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LETTER FOR BIS WEBSITE

ROISIN MCALISKEY

Roisin McAliskey was arrested for the purposes of extradition on 26 November 1996. The German authorities are seeking her return from the United Kingdom to face charges relating to the Osnabruck bomb attack in 1996. The request is now under consideration by the UK courts, and there are a number of routes of appeal open to her. Only when those legal appeals have been exhausted, or if she decides not to appeal at every stage, will the case come before the Home Secretary for a final decision. Naturally, if the courts decide that she should be discharged, that will be the end of the proceedings against her. There has been some delay in the court proceedings: first, because of the birth of her child, and secondly, because the magistrate has taken great care to establish whether she is well enough to attend the committal proceedings.

She will have the opportunity to make representations against her return to the Home Secretary before he takes a decision. That decision is governed by the safeguards contained in the Extradition Act 1989.

Decisions about bail are a matter for the courts. The Home Secretary has no say in the matter whatever. Roisin McAliskey was granted bail at the High Court to the Whittington Hospital on 23 May after advice to the judge from her consultant obstetrician. Following the birth of her baby she was granted a variation in the terms of her conditions of bail on 3 June at the High Court, and she and her baby are receiving treatment at a specialist mother and baby unit. This will remain the case unless those bail conditions are varied.

Under the European Convention on Extradition (ECE) a prima facie case is not required, but the requesting State (in this case, Germany) must provide the court of committal with identification evidence, particulars of the offence and a statement of the relevant law. The weight of evidence against Roisin McAliskey is a matter for the German prosecuting authorities, and, as in all extradition cases, to be decided by the court of trial. The request for Roisin McAliskey's extradition is being treated under the same legal requirements as all other requests from ECE extradition partners.