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FM DUBLIN
TO IMMEDIATE FCO
TELNO 72
OF 200942Z FEBRUARY 97
AND TO IMMEDIATE NIO L, NIO B, WASHINGTON

MY TELNO 70

SUBJECT: ROISIN MCALISKEY

SUMMARY

1. Further expressions of concern from Deputy Leader of Fianna Fail. Urgent need to clarify circumstances of bail application.

DETAIL

2. Mary O'Rourke, Deputy Leader of Fianna Fail (and to many people Tanaiste-in-waiting) called on me this morning. The purpose of her call was to follow-up her visit to London on 13 February to see Roisin McAliskey and to brief me on the line she was intending to take in the Dail this evening.

3. O'Rourke began by paying tribute to the way she had been received in London. She had been treated with nothing but courtesy by the Governor of Holloway Prison. He had told her that he had done what he could to alleviate the conditions under which McAliskey was being held, but that in most respects his hands were tied by her Category A status. O'Rourke had found McAliskey to be in reasonable spirits. She had talked animatedly about the birth her baby on 21 May and had shown no sign of wanting to damage herself in any way, indeed O'Rourke had gained very much the opposite impression. Nevertheless, McAliskey had three pressing concerns about her conditions; her free association time had no practical benefit (in that the constant shadowing by two guards meant that no other prisoner would talk to her); the electric light which burned in her cell for 24 hours a day made it difficult for her to rest; and the half-hourly check-ups through the (noisy) sliding grille in her door interrupted her sleep. O'Rourke said that during their discussion McAliskey rubbed her eyes constantly and they seemed to be inflamed.

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4. O'Rourke's visit to London had coincided, more or less, with McAliskey's latest bail application. Both O'Rourke and Eamon O'Cuiv TD (who had accompanied her to London) failed to get a clear steer on exactly who was opposing bail in the case. On her return she had followed up with the German Ambassador here, who had categorically denied that the German Government had any right to oppose bail and had added that they had not even been consulted. I told her that my understanding was that the terms of the German extradition request were such that our legal authorities had interpreted them as precluding bail. O'Rourke said that it was important to clarify this point quickly. She also added that the German Ambassador was clearly unnerved by the attention he was getting from protesters etc, not least because Chancellor Kohl was apparently due to visit the Republic in three weeks time.

5. O'Rourke concluded by saying that she sympathised with wider British concerns about IRA violence. She had been moved by the media coverage of Stephen Restorick's family during her stay in London. She understood why we would want to keep anyone accused of such crimes in a reasonably secure environment. But in the case of a frail and heavily pregnant woman, there was a need to take account of this, and ease the conditions under which Republican prisoners were normally held.

6. O'Rourke said she would be speaking in the Dail this evening. She would make the points she had made to me. She would reflect the strong feelings about the issue of McAliskey's treatment felt by the grass-roots of her party. But her overriding interest was humanitarian, and in separating the facts from the myths being put about by Republican propagandists. She would also make clear her strongly held view that this issue had the potential to seriously damage relations between our two countries.

COMMENT

7. As I have reported on several occasions, there is a real risk that this issue will indeed damage relations unless we are seen to take some account of broadly-based Irish humanitarian concerns about McAliskey's condition. In the absence of this, political and popular pressure will continue to build here. We are used to it. The Germans are not and the line their Ambassador is taking, and the imminence of Chancellor Kohl's reported visit, risk a damaging gap opening up between us. The need for clarity on the bail application question, touched upon in TUR, is therefore ever more

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urgent.

8. An interparty delegation led by Eamon O'Cuiv will call later today. I will report further by BLIS.

9. FC0 please advance to Ehrman, Private Secretary, Lamont, RID, Budd, Cabinet Office, Holmes, No. 10, Lindsey and Stephens, NIO, and Collins, Home Office.

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