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TWEET RECORD

Julian Assange Extradition 2011-07-12

High Court Appeal Day 1

The Defence

For the Julian Assange Extradition Appeal, One Click has once again collated what we consider to be some of the best and most informative tweets coming out of the court on 12 July 2011. Not only is a quick flick through this record most informative, it will also form part of the website's documenting of this trial.

Held in the London High Court today, Julian Assange's defence team acquitted themselves well invoking the law rather than Guantanamo grandstanding. New was the more conciliatory approach recognising the pain of complainants AA and SW, together with the defence submission that Assange conduct was disrespectful and discourteous but not illegal.

The dry legalese over the highly flawed, 9/11 kneejerk flawed law European Arrest Warrant (EAW) was happily broken today by [@ravisomaiya](#) who tweeted: *"Just got -- and am not making this up -- really strong whiff of gin in [#Assange](#) courtroom. Unmistakeable."* Those judges' dining rooms again....

12 July 2011

Approx 16:30pm



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We get the feeling today that [#Assange](#) lawyers are grown ups. Time will tell.. [#wljul](#)
[#WikiLeaks](#)



[OneClickGroup](#) The One Click Group

Court adjourned. Expect CPS/Swedes rebuttal tomorrow. [#Assange](#) defence conducted themselves well [#wljul](#) [#WikiLeaks](#)



[JoshuaRozenberg](#) Joshua Rozenberg

by [OneClickGroup](#)

Good day for [#Assange](#) as extradition appeal adjourned until tomorrow. But Swedish prosecutors bound to have some answers when case resumes.



[Robert Booth](#) Robert Booth

by [OneClickGroup](#)

[#Assange](#) "physical presence in Sweden is not necessary for finishing the preliminary investigation" says summers. Phone, skype, all allowed.



[DavidAllenGreen](#) David Allen Green

by [OneClickGroup](#)

Ben Emmerson QC for Julian [#Assange](#) will also be the QC for [@pauljchambers](#) High Court appeal for [#TwitterJokeTrial](#)



[Robert Booth](#) Robert Booth

by [OneClickGroup](#)

That lack of a decision to prosecute is key in undermining the validity of the [#Assange](#) arrest warrant, summers says



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RT [@BrettMason10](#) Lord Justice Thomas notes "prosecute" in Swedish legal terms means "charge" in British legal terms [#assange](#) [#wljul](#)



[BrettMason10](#) Brett Mason

by [OneClickGroup](#)

[#assange](#) legal team tells High Court they don't have dossier containing all documents in case as "no decision has been taken to prosecute"



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For once, and on past form it won't last, [#Guardian](#) coverage on [#Assange](#) extradition, appears to be fairly even handed [#wljul](#) [#WikiLeaks](#)



[Robert Booth](#) Robert Booth

by OneClickGroup

[#Assange](#) team raising issue of "whether the requested person is an accused" and if a prosecution has "commenced". If not warrant not valid



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Those judge lunches RT [@ravisomaiya](#) Just got -- and am not making this up -- really strong whiff of gin in [#Assange](#) courtroom. Unmistakeable



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This dry legalese does not make for good copy, but hey it's in large part how this is done in law [#wljul](#) [#WikiLeaks](#) [#Assange](#)



[OneClickGroup](#) The One Click Group

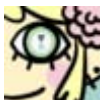
Much better RT [@Robert_Booth](#) Notice how dry the [#Assange](#) team are with legalese about EU law -a new tack..



[Robert Booth](#) Robert Booth

by OneClickGroup

Notice how dry the [#Assange](#) team are with all this legalese about EU law -a new tack. No more shrill claims he could wind up in Guantanamo



[m_cetera](#) M

by OneClickGroup

How can the description in the EAW being misleading possibly be shown as just communication between European states? [#wljul](#)



[Robert Booth](#) Robert Booth

by OneClickGroup

[#Assange](#) team says the use of an EU arrest warrant for pre-prosecution questioning is not allowed under UK law



[eastendlady](#) barbara gunnell

by *OneClickGroup*

emmeron arguing that he is right to look in detail at the complainants themselves .. because no other way to judge dual criminality



[Robert Booth](#) Robert Booth

by *OneClickGroup*

Debate on EU arrest warrants in [#Assange](#) case gone into hyperspace. Emmerson talking double speed. Application could be significant tho



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We're going through a defence lawyer inter judge bit in Assange Extradition Appeal [#wljul](#) [#WikiLeaks](#) [#Assange](#)



[AlexiMostrous](#) Alexi Mostrous

by *OneClickGroup*

[#assange](#) lawyer now in lengthy examination of legal authorities which he says provide precedent for court being able to look behind an EAW



[eastendlady](#) barbara gunnell

by *OneClickGroup*

[#wljul](#) back in court emmeron qc for assange - debate with judge about how much of information needed for EAW to be valid



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[#wljul](#) [#WikiLeaks](#) [#Assange](#) Proceedings about to start again in Assange Extradition Appeal



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Court now broken for munchies, will resume shortly [#wljul](#) [#WikiLeaks](#) [#Assange](#)



[channel4news](#) Channel 4 News

by OneClickGroup

Rebekah Brooks, Rupert Murdoch & son James asked to appear before Culture, Media & Sport Committee next Tuesday - says Tom Watson. [#c4news](#)



[Robert Booth](#) Robert Booth

by OneClickGroup

The alleged rape by [#Assange](#) when he entered SB while asleep or half asleep was no crime because she then consented, emmerson said



[Robert Booth](#) Robert Booth

by OneClickGroup

Judges in [#Assange](#) appeal wondering if they can investigate differences between the strong warrant wording and the witness statements



[razhael](#) Raphael Satter

by OneClickGroup

Skeptical questions now for [#Assange](#)'s lawyer. [#wljul](#)



[Robert Booth](#) Robert Booth

by OneClickGroup

The 4 allegations against [#Assange](#) are misdescribed in the arrest warrant and in all but one case would not be crimes in england: emmerson



[norendition](#) Lara Fist

by OneClickGroup

Emmerson argues using extradition 4the purpose only of an investigation amounts to "a disproportionate utilisation" of the EAW system. [#wljul](#)



[eastendlady](#) barbara gunnell

by *OneClickGroup*

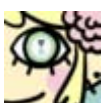
[#wljul](#) now back on course judge asks if distinction had been made between time of not consent asleep.. and consent awake



[AlexiMostrous](#) Alexi Mostrous

by *OneClickGroup*

Appeal judge asks [#assange](#) lawyer whether the act of lying on top of AA could constitute "violence". Emmerson says "no, all consensual".



[m_cetera](#) M

by *OneClickGroup*

Back to Charge 1, use of force and violence. Again, EAW misrepresents; it was all consensual. [#wljul](#)



[Justice4Assange](#) Julian Justice

by *OneClickGroup*

Emmerson has told the judges that the allegations against Assange cannot amount to crimes in England --



[BrettMason10](#) Brett Mason

by *OneClickGroup*

Two big stories happening right now in London: [#notw](#) and [#assange](#) An extraordinary week of news rolls on and on!



[Robert_Booth](#) Robert Booth

by *OneClickGroup*

Thrust of [#Assange](#) case is that there was no lack of consent in incidents and that the swedish district courts were misled by the warrant



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RT@[AlexiMostrous](#) If a man lies to a woman bout having aids and she sleeps with him, she "consents" even if she wouldn't have done otherwise



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[#Assange](#) [#WikiLeaks](#) RT [@eastendlady](#) [#wljul](#) someone sound asleep in public gallery



[AlexiMostrous](#) Alexi Mostrous

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Emmerson: "even if mr [#assange](#) had not put on a condom at all it would not constitute an offence" under English law.



[June4th](#) Noxi

by *OneClickGroup*

Assange's legal team is asking judges 2rule that Assange's sexual encounters w/ the women were "consensual" ..offences are not extraditable



[Robert_Booth](#) Robert Booth

by *OneClickGroup*

Emmerson: "she may have been upset, but she clearly consented to its continuation and that is a central consideration" [#Assange](#)



[Robert_Booth](#) Robert Booth

by *OneClickGroup*

"She immediately asked if he was wearing anything.He answered 'you'. She said you better not have HIV. He said of course not," said Emmerson



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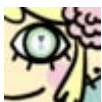
RT [@sombernessunlit](#) Txts from sw saying she was half asleep [#wljul](#) [#assange](#) [#WikiLeaks](#)



[BrettMason10](#) Brett Mason

by *OneClickGroup*

Emmerson QC: Woman to [#assange](#) during unprotected sex: "Are you wearing anything?"
Assange: "You" Woman "felt it was already too late"



[m_cetera](#) M

by *OneClickGroup*

Now describing SW's testimony. [#wljul](#)



[NaySaid](#) Alice In Wonderland

by *OneClickGroup*

RT [@Robert_Booth](#) Robert Booth Emmerson stresses there was "no violence or threats" so arrest warrant was misleading in [#Assange](#) case [#wljul](#)



[poissonjensen](#) poisson jensen

by *OneClickGroup*

Your Honor... You might think this is just another day in the office... This is a farce... A charade... A waste of your and our time. [#wljul](#)



[razhael](#) Raphael Satter

by *OneClickGroup*

In description of one accuser's encounter with [#Assange](#), Emmerson acknowledges that she "may not have enjoyed what was going on." [#wljul](#)



[Robert_Booth](#) Robert Booth

by *OneClickGroup*

"He ripped her clothes and at one point ripped her necklace" court hears in [#Assange](#) case about encounter with AA



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This is horse bolted RT [@AlexiMostrous](#) Judge asks press "if you would be so kind" not to identify [#assange](#) complainants.



[Asher Wolf](#) Asher Wolf

by OneClickGroup

RT [@m_cetera](#): Assange and AA had tea. No alcohol. AA welcomed advances, but says "unwelcome from beginning. moved too quickly." [#wljul](#)



[BrettMason10](#) Brett Mason

by OneClickGroup

Emmerson QC: [#assange](#) witness evidence was "capable of misleading and we say it did mislead the district judge... and he got it wrong"



[Robert_Booth](#) Robert Booth

by OneClickGroup

"minor rape" when [#Assange](#) alleged to have had sex with SW half asleep or asleep was "entirely consensual sexual encounter" says Emerson



[Robert_Booth](#) Robert Booth

by OneClickGroup

In one case [#Assange](#) accused of entering woman without a condom but emmerson says deceiving someone on this is not illegal under english law



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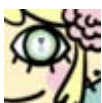
RT [@eastendlady](#) [#wljul](#) would these be offences if they happened in london.. asks emmerson? [#WikiLeaks](#) [#Assange](#)



[Robert_Booth](#) Robert Booth

by OneClickGroup

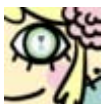
The swedish judges were misled in [#Assange](#) case by wording of the arrest warrant by taking their language at face value, says ben emmerson



[m_cetera](#) M

by OneClickGroup

And when fully conscious, SW consented to continue the sex. [#wljul](#)



[m_cetera](#) M

by OneClickGroup

Complainants reinterviewed for clarification. In relation with SW and 4th charged, SW made it clearer that she was not asleep. [#wljul](#)



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RT [@BrettMason10](#) Emmerson QC: "Even if [#assange](#) did what is alleged (lie about wearing a condom when he wasn't) that is not a crime". Hmm.



[BrettMason10](#) Brett Mason

by OneClickGroup

Ben Emmerson QC articulating case law surrounding the four allegations against [#Assange](#) - argues the encounters were legally consensual



[Robert_Booth](#) Robert Booth

by OneClickGroup

[#Assange](#) team say swedish district judge got it wrong over the charges



[AlexiMostrous](#) Alexi Mostrous

by OneClickGroup

Emmerson: "the charges against [#assange](#) constitute double criminality but if you look at what the charge means it plainly does not."



[BrettMason10](#) Brett Mason

by OneClickGroup

Quickly scanned the skeleton argument in High Court appeal [#Assange](#) v Swedish Prosecution Authority. 73 pages. 4 main grounds for appeal.



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RT [@Robert_Booth](#) [#Assange](#) team making big play that the warrant fails to describe complete complaint, whole file has not been seen by them



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Disrespectful sex change of tack? Hmm... [#wljul](#) [#WikiLeaks](#) [#Assange](#)



[estheraddley](#) esther addley

by [OneClickGroup](#)

V interesting [#assange](#) change of tack, sounds like. Concedes sex was 'disrepectful, disturbing' but they say not rape



[BrettMason10](#) Brett Mason

by [OneClickGroup](#)

[#Assange](#) appeal doc: "the european arrest warrant does not contain a description of the alleged offence that is fair, proper and accurate"



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RT [@BrettMason10](#): [#Assange](#) appeal doc: "rough and impatient but consensual sexual foreplay does not constitute an offence"



[Robert_Booth](#) Robert Booth

by [OneClickGroup](#)

Description of circs of alleged [#Assange](#) offence in warrant is not fair and accurate and the offences cannot be fairly characterised as rape



[Robert_Booth](#) Robert Booth

by [OneClickGroup](#)

[#Assange](#) team promise not to attack his accusers and not to doubt their discomfort about his sexual conduct



[Asher_Wolf](#) Asher Wolf

by [OneClickGroup](#)

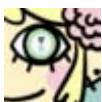
RT [@Robert_Booth](#) Ben emmerson says [#Assange](#) case rests on 4 sex charges and describes them in graphic detail [#wljul](#)



[AlexiMostrous](#) Alexi Mostrous

by OneClickGroup

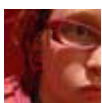
Emmerson says [#assange](#) warrants don't allege lack of consent and therefore can't suggest criminal mens rea.



[m_cetera](#) M

by OneClickGroup

Charge 2: condom which was used was split. AA does not allege he saw Assange split condom. Entire sexual was consensual through out. [#wljul](#)



[Asher_Wolf](#) Asher Wolf

by OneClickGroup

RT [@m_cetera](#): Complainant A consensually agreed to allow Assange to lie naked on top of her. [#wljul](#)



[AlexiMostrous](#) Alexi Mostrous

by OneClickGroup

Emmerson emphasises he does not want to undermine the claimants' credibility. "It's about narrow legal argument". Big change in tactics.



[AlexiMostrous](#) Alexi Mostrous

by OneClickGroup

Ben emmerson qc for [#assange](#): four points including warrant sought for investigation rather than prosecution.



[melbourneninja](#) melbourneninja

by OneClickGroup

[#Assange](#)'s instructing solicitor is extraditions expert Gareth Peirce. Barrister is Ben Emmerson QC, expert in EU human rights law [#wljul](#)



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Whatever one thinks of Julian [#Assange](#), European Arrest Warrant is flawed law, 9/11 kneejerk reaction [#wljul](#) [#WikiLeaks](#)



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RT [@mediaguardian](#) Julian Assange extradition appeal hearing - live coverage [#wljul](#) [#WikiLeaks](#) [#Assange](#) gu.com/p/3vfh3/tf

July 12, Approx 9:50am