

CONFIDENTIAL

ROISIN McALISKEY

Extradition

- 8 July has been set as a provisional date for McAliskey's committal hearing.
- If she is committed to await a decision on surrender, she may apply for a writ of habeas corpus. If that fails, she may petition the House of Lords and also has the opportunity to make representations to the Home Secretary before he takes a final decision on her surrender to Germany.
- The evidence against her is a matter for the German prosecuting authorities.
- Under the European Convention on Extradition there is no need for a prima facie case to be made, but they must provide the court of committal with identification evidence, particulars of the offence and a statement of the relevant law. This has been provided and will be considered by the court of committal.
- Under the Extradition Act 1989 the Home Secretary will consider the case when all the judicial stages of the extradition case have been completed.

Bail

- She was bailed at the High Court to the Whittington Hospital on 23 May following advice to the judge from her consultant obstetrician.
- She was granted a variation in the terms of her conditions of bail on 3 June at the High Court. The judge heard from two NHS psychiatrists who were of the opinion that Ms McAliskey required treatment in a specialist psychiatric mother and baby unit.
- She must stay at the psychiatric mother and baby unit until the bail condition is varied or bail is withdrawn. Financial sureties had to be provided.
- There was no criticism of her medical treatment in prison.
- The German Federal Prosecutor's office made clear in its statement of 21 February that it stands by its request of 17 December 1996 for the detention and extradition of Roisin 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.

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- It is the responsibility of the Crown Prosecution Service 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 the CPS originally advised the German Federal Prosecutor's office that the terms of the extradition request could only be guaranteed by a refusal to grant bail to Roisin McAliskey.

Treatment at Castlereagh Holding Centre

- The RUC Complaints and Discipline Branch is dealing with a verbal complaint lodged by Roisin McAliskey in respect of her detention at Castlereagh Holding Centre.
- No other complaints have been formally lodged. There is a recognised procedure for complaints against the police to be lodged and investigated. Any complaints are rigorously investigated.

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