

The Committee of Ministers, under the terms of Article 32 (art. 32) of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the convention"),

Having regard to the first report drawn up by the European Commission of Human Rights in accordance with Article 31 (art. 31) of the convention relating to the application lodged by T. against the United Kingdom (Application No. 8231/78);

Whereas, on 22 December 1983, the Commission transmitted the said report to the Committee of Ministers and whereas the period of three months provided for in Article 32, paragraph 1 (art. 32-1), of the convention has elapsed without the case having been brought before the European Court of Human Rights in pursuance of Article 48 (art. 48) of the convention;

Whereas, in his application introduced on 21 March 1977, the applicant complained, inter alia, of certain restrictions on the exercise of his freedom of expression while serving a sentence of imprisonment, alleging a violation of Article 10 (art. 10) of the convention;

Whereas the Commission declared the application in part admissible on 6 March 1982 and in its report adopted on 12 October 1983 expressed the opinion unanimously that the denial of access to writing paper to the applicant and the complete prohibition on the applicant's sending academic writings out of prison constituted a violation of Article 10 (art. 10) of the convention; by eleven votes to one with one abstention that the restrictions on the applicant's receipt of books were justified under the terms of Article 10, paragraph 2 (art. 10-2), of the convention as necessary in a democratic society for the prevention of disorder and that there was no violation of Article 10 (art. 10) of the convention; by ten votes to three that the restrictions on the applicant's access to newspapers and periodicals and in particular its restriction during disciplinary penalties constituted a violation of Article 10 (art. 10) of the convention; by twelve votes to one that the restrictions on the applicant's freedom of expression which the possibility of scrutiny of his writings represented were justified under Article 10, paragraph 2 (art. 10-2), of the convention and that there was no violation of Article 10 (art. 10) of the convention;

Agreeing with the opinion expressed by the Commission in accordance with Article 31, paragraph 1 (art. 31-1), of the convention;

Having examined the proposals made by the Commission in accordance with Article 31, paragraph 3 (art. 31-3), of the convention;

Whereas, during the examination of this case, the Government of the United Kingdom informed the Committee of Ministers that changes had been made to Prison Standing Orders in December 1984 in England and Wales, in July 1985 in Scotland and in July 1986 in Northern Ireland with a view to a relaxation of the regulations concerning prisoners' access to writing materials and the dispatch of academic writings and artistic materials out of prison, that such regulations were accessible to prisoners since they were contained in published Standing Orders, a copy of which was available on each wing for the use of prisoners;

Noting with satisfaction the changes which have been made to Prison Standing Orders;

Voting in accordance with the provisions of Article 32, paragraph 1 (art. 32-1), of the convention,

a. Decides that in this case

- i. there has been a violation of Article 10 (art. 10) of the convention in relation to the denial of access to writing paper and in relation to the complete prohibition on the applicant's sending academic writings out of prison;
 - ii. there has not been a violation of Article 10 (art. 10) of the convention in relation to the restrictions on the applicant's receipt of books;
 - iii. there has been a violation of Article 10 (art. 10) of the convention in relation to the restrictions on the applicant's access to newspapers and periodicals and in particular its restriction during disciplinary penalties;
 - iv. there has not been a violation of Article 10 (art. 10) of the convention in relation to the scrutiny of the applicant's writings;
- b. Decides that no further action is called for in this case.