

Julian Assange appears in court via video link: Legal rights denied by judge

Thomas Scripps
19 November 2019

WikiLeaks founder Julian Assange attended a procedural hearing at Westminster Magistrates Court in London via video link on Monday. He is required to appear before the court every 28 days in the run-up to US extradition hearings in February.

Assange attended from a room in Belmarsh maximum security prison, where he is being held eight weeks after his one-year sentence for “absconding” bail expired on September 22.

Still visibly underweight, he spoke only to confirm his name and date of birth. His father, John Shipton, and WikiLeaks colleagues and supporters watched from the public gallery. A small protest took place outside.

When District Judge Vanessa Baraitser, appointed by Chief Magistrate Lady Emma Arbuthnot, asked the prosecution and defence if they had anything to bring before the court, Assange’s lawyer Gareth Peirce explained that her legal team was working “extremely hard on this very challenging case.”

“However,” she continued, “the most important of the impediments that we are facing is Mr Assange’s ability to access what he needs to work on his own case. After months of battle he was provided with a computer, but it is not the sort of computer needed to work on the case.”

In an interview given to the PA news agency, a member of Assange’s legal team explained the computer is unlikely to have Internet access needed to carry out research. The denial of Assange’s legal right to access materials necessary to prepare his own defence—including a computer, case-related documents and members of his legal team—has been raised repeatedly and greeted with contempt by judicial authorities.

On Monday, Baraitser callously replied to Peirce, “as you are aware, I have no jurisdiction over the prison

estate.” In other words, the British ruling class has no intention of providing even the appearance of a fair trial. Peirce’s comment about the inadequacy of Assange’s computer access is only the latest in a long list of judicial outrages against Assange’s legal and democratic rights.

La Repubblica journalist Stefania Maurizi has gained access to several photos, videos, and audio recordings taken by UC Global, a Spanish security firm contracted to provide security for the Ecuadorian Embassy—and illegal surveillance for the US government.

Maurizi reported yesterday, “Even the most inviolable meetings were violated: video and audio footage seen by Repubblica show a half-naked Julian Assange during a medical check up, the Ecuadorian ambassador Carlos Abad Ortiz and his staff during one of their diplomatic meetings, two of Assange’s lawyers, Gareth Peirce and Aitor Martinez, entering the women’s bathroom for a private conversation with their client.”

UC Global also compiled profiles on Assange’s London-based lawyer since 2010, Jennifer Robinson, and the head of his legal team in Spain, Baltasar Garzon. A series of photographs seen by Maurizi shows that Garzon was also followed. Maurizi’s own phone and USB sticks were tampered with.

These flagrant violations of legal privilege, carried out on behalf of the states seeking Assange’s extradition, should have seen the entire case thrown out. This will not happen because the presiding judge, Emma Arbuthnot, is a representative of those same states and their spy agencies.

In July, WikiLeaks revealed that Arbuthnot’s husband, James Norwich Arbuthnot, is intimately connected with the British armed forces and security services, whose criminal operations were exposed by

WikiLeaks. This is a conflict of interest that should automatically have disqualified Emma Arbuthnot as an official in this case.

Last week, independent journalists Mark Curtis and Matt Kennard revealed that Emma Arbuthnot's son, Alexander Arbuthnot, is even more deeply embedded in the US-British intelligence community than his father.

Their investigation revealed that Alexander's employer, Vitruvian Partners, has a multimillion-pound investment in Darktrace, a cyber-security company staffed by former National Security Agency (NSA), Central Intelligence Agency (CIA), MI5, MI6 and GCHQ officials. Arbuthnot's son joined the company as vice president in 2018 and according to an intelligence industry publication cited by Curtis and Kennard, "advises Vitruvian on cyber-security."

Darktrace was established just four days after the Snowden revelations of industrial-scale illegal domestic surveillance, with the aim of "targeting corporate and government customers by promising to track down troublesome employees or intruders that are already within the firewall." The company boasts that its team comprises "senior members of the UK's and US's intelligence agencies including the Government Communications Headquarters (GCHQ), the Security Service (MI5) and the NSA."

These include managing director Stephen Huxter, a senior figure in MI5's cyber defence team; advisor Sir Jonathan Evans, a former MI5 director-general; Andrew France, a past deputy director of cyber defence operations at GCHQ; Jim Penrose, former NSA chief of the Operational Discovery Centre in charge of establishing the surveillance schemes exposed by Snowden; Jasper Graham, former NSA technical director; Justin Fier, CIA director for cyber intelligence and analytics; and Alan Wade, former CIA chief intelligence officer.

In 2015, Nicola Eagan, Darktrace's chief executive, accompanied then-Prime Minister David Cameron to the US for a meeting with President Barack Obama. She joined Cameron on a separate trip to Asia, and Theresa May on a trip to Japan.

CEO Poppy Gustafsson and CTO Jack Stockdale were both awarded OBEs earlier this year, "in recognition of their services to cyber security."

Between 2010 and 2016, according to the same Curtis-Kennard investigation, Alexander worked at Symantec,

a US company producing cyber-security and anti-data-leak products and which holds contracts with the US government.

In 2010, the company released a report titled "Avoiding a repeat of WikiLeaks: What can be done to prevent malicious insiders?" It has also produced a "Data Sheet" on "insider threats" that reads, "Government agencies have always been exceedingly concerned about security—but that concern ramped up significantly in the wake of the Edward Snowden and Bradley Manning scandals. Regardless of the threat level, a systematic plan to combat insider threats is a must."

The situation is murky, but there is no evidence to suggest that Arbuthnot has recused herself even in the face of these utterly damning revelations—despite doing so in 2018 when questioned over a far less significant conflict of interest in a case involving the company Uber. Curtis and Kennard report that her role remains to "support and guide" the junior judges she has appointed to hear the case since June—including Vanessa Baraitser, whose own background is entirely unclear.

There is nothing accidental about Arbuthnot's appointment and continued oversight of Assange's extradition case. The British state has selected an individual who can be trusted to oversee his vindictive torture and slow-motion assassination.

Speaking last Thursday at a meeting of the "United Left-Nordic Green Left" European parliamentary grouping, Assange's father, John Shipton, referred to the October 21 hearing at Westminster Magistrates Court at which Assange struggled to remember his own name and date of birth. Shipton explained, "Before appearing, he had been strip searched and put in what the prisoners call the 'hot box.' I don't know what that is yet but consequently he was very disturbed, and that built upon a basis of psychological stress that Nils Melzer has elegantly described."



To contact the WSWWS and the Socialist Equality Party visit:

[wsws.org/contact](https://www.wsws.org/contact)