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10 June 1997

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Counsellors A-I Section
Messrs. Teahon, Donlon & Dalton
Ambassadors ~~London~~ & Washington
Joint Secretary

BOX ✓
Mr. G. Callahan ✓
Mrs. Victoria ✓

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Dear Colm

Press briefing by Bernadette McAliskey

Tony Benn MP chaired a briefing given by Bernadette McAliskey to ~~journalists~~ in the House of Commons at lunchtime today. Much of the briefing covered material which was discussed during Paul May's meeting with Philip McDonagh and Brian Mulligan on June 6th (on which Brian Mulligan has reported).

Ms McAliskey began by saying that to date her time had been fully taken up by concerns about her daughter's physical and emotional well-being. Following this morning's hearing in Bow Street she knows that Róisín will be on bail for the next 28 days and so has time to address other matter relating to her case. She said that since moving from the Whittington Róisín had been able to walk a decent distance for the first time since her arrest and is enjoying the fresh air. She has as much freedom of movement as the other patients and is not locked up. For the first time since November she feels safe in her surroundings.

Arrest, Interrogation and Removal to London

Ms McAliskey said that the bombing at Osnabruck had been well publicised. In the days following, photofits of three men and two women were released in connection with the police investigation. These were accompanied by photographs of James Corry and Michael Dixon. At no time did the RUC approach Róisín. A German police officer had visited Northern Ireland, Róisín had not been approached.

When Róisín was detained in November her arrest sheet, in common with those of the other women arrested at the time, said that she was wanted in connection with the bombing of the Thiepval Barracks in Lisburn (it is common practice, she said, for the police to mention the most recent event in such cases). Róisín was not asked any questions about Thiepval. Noting the connection that all the women had with West Belfast and their computer literacy, she asserted that the RUC were seeking evidence 'real, false or imaginary' to secure the conviction of 'someone else'.

Ms McAliskey questioned the nature of the evidence in Germany. The only witness, Herr Schmidt, had denied that he had identified Róisín, while Frau Schmidt, who had more direct access to the tenants at the holiday home, had 'clearly excluded' Róisín. As to the fingerprints on cellophane, these were supposedly in a rubbish bag, in another rubbish bag in a refuse area. The German papers on the case which are being translated and released, make it clear that the RUC had approached the German police, and that the whole connection with Germany had been instigated by the RUC.

At no point had the RUC or German authorities made any attempt to establish Róisín's whereabouts at the time she was supposed to have been in Germany although witness and documentary evidence places her at home. Ms McAliskey said that, because of the treatment Róisín received in Castlereagh, Gareth Peirce has advised that the names of witnesses and their evidence not be released until the trial. While they would ideally have liked to present this evidence in a court in Britain, in which case the case would have been dismissed, because Germany did not have to produce a prima facie case before extradition the could not do so.

She said that she wanted to know how a young woman, her daughter, had ended up in such a position and suggested two 'explanations': firstly the RUC is 'a group of people beyond control', the EPA and the PTA give them 'free reign' to abuse the law; secondly 'Euro hysteria' produced a Convention on Extradition in 1989 which did away with the need for a prima facie case before extradition could take place. She wanted to know how a police officer from one jurisdiction could travel to another jurisdiction and get a warrant for extradition from a police officer there (on evidence that would not warrant a prosecution) on which they were able to sustain the imprisonment of a 'patently innocent young woman'. The German authorities should either come forward with a sustainable case or drop the warrant.

Questions

Asked what would happen next, Ms McAliskey said that although Róisín was on bail for the next 28 days there was no indication whether the CPS would seek to have her returned to Holloway. She said that it was difficult to explain just how terrified Róisín is of taking Loinnir back to Holloway. While some of the staff were doing their best to run a civilised prison under difficult circumstances and with very resources, they did so against resistance higher up. While Róisín had been in Holloway two women had been raped by other women. Another had had her face slashed and required 27 stiches. This was the result of lack of staffing and lack of understanding of the serious drugs problem that exists within the prison. Because of lack of personnel prisoners requiring surveillance were put in dormitories so that other prisoners could monitor them. Róisín was aware of the hostility which had been produced against her because she had six prison officers to herself while other prisoners could not get out of their cells because there were no officers available. In the mother and baby unit in the prison Róisín had been exposed to the communal facilities and was frightened that she would not be able to protect her child 24 hours a day there.

On the impact of the new British administration, Ms McAliskey said that although it was early days yet, it was possible that the decision to allow bail after so long was related to a change of attitude 'at the top'.

On why the RUC had contacted the German authorities, she said that she could only speculate. However she asserted that in her view there was 'something very peculiar' about the Osnabruck bombing. Perhaps it had been a 'British inspired situation' and therefore the RUC had felt 'safe to use it' against Róisín. She continued that given her prejudice, and her experience of the RUC, she would not be surprised if the RUC officer who travelled to Germany took the cellophane with fingerprints with him (although she allowed that she had no evidence to support this).

On the role of the German Government she said that approached through their Embassies the Germans say that the matter is one for the CPS and the British authorities (although she noted that the official in the German Embassy in London is no longer taking calls on the case). However both the British Government and the CPS point to the request in the warrant from Germany for Róisín's detention prior to extradition. The slow release of basic evidence by the German prosecutor suggests that the evidence on the warrant does not exist.

Tony Benn

Tony Benn outlined his concerns about the case and its conduct. He said 'clearly a very major miscarriage of justice has occurred'. It was a 'terrifying story' and 'the whole thing should be dropped'.

Conditions in Holloway

Ms McAliskey said that it was her daughter's intention to write to prisons Minister Joyce Quin about conditions in Holloway in the interest of the other women prisoners.

Bernadette McAliskey will also address a meeting organised by the 'British and Irish Human Rights Centre' in the House of Commons this evening, to be chaired by Margaret Moran, Labour MP. I attach a handout which was circulated at today's briefing session. Copies of the arrest warrant from Germany which Brian Mulligan has already forwarded to you, were also circulated.

Yours sincerely,



Helen Blake
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**Róisín McAliskey
The Case Collapses**

The attached Warrant of Arrest sets out the evidence upon which the German government is seeking Róisín McAliskey's extradition. No further evidence against Róisín has emerged in the six months since the warrant was sworn.

The German prosecutor's case is in shreds. Not even a *prima facie* case against Róisín now exists. The Warrant of Arrest issued by the German courts is riddled with irreconcilable discrepancies and factual untruths. It should be withdrawn.

- No attempt has been made by either the German police and prosecutors or the Royal Ulster Constabulary who are assisting them to ascertain Róisín's whereabouts during June 1996. She has never been to Germany. There exists extensive witness and documentary evidence that Róisín was in Northern Ireland throughout the whole period leading up to and during the 28 June 1996 mortar attack on the British Army barracks at Osnabruck..
- The witness Manfred Schmidt named in the warrant as having positively identified Róisín among the tenants of a holiday home allegedly linked to the attack strenuously denies he did any such thing.

- It is now known that his wife when shown a photograph of Róisín was positive she was **not** the holiday home tenant.

- The warrant claims two of Róisín's fingerprints link her to the attack. At various times, the German prosecutor's office have stated the prints were on furniture in the holiday home, on foil found near a **vehicle** used in the attack at Osnabruck (some 60 miles way from the holiday home) and now they say they were on cellophane in a rubbish bag **outside** the home. They have so far allowed no independent examination of the prints and their provenance. Fingerprints on movable objects would **not** be regarded as admissible evidence in the UK courts.

- The warrant claims a car allegedly linked to the attack was sighted coming off the Roscoff-Cork ferry on a date when no such sailing took place.