

Julian Assange's bail request denied despite coronavirus risk

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26 March 2020

UK Judge Vanessa Baraitser yesterday refused an application to grant WikiLeaks founder Julian Assange bail. He is currently held on remand in London's HMP Belmarsh, pending completion of a hearing to decide on his extradition to the United States on charges of espionage carrying a life sentence.

Assange's legal team made the bail request due to the "very real" and potentially "fatal" risk posed to his fragile health by the coronavirus pandemic. The judge's decision is more proof that the British government, in collusion with the Trump administration and US security services, want nothing less than to see the world-famous journalist dead.

Baraitser's refusal came amid mounting calls for the release of vulnerable, low-risk prisoners from the UK's overcrowded and woefully unprepared prison systems during the coronavirus crisis.

Allan Hogarth of Amnesty International UK said elderly prisoners and those with underlying medical conditions should "immediately" be considered for release "if they do not pose a threat to themselves or society." The Prisoners' Advice Service is calling for the old or infirm, those on indefinite imprisonment for public protection sentences, and those who simply do not pose threat to be released now.

Before the hearing began, over 17,000 people had signed a petition to Home Secretary Priti Patel demanding "Release Julian Assange from Belmarsh Prison before COVID-19 spreads."

Due to the UK lockdown, the court was sparsely attended, with several lawyers participating online. Physically present were Baraitser, one clerk, Assange's leading defence barrister, Edward Fitzgerald QC, five journalists and six WikiLeaks supporters.

Baraitser began by informing the court that HMP Belmarsh had allowed Assange just 15 minutes access

to a video link. The rest of the hearing would have to proceed in his absence. Assange was unable to participate properly due to audio issues with the lawyers dialling in to the court: "I can't hear half of them," he said at one point.

Proceeding under these flagrant abuses of due process, US prosecutors delivered a volley of lies to justify keeping the WikiLeaks founder in prison.

Lawyer Clair Dobbin first said that it was not a matter for the court to release individual prisoners, but for the Ministry of Justice. The court, she said, "cannot pre-empt the government." But it is on Baraitser's say-so of September 2019 that Assange is still held in a maximum-security prison on remand, despite his sentence for "absconding bail" having expired that month.

Dobbin repeated the now doubly absurd claim made by the prosecution to keep Assange held on remand; that the "risk of flight" posed by the most famous political prisoner in the world—now in the midst of a national lockdown and closure of international travel—"is insurmountable."

"There exists concrete evidence of his absconding," she said. "He has been tested and failed."

This refers to Assange using his right to asylum to shelter in the Ecuadorian embassy in 2012 and escape an international manhunt launched by a murderous US government. Assange's persecutors are using their past criminality as justification for today's.

Dobbin then claimed that Assange is "not within the high-risk groups for coronavirus" and implied that there was little risk of infection anyway since, "It's widely publicised that visits to prisons by all family members have stopped."

Assange has a chronic lung condition and has been severely physically weakened by brutal mistreatment

amounting to psychological torture over the past decade. On Tuesday, the campaign group Doctors for Assange tweeted, “Medically, legally, ethically, & morally, Assange should be granted bail tomorrow.”

Lissa Johnson, a spokesperson for the group, tweeted, “If Julian Assange is not granted bail on Wednesday, and he succumbs to Covid-19 in prison, his death will be a politically-motivated, state-sanctioned killing, by wilful medical neglect.”

Assange’s case, Doctors for Assange said, represents a “significantly increased risk of death amid Covid-19 pandemic to a low-risk prisoner,” citing World Health Organisation guidance, the statement of the President of the Prison Governor’s Association that Covid-19 related deaths in prisons were inevitable and London School of Hygiene and Tropical Medicine Professor Richard Coker’s warning of the “‘substantial risk of virus spreading at particularly fast rate’ in prisons.”

There are clear signs that this risk is becoming a reality. On Tuesday, 4,300 prison staff—12 percent of the total—were away from work because they were ill or self-isolating. The Ministry of Justice has announced that 19 prisoners across 10 jails have been diagnosed with the infection, plus four prison staff across four jails and three prisoner escort and custody services staff. London, where Belmarsh prison is located, is the epicentre of the UK’s epidemic.

On the prosecution’s claim that Assange is a flight risk, Fitzgerald said, “It is extremely unlikely he would forsake the legal battle he is engaged in.” He outlined the strict conditions of release which the defence would be prepared to accept to ensure Assange’s safety, including house arrest with his partner and father, GPS tagging which would alert authorities if he even leaves the interior of the house, and 12 sureties to offer bail.

On the risks to Assange’s health and life, Fitzgerald explained that medical expert Dr. Sondra Crosby “considers that he is particularly at risk, one, of developing coronavirus and, if he does, that it develops into very severe complications for him.”

“If he does develop critical symptoms it would be very doubtful that Belmarsh would be able to cope with his condition,” Crosby concluded.

Assange, Fitzgerald continued, “will be seriously endangered in circumstances from which he cannot escape” if he continues to remain in prison. This danger is exacerbated by the “risk to his mental health and his

human contact” posed by lockdown procedures, which will also further restrict Assange’s already minimal contact time with his lawyers.

Responding to the prosecution’s suggestion that Assange was at little risk of coming into contact with the virus, Fitzgerald said, “When we sought to have access to Belmarsh we were told that 100 members of staff were off sick due to the coronavirus. That does not suggest that there’s no coronavirus problem in Belmarsh.”

Baraitser responded with a declaration that the “global pandemic... does not provide grounds for Mr Assange’s release.” She had “no reason not to trust” the government’s advice on protecting prisoners from the virus “as both evidence-based and reliable and appropriate.”

Following the ruling, Nils Melzer, the UN Special Rapporteur on Torture, tweeted, “No surprise. If UK cared for Assange’s health, justice or [the] rule of law, he would not be persecuted, imprisoned & tortured for the purpose of suppressing press freedom & facing extradition to a country claiming total impunity for torture & war crimes.”

Speaking for Doctors for Assange, Dr. Stephen Frost told the World Socialist Web Site, “We are astonished that Julian Assange has been denied bail, despite expert witness medical evidence having been submitted to the Court strongly recommending that he be released on bail. On the evidence available, in the absence of access to proper medical care since 2012, Mr. Assange must be assumed by doctors to be severely immunocompromised and therefore at greatly increased risk of contracting and dying from coronavirus in any prison, but especially in a prison such as Belmarsh. Every extra day Mr. Assange is incarcerated in Belmarsh prison constitutes an increased threat to his life.”



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