

09/10/97

18:07

THE HOME SECRETARY'S OFFICE → PM

NO. 207

002

## SPEAKING NOTE

### Processing of repatriation cases - If raised

- Understand the wish to process these cases speedily.
- However, important to treat all applications in the same way and strictly in accordance with the provisions of the Convention.
- Do not believe it appropriate to make an exception for any particular group of prisoners.
- Understand that the majority of cases are in a position to be referred to the Republic shortly (subject to any outstanding appeals).
- Two further cases (Hanratty and Quin) have been referred to the Republic today.

### Background

We have recently received a letter from the Republic (at official level) asking whether, in the interests of speeding up the repatriation process, we would be prepared to refer the necessary paperwork to the Republic in those repatriation cases where there is an outstanding appeal, or the tariff has not yet been set. This would enable the Republic to begin its consideration of the case at an earlier stage (although they would not be able to reach a final decision).

The Convention requires that sentences are final before the cases are referred to the other country (ie that all appeals are exhausted). To begin to refer cases to the Republic before sentences were finalised would not only be to ignore the Convention, it would have a knock on effect for other repatriation cases and would be more resource intensive.

In the interests of continuing to treat all applicants on an equal basis we have told the Republic that we are unable to accede to their request.