Twitter Thread by Mohamed Elmaazi



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In the Old Bailey in Court 4 awaiting the judge to enter Court 3 where she will deliver her decision in the extradition case of Julian Assange.

Judge Baraitser is expected to start at 10am GMT

via @SputnikInt

Outside there is a gaggle of press along with supporters of Julian Assange and third party observers who were attempting to get in such as @rebecca_vincent and @deepa_driver.

I don't know if they got in.



Photos from outside the court via @EfPress



Assange has stood up and identified himself. Judge has entered the court.

Judge has started by saying that the protection against extradition for a "political offence" was removed from the Extradition Act 2003 so it doesn't apply even though it is in the Treaty, that is not the constitutionally relevant document she says.

She is now describing out, by quoting US prosecution, Mr Assange allegedly went beyond the activities of a journalist by agreeing to assist Chelsea Manning in cracking a password hash to gain access to US government computers.

Judge is quoting alleged conversations between Assange and Manning which suggest that he went beyond the actions of a journalist in order to encourage Manning to obtain further data.

Judge is focusing on comments Assange made years ago including at hacker conference. She says that his actions and speech goes beyond that of mere journalism.

Judge: Free speech rights to not provide unfettered right to someone like Mr Assange. In this case Mr Assange chose to disclose documents which contained the unredacted names of informants. Mr Kromberg points out that 100 people were put at risk, she says.

Judge is quoting a letter co-authored by the Guardian criticising Mr Assange after WikiLeaks published the unredacted diplomatic cables despite the fact that they had already been published by Cryptome and the evidence she heard that Assange was the key force behind redactions.

This prosecution is limited to documents containing the identities of informants. (Not sure I agree, the evidence from experts is that is clearly not the case)

Judge says she is satisfied that prosecutors are bringing the case ‘in good faith’, there is not enough evidence to establish that Obama DOJ decided not to continue with the case against Assange. Insufficient evidence to find that prosecutors were pressurised by the Trump admin.

Judge is referring to allegations of US interference in Ecuadorian embassy in London, when Assange was allegedly spied on and fully recorded, is an ongoing matter in a case in Spain and do not think it appropriate to make findings of fact on untested evidence.

Judge saying there might have been "other reasons" for US government to spy on Assange other than to violate his attorney-client conversations, such as for security purposes. She quoted CNN report that Assange made the embassy a "command post" for alleged election interference.

Judge says if defence encounters genuine diff in testing or challenging any part of US case it is reasonable to assume US procedure would enable evidence to be excluded.

On article 6 of ECHR judge says: argument that Jury pool would be fileld with spooks was intennable. Jury members would be selected from 6 counties, even 1 county alone there are over a million people. Suggestion that 12 impartial individuals could not be impanelled...

...was not possible to sustain. The US has well established means to ensure an impartial jury.

Judge also rejects the idea that plea bargains are anything other than offering defnendants choices which can't be argued to be coercive.

Judge is essentially saying that there are constitutional protections in the US which will guarantee a fair trial.

"This court trusts that a US court will properly consider Mr Assange's right to a free speech" Judge Baraitser

Judge says that she accepts evidence that Assange suffers from a recurrent depressive disorder which was severe in 2017 and is sometimes accompanies… also accepted Dr Deeley position that Assange suffers from autism disorder albeit on high functioning end.

Judge also says that she found that notwithstanding his support from family Mr Assange has remained either severely or moderately clinically depressed during detention. And that he is at risk of suicide or self-harm.

Accept that there are entries in notes that indicate a much better mood at times however the overall impression is of a depressed and sometimes despairing man who is genuinely fearful about his future. Also notes Assange's past history of self-harm and family history of suicide.

Judge says she took account of conditions in US under which Assange is likely to experience, both pre-trial and post-trial detention and the "real risk" he will be detained subject of SAM's

Measures that could be taken to prevent suicide but Assange undoubtably has ability to circumvent these measures. He has already adopted strategy of disguising suicidal thoughts. Satisfied that Assange has the intellect & determination to circumvent suicide prevention measures.

BREAKING: Judge refuses Assange extradition purely on grounds that he is of high suicide risk which could not be sufficiently managed.

They are now discussing making a bail application.

Outside the Old Bailey



@JohnWRees of @DEAcampaign gave me his quick thoughts outside the Old Bailey. He called it an "incredible judgement".



It sounds like a bail application will be made on Wednesday rather than today. Based on preliminary discussions that I can hear via the video feed.