

Former Assange lawyer Jennifer Robinson speaks with the WSWS

Richard Phillips
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Jennifer Robinson spoke with the World Socialist Web Site last Friday in Sydney. The human rights lawyer and Australian citizen, who had assisted Julian Assange in his British legal challenges to being extradited to Sweden on concocted sexual assault allegations, was delayed at Heathrow airport the previous day. She was told she was on an “inhibited” travel list and could not travel without a clearance by the Australian High Commission in London (see: “Assange lawyer delayed while flying to Australia”).

Robinson discussed the incident and the ongoing government and media attacks on Julian Assange and WikiLeaks.

Richard Phillips: What went through your mind at Heathrow?

Jennifer Robinson: I’d never come across anything like it before and still don’t know what it was about. I was told that I must have done something controversial to end up on a so-called inhibited list. I’d like to think it may have been a mistake but it raises serious questions.

Ultimately no call was made to the Australian High Commission because my boarding pass ended up coming through. But why would an Australian citizen be required to call the Australian Commission before they could board a plane? It is very odd.

RP: What questions will you be asking the Australian government?

JR: I’d like to know if there is a list and whether I’m on it—and on what grounds I’ve been put on it—and on what basis I can challenge it, and whether it is going to affect my travel going forward. I’ll also be asking in what circumstances and for what reason the Australian embassy in any country can be required to be contacted prior to an Australian citizen boarding a plane. Is there a precedent for this? I certainly don’t know of one.

RP: Do you have any idea when the British Supreme Court will be releasing its decision on the Swedish extradition appeal?

JR: No, but I need to put on the record that I’m not formally instructed in that case. As far as I know, there’s no indication when that might be. Irrespective of what is announced, the real concern is the US Grand Jury indictment and potential extradition to the US.

If Julian wins in the Supreme Court, Gareth Pierce [Assange’s lawyer] has said that he is very concerned about the synchronisation of US government requests for Julian, which means he would face an extradition process, this time in the UK.

The treaty requirements between the US and the UK are notoriously difficult to beat. We have seen a number of high profile cases recently—[Sheffield Hallam University student] Richard O’Dwyer and others—so it is not a particularly great prospect.

Alternatively, if Julian loses he will be put into prison in Sweden. Like any country, it depends upon what the charges would be, but the advice I’ve been given is that it is entirely possible for him to be extradited from there to the US.

The media coverage in Sweden has been toxic, incredibly prejudicial against Julian. I’ve heard that the Swedish public would not stand for his extradition to the US and certainly hope that this will be the case.

RP: What’s your comment on the Gillard government’s role in all this?

JR: The initial stance taken by our government was a disgrace. They have since, at least on the public record, offered what they say is full consular assistance and claim to be asking questions of the US, Swedish and British governments. If that’s true, then let’s see the questions, and the answers.

Our government is taking a very hands-off approach, saying that it’s letting the legal process do its work. But I think that they need to think very carefully about our international reputation and what it will mean for Australia if our most

prominent journalist, most celebrated contributor to journalism, ends up in a US federal prison.

We only need to look at what has happened to Bradley Manning to see the sort of circumstances in which Julian would be held in the US. Without a doubt he would be held under SAMS or Special Administrative Measures, which means that he would not have private access to a lawyer and wouldn't have any access to the outside world.

RP: Like Guantánamo, except on the US mainland?

JR: Some would say so. Manning has suffered excessively long pre-trial detention, in solitary confinement, and in conditions that the UN Special Rapporteur said amount to torture.

Are we going to allow an Australian citizen, publisher and journalist, face this kind of treatment? The Australian government needs to be thinking very carefully about this and preventing it before it starts, rather than what happened with [Mamdouh] Habib and [David] Hicks.

RP: The Gillard government is not exactly letting the law run its course. It's actively engaged in the conspiracy against Assange. It recently passed extradition laws and last year the US government asked to be consulted in advance of any Freedom of Information releases.

JR: I think their position on Freedom of Information is an outrage. That the government is holding certain information until a particular date is, in my view, an untenable position.

There have been a number of Freedom of Information requests made and the material that comes back is so redacted that it is basically meaningless. We are left in a position where we don't know what's actually going on.

RP: What are the broader implications of the attacks on Assange and WikiLeaks?

JR: If the Grand Jury indictment is prosecuted against Julian in the US, and we've had very strong indications that it will, then it will seriously call into question the First Amendment [of the US constitution] and a broad range of other questions. This includes the practise of investigative journalism, particularly on national security matters.

What WikiLeaks does is the modern-day equivalent of receiving a brown paper bag envelop on your desk. WikiLeaks has, as far as I understand it, far less contact with their sources than journalists do in real life terms.

If governments get into the territory of what's appropriate communication and what's not, there are lots of grey areas that can be used to dangerously undermine the practise of investigative journalism.

WikiLeaks has pioneered the practise of scientific journalism, which allows the public to see the very documents that journalists are reporting upon. This not only holds governments to account but also journalists.

RP: What's your response to the mainstream media campaign against WikiLeaks?

JR: I think they've taken the most short-sighted and unprincipled positions. If Julian is prosecuted, then it sets a terrible precedent for the rest of the press because at its core WikiLeaks is doing what the press is supposed to be doing.

RP: You have been involved in numerous human rights cases. Are you surprised by how all this is proceeding?

JR: It doesn't matter how long you've been in legal practise, I don't think this has any legal precedent. I've been continually surprised and disappointed by the responses—both from governments and the media—to the WikiLeaks phenomena and what's happened.

RP: These attacks go to heart of the most basic rights.

JR: Yes, and I think it's made people realise this. We were once quite comfortable in the developed democracies that our rights were protected. What WikiLeaks has revealed is that we can't be so sure anymore.

The author also recommends:

Australian government reinforces conspiracy against Assange [12 April 2012]

UK Home Secretary approves Richard O'Dwyer's extradition to US [15 March 2012]



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