

RESTRICTED

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RESTRICTED
FM DUBLIN
TO DESKBY 200930Z FCO
TELNO 70
OF 200920Z FEBRUARY 97
AND TO IMMEDIATE NIOL, NIOB, WASHINGTON

SUBJECT: MY TELNO 55 - ROISIN MCALISKEY

SUMMARY

1. THE TANAISTE EXPRESSES HIS CONCERNS ABOUT POSSIBLE DAMAGE TO BILATERAL RELATIONS OVER MCALISKEY'S DETENTION.

DETAIL

2. THE TANAISTE ASKED TO SEE ME AT SHORT NOTICE THIS AFTERNOON TO EXPRESS HIS CONCERNS ABOUT THE CONDITIONS IN WHICH ROISIN MCALISKEY IS BEING HELD. HE EMPHASISED THAT HE HELD NO BRIEF FOR MCALISKEY PERSONALLY AND INDEED IMPLIED A DEEP PERSONAL HOSTILITY TOWARDS THE WHOLE DEVLIN/MCALISKEY FAMILY. HE WAS CONCERNED FIRSTLY TO AVOID DAMAGE TO OUR BILATERAL RELATIONSHIP AND SECONDLY TO REMOVE ANY OPPORTUNITY FOR THE REPUBLICANS TO MAKE POLITICAL CAPITAL OUT OF THE SITUATION.

3. SPRING ASKED SPECIFICALLY WHETHER ANYTHING COULD BE DONE TO SPEED THE EXTRADITION PROCEEDINGS. HE ACCEPTED THAT BAIL WAS A MATTER FOR THE COURTS BUT HE WONDERED IF A GREATER SENSE OF URGENCY COULD BE INJECTED, POSSIBLY ON THE PART OF THE GERMAN GOVERNMENT. HE HAD RECEIVED A DETAILED BRIEFING ON THE CIRCUMSTANCES IN WHICH MCALISKEY WAS BEING HELD AND ASKED ABOUT THE CRITERIA FOR DESIGNATING AN INDIVIDUAL AS A CATEGORY A PRISONER. FINALLY, HE SAID HE HAD READ CAREFULLY THE HOME OFFICE STATEMENT THAT SHE WOULD NOT BE SHACKLED WHEN GIVING BIRTH, BUT THOUGHT THAT FROM A PUBLIC RELATIONS POINT OF VIEW, MORE NEEDED TO BE SAID ABOUT OUR INTENTIONS IN HANDLING THE BIRTH OF THE BABY AND WHETHER OR NOT IT WOULD BE SEPARATED FROM ITS MOTHER.

4. TAKING HIS POINTS IN TURN, I SAID THAT AS I UNDERSTOOD IT, THE CROWN PROSECUTION SERVICE WAS UNDER AN OBLIGATION TO REFUSE BAIL IN ORDER TO COMPLY WITH THE TERMS OF THE GERMAN EXTRADITION REQUEST.

PAGE 1
RESTRICTED

Prime Minister

To be aware that there is an increasing campaign in the Republic about Mrs McAliskey (Bernadette Devlin's daughter, on remand for involvement in the Shankill attack, and 6 months pregnant). I do not have a huge amount of sympathy but the Home Office are v. inflexible about conditions (woman in chains etc) and we may be in danger of giving the republicans a good PR weapon unnecessarily.

John
20/2.

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I BELIEVED THE GERMAN GOVERNMENT WOULD BE TALKING FURTHER TO THE CROWN PROSECUTION SERVICE ABOUT THIS SHORTLY. (I ALSO COMMENTED THAT THERE MIGHT BE SOME CONFUSION ON THIS: MY GERMAN COLLEAGUE HAD TOLD ME THAT THE GERMAN GOVERNMENT HAD NOT BEEN CONSULTED ON THE ISSUE OF BAIL: PERHAPS THEY WERE UNAWARE OF THE IMPLICATIONS OF THEIR REQUEST.) I DID NOT KNOW WHY PROCEEDINGS COULD NOT BE HASTENED. ON THE ISSUE OF CATEGORISATION I EXPLAINED THAT THIS DEPENDED ON THE NATURE OF THE CRIME (ATTEMPTED MURDER), THE LIKELIHOOD OF ESCAPE, THE STRENGTH OF EVIDENCE AND THE PROBABLE SENTENCE IN THE CASE OF CONVICTION.

5. FINALLY, I SAID I HAD NOTED CAREFULLY MR SPRING'S CONCERNS AND WOULD BRING THEM TO THE ATTENTION OF MY AUTHORITIES. I PARTICULARLY TOOK HIS POINT ABOUT THE NEED FOR CLARITY ABOUT OUR FUTURE INTENTIONS.

COMMENT

6. THE TANAISTE'S ARGUMENTS REFLECT THOSE IN MY TUR. THE STRENGTH OF FEELING ON THIS CASE IS INCREASING, INVOLVING VERY MANY PEOPLE WITH NO CONNECTION WHATSOEVER TO THE REPUBLICAN CAUSE. IF THIS IS A CASE WITHOUT PRECEDENT, IS IT NOT WITHIN OUR INGENUITY TO DEVISE ARRANGEMENTS WHICH REMOVES FROM REPUBLICAN SYMPATHISERS THE OPPORTUNITY FOR A MAJOR PUBLIC RELATIONS CAMPAIGN AGAINST US?

7. FCO PLEASE ADVANCE TO EHRMAN, PRIVATE SECRETARY, LAMONT, RID, BUDD, CABINET OFFICE, HOLMES, NO.10, LINDSEY AND STEPHENS, NIO, AND COLLINS, HOME OFFICE.

SUTHERLAND

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PAGE 2
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