

cc PB
ALMR HOLMES

cc Ms Polley
Mr Budd

ROISIN MCALISKEY

The extradition of Roisin McAliskey, and more particularly the arrangements under which she is being held in Holloway Prison, have given rise to some hostile reporting in the Irish press, and this afternoon Dick Spring called in Veronica Sutherland to express his Government's concern. The case is damaging the presentation of the HMG's position in the Republic and also threatens to cause friction in our relations with the Germans. The Home Office and the Crown Prosecution Service are meeting the German prosecuting authorities tomorrow, after which I am having a meeting of all Departments involved. I will let you have a further report in the light of that meeting. This note gives you a brief account of the story so far.

2. The key points are these:

- McAliskey was arrested on 26 November at the request of the Germans. She is being treated as a category A prisoner. This follows from the crimes that she is alleged to have committed and other objective factors, such as having associates who have access to arms;
- her baby is due in early May. The Prison Service has made clear that the baby will be born in hospital and that she will not be shackled, so scotching one of the stories that has been circulating. But the Prison Service are unable to say at this stage whether she will be permitted to keep her baby, which will be a matter for a welfare assessment after the birth. And no guarantees can be given about the position in Germany. These are both points which I will be exploring at tomorrow's meeting;
- McAliskey is being regularly strip searched (several times a day), before and after visits. This is the

greatest cause of criticism on the Irish side. (The need for this is something which I will explore at my meeting tomorrow);

- bail is being opposed by the CPS, who represent the Germans in the Magistrates' Court. This follows from the fact that the Germans have asked for McAliskey to be kept in custody pending extradition, and because if she absconded to the Republic, as an Irish citizen she could not be extradited to Germany. The CPS is discussing further with the Germans the question of bail: HMG has no locus in the decision;
- once the court is satisfied that it is proper to extradite McAliskey (a provisional date of 12 March has been set for the substantive hearing) she has a number of opportunities to appeal, including a right to a habeas corpus hearing, a right to petition the House of Lords, and judicial review. If she exercises all her rights it could be December before she can be surrendered to the German authorities. Equally she could go tomorrow if she chose.

3. The German Ambassador in Dublin is feeling under pressure over the case and we understand that Chancellor Kohl is making a scheduled visit to Dublin in about three weeks time. The Germans may decide not to oppose bail if they feel that they can get adequate sureties. If McAliskey remains in prison the ad hoc group which I am convening will meet regularly to review the position and to update the public lines.



N C SANDERSON

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