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RTN

From: Clare Checksfield
JCU, Rm 477
x 3030
13 February 1997

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Ann Widdecombe/Home Secretary

REMAND HEARING 13 FEBRUARY: ROISIN MCALISKEY

Issue

1. Report on next stages in extradition process.

Timing

2. The remand hearing was today.

Summary

3. Today's hearing set a tentative date of 12 March for the committal hearing, to be held, exceptionally, in Belmarsh Prison. There was confusion over whether Roisin McAliskey's solicitors were making a formal bail application; the CPS view is that "observations" were made, but that there was no formal request. The German Government confirmed that they oppose the granting of bail, but will consider the medical reports.

4. There is an outstanding application to petition the House of Lords on the question of extradition of own nationals (a point of no merit, which has already been dismissed once), and it is still possible that there be another, unscheduled, application for bail before the committal hearing on 12 March, which could also be subject to alteration.

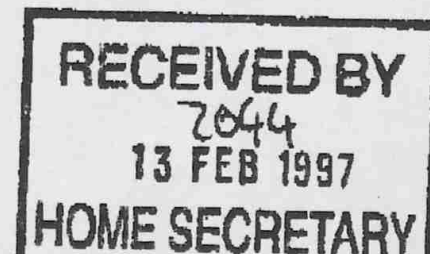
Considerations

Stance of the German Government

5. Ms McAliskey's solicitors claimed in court that because of international pressure on the German Government, that it would no longer be opposing bail. The Germany Embassy representative, who was present in court, said that he had no such knowledge, and that his instructions were to continue to oppose bail, on the

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grounds of the seriousness of the charges against Ms McAliskey, and the danger of her absconding.

6. I have spoken to my counterpart at the German Embassy. They are reporting on a daily basis to Bonn, and will pass on the medical reports. Off the record (please protect) he does not expect there to be a change in the German Government's position, but the final decision is of course for Bonn.

7. The German Government is very clear that it does not want to interfere or pass comment on the conditions of Ms McAliskey's detention, which it regards as being quite clearly the responsibility of the British Government.

Meeting with Bernadette Devlin

8. The German Chargé d'Affaires (in the German Ambassador's absence) has agreed to meet Bernadette Devlin this afternoon. I have made certain that the German Embassy have today's Prison Service Press Statement on the question of shackling of women prisoners, as background information, but the Chargé will take the general line that questions relating to her detention are matters for the British Government and that the German Government has no intention of querying them.

Future bail applications

10. It cannot be ruled out that we will have an unexpected application for bail. Ms McAliskey's health is not the only issue before the Magistrate and he is, as he has been until now, likely to be guided by the CPS, who is acting for the German Government. I am confident that we will receive early warning if there is a any shift in stance from Bonn; there is no suggestion that this is likely.

Handling/Considerations

11. The Prison Service is preparing lines to take.

Clare Checksfield

CLARE CHECKSFIELD