



11 January 2011

Julian Assange - Case Developments & Provisional Skeleton Argument

The R v Julian Assange hearing took place today at Belmarsh Magistrates Court, London. Although a routine case management hearing which lasted approximately 10 minutes, it was mobbed by the mainstream media.

Julian Assange said in his statement outside the court in conclusion: *"We are happy about today's outcome. I have asked the court to make available to the press our skeleton argument. Our work with WikiLeaks continues unabated and we are stepping up our publishing of materials related to cablegate."*

With excellent Freedom of Information provision for all to see, Julian Assange's eminent QC, Geoffrey Robertson, has published the Provisional Skeleton Argument for the extradition hearing out on the internet, courtesy of solicitors Finers Stephens Innocent LLP.

A swift highlight of some of the points made:

* The European Arrest Warrant (EAW) - long considered to be knee-jerk 9/11 flawed law - comes in for an utter caning.



Swedish Prosecutor Marianne Ny alleged to be abusing process

* It is disputed that Swedish Prosecutor Marianne Ny has the authority to issue a European Arrest Warrant (EAW). The UK Crown Prosecution Service has confirmed that for a custodial sentence or other form of detention, it must be for the Swedish National Police Board to issue the EAW. The Swedish National Police board are currently refusing to comment. Oops.

* Marianne Ny has publicly maintained that Julian Assange is required to return to Sweden merely for questioning, not criminal prosecution. A decision to charge Julian Assange has not been made.

* The alleged offences are not extradition offences under section 10 of the Extradition Act 2003.

* The extradition has been sought for an improper purpose and the proceedings are an abuse of process.

- * There is considerable doubt as to whether Julian Assange would be prosecuted at all, if extradited.
- * Marianne Ny refused to cooperate with Julian Assange's Swedish lawyer, Björn Hurtig, who repeatedly sought to make Julian Assange available for questioning whilst he was still in Sweden. Marianne Ny has refused Julian Assange's offer to answer questions by telephone or some other suitable form of communication now he is in England.
- * Before a decision to prosecute the defendant has been made, he must be given the right to examine all documents IF the prosecution goes ahead. Marianne Ny has failed to provide full disclosure of the documents in this case and in particular SMS messages from accusers Anna Ardin and Sofia Wilen.
- * Text messages between Anna Ardin and Sofia Wilen in which they speak of revenge and the opportunity to makes loads of money and going to the media have been seen by Julian Assange's Swedish lawyer, Bjorn Hurtig, but he was not allowed to take notes or make a copy of them.
- * Anna Ardin's internet published [Seven Steps For Legal Revenge On Men](#) plan significantly undermines the prosecution case.
- * Julian Assange has been the victim of a pattern of illegal and / or corrupt behaviour by the Swedish Prosecuting Authorities.
- * The Swedish Prosecuting Authorities have illegally made extracts of their evidence available to the media.
- * There is a risk that Julian Assange could be extradited from Sweden to the USA in violation of the Human Rights Act.
- * The EAW has been issued against Julian Assange for the purposes of prosecuting or punishing him for his political opinion.
- * Sweden has been found to have violated the international prohibition on torture by virtue of rendition of persons to Egypt.
- * Leading U.S. political figures have called for Julian Assange to either be murdered or face the death penalty.

A full two-day extradition hearing will take place on 7-8 February 2011 in London.

The One Click Group
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Related Links:

* [Provisional Skeleton Argument On Behalf Of Julian Assange](#)

Geoffrey Robertson QC

* [Extradition Act 2003](#)

National Archives, UK Government

* [Seven Steps For Legal Revenge On Men](#)

Anna Ardin
