 8, 9 BHRC 625, ECHR	311
Nielsen v Denmark Series A No 144, (1988) 11 EHRR 175, ECHR	259
Niemietz v Germany Series A No 251B, (1992) 16 EHRR 97, ECHR	21, 22, 335, 372
Nilsen and Johnsen v Norway (2000) 30 EHRR 878, ECHR	316
Norris v Ireland Series A No 142, (1988) 13 EHRR 186, ECHR	280
Nsona v The Netherlands Application No 23366/94, (2001) 32 EHRR 9, ECHR	206
O v UK Series A No 120-A, (1987) 10 EHRR 82	245
O'Hara v UK (2002) 34 EHRR 32, [2001] HRCd 785, (2001) <i>The Times</i> , November 13, ECHR	16, 96
Oberschlick v Austria (No 2) (1998) 25 EHRR 357, ECHR	24, 314, 315
Observer and Guardian v UK Series A No 216, (1992) 14 EHRR 153, ECHR	24, 328
Officier van Justitie v Kolpinghuis Nijmegen BV (Case 80/86) [1987] ECR 3969, [1989] 2 CMLR 18, ECJ	391
Oldham v UK (2001) 31 EHRR 34, [2000] Crim LR 1011, (2000) <i>The Times</i> , October 24, ECHR	17, 170
Olsson v Sweden (No 1) Series A No 130, (1988) 10 EHRR 259, ECHR	245
Olsson v Sweden (No 2) Series A No 250, (1992) 17 EHRR 134, ECHR	242
Open Door Counselling Ltd and Dublin Well Woman Centre v Ireland Series A No 246, (1992) 15 EHRR 244, ECHR	24, 327
Opinion 2/94 [1996] ECR I-1759, [1996] 2 CMLR 265, ECJ	32, 377
Orange v Chief Constable of West Yorkshire [2001] EWCA Civ 611, [2001] 3 WLR 736, (2001) 98(24) LSG 44, (2001) 145 SJLB 125, CA	187

Orkem SA (formerly CDF Chimie) v Commission of the European Communities (Case 374/87) [1991] 4 CMLR 502, [1989] ECR 3283	388
Osman v UK (87/1997/871/1083) (2000) 29 EHRR 245, [1999] 1 FLR 193, 5 BHRC 293, [1998] HRCd 966	11, 18, 84
Otto-Preminger Institute v Austria Series A No 295-A, (1994) 19 EHRR 34, ECHR	23, 24, 25, 293, 325, 326
Ozgur Gundem v Turkey 2000 RJD III, (2001) 31 EHRR 49, ECHR	67
Ozturk v Turkey Application No 22479/93, judgment of 28 September 1999, unreported	319
PG and JH v UK Application No 44787/98, [2001] HRCd 707, (2001) <i>The Times</i> , October 19, ECHR	20, 107, 151
Pakelli v Federal Republic of Germany (1983) Series A No 64, (1983) 6 EHRR 1, ECHR	19, 88
Pammel v Germany (1998) 26 EHRR 100, ECHR	364
Partington v Greece (1998) (unreported), ECHR	100
Paton v UK (1980) 3 EHRR 408, ECommHR	68
Paulsen-Medalen and Svensson v Sweden (1998) 26 EHRR 260, [1998] HRCd 266, ECHR	237
Payne (Clive Anthony) v Payne (Andrea Catherine) [2001] EWCA Civ 166, [2001] UKHRR 484, CA	264
Pellegrin v France (2001) 31 EHRR 26, ECHR	79
Petra v Romania (2001) 33 EHRR 5, 5 BHRC 497, [1998] HRCd 886, ECHR	22, 120
Petrovic v Austria (2001) 33 EHRR 14, 4 BHRC 232, [1998] HRCd 366, ECHR	230, 277
Phillips v UK Application No 41087/98, 11 BHRC 280, (2001) Crim LR 817, ECHR	19, 21, 129, 134
Piersack v Belgium Series A No 53, (1982) 5 EHRR 169	18
Plattform 'Ärzte für das Leben' v Austria Series A No 139, (1988) 13 EHRR 204, ECHR	25, 62, 337
Powell and Rayner v UK Series A No 172, (1990) 12 EHRR 355, (1990) <i>The Times</i> , 22 February, ECHR	80, 353
Pretty v UK (2002) 35 EHRR 1, [2002] 2 FLR 45, (2002) 12 BHRC 149, ECHR	71
Price v UK Application No 33394/96, 11 BHRC 401	13
Price v UK (2002) 34 EHRR 53, ECHR	181
Prolife Alliance v British Broadcasting Corporation 14 March 2002, unreported, CA	323
Quinn v Ireland Application No 36887/97, (2000) 29 EHRR CD 234, ECHR	18, 126, 130, 140
R v B. See Attorney General's Reference (No 3 of 1999)	
R v Benjafield [2002] UKHL 2, [2002] 2 WLR 235, [2002] 1 All ER 815, (2002) <i>The Times</i> , January 28, HL	134
R v DPP, ex parte Kebilene [2000] 2 AC 326, [1999] 3 WLR 972, [1999] 4 All ER 801, HL	7, 41, 131
R v DPP, ex parte Manning [2001] QB 330, [2000] 3 WLR 463, [2001] HRLR 3, DC	186
R v Downey [1992] 2 SCR 10, Can Sup Ct	132
R v Gough [1993] AC 646, [1993] 2 WLR 883, [1993] 2 All ER 724, HL	94
R v Hertfordshire County Council, ex parte Green Environmental Industries Ltd [2000] 2 AC 412, [2000] 2 WLR 373, [2000] 1 All ER 773, HL	137
R v Immigration Officer, ex parte X. See R (on the application of X) v Secretary of State for the Home Department	
R v Kent Kirk (Case 63/83) [1984] ECR 2689, [1984] 3 CMLR 522, ECJ	390

R v Lambert (Steven); R v Ali (Mudassir Mohammed); R v Jordan (Shirley) [2001] UKHL 37, [2001] 3 WLR 206, [2001] 3 All ER 577, [2001] 2 Cr App R 28, HL	132
R v Lord Saville of Newdigate and Others, ex parte A and Others [2000] 1 WLR 1855, [1999] 4 All ER 860, [1999] COD 436, CA	203
R v Mental Health Review Tribunal; Secretary of State for Health, ex parte KB and Others [2002] EWHC Admin 639, unreported, QBD	164
R v Oakes (1986) 26 DLR (4th) 200, Can Sup Ct	132
R v Offen [2001] 1 WLR 253, [2001] 2 All ER 154, [2001] 1 Cr App R 24, CA	175
R v Osolin [1993] 4 SCR 595, Can Sup Ct	132
R v P [2001] 2 WLR 463, [2001] 2 All ER 58, [2001] 2 Cr App R 8, HL	152
R v Parole Board, ex parte Justin West [2002] EWHC Admin 769, unreported, DC	176
R v R [1992] 1 AC 599, [1991] 3 WLR 767, [1991] 4 All ER 481, HL	191
R v Rezvi [2002] UKHL 1, [2002] 2 WLR 235, [2002] 1 All ER 815, (2002) <i>The Times</i> , January 28, HL	133
R v Secretary of State for Education and Employment and Others, ex parte B; R v Same, ex parte T; R v Same, ex parte C. <i>See</i> R (on the application of B) v Head Teacher of Alperton Community School and Others	
R v Secretary of State for the Environment, ex parte Hammersmith & Fulham London Borough Council [1991] 1 AC 521, [1990] 3 WLR 898, [1990] 3 All ER 589, HL	164
R v Secretary of State for the Environment, Transport and the Regions, ex parte Holding and Barnes plc and Others [2001] UKHL 23, [2001] 2 WLR 1389, [2001] UKHRR 728, [2001] 2 All ER 929, HL	360
R v Secretary of State for the Home Department, ex parte Isiko [2001] 1 FLR 930, [2001] HRLR 15, [2001] UKHRR 385, CA	203
R v Secretary of State for the Home Department, ex parte P; R v Secretary of State for the Home Department, ex parte Q [2001] EWCA Civ 1151, [2001] 1 WLR 2002, [2001] 2 FLR 1122, [2001] UKHRR 1035, CA	248
R v Secretary of State for the Home Department, ex parte X. <i>See</i> R (on the application of X) v Secretary of State for the Home Department	
R v Stratford Justices, ex parte Imbert [1999] 2 Cr App R 276, (1999) 163 JP 693, (1999) 163 JPN 771, DC	42, 113
R v UK Series A No 121, (1987) 10 EHRR 74	245
R v Whyte (1988) 51 DLR (4th) 481, Can Sup Ct	132
R v Wilson (Alan) [1997] QB 47, [1996] 3 WLR 125, [1996] 2 Cr App R 241, CA	198
R (Amin) v Secretary of State for the Home Department [2001] EWHC Admin 719, unreported, HC	186
R (Anderson and Taylor) v Secretary of State for the Home Department [2001] EWCA Civ 1698, (2001) 98(47) LSG 27, (2001) 145 SJLB 260, CA	175
R (on the application of B) v Head Teacher of Alperton Community School [2001] EWHC Admin 229, [2001] ELR 359, [2001] All ER (D) 312; <i>sub nom</i> R v Secretary of State for Education and Employment and Others, ex parte B; R v Same, ex parte T; R v Same, ex parte C (2001) <i>The Times</i> , June 8, (2001) <i>The Independent</i> , May 14, QBD	79, 271
R (Noorkoiv) v Secretary of State for the Home Department and Another [2002] EWCA Civ 770, [2002] TLR 227, (2002) <i>The Times</i> , May 31, (2002) <i>The Independent</i> , June 14, CA	174
R (on the application of X) v Secretary of State for the Home Department; <i>sub nom</i> R v Immigration Officer, ex parte X; X v Secretary of State for the Home Department; R v Secretary of State for the Home Department, ex parte X [2001] 1 WLR 740, [2001] INLR 205, (2001) 98(8) LSG 44, CA	219
Rai, Allmond and 'Negotiate Now' v UK (1995) 19 EHRR CD 93, EComHR	339

Rasmussen v Denmark Series A No 371, (1985) 7 EHRR 371, ECHR	26, 253, 276
Rees v UK Series A No 106, (1986) 9 EHRR 56; <i>sub nom</i> The Rees Case [1987] 2 FLR 111, ECHR; (1984) 7 EHRR 429, EComHR	26, 35, 39, 47, 56, 254, 286
Refah Partisi and Others v Turkey (2002) 35 EHRR 3, ECHR	344
Rekvenyi v Hungary (2000) 30 EHRR 519, 6 BHRC 554, ECHR	25, 342
Remli v France Application 16839/90, (1996) 22 EHRR 253, ECHR	102
Rieme v Sweden (1992) Series A No 226B, (1992) 16 EHRR 155, ECHR	247
Riera Blume and Others v Spain (2000) 30 EHRR 632, ECHR	16, 163
Ringeisen v Austria (No 1) (1971) Series A No 13, (1979–80) 1 EHRR 455	361
Rowe and Davis v UK (2000) 30 EHRR 1, ECHR	20, 101, 109, 111, 112
Royal Society for the Prevention of Cruelty to Animals v HM Attorney-General and Others [2001] UKHR 905, [2001] 3 All ER 530, (2001) 98(11) LSG 43, ChD	348
S (Minors), Re; Re W (Minors) [2002] UKHL 10, [2002] 2 All ER 192, HL	240
SBC v UK (2002) 34 EHRR 21, ECHR	17, 166
SW v United Kingdom; CR v United Kingdom (1996) 21 EHRR 363; <i>sub nom</i> CR v United Kingdom; SW v United Kingdom [1996] 1 FLR 434, ECHR	21, 58, 190
Sahin v Germany; Sommerfeld v Germany; Hoffmann v Germany [2002] 1 FLR 119, ECHR	22, 227
Saidi v France Series A No 261-C, (1994) 17 EHRR 251, ECHR	19, 116
Salabiaku v France Series A No 141-A, (1988) 13 EHRR 379, ECHR	19, 128
Salgueiro da Silva Mouta v Portugal (2001) 31 EHRR 47, [2001] 1 FCR 653	231
Salman v Turkey (2002) 34 EHRR 17, ECHR	12, 69, 179
Sander v UK (2001) 31 EHRR 44, 8 BHRC 279, [2000] Crim LR 767, ECHR	18, 104
Saunders v UK (1996) 23 EHRR 313, RJD 1996-VI, No 24, (1997) 2 BHRC 358, [1997] BCC 872	19, 20, 43, 101, 126, 130, 136, 140, 142, 371
Schenk v Switzerland Series A No 140, (1988) 13 EHRR 242, ECHR	20, 104
Scherer v Switzerland (1994) 18 EHRR 276, EComHR	325
Schmautzer v Austria Series A No 328-A, (1995) 21 EHRR 511, ECHR	18, 125
Schmidt v Germany Series A No 291-B, (1994) 18 EHRR 513, ECHR	274
Schops v Germany Application No 25116/94, judgment of 13 February 2001, unreported, ECHR	17, 113
Schuler-Zraggen v Switzerland Series A No 263, (1995) 21 EHRR 404, [1994] 1 FCR 453, ECHR	274
Scollo v Italy Series A No 315-C, (1995) 22 EHRR 514, ECHR	365
Sepet and Bulbul v Secretary of State for the Home Department [2001] EWCA Civ 681, [2001] INLR 376, [2001] Imm AR 452, (2001) <i>The Times</i> , July 12, CA	209
Serif v Greece (2001) 31 EHRR 20, ECHR	23, 296
Sheffield and Horsham v UK (1998) 27 EHRR 163, [1998] 2 FLR 928, 5 BHRC 83, ECHR	22, 26, 287
Sigurdur A Sigurjonsson v Iceland Series A No 262, (1993) 16 EHRR 462, ECHR	25, 346
Silver v United Kingdom Series A No 61, (1983) 5 EHRR 347	22
Simpson v UK (1989) 64 D&R 188	271
Smith and Grady v UK (2000) 29 EHRR 493	7, 26, 41
Smith and Grady v UK (2001) 31 EHRR 24	23, 285, 356
Société Stenuit v France (1992) 14 EHRR 509, EComHR	370
Society for the Protection of Unborn Children Ireland Ltd (SPUC) v Grogan (C-159/90) [1991] ECR I-4685, [1991] 3 CMLR 849, ECJ	384, 392
Soering v UK Series A No 161, (1989) 11 EHRR 439, ECHR	12, 13, 26, 59, 62, 75, 177, 207, 211
Spadea and Scalabrino v Italy Series A No 315-B, (1995) 21 EHRR 482, ECHR	364

Sporrong and Lönnroth v Sweden Series A No 52, (1982) 5 EHRR 35, ECHR	351, 359, 372
Stafford v UK Application No 46295/99, (2002) 152 NLJ 880, [2002] TLR 228, (2002) <i>The Times</i> , May 31, ECHR	15, 17, 173, 176
State v Manamela [2000] 5 DLR 65, SA Constitutional Ct	132
State v Mbatha [1996] 2 LRC 208, SA Constitutional Ct	132
Stauder v City of Ulm Case 26/69 [1970] CMLR 112, [1969] ECR 419, ECJ	378, 388
Stedman (Louise) v UK (1997) 23 EHRR CD 169, EComHR	301
Steel v UK (1999) 28 EHRR 603, 5 BHRC 339, [1998] Crim LR 893, ECHR	15, 18, 91, 160
Stichting Certificatie Kraanverhuurbedrijf (SCK) and Federatie van Nederlandse Kraanverhuurbedrijven (FNK) v Commission (Cases T-213/95 and T-18/96) [1997] ECR II-1739, [1998] 4 CMLR 259, [1997] CEC 1324, CFI	387
Stjerna v Finland Series A No 299B, (1994) 24 EHRR 194, ECHR	257
Stögmüller v Austria (1969) Series A No 9, (1979–80) 1 EHRR 155, ECHR	166
Stork v High Authority (Case 1/58) [1959] ECR 17, ECJ	33, 378
Streletz, Kessler and Krenz v Germany (2001) 33 EHRR 31, [2001] HRCd 191, (2000) 21 HRLJ 74, ECHR	11, 72
Stubbings and Others v UK (1996) 23 EHRR 213, [1997] 1 FLR 105, RJD, 1996-IV, No 18, (1997) 1 BHRC 316, ECHR	18, 37, 82, 260
Sunday Times v UK Series A No 30, (1979–80) 2 EHRR 245, ECHR	24, 49, 149, 306
Sutherland v UK [2001] TLR 279, (2001) <i>The Times</i> , April 13, ECHR; (1998) 24 EHRR CD 22, EComHR	283
Szeloch v Poland Application No 33079/96, unreported, ECHR	15, 159
T v UK (2000) 30 EHRR 121, ECHR	17, 171
TP and KM v UK (2002) 34 EHRR 2, [2001] 2 FLR 549, [2001] TLR 349, ECHR	239
Teixeira de Castro v Portugal (1998) 28 EHRR 101, [1998] Crim LR 753	20
Tele 1 Privatfernsehgesellschaft mbH v Austria (2002) 34 EHRR 5, ECHR	25, 331
Telfner v Austria (2002) 34 EHRR 7, ECHR	19, 20, 131, 142
Thlimmenos v Greece (2001) 31 EHRR 15, ECHR	210, 301
Thompson and Venables v News Group Newspapers Ltd, Associated Newspapers Ltd and MGN Ltd [2001] 1 FLR 791, [2001] UKHR 628; <i>sub nom</i> Venables v News Group Newspapers Ltd and Others; Thompson v News Group Newspapers Ltd and Others [2001] 2 WLR 1038, [2001] 1 All ER 908, QBD	313
Thorgeir Thorgeirson v Iceland Series A No 239, (1992) 14 EHRR 843, (1992) <i>The Guardian</i> , July 15, ECHR	314, 316
Thynne, Wilson and Gunnell v UK Series A No 190, (1990) 13 EHRR 666, (1990) <i>The Independent</i> , November 2, ECHR	17, 165, 175
Times Newspapers Ltd and Neil v UK (1993) 15 EHRR CD 49, EComHR	192
Tinnelly and McElduff v UK (1998) 27 EHRR 249, RJD 1998-IV 1643, 9 HRCd 715 83, 85	
Tolstoy Miloslavsky v UK (1995) 20 EHRR 442, [1996] EMLR 152, (1995) <i>The Times</i> , July 19, ECHR	321
Toth v Austria Series A No 224, (1992) 14 EHRR 551, ECHR	16, 167
Tyrer v UK Series A No 26, (1978) 2 EHRR 1, ECHR	13, 35, 55, 178
Unterpertinger v Austria Series A No 110, (1986) 13 EHRR 175, ECHR	19, 115
V v UK (1999) 30 EHRR 121, 7 BHRC 659, [2000] Crim LR 187, ECHR	175
VGT Verein Gegen Tierfabriken v Switzerland (2002) 34 EHRR 4, ECHR	24, 332
Valsamis v Greece and Efstratiou v Greece (1996) 24 EHRR 294, RJD 1996-VI 2312, ECHR	265
Van Der Mussele v Belgium Series A No 70, (1983) 6 EHRR 163	14