

0171 270 0416 ~~CONFIDENTIAL~~

ROISIN MCALISKEY

BAIL: LINE TO TAKE

The German Federal Prosecutor's Office made clear in its statement of 21 February 1997 that it stands by its request of 17 December 1996 for the detention and extradition of Ms McAliskey, and that all further decisions, including the enforcement of detention pending extradition, are solely within the competence of the British authorities and ultimately the courts.

It is the responsibility of the CPS to represent the case for extradition and bail before the courts on behalf of the German prosecutor. The CPS cannot be instructed on these, or any other matters by the British Government. *We understand this* The CPS have advised the German Federal Prosecutor's Office that the terms of the extradition request can only be guaranteed by a refusal to grant bail to Ms McAliskey. When the Secretary of State's authority to proceed was received on 3 January 1997 the court refused bail. It gave as the reasons for doing so a belief that she would fail to surrender to bail by reason of the nature and gravity of the allegation, that it was an extradition proceeding and the nature of the information in support of the extradition request.

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