COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

(Or. English)

EUROPEAN COMMISSION
OF HUMAN RIGHTS

Applications Nos. 7879/77, 7931/77, 7935/77 and 7936/77

Edward BYRNE, Cornelius McFADDEN, John McCLUSKEY and Liam Mc LARNON

against

UNITED KINGDOM

Report of the Commission

(Adopted on 3 December 1985)

STRASBOURG

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7879/77

I. INTRODUCTION

1. The following is an outline of the cases as submitted to the European Commission of Human Rights, and of the procedure before the Commission.

A. The substance of the applications

2. In September 1976 all four applicants were apparently involved in disturbances which occurred at their place of detention, HM Prison Albany, Isle of Wight. Messrs Woodford & Ackroyd, Solicitors, Southampton, were instructed to assist them. The solicitors sought to visit the applicants, and to obtain assurances that such visits would be out of the sight and hearing of any prison officer. Such assurances were not given by the prison administration. Moreover, in the case of the first applicant, the solicitors also unsuccessfully sought permission for his medical examination by a doctor nominated by them or a copy of the relevant prison medical report. They also raised with the prison administration the stopping and temporary prohibition of his correspondence to them. The applicants complained to the Commission of a denial of access to court, contrary to Art 6 (1) of the Convention, and of an unjustified interference with their right to respect for private life, ensured by Art 8 of the Convention. The first applicant also complained of an unjustified interference with his right to respect for correspondence, ensured by Art 8 of the Convention.

B. Proceedings before the Commission

3. The application of Mr Edward Byrne, the first applicant, was introduced on 1 April 1977 and registered on 5 April 1977 under file N° 7879/77.

4. The applications of Messrs Cornelius McFadden and John McCluskey, the second and third applicants, were introduced on 21 May 1977 and registered on 31 May 1977 under file N°s 7931/77 and 7935/77, respectively.

5. The application of Mr Liam McLarnon, the fourth applicant, was introduced on 23 May 1977 and registered on 31 May 1977 under file N° 7936/77.

6. The applicants were represented by Mr Cedric Thornberry, Barrister, acting on the instructions of Messrs Woodford & Ackroyd, Solicitors, Southampton, who subsequently transferred their own instructions from the applicants to Messrs George E. Baker & Co, Solicitors, Guildford.

The respondent Government were represented by their Agent, Mr. M. Eaton, Foreign and Commonwealth Office.

7. After a preliminary examination of the cases by a Rapporteur, the Commission decided to give notice of the applications to the respondent Government, without requesting the parties' observations at that stage, pending the outcome of the test case of Campbell and Fell v the United Kingdom (Applications N°s 7819/77 and 7878/77 respectively).

8. The Commission adopted its Report under Art 31 of the Convention in the Campbell and Fell case on 12 May 1982. Having referred it to the European Court of Human Rights, the Court delivered its judgment in that case on 28 June 1984.

9. On 18 July 1984 the Secretary to the Commission wrote to the present applicants' legal representatives, Messrs George E. Baker & Co, asking whether the applicants wished to pursue their applications, in view of the Campbell and Fell judgment. This letter crossed with that dated 17 July 1984 from the solicitors requesting that the cases proceed urgently, the applicants now having commenced serving remission which they had lost at HM Prison Albany.

10. On a review of the adjourned group of some thirty cases involving complaints about access to solicitors, the Commission decided on 3 October 1984 to invite the Government to consider a waiver of objections to the admissibility of the present applications. On 30 January 1985 the Agent of the respondent Government informed the Commission that "the Government are prepared to waive any objections they might have to the admissibility" of the applications.

11. On 6 March 1985 the Commission declared the four applications admissible and on 12 October 1985 it decided to join them.

12. After declaring the cases admissible, the Commission, acting in accordance with Art 28 (b) of the Convention, also placed itself at the disposal of the parties with a view to securing a friendly settlement. In the light of the parties' reaction, the Commission now finds that there is no basis on which such a settlement can be effected.

C. The present Report

13. The present Report has been drawn up by the Commission in pursuance of Art 31 of the Convention and after deliberations and votes in plenary session, the following members being present:

MM. C.A. NØRGAARD, President
J.A. FROWEIN
G. JÖRUNDSSON
G. TENEKIDES
S. TRECHSEL
B. KIERNAN
A.S. GÖZÜBÜYÜK
A. WEITZEL
H.G. SCHERMERS
H. DANELIUS
G. BATLINER
H. VANDENBERGHE
Sir Basil HALL

14. The text of the Report was adopted by the Commission on 3 December 1985 and is now transmitted to the Committee of Ministers in accordance with Art 31 (2) of the Convention.

15. A friendly settlement of the cases not having been reached, the purpose of the present Report, pursuant to Art 31 of the Convention, is accordingly:

1) to establish the facts; and

2) to state an opinion as to whether the facts found disclose a breach by the respondent Government of its obligations under the Convention.

16. A schedule setting out the history of proceedings before the Commission and the Commission's Decisions on Admissibility are attached hereto as Appendices I and II. The Commission's proposal to the Committee of Ministers, pursuant to Art 31 (3) of the Convention, is contained in Appendix III, prepared as a separate document for reasons of convenience.

17. Documents relevant to the applications are held in the archives of the Commission and are available to the Committee of Ministers, if required.

II. ESTABLISHMENT OF THE FACTS

18. The facts of the cases are not in dispute and are as follows:

A. The relevant domestic law and practice

19. The relevant domestic law and practice relating to prisoners' access to legal and medical advice, and relating to censorship of correspondence at the material time, is set out in paras 36 - 40 of the Commission's Report in the test case of Campbell and Fell v the United Kingdom, adopted on 12 May 1982. These paragraphs are reproduced here for the convenience of the reader:

> "Correspondence and access to lawyers and medical advice
>
> 36. Prisoners' visits and correspondence are regulated generally by the Prison Rules (Rules 33-37A) and in detail by administrative rules, in the form of Standing Orders and Circular Instructions, which do not have the force of law. Prison Rule 34 (8) provides that a prisoner is not entitled 'to communicate with any person in connection with any legal or other business, or with any person other than a relative or friend, except with the leave of the Secretary of State'. Rule 37 A (4) provides as follows:
>
> '(4) Subject to any directions of the Secretary of State, a prisoner may correspond with a solicitor for the purpose of obtaining legal advice concerning any cause of action in relation to which the prisoner may become a party to civil proceedings or for the purpose of instructing the solicitor to issue such proceedings.'
>
> 37. At the relevant time directions under Rule 37 A (4) were set out in a Prison Department Circular Instruction, N° 45/1975. This provided essentially that facilities to seek legal advice in relation to proposed civil proceedings against the prison authorities were not to be granted unless the individual concerned had first ventilated his complaints through the appropriate channels within the prison system, for instance by petition to the Home Secretary. The relevant passage in the Circular Instruction, para 3 (ii), was in the following terms:
>
> 'In the case of any proposed civil proceedings by an inmate against the Home Office (or any Minister or servant of the Home Office) arising out of or in connection with his imprisonment, facilities are not to be granted until the inmate has ventilated his complaints through the normal existing internal channels, ie by petition to the Secretary of State or by

application to the Board of Visitors or a visiting officer of the Secretary of State, or under the procedures of CI 88/1961. The purpose of this is to give management an opportunity of investigating the matters complained of (including for example a complaint against an adjudication finding or award) and taking any necessary steps in the interests both of the prisoner and of prison order. Once the investigations are completed and the decision of management (at whatever appropriate level) or of the Board taken and communicated to the inmate, he will be given the facilities for which he applied if he still desires them. The fact that as a result of the investigations any complaint appears to have been remedied will not be a ground for refusing an inmate facilities to consult a solicitor or thereafter have proceedings instituted if he still wishes to do so.'

A prisoner accordingly could not correspond with, or otherwise receive advice from, a lawyer in connection with complaints concerning his treatment in prison unless he had first submitted his complaints to internal investigation and awaited the outcome of that investigation.

38. After completion of the internal investigation the prisoner would be permitted to correspond with his solicitor and receive advice from him in person during visits to the prison. The conditions under which visits take place are governed generally by Rule 33 (4) and (5) of the Prison Rules which provide as follows:

'(4) Every visit to a prisoner shall take place within the sight of an officer unless the Secretary of State otherwise directs.

(5) Except as provided by these Rules, every visit to a prisoner shall take place within the hearing of an officer, unless the Secretay of State otherwise directs.'

Rule 37 contains further provisions regarding visits by legal advisers and is in the following terms:

'Legal Advisers

37. (1) The legal adviser of a prisoner in any legal proceedings, civil or criminal, to which the prisoner is a party shall be afforded reasonable facilities for interviewing him in connection with those proceedings and may do so out of hearing but in the sight of an officer.

(2) A prisoner's legal adviser may, with the leave of the Secretary of State, interview the prisoner in connection with any other legal business in the sight and hearing of an officer.'

At the relevant time the practice followed under these Rules was that until such time as a prisoner became party to court proceedings his interviews with his legal adviser took place within the sight and hearing of a prison officer. Visits by a lawyer in connection with proceedings before the Commission were allowed to take place out of the hearing of an officer, although such proceedings were not considered by the authorities to be legal proceedings for the purposes of the Prison Rules.

39. As to the question of obtaining independent medical advice, Rule 17 of the Prison Rules places responsibility for the health of prisoners on the prison medical officer (a doctor), who has discretion to call in another medical practitioner. The prison authorities will not generally allow a convicted prisoner to be examined by an outside doctor (other than one called in by the medical officer) unless he is a party to legal proceedings. Where the prisoner is party to such proceedings, Rule 37 A (3) of the Prison Rules provides that, subject to any directions given in the particular case by the Secretary of State, a registered medical practitioner selected by him or on his behalf 'shall be afforded reasonable facilities for examining him in connection with the proceedings and may do so out of hearing but in sight of an officer.'

40. The administrative rules concerning prisoners' visits and correspondence have been changed since the events which gave rise to the present case. New Standing Orders were introduced on 1 December 1981. These are available to prisoners and the public. Under the new arrangements prisoners may correspond with anyone of their choice, subject to certain specific exceptions. The overall prohibition on correspondence with persons other than relatives and friends thus no longer applies. The prior internal ventilation rule has been replaced with a 'simultaneous ventilation' rule. As soon as the prisoner has raised his complaints internally he can now consult his legal adviser (by correspondence or in person) and institute proceedings. Visits by the legal adviser are allowed to take place out of hearing of a prison officer provided the subject to be discussed is disclosed to the governor and would be permissible in correspondence."

B. The particular facts of the cases

20. The particular facts of each case are laid out in the Commission's Decisions on Admissibility (Appendix II to the Report) and are substantially reproduced here, again for the convenience of the reader:

1. The first applicant

21. On 17 January 1977 Messrs Woodford & Ackroyd wrote to the Governor of HM Prison, Albany, Isle of Wight, stating that they had been requested to represent the applicant and arrange for his immediate medical examination. They understood that he had received injuries to his collarbone the previous Saturday. They asked for facilities for a full medical examination by a doctor nominated by them, to be arranged forthwith and, if this was not possible, asked to receive a copy of the prison medical report. They also asked for confirmation that the applicant had attempted to write to them about "a previous assault" and that the letter had been withheld. The Governor referred their letter to the Home Office Prison Department.

22. On 10 February 1977 Messrs Woodford & Ackroyd again wrote to the Governor asking to be allowed to consult in private with the applicant and four other prisoners. They also wrote to the Home Office, sending a copy of this letter and asking for a reply to their letter of 17 January to the Governor.

23. On 16 February 1977 the applicant wrote to Messrs Woodford & Ackroyd, stating, inter alia, that on 11 February 1977 he had received a reply to his petition of 7 October 1976, informing him that he would be granted facilities to seek legal advice.

24. On 18 February 1977 the Home Office wrote to Messrs Woodford & Ackroyd stating that a prisoner was not allowed to seek legal advice in respect of any complaints about his treatment in prison until they had been ventilated and investigated through the normal channels. The applicant had attempted to write to them on 22 December 1976, but his letter had been stopped as complaints made about his treatment, following an incident in Albany Prison on 16 September 1976, had not been fully investigated. As the investigation had now been completed, the applicant had been told the result and informed that he could seek legal advice. A similar procedure had had to apply as regards the matters referred to in their letter of 17 January. At that time the applicant had made no complaint about those matters and could not be granted access to solicitors. Complaints he made subsequently were under consideration. Finally, it was stated that it was not the practice to allow prisoners to be examined by outside doctors except where these were called in for consultation by the prison medical service. Nor could a copy of the medical reports on the applicant be supplied.

25. In a further letter, dated 11 March 1977, the Home Office stated that the investigation into the incident referred to in Messrs Woodford & Ackroyd's letter of 17 January 1977 had been completed and the applicant had been told he was free to seek legal advice if he wished. On 21 March 1977, Messrs Woodford & Ackroyd wrote to the Home Office requesting permission to visit the applicant to "discuss all outstanding matters, with a view to consideration being given to commence a civil action arising out of the injuries sustained by the prisoner on two separate occasions". They requested an assurance that the visit be "out of hearing" of any prison officer. No such assurance was forthcoming.

26. It was stated in the original application that it could not certainly be stated upon what matter or matters the applicant was seeking advice, but it may be reasonably inferred that it was in

respect of the two assaults allegedly perpetrated on him (in September 1976 and January 1977). It was further said that, in addition to the questions of access to a solicitor and medical advice, there was some reason to believe that the applicant wished to raise other matters arising out of and since the "Albany Disturbances".

2. The second applicant

27. The aforementioned letter of 10 February 1977 which Messrs Woodford & Ackroyd wrote to the Governor of HM Prison Albany included the second applicant's case. On 14 February 1977 the Governor replied stating that it was in order for the solicitors to arrange an appointment with the applicant.

28. The applicant was transferred to HM Prison Wormwood Scrubs, London, and on 21 March 1977 Messrs Woodford & Ackroyd wrote to the Governor of that establishment asking for confirmation that visiting facilities were still available and that the visit would be "out of hearing" of an officer. It appears this letter went astray and, after further correspondence, the Assistant Governor informed them by letter of 1 June 1977 that it remained in order for them to visit the applicant and give advice as to his treatment at HM Prison Albany. However, the visit would be in sight and hearing of an officer.

3. The third applicant

29. The aforementioned letter of 10 February 1977 by Messrs Woodford & Ackroyd to the Governor of HM Prison Albany included the third applicant's case. The Governor's reply of 14 February 1977 also gave permission for the solicitors to make an appointment with the third applicant. However such arrangements had subsequently to be made with HM Prison Wakefield, Yorkshire, to where the applicant was transferred.

30. On 29 March 1977 an Assistant Governor of that prison wrote confirming that the solicitors could visit the applicant. The visit would be "in sight and hearing" until the prisoner was a party to legal proceedings, which was defined as the stage when a writ was issued. At that stage, visits would be in sight and out of hearing of any prison officer.

31. On 11 May 1977 Messrs Woodford & Ackroyd wrote to the prison giving notice of their intention to seize the Commission as they considered the refusal of normal visiting facilities to be in breach of the Golder judgment (Eur Court HR judgment of 21.2.75) and outside existing Prison Rules.

4. The fourth applicant

32. The fourth applicant had been transferred to HM Prison Wormwood Scrubs, London, after the disturbance at HM Prison Albany. Thus on 10 February 1977 Messrs Woodford & Ackroyd wrote to the Governor of the former prison stating that they had received instructions that the applicant required to see them concerning certain matters of a legal nature. They asked for arrangements for a private consultation with him. They were given permission to visit him "to give legal advice on the matter of his treatment at Albany Prison". They were told, by letter of 1 June 1977 from an Assistant Governor, that the visit would be in sight and hearing of an officer.

III. SUBMISSIONS OF THE PARTIES

A. The applicants

33. The applicants submitted that the refusal by the prison administration to allow them to have visits from their solicitors out of the sight and hearing of any prison officer, contravenes the basic confidential character of the right of access to legal advice. The Government thereby substantially hindered the exercise of their right of access to court in the determination of their civil rights, within the meaning of Art 6 (1) of the Convention, as interpreted by the European Court of Human Rights in the Golder case (Eur Court HR judgment of 21.2.75). They also complained that the refusal was "a threatened interference with 'private life' in unjustifiable breach of Art 8 (1) of the Convention".

34. The first applicant contended that the prospects for the successful vindication of his civil rights were grossly affected by the measures taken by the prison authorities in his case. It was submitted that assaults are notoriously difficult to prove and that the absence of an early independent medical examination and opinion often proves fatal to the chances of success of any subsequent civil proceedings. Furthermore, this applicant challenged the independence of prison doctors. He also alleged that the stopping and prohibition of his correspondence to his solicitors by virtue of the "prior ventilation rule" was in breach of Art 8 of the Convention.

B. The Government

35. The Government have not submitted any observations in these applications in view of the test case of Campbell and Fell v the United Kingdom (Comm Report of 12.5.82, Eur Court HR judgment of 28.6.84).

IV. OPINION OF THE COMMISSION

A. Points at issue

36. The points at issue in the present applications are as follows:

(1) Whether the refusal to allow the first applicant to correspond with his solicitors, because of his failure to respect the "prior ventilation rule", was in breach of his right to respect for correspondence, ensured by Art 8 of the Convention.

(2) Whether the refusal to allow the first applicant to have an independent medical examination constituted a further breach of his right of access to court, under Art 6 (1) of the Convention.

(3) Whether the refusal to allow the applicants to consult with their solicitors out of hearing of any prison officer, constituted a breach of the applicants' right of access to court under Art 6 (1) of the Convention, or a breach of their right to respect for private life, ensured by Art 8 of the Convention.

37. In the case of Campbell and Fell v the United Kingdom the Commission, and subsequently the European Court of Human Rights, had occasion to consider similar complaints and issues arising out of the same disturbances at HM Prison Albany, Isle of Wight (Comm Report 12.5.82, Eur Court HR judgment of 28.6.84). It is proposed to follow the same order of analysis in the present applications.

B. The application of the "prior ventilation rule" - Arts 6 (1) and 8 of the Convention

38. The first applicant complained that he was not permitted to contact his solicitors, and, indeed, that correspondence to his solicitors was stopped (paras 21 and 24 above), until he had ventilated his complaint about his prison treatment through internal prison channels. He claimed that the operation of such a "prior ventilation rule" was in breach of Art 8 of the Convention.

39. The relevant part of Art 8 of the Convention reads as follows:

> "1. Everyone has the right to respect for his private and family life, his home and his correspondence.
>
> 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

40. In the aforementioned case of Campbell and Fell the Commission, referring to the case of Silver and Others (Comm Report 11.10.80, Eur Court HR judgment of 25.3.83), found that this "prior ventilation rule" constituted an interference with the applicants' right to respect for correspondence, which was neither "in accordance with the law" nor "necessary in a democratic society .... for the prevention of disorder or crime ...." within the meaning of Art 8 (2) of the Convention. The Commission also considered that the resultant delay imposed on access to legal advice, pending the outcome of internal prison investigations, constituted an unjustified interference with the right of access to court, ensured by Art 6 (1) of the Convention, as interpreted in the Golder case (Eur Court HR judgment of 21.2.75, para 26), ie a denial of access to an independent and impartial tribunal for a fair hearing in the determination of civil rights. (Case of Campbell and Fell, Comm Report 12.5.82 paras 140 - 156, Eur Court HR judgment of 28.6.84 paras 105 - 111.)

41. In the present case the Commission notes that the Government have not submitted any observations on the merits of the first applicant's claims. In the circumstances, therefore, the Commission finds no reason to distinguish these claims from those of Messrs Campbell and Fell in this respect. Accordingly, the Commission considers that the refusal of the prison authorities to allow the first applicant to correspond with his solicitors, until he had pursued internal prison channels of complaint, constituted an interference with his right to respect for correspondence ensured by Art 8 (1) of the Convention, which was neither "in accordance with the law" nor "necessary in a democratic society .... for the prevention of disorder or crime" within the meaning of Art 8 (2). Furthermore the Commission finds that this refusal also constituted a denial of the applicant's right of access to court, as ensured by Art 6 (1) of the Convention.

Conclusion

42. The Commission concludes, by a unanimous vote, that the interference with the first applicant's correspondence to his solicitors constituted a breach of Arts 8 and 6 (1) of the Convention.

C. The refusal to allow an independent medical examination - Art 6 (1) of the Convention

43. The first applicant also complained of the refusal of the prison authorities to allow him to be examined by a doctor nominated by the applicant's solicitors.

44. In the case of Campbell and Fell, the Commission considered that a similar refusal did not constitute a breach of Art 6 (1) of the Convention. It was recognised that in a personal injury claim questions of medical evidence may be of great importance in subsequent civil litigation, and that, in certain circumstances, a refusal to allow a prisoner facilities for a medical examination might raise an issue under Art 6 (1). However Art 6 (1) does not give an automatic right to such facilities. Given the fact that these

facilities would have been available under Rule 37 A (3) of the Prison Rules if the applicant had become a party to civil proceedings, the complaint was overshadowed by the breach of Art 6 (1) of the Convention, which had been already established, concerning the delay in access to legal advice and, hence, delay in becoming a possible party to civil proceedings. (Comm Report 12.5.82 paras 153 - 156; this point was not pursued by the applicants before the Court, which therefore drew no conclusions on the subject.)

45. The Commission notes that in the present case neither the first applicant nor the Government have submitted any observations on the merits of this claim. The Commission also notes that, but for the aforementioned application of the prior ventilation rule (paras 38 - 41 above), the applicant could have quickly become a party to civil proceedings and asked for the facilities envisaged in Rule 37 A (3) of the Prison Rules. In these circumstances the Commission finds that the first applicant, like Messrs Campbell and Fell, did not suffer a denial of access to court in respect of this aspect of his application.

Conclusion

46. The Commission concludes, by a vote of twelve against one, that no breach of Art 6 (1) of the Convention arises from the refusal to allow the first applicant facilities for an independent medical examination.

D. The refusal to allow confidential consultations with lawyers - Arts 6 and 8

47. All four applicants complained of the refusal by the prison authorities to allow them to have confidential consultations with their solicitors, out of the hearing of any prison officer.

48. In the Campbell and Fell case, the Commission referred to the generally accepted principle in Contracting States of privileged communications between a lawyer and his client, enabling the latter to discuss his affairs in confidence and without fear of repercussions or prejudice to possible civil litigation he may pursue. To prevent such confidential communications concerning possible litigation is to interfere with the right of access to court under Art 6 (1) of the Convention. Although certain exceptions to this principle may be justified, a general prohibition on privileged lawyer/client consultations in prison is not compatible with Art 6 (1) of the Convention (Comm Report 12.5.82 paras 157 - 159). The Commission also considered, having found a breach of Art 6 (1) of the Convention in the particular circumstances of Father Fell's case, that it was unnecessary to consider the same complaint under Art 8 of the Convention (ibid paras 160 and 161).

49. In the light of these considerations and the absence of observations on the merits of this claim from the Government, the Commission finds no reason to distinguish the present applicants' claims from those of Father Fell in this respect. Accordingly the Commission considers that the refusal of the prison authorities to allow the four present applicants to have consultations with their solicitors, out of hearing of any prison officer, constituted an unjustified interference with the applicants' right of access to court, protected by Art 6 (1) of the Convention.

Conclusions

50. The Commission concludes, by a unanimous vote, that the prevention of the applicants' confidential consultations with their solicitors was in breach of Art 6 (1) of the Convention.

51. Having reached this conclusion, the Commission does not consider it necessary to express an opinion as to whether the refusal to allow confidential consultations also breached Art 8 of the Convention.

E. Summing up of conclusions

52. The following constitutes a summary of the Commission's conclusions in the present case:

1. The Commission concludes, by a unanimous vote, that the interference with the first applicant's correspondence to his solicitors constituted a breach of Arts 8 and 6 (1) of the Convention (para 42 above).

2. The Commission concludes, by a vote of twelve against one, that no breach of Art 6 (1) of the Convention arises from the refusal to allow the first applicant facilities for an independent medical examination (para 46 above).

3. The Commission concludes, by a unanimous vote, that the prevention of the applicants' confidential consultations with their solicitors was in breach of Art 6 (1) of the Convention (para 50 above).

4. Having reached this latter conclusion, the Commission does not consider it necessary to express an opinion as to whether the refusal to allow confidential consultations also breached Art 8 of the Convention (para 51 above).

Secretary to the Commission

(H.C. KRÜGER)

President of the Commission

(C.A. NØRGAARD)

APPENDIX I

HISTORY OF PROCEEDINGS

Item	Date		Note
Dates of introduction:			
Byrne (7879/77)	1 April 1977		
McFadden (7931/77)	21 May 1977		
McCluskey (7935/77)	21 May 1977		
McLarnon (7936/77)	23 May 1977		
Dates of registration:			
Byrne	5 April 1977		
McFadden, McCluskey and McLarnon	31 May 1977		
Commission's decision to give notice of the four applications to the respondent Government without requesting observations from the parties, and to adjourn them, in the meantime, pending the outcome of the Campbell and Fell case	9 October 1980	MM Nørgaard Fawcett Sperduti Busuttil Kellberg Daver Opsahl Polak Frowein Jörundsson Tenekides Trechsel Kiernan Klecker Melchior Sampaio	
Applicants' solicitors' letter concerning further pursuit of the applications	17 July 1984		

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Commission's decision to invite the Government to consider a waiver of objections to admissibility in the four applications	3 October 1984	MM Nørgaard Sperduti Ermacora Busuttil Jörundsson Tenekides Trechsel Kiernan Carrillo Gözübüyük Weitzel Soyer Schermers Danelius Batliner Anton Vandenberghe Mrs Thune
Government's waiver	30 January 1985	
Commission's decision to declare the four applications admissible	6 March 1985	MM Nørgaard Sperduti Frowein Jörundsson Tenekides Trechsel Kiernan Soyer Schermers Danelius Batliner Vandenberghe Mrs Thune Sir Basil hall
Commission's deliberations and decision to join the four applications	12 October 1985	MM Nørgaard Sperduti Frowein Ermacora Busuttil Jörundsson Tenekides Kiernan Carrillo Gözübüyük Weitzel Soyer Schermers Danelius Batliner Mrs Thune Sir Basil Hall

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Commission's deliberations, final votes and adoption of Report	3 December 1985	MM Nørgaard Frowein Jörundsson Tenekides Trechsel Kiernan Gözübüyük Weitzel Schermers Danelius Batliner Vandenberghe Sir Basil Hall