



IN THE SUPREME COURT OF THE UNITED KINGDOM

25 March 2020

Before:

Lady Hale
Lord Reed
Lord Kerr
Lord Carnwath
Lord Hodge
Lady Black
Lord Lloyd-Jones

**Elgizouli (Appellant) (AP) v Secretary of State for the Home Department
(Respondent)**

AFTER HEARING Counsel for the Appellant, Counsel for the Respondent
and Counsel for the First and Fourth Intervenors on 30 and 31 July 2019

THE COURT ORDERED that

- 1) The appeal be allowed and paragraphs 2 and 6 of the order made in the Divisional Court of the Queen's Bench Division of the High Court on 18 January 2019 be set aside
- 2) A declaration be made that the Home Secretary's decision dated 22 June 2018 to authorise the transmission to the United States of material comprising or containing personal data was unlawful under Part 3 of the Data Protection Act 2018
- 3) The application by the Appellant for a continuation of the stay ordered by the Divisional Court on 14 February 2019, and ordered by this Court on 10 April 2019 to continue until after determination of this appeal, be refused, and the stay be lifted

- 4) The Respondent pay the Appellant's costs (including the fees of five counsel), the amount of those costs to be assessed on the standard basis if not agreed.
- 5) There be a detailed assessment of the Appellant's legal aid costs.

Louise di Hauho,

Registrar
25 March 2020