

Beyond Words. Assange's COVID-19 Bail Related Application

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Region: [Europe](#)

Theme: [Law and Justice](#)

Yesterday Mark Sommers QC, the extremely erudite and bookish second counsel for Julian Assange in his extradition hearing, trembled with anger in court. Magistrate Vanessa Baraitser had just made a ruling that the names of Julian Assange's partner and young children could be published, which she stated was in the interests of "open justice".

His partner had submitted a letter in support of his Covid 19 related bail application (which Baraitser had summarily dismissed) to state he had a family to live with in London. Baraitser said that it was therefore in the interests of open justice that the family's names be made public, and said that the defence had not convincingly shown this would cause any threat to their security or well-being. It was at this point Sommers barely kept control. He leapt to his feet and gave notice of an appeal to the High Court, asking for a 14 day stay. Baraitser granted four days, until 4pm on Friday.

I am in lockdown in Edinburgh, but received three separate eye witness reports. They are unanimous that yet again Baraitser entered the court carrying pre-written judgements before hearing oral argument; pre-written judgements she gave no appearance of amending.

There have been two Covid-19 deaths in Belmarsh prison so far. For obvious reasons the disease is ripping through the jail like wildfire. The Department of Justice is admitting to one death, and refuses to give statistics for the number of cases. As even very sick prisoners are not being tested, the figures would arguably not mean much anyway. As the court heard at the bail application, over 150 Belmarsh prison staff are off work self-isolating and the prison is scarcely functioning. It is the most complete definition of lockdown.

The Prison Governors' Association submitted to the House of Commons Justice Committee (which yesterday morning considered prisoner releases in closed session) that 15,000 non-violent prisoners need to be released to give the jails any chance of managing COVID-19. The Department of Justice has suggested releasing 4,000 of whom just 2,000 have been identified. As of a couple of days ago, only about 100 had actually been released.

The prisons are now practising "cohorting" across the estate, although decisions currently lie with individual governors. Prisoners who have a cough - any cough - are being put together in segregated blocks. The consequences of this are of course potentially unthinkable. Julian has a cough and chronic lung condition for which he has been treated for years - a fact which is not in dispute.

Yesterday Baraitser again followed her usual path of refusing every single defence motion,

following pre-written rulings (whether written or merely copied out by herself I know not), even when the prosecution did not object. You will recall that at the first week of extradition hearing proper, [she insisted](#) that Julian be kept in a glass cage, although counsel for the US government made no objection to his sitting in the body of the court, and she refused to intervene to stop his strip searching, handcuffing and the removal of his court papers, even though the US government [joined the defence](#) in querying her claim she had no power to do this (for which she was later [roundly rebuked](#) by the International Bar Association).

Yesterday the US government did not object to a defence motion to postpone the resumption of the extradition hearing. The defence put forward four grounds:

- 1) Julian is currently too ill to prepare his defence
- 2) Due to Covid-19 lockdown, access to his lawyers is virtually impossible
- 3) Vital defence witnesses, including from abroad, would not be able to be present to testify
- 4) Treatment for Julian's mental health conditions had been stopped due to the Covid-19 situation.

Baraitser airily dismissed all these grounds – despite James Lewis QC saying the prosecution was neutral on the postponement – and insisted that the May 18 date remains. She stated that he could be brought to the cells in Westminster Magistrates Court for consultations with his lawyers. (Firstly, in practice that is not the case, and secondly these holding cells have a constant throughput of prisoners which is very obviously undesirable with Covid19).

It is worth noting that the prosecution stated that the US government's own psychiatrist, appointed to do an assessment of Julian, had been unable to access him in Belmarsh due to Covid 19 restrictions.

This is getting beyond me as it is getting beyond Mark Sommers and the defence team. Even before Covid 19 became such a threat, I stated that I had been forced to the conclusion the British Government is seeking Assange's [death in jail](#). The evidence for that is now overwhelming.

Here are three measures of hypocrisy.

Firstly, the UK insists on keeping this political prisoner – accused of nothing but publishing – in a Covid 19 infested maximum security jail while the much-derided Iranian government lets Nazanin Zaghari-Ratcliffe out and hopefully will release her altogether.

Which is the inhumane regime?

Secondly, “open justice” allegedly justifies the release of the identities of Julian's partner and kids, while the state enforces the secrecy of Alex Salmond's busted accusers, even though the court [heard evidence](#) that they specifically colluded to destroy him using, as a deliberate tool, the anonymity afforded to people making sexual accusations.

Thirdly, nobody cultivates her own anonymity more than Vanessa Baraitser who has her existence carefully removed from the internet almost entirely. Yet she seeks to destroy the peace and young lives of Julian's family.

Pieter Evert sent me this rather good cartoon, for which many thanks:



Keep fighting for Julian's life and for freedom.

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