```
From:
Sent: 10 December 2010 10:35
To: 'marianne.ny@aklagare.se'
Cc: Pye Hannah
Subject: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**
```

Dear Marianne Ny,
God formiddag. I regret that I do not know any more Swedish. I hope that you or your colleagues will be able to read this.

L am a Crown Prosecutor with the Special Crime Division of the Crown Prosecution Service's HQ in London. I am representing the prosecution in your extradition request for Mr Assange.

I thought it would be useful, first, to establish direct contact with you and your office and secondly, to try to Q-.-Ciarify-some of the issues-May- 1 -mention-at-this-stage-that-twill always be available and only too pleased to try to deal with any questions which you or your colleagues may have?


I wonder if you could let me have some basic details about this. I am merely seeking to gather information and I do not need any formal response from you [in an evidential sense]. If that situation ever arises then of course I will advise more fully.

Please do not hesitate to contact. Obviously I appreciate that your colleagues may be dealing with this request. I write to you in the first instance as you are the contact point quoted in the.warrant.

Yours Sincerely,


## From:

Sent: 10 December 2010 10:41
To:
Cc: Pye Hannah
Subject: FW: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**

If Marianne Ny is away from the office, I would be very grateful if one her colleagues could consider the email below, on her behalf.

Thank you,

CPS London

## From:

Sent: 10 December 2010 10:35
To: 'marianne.ny@aklagare.se'
Cc: Pye Hannah
Subject: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**

Dear Marianne Ny,
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Please do not hesitate to contact. Obviously I appreciate that your colleagues may be dealing with this
request. I write to you in the first instance as you are the contact point quoted in the warrant.
Yours Sincerely,

CPS London,

 Dea

It was nice talking to you. Here below are my contact details.
Please do not hesitate to call me should there be any need for further clarifications.
Kind regards


## www.aklagare.se

This email has been scanned by the MessageLabs Email Security System.
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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 14 December 2010 08:42
To:
Subject: SV: JULIAN PAULL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**

I am sorry to say that you will find my English being pretty close to your Swedish. Iregiret I was unable to respond earlier. Being extremely busy last Friday I asked my colleague

$\square$ to get in touch with you. I hope he was able to give you the answers you needed. I am most grateful for your assistance and please get in touch whenever you need more information or assistance in the matter.
The number to my cell phone is $\square$
Yours Sincerely-
$\begin{aligned} & \text { Marianne } N y \\ & \text { Överåklagare }\end{aligned}$
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
wow aklagare.se

Från pocps.gsi.gov.uk]
Skickat: den 10 december 2010 11:35
Till: Ny Marianne
Kopia: Pye Hannah
Ämne: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**

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I thought it would be useful, first, to establish direct contact with you and your office and secondly, to try to clarify some of the issues. May I mention at this stage that I will always be available and only too pleased to try to deal with any questions which you or your colleagues may have?


I wonder if you could let me have some basic details about this. I am merely seeking to gather information and I do not need any formal response from you [in an evidential serise]. If that situation ever arises then of course I will advise more fully.

Please do not hesitate to contact. Obviously I appreciate that your colleagues may be dealing with this request. I write to you in the first instance as you are the contact point quoted in the warrant.

Yours Sincerely,

CPS London,


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From:
Sent: . 14 December 2010 12:34
To:
Cc: 'marianne.ny@aklagare.se'
Subject: RE: EAW Sweden

## Dea

Kind Regards,

```
From
Sent: 10 December 2010 14:34
To:
Subject: EAW Sweden
Dear
```

It was nice talking to you. Here below are my contact details.

Please do not hesitate to call me should there be any need for further clarifications.
Kind regards

www.aklagare.se

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maxneman it seems [from what the police now tell me] that his entry into the UK was all done correctly.


I am copying this message to but of course hard copies are being brought to court for everyone.

I would be grateful if you would place this before at your earliest convenience. Thank you.

Kind regards,

## From:

Sent: 14 December 2010 12:09
To:
Subject: Letter from @fsilaw.com]

DOC;UPDATED Witness Statement of 1312 10.DOC

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Please telephone our IT Department. You may reverse the charges. Tel: +44 (0)20 73234000 . You should carry out your own virus check before opening any attachment. We accept no liability for any loss or damage which may be caused by software viruses or interception/interruption of this: mail. This message has been scanned for viruses by Mimecast

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http://www.eset.com

Information from ESET NOD 32 Antivirus, version of virus signature database 5701 (20101214) $\qquad$
The message was checked by ESET NOD 32 Antivirus.
http://www.eset.com

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Dea What are your views on this request? I see no real problem with handing over it.

Kind regards


## NOT PROTECTIVELY MARKED

Dear Ms. Ny,
I am a senior lawyer working at the Serious Organised Crime Agency (SOCA) in the UK.
SOCA is the UK's designated central authority for the administration of European Arrest Warrant regime.

With kind regards,


To:
Subject: RE: Arrest of Julian Assange - Extradition Proceedings - 141210

## I agree [if you are happy].



Dear what are yourviews on this request?-Isee no real problem with handingoverit.

Kind regards


Office of the Prosecutor General

Från @soca.x.gsi.gov.uk]
Skickat: den 14 december 2010 12:46
Till: Ny Marianne
Ämne: Arrest of Julian Assange - Extradition Proceedings - 141210
Prioritet: Hög

## NOT PROTECTIVELY MARKED

Dear Ms. Ný,
I am a senior lawyer working at the Serious Organised Crime Agency (SOCA) in the UK.
SOCA is the UK's designated central authority for the administration of European Arrest Warrant regime.
court.


With kind regards,

www.soca.gov.uk
SOCA: reducing harm caused by organised crime

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The case is due in court in about 40 mins. We can try to get it put back for a while. We could also ask for it to be put back till another day

From paklagare.se]
Sent: 14 December 2010 13:08
To:
Cc: Ny Marianne
Subject: SV: Assange - statement of
when.would you need a reaction on this for it to be usefut for you? These are questions that only Marianne Ny can have comments on.

Från: @cps.gsi.gov.uk].
Skickat: den 14 december 2010 13:37
Till:
Kopia: Ny Marianne
Ämne: FW: Assange - statement of
Prioritet: Hög

You may find the attached documents, which the defence has just sent to the court, of interest. Any comments welcome. It seems [from what the police now tell me] that his entry into the UK was all done correctly:

From: @@doughtystreet:co.uk]
Sent:-14 Decemher 2010 12:12
To:
Cc: Gemma Lindfield;
Subject: Assange - statement of Importance: High

## Dear



I would be grateful if you would place this before at your earliest convenience. Thank you.

Kind regards,


## Look Closer:

Finders Stephens Innocent LLP is an entrepreneurial and innovative law firm based in central London with a vibrant team -of lawyers who advise national and international businesses of all sizes, charities, trusts, government bodies and successful individuals from all walks of life. Our partner led approach is why clients choose to build long term relationships with us.

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$\qquad$ Information from ESET NOD32 Antivirus, version of virus signature database 5701 (20101214) $\qquad$
The message was checked by ESET NOD32 Antivirus.


It seems like the best way forward. Yes it's almost 3 p.m. here.
Från @cps.gsi.gov.uk]
Skickat: den 14 december 2010 14:51
Till:
Ämne: RE: Assange - statement of

I assume Sweden is one hour ahead of the UK. It is nearly 2 pm here.


Fromm @aklagare.se]
Sent: 14 December 2010 13:42
To:
Subject: SV: Assange - statement of
If we can have until "late in the day" we would be able to produce a response. Would you need a written response or is it sufficient with a verbal one? A written one takes of course a bit more in time, since we • would have to translate it.

Från Dcps.gsi.gov.uk]
Skickat: den 14 december 2010 14:28
Till:
Kopia: Ny Marianne
Ämne: RE: Assange - statement of


From: Daklagare.se]
Sent: 14 December 2010 13:08
To:
Cc: Ny Marianne
Subject: SV: Assange - statement of $\square$
when would you need a reaction on this for it to be useful for you? These are questions that only can have comments on.

Från: cps.gsi.gov.uk]
Skickat: den 14 deciember 2010 13:37
Till:
Kop
Ämne: FW:-Assange--statement-0
Prioritet: Hög
mountay It seems [from what the police now tell me] that his entry into the UK was all done
correctly.
From: Ddoughtystreet.co.uk]
Sent: 14 December 2010 12:12
To:
Cc: Gēmma Lindfield,
Subject: Assange - statement of
Importance: High


## Look Closer:



Good mornin would you be able to give us an update. What happened yesterday?

Do you still need comments from Marianne Ny on the documents sent yesterday from the lawyers? And in such a case, when and in what format?

$\qquad$
$\qquad$

Från @cps.gsi.gov.uk]
Skickat: den 14 december 2010 14:51
Till:
Ämne: RE: Assange - statement of

I consider our best course is to try to get the court to consider bail on another day so we can get a measured response. I will get back to you as soon as possible.

I assume Sweden is one hour ahead of the UK. It is nearly 2 pm here.


The case is due in court in about 40 mins. We can try to get it put back for a while. We could also ask for it to be put back till another day.


ـ when would you need a reaction on this for it to be useful for you? These are questions that only
Marianne Ny can have comments on.


Con seems [rom what the police now teil me] that his entry into the UK was all done correctly.


Dea


I am copying this message to Gemma Lindfield but of course hard copies are being brought to court for everyone.

I would be grateful if you would place this before
 at your earliest convenience. Thank you.

Kind regards,
$\square$

From: @fsilaw.com]
Sent: 14 December 2010 12:09
To

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Please telephone our IT Department. You may reverse the charges. Tel: +44 (0)20 73234000 . You should carry out your own virus check before opening any attachment. We accept no liability for any loss or damage which may be caused by software viruses or interceptionfinterruption of this mail. This message has been scanned for viruses by Mimecast

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http://www.eset.com
(20101214)

Information from ESET NOD32 Antivirus, version of virus signature database 5701
$\qquad$
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http://www.eset.com
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From:
Sent: 15 December 2010 10:53
To:
Cc: Ny Marianne
Subject: RE: Assange - statement of

Not necessary to do anything urgently. I cannot envisage that anything in the response will have any bearing on the bail issue. The only relevant point being 'will he attend court if he is given bail?' .

Hope this helps. I will be back in touch later.


Thank you I'm always surprised when media get things right, but it's not an easy task for them so a clarification would of course be appreciated.

Marianne has been preparing a comment on the lawyer documtents. At this moment it's in Swedish. If you consider it important to have it at the hearing tomorrow, Marianne could check whether it would be possible to have it translated by then. Do you by any chance know when the hearing will take place?

```
Från @cps.gsi.gov.uk]
```

Skickat: den 15 december 2010 11:01
Till:
Kopia: Ny Marianne;
Ämne: RE: Assange - statement of

## Dear

I am so sorry I could not get back to you yesterday. The matter did go ahead. It was simply chaotic at this end and for well into the evening.
independent prosecuting authority and always take and independent view of matters, despite assertions in some quarters that the Government has any say in the matter. The decision was a purely legal one.

Kind Regards,

## From:

Sent: 15 December 2010 08:43
To:_Close-Paul
Cc: Ny Marianne;
Subject: SV: Assange - statement of
Good morning@ would you be able to give us an update. What happened yesterday? I assume you did not succeed to postpone the hearing.

We are a bit confused by the information in media that the Swedish prosecutors appealed the decision.

Do you still need comments from Marianne Ny on the documents sent yesterday from the lawyers? And in suchacase, when and in what format?

Kind regards
/

```
Från: Dcps.gsi.gov.uk]
```

Skickat: den 14 december 2010 14:51
Till:
Ämne: RE: Assange - statement of

I assume Sweden is one hour ahead of the UK. It is nearly 2 pm here.

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From Daklagare.se]
Sent:14 December 2010 13:42
To:
Subject: SV: Assange - statement of
\(\square\)
```

If we can have until "late in the day" we would be able to produce a response. Would you need a written response or is it sufficient with a verbal one? A written one takes of course a bit more in time, since we would have to translate it.

Från: @cps.gsi.gov,uk]
Skickat: den 14 december 2010 14:28
Till:
Kopia: Ny Marianne
Ämne: 'RE: Assange - statement of

The case is due in court in about 40 ming. We can try to get it put back for a while. We could also ask for it to be put back till another day. I suppose it depends on your replies/responses as to what is the best course.

From: _ Daklagare.se]
Sent: 14 December 2010 13:08
To:
Cc: Ny Marianne
Subject: SV: Assange - statement of $\square$
when would you need a reaction on this for it to be useful for you? These are questions that only
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Från: @cps.gsi.gov.uk]


Skickat:-den-14 december-2010-13:37
Till:
Kop
Ämne: FW: Assange - statement of
 Prioritet: Hög

It seems [from what the police now tell me] that his entry into the UK was all done
correctly.

Sent: 14 December 2010 12:12
To:
Cc: Gemma Lindfield;
Subject: Assange - statement of
Importance: High


I am copying this message to Gemma Lindfield but of course hard copies are being brought to court for everyone.

I would be grateful if you would place this before at your earliest convenience. Thank you.


Kind regards,

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## http://www.eset.com

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http://www.eset.com

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This e-mail is private and is intended only for the addressee and any copy recipients. If you are not an intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.


Dear Marianne,
God morgon. I know you will be very busy but I wonder if you could kindly have a word with me as soon as possible. If you feel that your English will not be sufficient then obviously I would homely too pleased to speak with one of your colleagues. I am so sorry that my Swedish is still nil. Obviously _ my usual contact, is on leave.

As you know the appeal against the grant of bail is due to be heard today at 11.30 am [12.30 Sweden]. As you will be well aware there has been much press coverage about this. I know from that you have had the same in Sweden-As-often-happens nearly all is inaccurate- I- believe much comes-deliberately from -the defence solicitors.


I know from that appeals under Swedish law may be a more regular occurrence.
Obviously whilst this office would proceed in such matters by the normal application of our domestic law, we would never do anything which was not in your very best interests or which was contrary to your wishes.

If you have the time and wish to talk through any of the issues before the hearing then please telephone me.

l look forward to hearing from you. I will try your number again shortly.
Kind Regards,


Sent: 14 December 2010 08:42
To:
Subject: SV: JULAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**


Dear
I am sorry to say that you will find my English being pretty close to your Swedish. I regret I was unable to respond earlier. Being extremely busy last Friday I asked my colleague
you the answers you needed. I am most grateful for your assistance and please get in touch whenever you
need more information or assistance in the matter.
The number to my cell phone is

Yours Sincerely
Marianne Ny

## Marianne Ny

Överåklagare
Åklogarmyndigheten/ Utvecklingscentrum Göteborg
Box $128^{\circ}$
40122 GÖTEBORG

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 16 December 2010 14:35
To:
Subject: SV: Potential Statement
Dean
Thank you so much for getting back so quick about the outcome.


Kind Regards,


Från: @cps.gsi.gov.uk]
Skickat: den 16 december 2010 15:02
Till: Ny Marianne
Kopia:
Ämne: FW: Potential Statement
Dear-Marianne
As you may know the appeal did not succeed and the grant of bail will stand. We tried our very best. A full report will follow.

The CPS press office will issue a statement shortly. It is proposed to include the comment:
"In court this morning, Counsel acting for the Swedish authorities, advised the court that the decision to appeal the granting of bail had the support of the Swedish authorities".

Kind Regards,

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From:
Sent: 16 December 2010 15:56
To:
Cc: Pye Hannah
Subject: FW: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT]** URGENT**

From: Ny Marianne [mailto:Marianne.Ny@aklagare:se]
Sent: 16 December 2010 10:32
To:
Subject: SV: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGÈNT**


Skickat: den 16 december 2010 11:15
Till: Ny Marianne
Kopia:
Ämne: RE: JULIAN PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**

## Dear Marianne,

God morgon. I know you will be very busy but I wonder if you could kindly have a word with me as soon as possible. If you feel that your English will not be sufficient then obviously I would benny too pleased to speak with one of your colleagues. I am so sorry that my Swedish is still rill. Obviously my usual contact, is on leave.

As you know the appeal against the grant of bail is due to be heard today at 11.30 am [12.30 Sweden]. As you will be well aware there has been much press coverage about this. I know from that you have had the same in Sweden. As often happens nearly all is inaccurate. I believe much comes deliberately from the defence solicitors.

The one issue which I realise is likely to be of major concern to you and your colleagues is the basis upon which the prosecution undertook this appeal. It was not of course a decision made by you or your office or by the Swedish authorities.

I will of course make sure that the court is notified of this at the hearing. The basis of the appeal was simply that the perceived view by the prosecutors at the last court hearing was the decision to grant bail was wrong and that the defendant remained a flight risk, no matter what conditional bail was granted. That is the stance which will be taken today.

I know from that appeals under Swedish law may be a more regular occurrence.
Obviously whilst this office would proceed in such matters by the normal application of our domestic law, we would never do anything which was not in your very best interests or which was contrary to your wishes.

If you have the time and wish to talk through any of the issues before the hearing then please telephone me.


I look forward to hearing from you. I will try your number again shortly.
Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 14 December 2010 08:42

## To:

Subject: SV: JULIAN_PAUL ASSANGE [EUROPEAN ARREST WARRANT] ** URGENT**


I am sorry to say that you will find my English being pretty close to your Swedish. I regret I was unable to respond earlier. Being extremely busy last Friday I asked my colleague

 to get in touch with you. I hope he was able to give
you the answers you needed. I am most grateful for your assistance and please get in touch whenever you : need more information or assistance in the matter.
The number to my cell phone is-

Yours Sincerely
Marianne Ny

## Marianne Ny

Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Götebarg
Box 128
40122 GÖTEBORG
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www.aklagare.se

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## From:

Sent: 17 December 2010 12:59
To:
Cc: Pye Hannah
Subject: FW: Assange - statement of


Thank yol l'm.always surprised when media.get.things_right_but it's not an easy-task for-them. so-a clarification would of course be appreciated:

Marianne has been preparing a comment on the lawyer documents. At this moment it's in Swedish. If you consider it important to have it at the hearing tomorrow, Marianne could check whether it would be possible to have it translated by then. Do you by any chance know when the hearing will take place?

```
Från cps.gsi:gov.uk]
```

Skickat: den 15 december 2010 11:01
Till:
Kopia: Ny Marianne;
Ämne: RE: Assanige - statement of

## Dear

I am so sorry ! could not get back to you yesterday. The matter did go ahead. It was simply chaotic at this end and for well into the evening.

Obviously much of the subsequent press coverage has been simply wrong or misleading. We have a pending anneal against the grant of bail [with conditions].

A full detailed report to you and to Marianne will follow later. The appeal should be heard in The High Court by tomorrow.

I should stress that it is this office which made the decision and not of course the Swedish Prosecutors. I will seek to ensure this is widely quoted media error is corrected in due course. As you know we are an independent prosecuting authority and always take an independent view of matters, despite assertions in some quarters that the Government has any say in the matter. The decision was a purely legal one.

Kind Regards,

```
From: @aklagare.se]
Sent: }15\mathrm{ December 2010 08:43
To:
```

```
From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 28 December 2010 13:36
To:
Subject: VB: ang Assange
```

Attachments: (5995471) IP-meddelande.txt

```
Dear
I got the enclosed message from IPO regarding the case of Assange during the Christmas holiday. It is not
clear to me if IPO is acting on behalf of you or somebody else. It says that it has been questioned by the
defence solicitors whether I am entitled to issue European Arrest Warrants in Sweden.
A Swedish prosecutor is entitled by law to issue EAW:
Ordinance on surrender to Sweden according to the European arrest warrant
SFS 2003:1178
```


## Issue of a Swedish arrest warrant

## Arrest warrant for the purpose of criminal prosecution

## Section 3

A Swedish arrest warrant for the purpose of criminal prosecution is issued by a prosecutor. The ProsecutorGeneral decides which prosecutors are competent to issue a Swedish arrest warrant.
An arrest warrant may be issued for a crime for which the requested person has been detained on suspicion on probable cause of the crime -and for which a sentence of imprisonment for at least one year is prescribed.
An arrest warrant that is issued for a crime referred to in the second paragraph may also include other crimes of which the requested person is suspected (accessory surrender).

Some Swedish statues can be found at the governments website
http://www.sweden:gov.se/sb/d/3288/a/19568;isessionid=adzV8zNOBFJ-
and the one cited above can be found at http://www.sweden.gov.se/sb/d/5806/a/51438
The Prosecutor-General has issued an order ÅFS 2007:12 which in section 3 states that the public prosecutors are entitled to issue EAW.
The public prosecutors are the following prosecutors: Prosecutor-General, Deputy Prosecutor-General, Director of Public Prosecution, Deputy Director of Public Prosecution, Chief Public Prosecutor, Deputy Chief Public Prosecutor, Senior Public Prosecutor and Public Prosecutor.

Kind Regards,

## Marianne

Från: IPO Förfrågningar RKP [mailto:ipo.rkp@polisen.se]
Skickat: den 24 december 2010 22:09
Till: Ny Marianne; Marianne Ny
Ämne: Sb: and Assange
He Marianne
Det verkar som att försök att mejla tidigare idag av oklar anledning inte fungerat. Hoppas detta kommer from. Se bifogad handling från IP London.

This email has been scanned by the MessageLabs Email Security System.
For more information please visit http://www.messagelabs.com/email

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 11 January 2011 18:40
To:
Subject: SV:

## Dear

Thank you for the information. I am glad to hear that all is in order.
Best regards
Marianne

Från:
@cps.gsi.gov.uk]
Skickat: den 11 januari 2011 17:59
Till:
Kopia: Ny Marianne; Pye Hannah
Ämne: FW:

Marianne,
Please see the attached attendance note from this moming's hearing. The defence document [as mentioned earlier] to follow to you shortly with my advices.
*********************************************************************
This e-mail is private and is intended only for the addressee and any copy recipients. If you are not an intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

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## From:

Sent: $\quad 24$ January 2011 17:12
To: . 'Gemma Lindfield'
Cc: 'Clare Montgomery'; Pye Hannah
Subject: . FW: and Assange
Attachments: (5995471) IP-meddelande.txt
Gemma,
This earlier missive from M Ny seems pretty clear on the powers to issue point. [M Ny is within S 3 of the ordinance]. I believe it stemmed from a SOCA request for info [via Interpol]. It was not incepted by the prosecution [SCD]. As you know I really wanted a one-hit shopping list [so we can get a single, measured response rather than, ungainly piece meal ones].I will inc clarification of the prosecution point [as discussed some time ago with .

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 28 December 2010 13:36
To:
Subject:VB;-ang Assange
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A Swedish prosecutor is entitled by law to issue EAW:
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). Arrest warrant for the purpose of criminal prosecution
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A Swedish arrest warrant for the purpose of criminal prosecution is issued by a prosecutor. The Prosecutor-General decides which prosecutors are competent to issue a Swedish arrest warrant.
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The Prosecutor-General has issued an order ÅFS 2007:12 which in section 3 states that the public prosecutors are entitled to issue EAW.
The public prosecutors are the following prosecutors: Prosecutor-General, Deputy Prosecutor-General, Director of Public Prosecution, Deputy Director of Public Prosecution, Chief Public Prosecutor, Deputy Chief Public Prosecutor, Senior Public Prosecutor and Public Prosecutor.

If needed I will try to get a written confirmation. Please let me know if you will need that.

Kind Regards,

Marianne

Från: IPO Förfrågningar RKP [mailto:ipo.rkp@polisen.se]
Skickat:_den_24 december_2010_22:09
Till: Ny Marianne; Marianne Ny
Ämne: Sv : ang Assange
Hej Marianne
Det verkar som at örsök att mejla tidigare idag av oklar anledning inte fungerat. Hoppas detta kommer fram. Se bifogiad handling från IP London.

>>> "Marianne Ny" [marianne.ny@telia.com](mailto:marianne.ny@telia.com) 12/24/2010 9:39 >>>
Hei!
ringde mig tiḍigare idag ang en förfrågan $i$ ärende rörande Assange. Vi kom överens om att han skulle skicka över mejlet till denna adress och till min tjänstemejl marianne.ny@aklagare.se.
Jag har dock inte fått något mejl till denna adress.
Med vänliga hälsningar
Marianne Ny

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For more information please visit http://www.messagelabs.com/email

From:
Sent:
To:
Cc:
Subject:
Attachments:
25 January 2011 16:36
'Ny Marianne'
FW: THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN [2 of 2]
DOC.PDF

DOC.PDF ( 60 KB )

Dear
This is the letter from the defence which. I mentioned. I am still waiting for their documents including their experts' evidence.
hey have, been to Sweden and seemingly busy whilst there. I am not. really sure what
Whey have' to show for it. Much of their rather strange views may well stem from their
pack of relevant experience in extradition work.
The comments about Marianne seem just plain silly or plain rude.

I assume you [and Marianne] will both know the defence expert. legal witnesses

As you know the other defence [expert] witness is looking forward to seeing her statement. Her website is very interesting. I am sure she could liven up the extradition hearing if she attends to give evidence. I will send details of her website to you.


I should have mentioned earlier but thought I would keep the best news till the end. I am very pleased to say that will lead the prosecution team.

I can now say, without any doubt, that this $S$ swedish request is in the safest pair of
hands possible.
I will be in touch.
Kind Regards.


## Dear

I have been waiting patiently for the outstanding defence documents, which are now long overdue, before sending a substantive reply and advice to you.

The defence has said it will send the pending documents to me by tomorrow [Wednesday]. I will of course contact you as soon as the solicitors do so.


I will scan a letter, just received from the defence solicitors, to you very shortly. I will send a further substantive advice following receipt of the outstanding defence documents.

Kind Regards,

## 38

From
Sent: 21 January 2011 13:11
To:
Cc: Ny Marianne
Subject: SV: THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN, **SHORT UPDATE**
Dea

I hope that you are fine, considering the circumstances.
Marianne Ny is prepared to produce a document elaborating on specific issues that needs to be dealt with in respect of the defence assertions. $\qquad$


Kind regards


Office of the Prosecutor General
@aklagare.se
Från: @u__ @cps.gsi.gov.uk]
Skickat: den 11 januari 2011 15:48
Till:
Kopia: Ny Marianne
Ämne: $F W$ : THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN. **SHORT UPDATE**

Further to my recent telephone conversations with I I confirm that everything is in order and there are absolutely no problems. No difficulties or issues arose at court this morning. A full detailed report and an advice on the general issues, together with one on the points which you raised this morning, will follow to you as soon as possible.

There are no press issues, at least not as we encountered before. I believe the press was disappointed that it was all rather boring and technical, which of course is precisely what I wanted to happen.


The press will get sight of the documents served on the court, in accordance with the court's rather unusual


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For more information please visit http://www.messagelabs.com/email

From:
Sent:
25 January 2011 16:48
To:
Cc:
'Ny Marianne'
Subject:
PW: [CJSM]

These are the links [see below] for the above. I cannot really see the defence calling her to give evidence-but-I-suppose-one never-knows.


It transpires that she was one of the "feminists" that have scorned the law in Sweden... http://www com/is-rape-rampant-in-gender-equal-sweden

It also transpires that she has been commenting on any articles that are at odds with that view, for example see
चttp:/\%ww.scarleteen.com/blog/joey/2010/12\!/jurien_assange_rape_apologism_and_the_m ia and http://nsdev.com/blogs/the-staggers/2010/12/meaning-liberals-assange

## )



Comments to some points made in a written communication from dated 24 January 2011

3. In accordance with Chapter 23, Section 18 of the Code of Judicial Procedure, the suspect and his/her defence counsel are entitled to continuously gain access to information gathered during the investigation of the crime to the extent that this can occur without negatively affecting the investigation. has received copies of the investigation material that I have assessed as reasonable without causing harm to the investigation. In addition, he has been able to see a list of the text messages from the injured party mobile telephone as he was given it to read on police premises. During the detention hearing he was allowed to borrow this document. During the detention hearing the defence counsel received a verbal report on the contents of the interviews held with the injured parties that were not included in the Detention Memo. He has been refused access to a smaller part of the investigation material that has been generated later as this would endanger the investigation.

## 4.-

5.(1) The court takes a decision in each individual case as to whether the session should be fully or partially held behind closed doors. This is common in sex crimes cases. It is common for a court session dealing with sex crimes for the case to be heard, totally or partially, behind closed doors.
(4) A person who is, with probable cause, suspected of a crime that carries a penalty of at least a one year prison sentence may, if there is a risk that he/she will evade the legal proceedings or any sentence, be detained by the court. A person who does not

Gatuadress Ernst Fonțells Plats
attend the relevant court session can be detained in his/her absence and an arrest order issued. A travel ban may be issued instead if this is considered to be sufficient to deal with the flight risk he/she poses. A travel ban may also be accompanied by the condition that the suspect must report_to the police_at.predetermined intervals -or points in time. The opportunity to post bail does not occur in Swedish law.
(5) Julian Assange has been detained in his absence and an arrest order issued due to the flight risk he poses. A person who is detamed due to flight risk may not have any restrictions imposed on him/her by the Prosecutor. The court did not consider that there was any risk that Julian Assange would interfere with the investigation by removing evidence.
(6) The complaint concerning the prosecutor who, it is stated, has provided information on, the fact that Julian Assange-had-been-detained-on-suspicion-of-rape, is not being processed by me and I have no knowledge of this case.

(9) A request for legal aid may not be used to ensure that the investigation and legal proceedings can be implemented for the crimes that Julian Assange has now been detained for in his absence by a Swedish court.
(10) -
(11) There is a report on the criminal acts involved in the European arrest warrant.

## 6. -

7. The surrender of Julian Assange has been requested in order to ensure that legal proceedings can be carried out. His public defence counsel has, in accordance with Chapter 23, Section 18 of the Code of Judicial Procedure, been supplied with copies of documents and also been given the information generated during the preliminary investigation to the extent that this could be done without endangering the investigation of the crimes.
8.     - 

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 31 January 2011 11:10
To:
Subject: SV: re J ASSANGE

My apologizes for forgetting giving you my new phone number. I had to get a new one as several Swedish newspaper somehow got hold of the old one.
I am of course ready to meet with you whenever it is convenient for you and Gemma. Stockholm would be excellent. I have not been able to get in touch with yet but hopefully it suits him as well to meet with you this week. I suggest you go on planning and I will get back to you as soon as I hear from
My new phone number is


Kind Regards,


Marianne

## Från:

```
                        @cps.gsi.gov.uk]
```

Skickat: den 31 januari 2011 11:21.
Till: Ny Marianne
Kopia:
Ämne: re J ASSANGE

Hello to both,
I hope you have all the material which the defence has recently sent to me.
As you know I am anxious to meet with you [together with Gemma Lindfield, junior counsell as soon as possible [in Sweden as this likely to be the most practical solution].


I seem to be having difficulty getting through on the telephone to you. We may need to plan and move quickly today and I wonder if you could have a word with me as soon as possible please.

Kind Regards,


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$r$

From:
Sent: 31 January 2011 12:04
To: 'Ny Marianne'
Cc:


Subject: RE: re J ASSANGE

## Dear Marianne,

I will be back in touch with you as soon as possible.
Provisional plan is to go out tonight. Meet tomorrow [work solidly till the job is done]. I realise that it may not be easy for you and your colleagues just to drop everything and be available all of the time. Obviously we will work around your free time.

-We-may-need to work into -tomorrow night and-so-tpropose we-return-on-Wednesday-This willalso-allow extra time if we should need it.

Gemma and I will just work through till we finish no matter what it takes! ! am hopeful that the job is not as difficult as it may seem.

I should add that the defence has not in my view provided anything which need unduly concern us.

Kind regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 31 January 2011 11:10
To:
Subject: SV: re J ASSANGE

## Dear

My apologizes for forgetting giving you my new phone number. I had to get a new one as several Swedish newspaper somehow got hold of the old one.
I am of course ready to meet with you whenever it is convenient for you and $\square$ would be excellent. I have not been able to get in touch with $\quad$ yet but hopefully it suits him as well to meet with you this week. I suggest you go on planning and I will get back to you as soon as I hear from
My new phone number is
Kind Regards,
Marianne

Från: Deps.gsi.gov.uk]
Skickat: den 31 januari 2011 11:21
Till: Ny Marianne
Kopia:
Ämne: re J ASSANGE

Hello to both,


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From: - Ny Marianne [Marianne.Ny@aklagare.se]
Sent: - 31 January 2011 13:24
To: $\square$
Subject: SV: re J ASSANGE

Please let me know your plans as soon as they are settled.
I suggest we meet at the Office of the Prosecutor-General in Stockholm. The address is Östermalmsgatan 87 C. I will catch an early train from arriving by 9 am . We could meet 9.30 am at the front door.

Kind Regards
Marianne

## Från: Tcps.gsi.gov.uk]

Skickat:_den_31 januari. 2011.13:04
Till: Ny Marianne
Kopia:
Ämne: RE: re ] ASSANGE

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Marianne
Fran:

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ऐcps.gsi.gov.uk]
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## From:

Sent: 31 January 2011 13:32
To: 'Ny Marianne'
Subject: RE: re J ASSANGE
That sounds great. Can we work all day_through to say 5 or 6.pm_ or later?
may_need_to_get-a.late return flight tomorrow night. I can work on and/or on Wednesday morning, leaving later.

If this is OK I will get flights sorted now.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 31 January 2011 13:24

## To:

Subject:-SV:-re J ASSANGE
Dear
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I suggest we meet at the Office of the Prosecutor-General in Stockholm. The address is Östermalmsgatan 87 C. I will catch an early train from arriving by 9 am. We could meet 9.30 am at the front door.

Kind Regards.


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My new phone number is
Kind Regards,
Marianne

## Från: Den_ Deps.gsi.gov.uk]

Skickat:-den-31-januari 2011_1.1:21
Till: Ny Marianne
Kopia:
Ämne: re J ASSANGE

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Sent: 31 January 2011 13:40
To:
Subject: SV: re J ASSANGE
That-is- $\Theta$ K might-be busy-part-of-the-day the Office of the Prosecutor-General will join us part of the day. I have no problem with working all day through;

## Marianne

## Fran <br> @cps.gsi.gov.uk]

Skickat: den 31 januari 2011 14:32
Till: Ny Marianne
Ämne: RE: re ] ASSANGE
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## Kind Regards <br> Marianne

Fran: Dcps.gsi.gov.uk]
Skickat: den 31 januari 2011 13:04
Till: Ny Marianne
Kopia:
Ämne: RE: re J ASSANGE

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I hope you have all the material which the defence has recently sent to me.
As you know I am anxious to meet with you [together with Gemma Lindfield, junior counsel] as soon as possible [in Sweden as this likely to be the most practical solution]. I believe this is the easiest way of dealing with our responses in time.

I seem to be having difficulty getting through on the telephone to you. We may need to plan and move quickly today and I wonder if you could have a word with me as soon as possible please.

Kind Regards,

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From:
Sent: 31 January 2011 13:45
To: 'Ny Marianne'
Subject: RE: re J ASSANGE
_-Thanks. Plan_now is to get there, meet at 9.30 _tomorrow and_work through till.late/finish...Leave Wednesday morning so we have open ended day tomorrow to ensure we finish without time problems.

Will confirm final details as soon as possible.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 31 January 2011 13:40
To:
Subject:-SV:-re-] ASSANGE
That is OK! might be busy part of the day. Legal Department at the Office of the Prosecutor-General will join us part of the day. I have no problem with working all day through.

Marianne

Fran
ocps.gsi.gov.uk]
Skïckat: den 31 januari 2011 14:32
Till: Ny Marianne
Ämne: RE: re J ASSANGE
That sounds great. Can we work all day through to say 5 or 6 pm or later? Gemma may need to get a late return flight tomorrow night. I can work on and/or on Wednesday morning, leaving later.

If this is OK I will get flights sorted now.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 31 January 2011 13:24

## To:

Subject: SV: re J ASSANGE

## Dear

Please let me know your plans as soon as they are settled.
I suggest we meet at the Office of the Prosecutor-General in Stockholm. The address is Östermalmsgatan 87 C. I will catch an early train from arriving by 9 am . We could meet 9.30 am at the front door.

Kind Regards
Marianne

Från:
Skickat: den 31 januari 2011 13:04
Till: Ny Marianne

## Kopia



Dear Marianne,
I will be back in touch with you as soon as posșible.
Provisional plan is to go out tonight. Meet tomorrow [work solidly till the job is done]. I realise that it may not be easy for you and your colleagues just to drop everything and be available all of the time. Obviously we will work around your free time.

We may need to work into tomorrow night and so I propose we return on Wednesday. This will also allow extra time if we should need it.

I should add that the defence has not in my view provided anything which need unduly concern us.


From: Ny Marianne [mailto:Marianne.Ny@aklagare.se].
Sent: 31 January 2011 11:10
Toubject: SV: re J ASSANGE

## Dea

My apologizes for forgetting giving you my new phone number. I had to get a new one as several Swedish newspaper somehow got hold of the' old one.
l am of course ready to meet with you. whenever it is convenient for you and $\square$ Stockholm would be excellent. I have not been able to get in touch with Ola yet but hopefully it suits him as well to meet with you this week. I suggest you go on planning and I will get back to you as soon as I hear from
My new phone number is +
Kind Regards,

Från: Deps.gsi.gov.uk]
Skickat: den 31 januari 2011 11:21
Till: Ny Marianne
Kopia:
Ämne: re J ASSANGE

Hello to both,
I hope you have all the material which the defence has recently sent to me.
As you know I am anxious to meet with you [together with Gemma Lindfield, junior counsel] as soon as possible [in Sweden as this likely to be the most practical solution]. I believe this is the easiest way of dealing with our responses in time.

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| From: |  |
| :--- | :--- |
| Sent: | 31 January 2011 16:27 |
| To: | 'Ny Marianne' |
| Cc: |  |
| Subject: |  |

Will [both] be there tomorrow at 9.30 am outside the front door. Really looking forward to seeing you both.
I will have a rolled copy of the Times newspaper under my arm so you can recognise us.


From: Ny-Marianne [mailto:Marianne:Ny@aklagare:se]
Sent: 31 January 2011 13:40
To:
Subject: SV: re j ASSANGE
That is OK! might be busy part of the day Legal Department at the Office of the Prosecutor-General will join us part of the day. I have no problem with working all day through.

Marianne


Many thanks. All work is well in hand. More emails from me to follow shortly.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 02 February 2011 17:42
To:
Cc:
Subject:

## Dear

It was a pleasure to meet with you and Gemma. I hope you both had a safe and smooth return to London.

I enclose the letter you got yesterday. We have read the translation through and made one clarification. I also enclose (in Swedish) the report of the proceedings in Svea Court of Appeal in Stockholm and the general information in english on preliminary investigation, prosecution, objectivity demand that is can be found at our website

The translation of the report of the proceedings will be sent as soon as possible and so will the translation of some other document discussed last night.

Some information in English about lay judges:

## Lay judges

Every district court, court of appeal, county administrative court and administrative court of appeal has a number of lay judges. The lay judges are appointed by the municipal council in the municipalities under the territorial jurisdiction of each district court and by the county council assembly in the counties under the jurisdiction of the county administrative court, the administrative court of appeal or the court of appeal. They are chosen for a term of four years. The lay judges take part in the adjudication of both specific concrete issues and matters of law, and each has an individual vote.

Kind Regards, Marianne

Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From:
Sent: $\quad 03$ February 2011 12:43
To:
'Ny Marianne'
Cc:
Subject:
FW: THE EXTRADITION OF J ASSANGE TO SWEDEN
Attachments:


For your information. There will be a large part of Northern Sweden missing its trees before long, to make up for the volume of paper which the defence will generate when all their evidence is printed off for use at court.

As you know we prefer quality rather than quantity and light rather than heat.

From:
Sent: 31 January 2011 19:15


Subject: THE EXTRADITION OF J ASSANGE TO SWEDEN


Thank you for your email of today's date.
We have provided you with notice of a number of signed and approved statements last week. We have now collected the signed statements. For the sake of completeness and for convenience, I attach the signed versions of each here:
. Expert opinion of
2. Expert opinion of
3. Expert opinion of
4. Third Witness Statement of
5. Witness Statement of

We also attach a gist statement on the translation point, which will be signed overnight and served tomorrow. is making her statement now - you will have it tonight or first thing tomorrow. has been heavily engaged in a trial and we have not yet been able to finalise his statement, but it is based on the letter that you already have in Exhibit 1. This is all, so far as we are concerned, at this point.

We have copied you in to our ongoing exchanges with SOCA so you should be aware of the point we are taking in relation to the warrant.

We note your comment that you cannot disclose what you do not have, but that does not absolve you from obtaining it when it is in the possession of your client.

Yours sincerely,

From
Sent: 31 January $201113: 10$.
To:
Cc:
Subject: FW: THE EXTRADITION OF I ASSANGER TO SWEDEN

Dear
Thank you for your letter of 28 January 2011, which I have just seen. I note all you say. We are at least in agreement that time is tight. I am sure that we will be able to consider all of your recent material and to respond as necessary in time for the hearing.


Yours -Sincerely,

SOD, CPS

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## Look Closer:

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 03 February 2011 16:33
To:


Sounds-fine-/-Marianne

Från peps.gsi.gov.uk]
Skickat: den 3 februari 2011 17:31
Till: Ny Marianne
Kopia:


Ämne: RE: Statement
Dear Marianne,


Still non stop here!!
Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 03 February 2011 16:22
To:
Subject: Statement


Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

From: • Ny Marianne [Marianne.Ny@aklagare.se]
Sent: • 03 February 2011 17:33
To:
Subject:-9t: Statement

Bear-
I have to leave my office in short.' Do you think you will be able to get back to me soon?
Kind Regards,
Marianne

## Från: @cps.gsi.gov.uk]

Skickat: den 3 februari 2011 17:31
Till: Ny Marianne
Kopia:
Ämne: RE: Statement


Still non stop here!!
Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 03 February 2011 16:22
To:
Cc:
Subject: Statement

## Dad

I have been in contact with the Ministry to see if they can assist somehow. They will get back to me tomorrow morning.

## Marianne Ny

Överåklagare
Åklagarmyndigheten/Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG

-
www.aklagare.se

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## From:

Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
04 February 2011 08:37
SV: [CJSM] FW: Statement

Dear
I am now finalizing the document and the Ministry of Justice, Division for Criminal
Cases and International Judicial Co-operation will assist sending it to you. They need
 have that somewhere but can not find it right now. Thank you for being helpful.
Kind Regards
Marianne
-----Urspiungligt meddelandé-----
Fran:

cps.gsi.gov.uk]
Skickat: den 3 februari 2011 19:12
Till: Ny Marianne
Ämne: FW: [CJSM] FW:. Statement

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)lines purposes.

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## From:

Sent:
To:
Subject:

04 February 2011 09:55
'Ny Marianne'
RE: [CJSM] FW: Statement

In case $I$ forget to mention later $I$ am so grateful for all the help given by you and by 'Sweden. One day when you are addressing. your prosecutors '[and others] you can tell them of the benefit of real international co-operation:

Address:

Crown Prosecutor, Special Crime Division, Crown Prosecution Service, Southwark Bridge Road, London SEl 9HS.
ax
@cps.gsi.gov..uk

I will be in all day. 1 will keep you informed of any news and will try to speak later if you are free.
-----Original Messager----
From: Ny Marianne [mailto:Marianne:Ny@aklagare.se]
Sent: 04 February 2011 08:37
To:
subject: SV: [CJSM] FW: Statement
Dear
I am now finalizing the document and the Ministry of Justice, Division for Criminal Cases and International Judicial Co-operation will assist sending it to you. They need he fax number and/or the email you want them to send it to. I myself would be
grateful if you would send me your full address including your title. I am sure that I
have that somewhere but can not find it right now. Thank you for being helpful.
Kind Regards
Marianne
----Urspruncligt meddelande----
Frán:
Skickat: den 3 februari 2011 19:12
Till: Ny Marianne
Äme: FW: [CJSM] FW: Statement

From Gemma

| From: | Ny Marianne [Marianne.Ny@aklagare.se] |
| :--- | :---: |
| Sent: |  |
| To: |  |
| Subject: | SV: [CJSM] FW: Statement |

Thanks, we are so grateful for the excellent cooperation in this case and all. work one by you and Just let us hope we will never come across a case like this


Marianne
-----Ursprunqliqt meddelande-----
Från
Skickat: den 4 februari 2011 10:55
Till: Ny Marianne
Ämne: RE: [CJSM] FW: Statement

In case I forget to mention later I am so grateful for all the helpl given by you and by Sweden. One day when you are addressing your prosecutors [and others] you can tell them of the benefit of real international co-operation.

Address:

Crown Prosecutor, Special Crime Division, Crown Prosecution Service, Southwark Bridge Road, London SEl 9HS.

cps.gsi.gov.uk

I will be in all day. I will keep you informed of any news and will try to speak later if you are free.
----.-Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 February 2011 08:37
To:
Subject: SV: [CJSM] FW: Statement
Dear
I am now finalizing the document and the Ministry of Justice, Division for. Criminal Cases and International Judicial Co-operation will assist sending it to you. They need the fax number and/or the email you want them to send it to. I myself:would be grateful if you would send me your full address including your title. I am sure that $I$ have that somewhere but can not find it right now. Thank you for being helpful. Kind Regards
Marianne

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From:
Sent: $\quad 04$ February 2011 11:40
To: ' 'Gemma Lindfield'
Cc: 'Clare Montgomery'; Pye Hannah
Subject: FW:
Attachments: 21236final (Svar till
7, doc,-Svea hovräts protokoll.pdf;,-Preliminairy investigation etc.doc

## Gemma

Just checking you had this copy. Not certain it went through to you.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 02 February 2011 17:42


To

## Subject:

Dear
It was a pleasure to meet with you and Gemma. I hope you both had a safe and smooth return to London.
I enclose the letter you got yesterday. We have read the translation through and made one clarification. also enclose (in Swedish) the report of the proceedings in Svea Court of Appeal in Stockholm and the general information in english on preliminary investigation, prosecution, objectivity demand that is can be found at our website.

The translation of the report of the proceedings will be sent as soon as possible and so will the translation of some other document discussed last night.

Some information in English about lay judges:

## Lay judges

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of four years. The lay judges take part in the adjudication of both specific concrete issues and matters of law, and each has an individual vote.

Kind Regards,
Marianne

Marianne Ny
Överåklagare
Aklagarmyndigheten/Utvecklingscentrüm Götëborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: . 04 February 2011 14:25
To:
Subject: SV: Assange - further evidence


Kind Regards,
Marianne

## Fran:

 @cps.gsi.gov.uk]Skickat: den 4 februari 2011 12:33
Till: Ny Marianne
Ämne: FW: Assange - further evidence
Prioritet: Hög

I send some further statements which the defence has supplied. These are sent merely for your information and to include on your file. No action is needed by you.

```
From: @fsilaw.com]
Sent: 01 February. 2011 14:34
To: Close Paul
Cc
Subject: Assange - further evidence
Importance: High
```

Dea
Here is the statement of the expert translator we have been using in this matter. Please let us know if you will accept it. It should not be necessary to call live witnesses on the point, but if you require us to take that course then we will need notice. In any event will confirm the translator's understanding.

As we said
heavily engaged in a trial this week. The attached witness statement is approved but not yet signed.

Yours sincerely,

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: $\quad 07$ February $201109: 09$

To: Gemma Lindfield'
Attachments: Untitled (3).pdf
 Stick to $23 / 9$ ( $23^{\text {rd }}$ of September).
The $22^{\text {nd }} 12$ am says $\square$ not in touch with $A$.

There is nothing confidential in this copy so you are free to use it.
I am trying to find out if the translation of the written communication sent to sea Court of Appeal is
available yet.

Kind Regards, Marianne

## Marianne Ny

Överåklagäre
Åklagarmindigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBQORG
www.aklagare.se

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## From:

Sent: $\quad 07$ February 2011 10:05
To: 'Ny Marianne'
Subject: RE: forgot

Marianne
Thanks for this and the earlier one with attachment. I will keep you posted.
The rest of the team are at court and all set up, including communication channel and equipment. It is not a court which this unit [or any other one really] uses regularly [it is usually for rare cases needing special security].

I am just clearing up at this end and will head over there shortly. The case was covered by BBC world service radio overnight and on main [serious content] BBC radio early this morning. It was referred to as going to be a 'battle royal' in court!!

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 09:16
To: Gemma Lindfield'
Subject: forgot

I will give you more details soon.
Marianne

Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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,


## From:

Sent: . 07 February 2011 10:23
To: 'Ny Marianne'
Subject: FW: re ASSANGE
Attachments: Skeleton 4 Feb 1550 (sent).docx

## Marianne,

I believe [hope] this defence document, which I received late last Friday afternoon, actually went through to you OK. It is merely for your information and no action by you is needed.

```
From:
Sent: 07 February 2011 15:42
To: 'Ny Marianne'
Subject: FW: THE EXTRADITION OF JUULIAN ASSANGE TO SWEDEN **UURGENT**
```



Marianne

```
Från: @cps.gsi.gov.uk]
Skickat: deri 7 februari 2011 15:17
Till: Ny Marianne
Kopia: Gemma Lindfield;
```



```
                        Rekke Nils
Ämne: FW: THE EXTRADIIIOṄ OF JULIAN·ASSANGE TO SWEDEN ***URGENT**
Prioritet: Hög
```

Marianne,

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: . 07 February 2011 15:53
To: 'Gemma Lindfield'; Pye Hannah
Subject: Confidential?
A.Swedish newspaper, Aftonbladet, havemade-at request for the document they noticed being sent from the Ministry of Justice to you. The request regards the statement signed by me and the covering letter. They will release the covering letter but asks if releasing the statement would harm the ongoing hearing in London. What do you judge the possible harm?
Marianne

```
Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box }12
4 0 1 2 2 ~ G O ̈ T E B O R G ~
www.aklagare.se
```

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From:
Sent: . 07 February 2011 15:54
To: $\quad$ 'Ny Marianne'
Subject: FW: ASSANGE Julian - DOB 03/07/1971

Information from the CPS HQ press office. I hope the links have gone through to you.

Assuming I am right then this is another really superb example of the benefits of the all the work from Stockholm last week. The background information we got on $\square$ is proving invaluable.

```
From
Sent: 07 February 2011 15:11
To:
Subject:-RE:ASSANGE-Julian-DOB 03/07/1971
```

I thought you might enjoy these Twitter updates from court (most recent at the top).- is the Swedish judge and she is crumbling under the cross.

1. $\square$ led to agree statement justified (tho a little unclear) but still thinks pros 'a bit biased' \#assange less than 5 secondis ago via txt.
2. Montgomery leading thri statement fm Sw Pros wch led her to call hier 'malicious' Stage by stage asking 'what is wrong with that'? \# ... 3 minutes ago via txt
3. Montgomery: case doesn't have to have reached any partic point before eaw if eventual plan to pros? 1 may be right 12 minutes ago via txt
4. Slightly terse \& irritated line of questioning on both sides, some meanings getting lost in translation \#assange 17 minutes ago via txt
5. I haven't studied provisions for EAW. Montgomery: u appear to hv studied it enough to hiv opiaion 18 minutes ago via txt
6. Apologies, claire montgomery for crown \#assange \#wrongclaire 21 minutes ago via txt
7. for crown a formidable cross-examiner. Smacks down when he tries to interrupt \#assange 26 minutes ago via txt
8. Swedish retd judge contradicting self under questioning over whether \#assange lawyer at appeal or not


From:
Sent: 07 February 2011.14:01
To:
Cc:
Subject: FW: ASSANGE Julian-DOB 03/07/1971

Thanks noted. I am still at base camp and it is still very frenetic indeed. The work still being generated is just unbelievable. We have open lines with Sweden to Belmarsh and to me here. Case is up and running. Defence QC outlined a long [apparently rambling series of whinges]. All seems OK so far. Certainly looks like 2 day heaning [min].


## From

Sent: 07 February 2011 13:26

## To:

Subject: RE: ASSANGE Julian - DOB 03/07/197£

Assange's team has put up a lot of material online:
http://www.fsilaw.com/sitecore/content/Global/content/julian\ Assange\ Case\ Papers.aspx
Thought lid make you aware as your name appears many times in the SOCA correspondence, so his supporters may try to get in touch by phone or email.

Phones are quiet here - guess everyone is having too much fun at Belmarsh.
Would it be possible to see our opening and other notes? Not for distribution but so 1 can have an idea of what is being -said:

## From:

Sent: 04 February 2011 16:48
To:
Cc: Clare Montgomery; Gemma Lindfield; Pye Hannah;
Subject:-EN:-ASSANGE Julian- DOB-03/07/1-1971

This is a copy of the certified EAW upon which the defendant was arrested
It is not an exciting read.
May I suggest that you retain this on a contingency basis to use IF BUT ONLY IF the court orders the CPS /prosecution to release it to the press. At least we can then overcome the logistics problem.

I suppose it may be possible for the dud Comm' neople [who are giving you heads-up info] may wish to release it themselves.

You have mentioned the possible contingency regarding prosecution opening [and other] notes). I still consider this is a document too far [at least for the time being]. I agree there are merits in releasing them [they. are superbly crafted pieces of counsels' work]. However if the case develops in a different way or the points are developed in a different way then the content [or at least its context] may alter and the document(s) could not be relied on/used in the same way. So again! suggest wait and see and we will react as appropriate in the light of any ct orders.
I do realise and appreciate fully [without envy] your difficult task dealing with a rapacious press.


Please see the attached EAW A was arrested on

Hannah Pye
Special Crime Division
Crown Prosecution Service

Email: hannah.pye@cps.gsi.gov.uk
From: @soca.x.gsi.gov.uk]
Sent: 07 December 2010 10:28
To: SCD Extradition
Cc: @hmcourts-service.gsi.gov.uk
Subject: ASSANGE Julian - DOB 03/07/1971

## NOT PROTECTIVELY MARKED

Our ref: 5PIL-4298318-10
Subject: ASSANGE Julian
Dear colleagues, $\qquad$
$\qquad$
The above subject has today been arrested by the Metropolitan Police and will be appearing in court today.
Kind regards;

## SOCA international

This information is supplied in confidence by SOCA, and is exempt from disclosure under the Freedom of . Information Act 2000. It may also be subject to exemption under other UK legislation. Onward disclosure may be unlawful, for example, under the Data Protection Act 1998.
Requests for disclosure to the public must be referred to the SOCAFOI single point of contact, by email on FOIAEnquiries@SOCA.x.gsi.gov.uk or by telephoning 08702688677.

From:
Sent: $\quad 07$ February 2011 15:55
To: . 'Ny Marianne'
Cc: 'Gemma Lindfield'; Pye Hannah
Subject: RE: Förklaringar 2009 SE

Thanks.
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 15:41
To: 'Gemma Lindfield'
Subject: SV: Förklaringar 2009 SE


Marianne

## Fran:

 @cps.gsi.gov.uk]Skickat: den 7 februari 2011 16:28
Till: Ny Marianne
Ämne: FW: FÖrklaringar 2009 SE

Thanks. You are marvellous. I have sent this onto the team.
I am still at base camp!! [Snowed in by avalanche of material]. It is truly amazing how even though the case is up and running [well] so much work is being generated.
I will send a full. answer as soon as possible. I believe the point was to try, once and for all, to put an end to the defence's never ending attempts to challenge the validity of the EAW. has given evidence and is being cross-examined.

From: Ny. Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 15:10.
To:
Subject: VB: Förklaringar 2009 SE
The Swedish version. (Why do you need that?)
Marianne

## Från:

Skickat: den 7 februari 2011 15:57
Till: Ny Marianne
Ämne: Förklaringar 2009 SE


From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: $\quad 07$ February 2011 16:17
To:
Subject: SV: Confidential?
Fine!__am still waiting for translations of the written communication, the SMS from my cellphone and §3.AFS $\qquad$ 2007: 12 which states that a prosecutor can issue an EAW. Marianne

## Från:

@eps.gsi.gov.uk]
Skickat: den 7 februari 2011 17:01
Till: Ny Marianne
Kopia: Gemma Lindfield; Pye Hannah; Clare Montgomery;
Ämne: RE: Confidential?


Logically $I$ cannot see a problem as the statement is in the-'public-domain' here and is on the court file having been referred to in court. The judge has made it plain that proposes to release all documents to the press.

It is. probably on the defence solicitor's website [everything seems to be].
That all said the court should finish soon for the day and I will double check with counsel just in case there is anything. which ! have overlooked or of which I was not aware.
I. will get back to you as soon as possible.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 15:53
To: 'Gemma Lindfield'; Pye Hannah
Subject: Confidential?
A Swedish newspaper, Aftonbladet, have made at request for the document they noticed being sent from the Ministry of Justice to you. The request regards the statement signed by me and the covering letter. They will release the covering letter but asks if releasing the statement would harm the ongoing hearing in London. Marianne

## Marianne Ny

Överåklagare
Âklagarmyndigheten/Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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## From:

Sent:
07 February 2011 16:44
To:
'Ny Marianne'
Subject:

Court finished for the day. I will speak with counsel later. It may be an hour or so before a full clear picture of the day's hearing can be given.

Obviously I am fully aware that by then you may be on your way home. If so a full update will follow overnight.

Back tomorrow for day 2. Not aware of any problems..
$\square$
-----Original Message-----
From: Gemma Lindfield [mailto:gemma.lindfield@7br.cjsm.net]
Sent: 07 February 2011 16:39

Rubject: RE: [CJSM] FW: Confidential?
Hi

Just got to my car and looking at messages. I will be in chambers in about an hour but you can call on my mobile if any queries in meantime.

The defence have seemingly released material on to the FSI web page. $\qquad$ secured in xx today the evidence that it was the defence who leaked the prosecution dossier onto the net.


From:
@cps.gsi.gov.uk.cjsm.net>
TO: Gemma Liñdfieĺd [gemma.lindfield@7br.cjsm.net](mailto:gemma.lindfield@7br.cjsm.net)
Subject:.[CJSM] FW: Confidential?
eneral update.
rrom: Ny Marianne .[mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 16:17
To:
Subject: SV: Confidential?
Fine! I am siill waiting f̣̂or translations of the written communication, the sMS from my cellphone and §3 AFS 2007: 12 which states that a prosecutor can issue an EAW. Marianne

Frän: @cps.gsi.gov.uk]
Skickat: den 7 februari 2011 17:01
Till: Ny Marianne
Kopia: Gemma Lindfield; Pye Hannah; Clare Montgomery;
Ämne: RE: Confidential?
Logically $I$ cannot see a problem as the statement is in the 'public domain' here and is on the court file having been referred to in court. The judge has made it plain that proposes to release all documents to the press.

It is probably on the defence solicitor's web-site [everything seems to be].


That all said the court should finish soon for the day and I will double check with counsel just in case there is anything which I have overlooked or of which I was not aware.

I will get back to you as soon as possible.

[^2]A Swedish newspaper, Aftonbladet, have made at request for the document they noticed being sent from the Ministry of. Justice to you. The request regards the statement signed by me and the covering letter. They will release the covering letter but asks if releasing the statement would harm the ongoing hearing in London.

Marianne

## Marianne Ny

Överáklagare
Àklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
F. 401-22-GÖTEBORG
ww.aklagare.se

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lawful business purposes. Communications using these systems will also be monitored and may be recorded to secure effective operation and for other lawful business purposes.

[^3]--

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 07 February 2011 17:33
To: . Pye Hannah; 'Gemma Lindfield';
Subject: SV: Sweden V JA
Dear Gemma and Paul,
1 just asked for the translation. They hope to deliver tomorrow morning.

Från: Pye Hannah [mailto:Hannah.Pye@cps.gsi.gov.uk]
Skickat: den 7 februari 2011 12:01
Till: 'marianne.ny@aklagare.se'
Kopia:-Gemma Lindfield
Ämne: FW: Sweden v JA

## Marianne,

The hearing has now started, I'm sure you'll see updates from the world media more quickly than we can update you!

Gemma has asked me to let you know that Hurtig is being called to give evidence tomorrow.
Could you please try to provide and official translation of the SMS messages before tomorrow morning.
Additionally, do you know when defence received the case documents before the hearing in the Swedish
Court of Appeal. Do you know whether they received a copy in both English and Swedish?
Many thanks,
Hannah

## From:

Sent: 07 February 2011 09:54
To: 'marianne.ny@aklagare.se'
Cc: Pye Hannah; 'Gemma Lindfield'
Subject: Sweden V JA

## Marianne,

As you know we're at court and things are fine thus far.
The only thing we can't find is Sweden's response to these cases and we wondered if you could provide a copy.

The cases are:

Thank you ever so much for your help.

CPS Headquarters
Special Crime Division
Extradition Unit
Rose Court
2 Southwark Bridge Road
London SE1 9HS
DX 154263 SOUTHWARK 12

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: $\quad$ Q8 February 2011 09:19
To: $\quad$ Gemma Lindfield'; Pye Hannah
Subject: . VB: Leverans av översättning: order 21523
Attachments: 21523 - del 1.docx; 21523-del 2.doc; SMS ang. Assange.doc; Untitled (3).pdf

## Dear all,

Document 21523 - del I refers to PDF Untiteld, my notes on the $21^{\text {st }}$ and $22^{\text {nd }}$ about $\square$. The translation of SMS is to be found in document 21523 - del 2 . Hope this makes sense to you.

Kind Regards,
Marianne

## Från

Skickat:-den-8-februari-201110:05
Till: Ny Marianne


Ämne: VB: Leverans av översättning: order 21523

##  <br> Skickat: den 8 februari 2011 09:57 <br> Till: <br> Kopia: <br> Ämne: Leverans à översättning: order 21523

Hej!
Här kommer order 21523 som bifogade filer.
Med vänlig hälsning


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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 08 February 2011.09:48
To: Pye Hannah; 'Gemma Lindfield'
Subject: SV: Förklaringar 2009 SE

In the -Swedish code pabliceprosecutorrefers to all prosecutors within the Swedish Prosecution Authority.
Chapter 7 section 1 clarifies that stating that a public prosecutor is

- Riksåklagare /Prosecutor-General and Vice riksåklagare/ Deputy Prosecutor-General,
-- Överåklagare'/Director of Public Prosecution and Vice överåklagare/ Deputy Director of Public Prosecution,
- Chefsåklagare Chief Public Prosecutor, Vice chefsåklagare/ Deputy Chief Public Prosecutor and Kammaråklagare/ Public Prosecutor

It should be mentioned here that Public prosecutor here includes Kammaråklagare, specialist /Senior Public
Prosecutor.
In the regulation AFS 2007:12 the Prosecutor-General prescribes that a public prosecutor is entitled to issue an EAW

3 § Allmän ảklagare är behörig

- att handlägiga ärenden enligt lagen (2003:1156) om överlämnande
frản Sverige enligt en europeisk arresteringsorder och
- utfärda en europeisk arresteringsorder enligt 3 § förordningen -
(2003:1178) om överlämnande till Sverige enligt en europeisk arresteringsorder.

As you can see the tiny little word " $a$ " is not used in Swedish the same way as in English.
$\square$ is absolutely right and the Chapter $7 \S 1$ can be put before having him telling you who is a public prosecutor. He used to be one of the Director of Public Prosecutions.
Kind Regards,
Marianne

Från: Pye Hannah [mailto:Hannah.Pye@cps.gsi.gov.uk]
Skickat: den 8 februari 2011 09:56
Till: Ny Marianne
Kopia: Gemma Lindfield; Clare Montgomery;
Ämne: RE: Förklaringar 2009 SE


Many thanks for the translation.
As I think you are now aware the issue that $\square$ is trying to clarify is that in Sweden it is not just the Prosecutor General who is the authority for -issuing EAWs but a public prosecutor.

In both the English and Swedish versions of this document it states: 'A European arrest warrant for prosecution is issued by the public prosecutor'.

Defence are arguing that 'the prosecutor' refers only to the Prosecutor General.


Many thanks again for your assistance,
Hannah

From: Ny Marianne [mailto:Mariaṇne.Ny@aklagare.se]
Sent: 07 February 2011 15:10
To:
Subject: VB: Förklaringar 2009 SE
The Swedish version. (Why do you need that?)
Marianne

## Från:

Skickat: den 7 februari 2011 15:57
Till: Ny Marianne
Ämne: Förklaringar 2009 SE

## 1

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: $\quad 08$ February 2011 10:09
To:
Gemma Lindfield'; Pye Hannah
Subject: Statement from Assange?


Kind Regards,
Marianne
Marianne Ny
Överåklagare .
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From: Gemma Lindfield [glindfield@7br.co.uk]
Sent: $\quad 08$ February 2011 10:36
To: Ny Marianne
Cc: Pye Hannah;
Subject: Re: SV: Förklaringar 2009 SE
Hi
Sorry to trouble you further.
Is it possible for a rough translation of ASF?
Gemma

On 8 Feb 2011, at 09:48, "Ny Marianne" [Marianne.Ny@aklagare.se](mailto:Marianne.Ny@aklagare.se) wrote:
In the Swedish code public prosecutor refers to all prosecutors within the Swedish Prosecution Authority. Chapter 7 section 1 clarifies that stating that a public prosecutor is

- Riksåklagare/Prosecutor-General and Vice riksåklagare/ Deputy Prosecutor-General,
- Överåklagare /Director of Public Prosecution and Vice överåklagare/ Deputy Director of Public Prosecution,
- Chefsåklagare Chief Public Prosecutor, Vice chefsåklagare/ Deputy Chief Public Prosecutor and Kammaråklagare/ Public Prosecutor

It should be mentioned here that Public prosecutor here includes Kammaråklagare, specialist/Senior Public Prosecutor.

In the regulation $\AA$ FS 2007:12 the Prosecutor-General prescribes that a public prosecutor is entitled to issue an EAW

3 § Allmăn âklagare ar behörig

- att handlä̆gga ärenden enligt lagen (2003:1156) om överlämnande
från Sverige enligt en europeisk arresteringsorder och
- utfàrda en europeisk arresteringsorder enligt 3 § förordningen
(2003:1178) om överlämnande till Sverige enligt en europeisk arresteringsorder.

As you can see the tiny little word "a" is not used in Swedish the same way as in English.
-... is absolutely right and the Chapter $7 \S 1$ can be put before having him telling you who is a public prosecutor. He used to be one of the Director of Public Prosecutions.

Kind Regards,
Marianne

Fran: Pye Hañiah [mailto:Faṇnāh.Pye@cps:gsi.gov.uk]
Skickat: den 8 februari 2011 09:56
Till: Ny Marianne
Kopia: Gemma Lindfield; Clare Montgomery; Ämne: RE: Förkläringar 2009 SE

Marianne,

Many thanks for the translation.

As I think you are now aware the issue that $\square$ is. trying to clarify is that in Sweden it is not just the Prosecutor General who is the authority for issuing EAWs but a public prosecutor.

In both the English and Swedish versions of this document it states: 'A European arrest warrant for prosecution is issued by the public prosecutor'.

Defence are' arguing that 'the prosecutor' refers only to the Prosecutor General.

Many thanks again for your assistance,

Hannah

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 07 February 2011 15:10
To

The Swedish version. (Why do you need that?)
Marianne

## Från:

Skickat: den 7 februari 2011 15:57
Till: Ny Marianne
Ämne: Förklaringar 2009 SE

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Kind Regards,
Marianne
Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

From:
Sent:
To:
Subject:
Attachments:
08 February 2011 11:09
'Ny Marianne'
FW: [CJSM] RE A
_attachment_doc

Hearing_update_7.
2.11.doc (38 ...

This is a short note of yesterday's hearing.

From:
Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
08 February 2011 11:11
SV: [CJSM] REA

Thanks!
-----Ursprungligt meddelande-----
Fràn: ps.gsi.gov.uk]
Skickat: den 8- februari 2011 12:09
Till: Ny Marianne
Ämne: FW: [CJSM] RE A

This is a short note of yesterday's hearing.
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From:
Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 08 February 2011 11:15

To:
Subject:
SV: [CJSM] FW: Förklaringar 2009. SE

Thank you. I will have to go to Stockholm this afternoon by 4.30 pm (other businesses). I will enjoy reading this on the train.
Marianne
-----Ursprungligt meddelande-----
Fran: cps.gsi.gov.uk]
Skickat: den 8 februari 2011 12:11
Till: Ny Marianne
Ärne: FW: [CJSM] FW: Förklaringar 2009 SE

Some fuller notes of yesterday's hearing.
Some passages by $G$ Robertson $Q C$ for the defence may seem a little confusing. There is a reason for this!
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From:
Sent:
To:
Subject:
Attachments:

Ny Mạianne [Marianne.Ny@aklagare.se]
08 February $2011 \cdot 11: 53$
'Gemma Lindfjeld'; Pye Hannah
VB: Order 21530
21530.docx
21530.doco (18 KB)

$$
\text { Enclose the translation of the AFS } \$ 3 \text {. }
$$

Marianne
-----Ursprungligt meddelande--.--
Frán:
Skickat: den 8 februari 2011 12:23
Till: Ny Marianne
Kopia:
Amne: VB: Order 21530
-----Ursprungligt meddelande-----
Frán:
@jarvatolk.se]
Skickat: den 8 februari 2011 11:53
Till:
Ämne: Order 21530
Hej
Här kommer order 21530.
Mvh
Järva Tolk \& Översättning $A B$
-----Urspranaliat meddelande-----
Frán: Qengtran.se]
kickat: den 8 februari 2011 11:45
Till: -jarvatolk.se
Ämne: Här kommer 21530 från $\square$
engtran

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The defence team did not look happy. Less vitriolic than the past.
It would be great to see you later if you are able to get away. Appreciate that it is likely to be manic at the office.

I noticed something in the Guardian which the press office miay be interested in. They reported that NY leaked information on him being a suspect. That is of course incorrect.

From:
To: Gemma Lindfield [gemma.lindfield@7br.cjsm.net](mailto:gemma.lindfield@7br.cjsm.net)
Subject: RE: [CJSM]

Thanks. Excellent content and a.really great help. Will form the basis of briefing to private office et al. Once I have done this and dampened down the dust here I will try to get over.


P


Surrender in accordance with European Arrest Warrant
3 § A Public Prosecutor is authorised

- to administer cases in accordance with the Act on (2003:1156) surrender from-Sweden according to the European Arrest Warrant, and
- to issue a European Arrest Warrant in accordance with Section 3 of the Ordinance (2003:1178) ori surrender to Sweden in accordance with the European Arrest Warraṇt.

From: Ny Marianne [Marianne:Ny@aklagare.se]
Sent: 08 February 2011 13:19
To Gemma Lindfield'; Pye Hannah

Subject: A question


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From:
Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
08 February 2011 13:25
SV: RE:'[CJSM]

Many thanks to you and the whole team. You are doing such an excellent job. Have a nice afternoon.
Marianne

## Från:

Trspruncli-at-meddel-ande-- bcps.gsi.gov.uk]
Skickat: den 8 februari 2011 14:22
Till: Ny Marianne

## Kopia:

Ämne: RE: RE: [CJSM]
Thanks as always, Have a safe journey. I have copied in $\square$ [the press officer here].
This is just a back up emergency provision in case anything really important happens. Must stop trying to cover absolutely every possible problem and get•to court!!

```
-----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 08 February 2011 13:12
TO:
Cc:
Subject: SV: RE: [CJSM]
```

Dear
God news from court. I am leaving $4 \mathrm{pm}(3 \mathrm{pm})$. $\square$ will be the contact with
whom your people should liaise. She has confirmed being present at her office in Stockholm. Phone @aklagare.se. If you need to get in touch with me just give me acall,

Marianne
-----Ursorungligt meddelande---.-
C: Frản: 1 :ps.gsi.gov.uk]
Skickat: den 8 februari 2011 13:49
Till: Ny Marianne
Ämne: FW: RE: [CJSM]

## Marianne,

Just about to get over to court, at last! It has been just non-stop here again this morning. It is like running a military operation.

All is well. Have a relaxing trip to stockholm this afternoon.
Please see below for information from the CPS HQ press office team who are helping me and monitoring press 'twitters/tweets sent from c̣ourt'.

I reckon may have just holed his side's case under the water-line.
If [but only if] anything important develops on the press front is there a particular contact in Sweden with whom the CPS press people should liaise?

From:
Sent: 08 February 2011 12:22
TO:
Subject: RE: RE: [CJSM]
Latest from court. is that the former Swedish prosecutor is giving long-winded answers to every question and $\square$ and the . have had to ask him to get to the point,

He has just had this helpful exchange with
Q: given her statement it was reasonable for
to issue EAW? A. Certainly. Q and
lawful? A quite right. No doubt about" that

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and delete this message and any attachments without retaining a' copy.
Activity and use of CPS Connect systems, the Government secure Intranet, and the Criminal Justice Extranet is monitored to secure their effective operation and for
other. .
lawful business purposes. Communications using these systems will also be monitored and may be'recorded to secure effective operation and for other lawful business purposes:


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From:
Sent: $\quad 08$ February 2011 13:28
To: ․ 'Ny Marianne'
Cc: Pye Hannah; 'Gemma Lindfield';
Subject: FW: A question

I reckon the judge will almost certainly reserve his judgment so he can make sure it is as good as he can get it. It could be $2-4$ weeks time. He will know others will study it carefully. Hopefully the court will sit on today for as long as it takes to finish. English courts can sit on till very late.

Hopefully there will be no need. I will update you as soon as we have more certain information.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 08 February 2011 13:19
Subject: A question
Dear all,
Do you have any idea when court sessions will end today? We (in fac eager to publish information on when a decision can be expected. This to avoid as many phone calls as possible from the press.
Kind Regards,
Marianne

## Marianne Ny

## Överåklagare

Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From:
Sent: . 09 February 2011 16:48
To: Subject:
'Ny Marianne'
FW: [CJSM] FW: ASSANGE, Julien b 03-07-1971
Attachments:
_attachment_doc

果要
Hearing_notes_8.2. 11.dọ (104 ...

Marianne,
As. I hope you know, the case will continue and finish this' Friday. The defence has called all its witnesses. Both sides will make closing submissions/speeches to the court.

I attach some notes of yesterday's evidence for your consideration and for the prosecution file.

I do not believe any of the defence witnesses really helped the defence case. Indeed I believe they seriously undermined it.

A further short formal note of yesterday's hearing [same format as day l] will follow shortly.

I reckon the judge will almost certainly reserve his judgment to a later date, perhaps in about. 3 weeks time.

I will be away tomorrow and Friday but will be in touch next Monday. $\quad$ will keep you informed of any developments. Hopefully next Friday's hearing will not involve the need for any active participation by you [over the internet] in gathering further
evidence or information.
I• cannot believe where the last week has gone!

From:
Ny Márianne [Marianne.Ny@aklagare.se]
Sent: 10. Februarv 2011 10:23

To: Subject:

SV: [CJSM] FW: ASSANGE f/n Julian, dob 03.07.1971

Dear
This week has been exciting. I am looking forward reading the report and notes from the second day. Gemma and your staff must be exhausted. I hope the Friday will go just as planned and the weekend will be relaxing. I understand there has been very little spare time lately.
I heard outside court challenged me to show up. I guess this was nothing but expressing. his feelings.
Kind Regards,
Marianne
-----Urspruncliat meddelande----
Frän: @cps.g̣sj.gov.uk]
Skickat: den 9 febrụari 2011 18:12
Till: Ny Marianne
Ämne: FW: [C̦JSM] EW: ASSANGE f/n Julian, dob 03.07.1971
drianne
Please find attached the [short] post court report for day 2.

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Activity and use of CPS Connect systems, the Government Secure Intranet, and the Criminal Justice Extranet is monitored to secure their effective operation and for other lawful business purposes. Communications using these systems will also be monitored and may be recorded to secure effective operation and for other lawful business purposes.


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From: Gemma Lindfield [glindfield@7br.co.uk]
Sent: 11 February 2011 10:05
To: Ny Marianne
Cc: Pye Hannah
Subject: Re:
Thank you so much Marianne for your kind assistance on this.

On 11 Feb 2011, at 10:00, "Ny Marianne" [Marianne.Ny@aklagare.se](mailto:Marianne.Ny@aklagare.se) wrote:

## Dear Gemma,

The Prime Minister met journalists when he was in the Parliament last Tuesday. As far as we can find out the statement was made answering questions put to him by the joiurnalists. I forward an account on his statement in Swedish that we got from TT - the Swedish news agency, and our translation of the statement.

Kind-Regards,
Marianne

## Från: $\square$

Skickat: den 11 februari 2011 10:27
Till: Ny Marianne

## Kopia:

Ämne:

Här kommer snabböversättning
påverkar översättningen... $\quad$ uttryckte sig ju lite svepande, vilket också

Det var alltså till journalister, på en direkt fråga som det verkar, utanför plenisalen.
rejects image of the judiciary

Prime Minister regrets the image of the Swedish judicial system which is spreading due to the hearing concerning surrender of Julian Assange.

- It's unfortunate. We have an independent judiciary, which in this case also acted within the Swedish legislation. It concerns allegations of rape by Julian Assange, said
to reporters in the Swedish Parliament.
- I can only regret that women's legal status weighs as lightly in these kinds of cases, compared to other theories put forward. I can only defend the fact what everyone in Sweden knows, namely that we have an independent, non-controlled judiciary.

He rejects accusations from Assanges lawyer that there is a risk of legal violations if Assange would be tried in Sweden.

- It's unfortunately what happens when you, in order to defend a client, describe other jurisdictions. But everyone who lives in Sweden know that there is no accordance with the facts, said
avvisar bild av rättsväsendet

Statsminister beklagar den bild av svenskt rättsväsende som nu sprids i samband med domstolsförhandlingarna om utlämningen av Julian Assange i London.

- Det är beklagligt. Vi har ett självständigt rättsväsende som $i$ det här fallet dessutom agerat på svensk lagstiftning. Man har till allmänt åtal instämt Julian Assange för anklagelser om våldtäkt, sade till journalister i riksdagen.
- Jag kan bara beklaga att kvinnors rätt och ställning väger så lätt när dèt gäller den här typen av frảgor jämfört med andra typer av teorier som förs fram. Jag kan bara försvara det faktum som alla i Sverige känner till, nämiligen att vi har ett självständigt, ickestyrt rättsväsende.

| From: |  |
| :--- | :--- |
| Sent: | 14 February 2011 17:50 |
| To: | 'Ny Marianne' |
| Subject: . | FW: Sweden v Julian Assange |

Attachments: _attachment_doc

This is a note of last Friday's hearing. I am not sure if you have this. Apologies if you do. I will try to get some notes together of the submissions. Those from the defence were rather long and rambling even though they tried to prepare them fully in writing [in a detailed reading note] for the judge.
did an absolutely superb job. She was just in'a different league. She flew off to Hong Kong on Friday evening to do a case there.


From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: . 15 February 2011 08:53
To:
Subject: SV: Sweden v Julian Assange
Thank you for keeping me so well updated. No hurry with the submissions.
I hope to be able to attend a hearing in court sometime to see
in action. It would be a great pleasure.
Not in this particular case of course!
Marianne
Från: —_ @cps.gsi.gov.uk].
Skickat: den 14 februari 2011 18:50
Till: Ny Marianne
Ämne: FW: Sweden v Julian Assange

This is a note of last Friday's hearing. I am not sure if you have this. Apologies if you do. I will try to get some notes together of the submissions. Those from the defence were rather long and rambling even though they tried to prepare them fully in writing [in a detailed reading note] for the judge.
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For more information please visit http://www.messagelabs.com/email

```
From:
Sent:
    15 February 2011 12:38
To: .'Ny Marianne'
Subject: FW: RvASSANGE Transcript
Attachments: Untitled Attachment;'ASSANGE.070211.EVI.doc; ASSANGE.080211.EVI.doc
```


## Marianne,

I attach the court's own transcript of the evidence. This material can be taken as an official document for all purposes. The earlier notes which were sent to you are simply those prepared by the prosecution team for our own reference purposes.
The heading on the transcripts is a little confusing. Strictly it should read [at the top left hand corner] 'In the City of Westminster Magistrates' Court sitting at Woolwich Crown Court'.

The official transcripts deal with the evidence given by the witnesses. They do not cover the legal arguments and submissions made by counsel. to the.judge.
I hope you can get a feel of the evidence given and. perhaps more importantly, the witnesses' reactions and answers when cross-examined by
I hope you can meet and better still see her in court. If so then perhaps at the defendant's appeal!!!! ! will not tempt providence any more. Contingencies for all. outcomes. next week will be in place.

## From:

@hmcourts-service.gsi.gov.uk]
Sent: 14 February 2011 17:38
To: Gemma Lindfield; Pye Hannah John Jones;
Subject: FW: Rv ASSANGE Transcript
Dear All,
Attached hereto are the typed notes of the evidence taken on $7 . \& 8$ February.
Kind regards

Legal Team Manager - International Jurisdiction
City of Westminster Magistrates' Court

This e-mail (and any attachment) is intended only for the attention of the addressee (s). Its unauthorised use, disclosure, storage or copying
is not permitted. If you are not the intended recipient, please destroy all
copies and inform the sender by return e-mail.
Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this

From: . Pye Hannah
Sent: $\quad 22$ February 2011 14:24
To: 'Marianne.Ny@aklagare.se';
Subject: Sweden v Assange 10/10
Attachments: Exhibit JR-4.PDF

Please find attached exhibit 4 .
Hopefully all 10 emails with all 9 defence pdf's have reached you. If any haven't got to you please let me know,

Many thanks,


Hannah

From:
Sent: 22 February 2011 16:44
To: . 'Ny Marianne'
Cc: . 'Gemma Lindfield'; Pye Hannah
Subject: FW: Sweden v Assange $1 / 10$.

## Importance: High

## Dear Marianne,

No. Anyway, it is your fault entirely for being so unreasonable and prosecuting him.
I have discussed the issues raised with Gemma and Hanna.


There are no set court rules or other procedures for this proposed course. However such a document will at least cover our views on the issues. It will set out our views and position should the matters ever arise in the court proceedings or on any appeal. It. will also help our Press office if any press or public enquiries are raised. It should also assist Gemma at the next hearing if defence counsel raises the issues. We can say quite simply that we have set. out our position in writing, served it on the defence and the court and have nothing to add. It will also stop the defence making any capital when addressing the press [on the steps of the court].

I would like to serve our response by tomorrow morning. This should make it look as though we have considered the matter fully despite being served with so much material so late in the day.

I hope you now have all the material [10 of 10]. I look forward to hearing from. Hope all is well.
Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 22 February 2011 14:47
To:
Subject: VB: Sweden v Assange $1 / 10$
Importance: High
Dear
Will it ever stop? I will take look at the documents served and get back to you as quick as possible.
Marianne

Från: Pye Hannah [mailto:Hannah.Pye@cps.gsi.gov.uk]
Skickat: den 22 februari 2011 15:10
Till: Ny Marianne
Ämne: Sweden v Assange $1 / 10$
Prioritet: Hög
Marianne,
As you are aware defence have served a number of documents on us this morning. I'm trying to send copies over to you but because the documents are large I can't do it all at once.

This is email $1 / 10$ with the covering letter and $\square$ email to you.

Thanks,
Hannah Pye
Special Crime Division
Crown Prosecution Service

Email: hannah.pye@cps.gsi.gov.uk

## From:

Sent: 22 February 2011 13:08
To: 'Ny Marianne'
Subject: FW: Assange
Importance: High

## Dear Marianne,

Just to let you know that I have not forgotten you [as if I ever could]. However sadly neither has the defence. I
attach details of the new-material which-ithas-just-served.
The tactics and conduct of the defence never ceases to amaze. I cannot believe that the judge will be very impressed.

You may wish to have a look at it and let me know if you consider that there are any points upon which you definitely want to comment.

The same principles apply here as before, namely I believe that one page of sense from the prosecution in reply is worth a hundred pages from the defence.

The CPS HQ press office is also having a look at the material in case they spot anything of significance.
I will be working closely with them regarding the handling of any issues arising out of the judgment on Thursday. As usual I will try to cover all 'angles' and contingencies.


I understand that the judge will give his judgment orally in open court and then it will be released immediately on the internet by the Ministry of Justice press office. So you may be able to get the result before I can send details to you. from court. As you know the court is some distance away from this office. I anticipate that it be very chaotic at court no matte, what the outcome. I have never seen so many TV crews at a court as were there for this case.

I hope this email goes through to you without problems. As the attachments are so big I [or Hanna!!] may have to do it in easy stages. I will be in today and tomorrow so please let me know if you need to speak or want more information.

Kindest Regards,

## From: , refsilaw.com]

Sent: 22 February 2011 11:27


Please see attached correspondence and additional materials. One further statement will be sent shortly once we have resolved some outstanding translation issues.

Kind regards,
T.444 (U)20704~0014
$\mathrm{M}:+44$ (0)7584529148

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 22 February 2011.17:37
To:
Subject: SV: Sweden v Assange 1/10
.-. ----- will-see-if-l-can-find more-of the same-kind-of obvious-fault.

## Marianne

## Från:

@cps.gsi.gov.uk]
Skickat: den 22 februari 2011 18:19
Till: Ny Marianne
Ämne: FW: Sweden v Assange 1/10

Many thanks for this. I will proceed accordingly.
If there are any really bad translations then details [one day] could help if the issues ever arose in any appeal. Often it helps in showing how wrong the defence is in small matters and so how can they be trusted in big ones.

I will be in the office all day today to deal with any last minute issues.

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Dear
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The Prosecutor-General is the highest-ranked prosecutor in the country and the only public prosecutor in the Supreme Court.

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The Swedish Prosecution Authority incorporates all prosecutors in Sweden with the exception of the approximately 80 prosecutors who are employed at the Swedish National Economic Crimes Bureau. The Prosecutor-General, however, is also the highest-ranked prosecutor for the prosecutors attached to the Economic Crimes Bureau.

The Office of the Prosecutor-General is the "head office" of the Swedish Prosecution Authority with responsibility for legal development, the operations of the Supreme Court and administrative tasks.

l. agree on your_proposalfor a_short and_(very) formal answer.al do not think_there is anything_ would like to add or comment on. In fact there seems to be nothing new.

## Kind Regards, Marianne

## Från: @ @cps.gsi.gov.uk]

Skickat: den 22 februari 2011 17:44
Till: Ny Marianne
Kopia: Gemma Lindfield; Pye Hannah
Ämne: FW: SWeden v Assange $1 / 10$
Prioritet: Hög
Dear Marianne,
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Kind Regards,

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Sent: 22 February 2011 14:47
To:
Subject: VB: Sweden v Assange $1 / 10$
Importance: High

## Dear

Will it ever stop? I will take look at the documents served and get back to you as quick as possible.
Marianne

Från: Pye Hannah [mailto:Hannah.Pye@cps.gsi.gov.uk]
Skickat: den 22 februari 2011 15:10
Till: Ny Marianne
Ämne: Sweden v Assange $1 / 10$
Prioritet: Hög
Marianne,
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This is email $1 / 10$ with the covering letter and email to you.
Thanks,
Hannah Pye
Special Crime Division
Crown Prosecution Service

## @eps:gsi:gov:uk

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To: 'Ny Marianne'
Subject: FW: Assange
Importance: High

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Kindest Regards,


## ) Dea

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Kind regards,


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Fines Stephens. Innocent LLP is an entrepreneurial and innovative law firm based in central London with a vibrant team of lawyers who advise national and intemational businesses of all sizes, charities, trusts,

From:
Sent: $\quad 23$ February 2011 10:49
To: 'Ny Marianne'
Subject: RE: Sweden v Assange

Dear Marianne,


If there is an appeal it is always helpful to 'turn the tables on them' by showing how unreliable their documents are.

It is difficult to know exactly why the defence have chosen to serve this material now. 1 believe the main objective was to try to destabilise the judge into over-reacting or to under-reacting to the contents. Basically they want to use to get an adjournment so they can argue the points and then try to re-open old arguments [but this time doing them better]. They also believe that we will not be able to deal with the matter and will be panicked into seeking an adjournment.

They will of course be wrong on all counts.
Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 23 February 2011 08:12
To:
Subject: SV: Sweden v Assange 1/10
God morning,
First of all,
I have rapidly read the documents through. The translator has appointed me the Prosecutor General and Deputy Chief Prosecutor The Deputy Prosecutor General $\quad 4$, page 41). Another example: City Åklagarkammare should be translated into City Public Prosecution Office, Stockholm not Stockholm City Prosecution Authority, I am sure to find more and maybe important mistakes.

Translations of titles and workplaces into English is easy of access at our website http://www.aklagare.se/Aklagarmyndigheten/Dokumentsamling/Informationsmaterial-och-nyhetsbrev/Titles-and-workplaces-in-english1/ for a professional translator!

There are more comments that could be made regarding the witnesses and the selection of documents. If it would be of importance please. let me know.

## Marianne

## Från:

@cps.gsi.gov.uk]
Skickat: den 22 februari 2011 18:19
Till: Ny Marianne
Ärine: FW: Sweden v Assange 1/10

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Hannah Pye

## Special Crime Division

Crown Prosecution Service

Email: hannah.pye@cps.gsi.gov.uk

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Subject: FW: Assange
Importance:-High

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```
From:
Sent: 22 February 2011 11:27
To:Franey, Elizabeth
CC
Geoffrey Robertson; Clare Montgomery; Gemma Lindfield
Subject: Assange
Importance: High
```


## Dear

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Kind regards,


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From:
Sent:
To:
Cc:
Subject:
Attachments:

Response_of_JA. 2
3.2.11. pdf (93...

23 February 2011 16:15
'Ny Marianne'
FW: RE: [CJSM] FW: Assange: Bail address
_attachment_.pdf


Marian

Another rather hectic day. I will update you shortly with points regarding his bail nditions-The-police-will deal-with-any-issues-arising-on-any-vari-ations-He-seems be falling out with many of his backers, supporters and friends.

| From: |  |
| :--- | :--- |
| Sent: | 23 February 2011 16:17 |
| To: | 'Ny Marianne' |
| Subject: | FW: Assange: Bail address |

Merely for information. I wonder if $\quad$ nd JA will a new wonderful story for the press.
From @fsilaw.com]
Sent: 23 February 2011 11:46
To: Pye Hannah
Cc:
Subject: Assange: Bail address
Importance: High


The closest police stations are (in order of distance):
Woodstock Police Station (open limited hours Tues-Thurs only)
Kidlington Police Station (Monday -Friday, but closed weekends)
St Aldates Police Station (open 24 hours/day, 7 days/week)
This is
country home. She does not live there full time but has a full time member of staff and two of Mr Assange's sureties will reside there with him.
is making investigations about the address now.
Kind regards,


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```
From:
Sent: - 23 February 2011 16:21
To: . 'Ny Marianne'
Subject: FW: RE: [CJSM] FW: Assange: Bail address
Importance: High
```

More regarding the bail.

From:
@fsilaw.com]
Sent: 23 February 2011 15:25


To Pye Hannah; bl-horseferry.court@hmcourts-service.gsi.gov.uk
Subject: RE: RE: [CJSM] FW: Assange: Bail address
Importance: High

Dear
In regards to the changed bail address, assistant to Mr Assange, will reside at this address with him at all times works with Mr Assange every day and is responsible for driving him to report at the relevant police station. $\qquad$ is Mr Assange's second assistant who will also reside at the premises. When is not at the address, he is in constant telephone contact with Mr Assange and Either $\square$ or $\square$ are with Mr Assange at all times.

We are also putting forward two new sureties to account for the fact that two of the current sureties are abroad and unable to return to the country for tomorrow:
 who was selected by on 16 December but was substituted because we were unable to contact her on that day, will be standing surety instead of and will be in Court tomorrow for this purpose.

We also propose to make a surety instead of since it is her home that is being offered as the alternative address.

Please let me know if you require further details.
Yours sincerely,
------Original Message-----


Dear
I attach by way of service the Prosecution's response to the material which you served yesterday. A copy goes to the court.

I note you are proposing to vary your client's bail conditions. Could you please clarify which of the two sureties would reside with your client?

Yours Sincerely,

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From:
Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
23 February 2011 16:43
SV: RE: [CJSM] FW: Assange: Bail address

Thanks for keeping me updated. This case is like a merry-go-round that never stops: The defense having problems with the bail conditions and sureties does not come as a complete surprise.

[^4]Marianne,

Another rather hectic day. I will update you shortly with points regarding his bail conditions. The police will deal with any issues arising on any variations. He seems to be falling out with many of his backers, supporters and friends.

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 23 February 2011 16:46
To:
Subject: SV: Re Assange

We will do that. Thank-you
Marianne

```
Från: @cps.gsi.gov.uk]
Skickat: den 23 februari 2011 17:34
Till: Ny Marianne
Kopia: Pye Hannah
Ämne: FW: Re Assange
```

Could you please direct any press interest to the CPS HQ Press Office They will deal with all matters.

www.aklagare.se

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## From:

Sent: $\quad 23$ February 2011 19:42
To: ‘'Ny Marianne'
Subject: Re JA

Dear Marianne,
Everything is in hand at this end. Let's hope that the 'merry-go-round' stops tomorrow. I am quietly confident about the outcome but would hate to tempt providence.

Kind Regards,

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 28 February 20111 13:33
To:
Subject: SV: Re JA

I hope you have had a nice weekend. You certainly have deserved that. I am sorry for not responding earlier. I had to go to Stockholm last Thursday morning and did not get any chance to read my email till it was too late. Lucky enough the outcome was in our favor. While I attended a meeting $\qquad$ was following what was taking place in Belmarsh. As soon as the outcome was clear she notified me and handed me a copy of the judgment. The outcome was a big relief to us. Thank you so much.

Fran: @cps:gsi.gov.uk]
Skickat: den 23 februari 2011 20:42
Till: Ny Marianne
Ämne:ReJA

Dear Marianne,
Everything is in hand at this end. Let's hope that the 'merry-go-round' stops tomorrow. I am quietly confident about the outcome but would hate to tempt providence.


Kind Regards,

## $* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * ~$

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## From:

Sent: $\quad 28$ February 2011 14:09
To: 'Ny Marianne'
Subject: FW: Julian Assange - Senior District Judge (Chief Magistrate) judgment
Marianne
I know you have a copy of the judgment, which is probably the same as the one on the attached link. However this one, supplied by the Ministry of Justice, can be treated as the 'official' version should you ever need one for formal court or other uses in Sweden.

From:
[mailto:newsflash@judiciary.newsflashconnect.co.uk]
Sent: 24 February 2011 11:39
Subject:-Julian Assange- - Senior District Judge (Chief Magistrate
judgment

Judicial Communications Office PR 32-24/02/2011 [For Immediate Release]
Julian Assange - Senior District Judge (Chief Magistrate) judgement

## Please find below a link to Senior District Judge (Chief Magistrate)

 judgment in the Julian Assange extradition case:http://www.judiciary.gov.uk/media/judgments/2011/jud-authority-sweden-v-assange -ends-.


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Judicial Press Office
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Judicial Office for England and Wales
$\square$
[\#RL-32:634341443423016634\#]
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# From: <br> Ny Marianne [Marianne.Ny@aklagare.se] <br> Sent: <br> 28 February 2011 15:19 <br> To: <br> SV: re JA 

Thanks, the $.1 i n k$ went through without problems. Interesting articles.

Marianne

```
Fran:
            Trsmrunalict meddelande-----
Skickat: den 28 februari 2011 15:04
Till: Ny Marianne
Ämne: FW: re JA
```

attach an interesting and reliable Guardian newspaper report and article [with interesting links to separate comments by JA and his solicitor at Belmarsh Court].

I hope the link goes through to you OK.
http://www.guardian.co.uk/commentisfree/2011/feb/24/julian-assange-tizzy-importantwork

Interestingly this was the newspaper which had a strong tie-up with him until they fell out earlier this year.
have no doubt that the time spent and work done with you and your colleagues in
Stockholm is substantially responsible for the recent successful outcome in court. I should add that the judgment can only possibly be read as a complete and total vindication of all your actions and those of all the officials concerned in Sweden. It is of course also a similar vindication of the Swedish criminal justice system.

Here we say that PPP wins cases [preparation, preparation and preparation].
I hope you had a really good relaxing weekend.
Kindest Regards,


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Activity and use of CPS Connect systems, the Government Secure Intranet, and the


Marianne,
Hello. I hope all is well in Gothenburg.

tconfirm that the-prosecution team will-be-tead-by working in Tanzania and so will be replaced by $\square$ of counsel willstill be commercial bar having lived with the case during her time here on secondmentl will be additional junior counsel with as the caseworker. The team remains totally committed and, as you well know, we are just so fortunate to have $\quad$ in the lead role.

I will notify the CPS press office about the new defence solicitors. We can update or revise any communication channels next month. Obviously please do not hesitate to let me know if there are any points which you or your colleagues [including those in the Ministry of Justice] wish me to clarify. All my earlier advice remains. If you [or others] just happened to be in London in mid July then please let me know.

Kind Regards,

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 20 June 2011 15:56
To:
Cc:


Subject: SV: re JA UPDATE ADVICE

## Dear

Thank you, everything is fine here. I hope everything is well in London as well. At the moment it is pretty much "business as usual", but I realize the $12 \& 13$ July coming up soon.
$I$ must admit being surprised by the news of $A$ having a new solicitor. So far nothing has been heard from the defense, I suppose?

I am very pleased to hear that the prosecution team still is lead by Clare Montgomery and you staying on. I and my colleagues will be here to support you and the team the best way we can. $\square$

There-has-been-some-foeus-onthe police-offiee

-being social-demoeratic-politician-in Stockholm.
 carried out the first interview with when reporting to the police on August the $20^{\text {th }}$. We have gone through what happened and are ready to give you an overview if needed. We have • found no cause for suspicion.

Kind regards,
Marianne

Från: Dcps.gsi.gov.uk]
Skickat: den 16 juni 2011 14:43
Till: Ny Marianne
Ämne: re JA UPDATE ADVICE

Marianne,
Hello. I hope all is well in Gothenburg.


I confirm that the prosecution team will be lead by working in Tanzania and so will be replaced by
as before. Gemma will still be of counsel. Hanna Pye [now back at the of counsel. commercial bar having lived with the case during her time here
counsel with the caseworker. The team remains totally committed and, as you well know we are just so fortunate to have in the lead role.

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Kind Regards,

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\square
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Dear Marianne,

I may not be in the office on that Thursday or Friday 1 July but will be contactable by the others in the team. I will arrange for them
pr Canal to contact you direct with details of any developments. I do not $\qquad$
$\qquad$
$\qquad$ envisage that anything will be raised by the defence which will require your input.

I will confirm if the overview regarding $\square$ is needed.
Kind Regards,

Fromm: Ny Marianne [mailto:Marianme Ny@aklagare.se]
Sent: 20 June 2011 15:56
To:
Subject: SV: re JA UPDATE ADVICE


Thank you, everything is fine here. I hope everything is well in London as well. At the moment it is pretty much "business as usual", but I realize the $12 \& 13$ July coming up soon.

## )



Ham very pleased to hear that the prosecution team still is lead by Clare Montgomery and you staying on. I and my colleagues will be here to support you and the team the best way we can. None of us are planning to go to London for the hearings unless you urge us to.

There has been some focus on the police office being a social democratic politician in Stockholm carried out the first interview with when reporting to the police on August the $20^{\text {th }}$. We have gone through what happened and are ready to give you an overview if needed. We have found no cause for suspicion.

Kind regards,

Från: @cps.gsi.gov.uk]
Skickat: den 16 juni 2011 14:43
Till: Ny Marianne
Ämne: re JA UPDATE ADVICE

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I confirm that the prosecution team will be lead by Clare Montgomery QC as before. Gemma will still be working in Tanzania and so will be replaced by oof counsel_Hanna. Pye [now back at the commercial bar having lived with the case during her time here on secondment] will be additional junior counsel with as the caseworker. The team remains totally committed and, as you well know, we are just so fortunate to have in the lead role.

I will notify the CPS press office about the new defence solicitors. We can update or revise any communication channels next month. Obviously please do not hesitate to let me know if there are any points which you or your colleagues [including those in the Ministry of Justice] wish me to clarify. All my earlier advice remains. If you [or others] just happened to be in London in mid July then please let me know.


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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 21 June 2011 07:54
To:
Subject: SV: re JA UPDATE ADVICE
Lwill be here on-Eriday the-1 $1^{\text {st }}$ for-Melanie or-Hanna-to-contact-me-if-there-are-any further-information-youneed.

Kind regards;
Marianne

Från:
Skickat: den 20 juni 2011 17:52
Till: Ny Marianne
Kopia:
) Ämne: RE: re JA ÜPD̄ĀTE ĀDVICE

Dear

I may not be in the office on that Thursday or Friday 1 July but will be contactable by the others in the team. I will arrange for them to contact you direct with details of any developments. I do not envisage that anything will be raised by the defence which will require your input.

I will confirm if the overview regarding $\square$ is needed.

Kind Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 20 June 2011 15:56
To:
Cć:
Subject: SV: re JA UPDATE ADVICE
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Kind regards,
Marianne

Från @cps.gsi.gov,uk]
Skickat: den 16 juni 2011 14:43
Till: Ny Marianne
Ämne: re JA UPDATE ADVICE

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I will notify the CPS press office about the new defence solicitors. We can update or revise any communication channels next month. Obviously please do not hesitate to let me know if there are any points which you or your colleagues [including those in the Ministry of Justice] wish me to clarify. All my earlier advice remains. If you [or others] just happened to be in London in mid July then please let me know.

Kind Regards,

| From: |  |
| :--- | :--- |
| Sent: | 04 July 2011 11:34 |
| To: | 'Ny Marianne' |
| Subject: | FD: [CJSM] A |

Marianne.
I hope all is well with you. I was away last week. Everything here is in hand:


Kind Regards,

From:
Sent:
To:
Subject:
Attachments:

Ny Marianne [Marianne.Ny@aklagare.se]
04 July 2011 13:04
SW: [CJSM] A
Off duty list.doc


Off duty list.doc ( 28 KB )

Everything is fine here. I am glad to hear that things seem to work out well this time, especially as you and your team last time had to put in a tremendous effort to handle the case.
enclose a list showing who is on duty during July and August. If you need to get in ouch with me personally you are welcome to call or use my private email address
-
Are you and your team planning for holidays?
would very much appreciate to know who she is to get in touch with in case of a press release being necessary in connection with the hearings or the High Court delivering its judgment, Mr A announce appealing against the judgment, etc. We do not want the message to differ from yours!

Kind regards,

## Marianne

-----Ursprunqligt meddelande-----
Frán:

cps.gsi.gov.uk]
Skickat: den 4 julie 2011 12:34
Till: Ny Marianne
Ämne: FW: [CJSM] A.
brianna,
hope all is well with you. I was away last week. Everything here is in hand.


Curiously if we are right about this then we may be able to deal with much of the new defence assertions with very little effort. I do realise that asking about such seemingly curious points of English must seem silly. As usual $I$ promise it is relevant and important and I' would not ask you to do anything which is not so.

Kind Regards

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From: Ny Marianne [Marianne.Ny@aklagàre.se]
Sent: • 04 July 2011 13:09
To:
Subject: SV: Assange Extradition Request by Sweden CO/1925/2011

You made my day!!!

```
Från: Deps.gsi.gov.uk]
Skickat: den 4 jul 2011 13:01
Till: Ny Marianne
Ämne: FW: Assange Extradition Request by Sweden CO/1925/2011
```

Marianne,
These are the recent documents received from the defence, which sets out its case.
I confirm that he has now not only instructed new solicitors but also has parted company with both his original counsel [Messes Robertson QC and is now represented by Ben Emerson QC and Mark Summers of counsel. This change must have been a shock to the former as both certainly believed they were acting a week or so ago when I went away. The new defence team is an extremely formidable one but not one which in any way concerns me.

The CPS press office tell me that Assange has been telling the news agencies that he felt the approach taken by his previous lawyers was too aggressive and it alienated the public, particularly in Sweden. He apparently wants a more conciliatory approach.

The following really important issue may amuse you. He has recently been complaining to the press that the UK authorities [or perhaps a foreign one] had been keeping him under surveillance where he was living and when he went out to report to the local police station [as part of his bail conditions].

It turns out that what he thought was secret surveillance equipment was a radar activated roadside speed sign, outside the property and which had been installed some years ago. Oh to have such an ego!

I look forward to hearing from you on the other matter.

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From:
Sent:
To: Subject:

## Attachments:

04 July 2011 14:13
'Ny Marianne'
FD: [CJSM] A
Off duty list. doc

Off duty list. doc ( 28 KB )

Many. thanks for your help as always.


All UK team leave is of course now cancelled until after the appeal hearing!!
I will let the others have details of the swedish contacts. I am fairly hopeful that no real panics or need for urgent information from you will arise but obviously litigation can never be that certain.
I will contact the CPS HQ press office and ask them to liaise with $\square$ so that the 'professionals' can co-ordinate any press releases. Lawyers do not usually get involved in press matters [as they usually make.a mess of things].

Kind Regards,

----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 July 2011 13:04
To:
subject: SV: [CJSM] A
Everything is fine here. I am glad to hear that things seem to work out well this time, especially as you and your team last time had to put in a tremendous effort to handle the case.

I enclose a list showing who is on duty during July and August. If you need to get in touch with me personally you are welcome to call or use my private email address regardless of me being on vacation.

Are you and your team planning for holidays?
would very much appreciate to know who she is to get in touch with in case of a press. release being necessary in connection with the hearings or the High Court delivering its judgment, Mr A announce appealing against the judgment, etc. We do not want the message to differ from yours!

Kind regards
Marianne
-..----Ursprungligt meddelande-----
Fran:
cps.gsi.gov.uk]
Skickat: den 4 juli 2011 12:34
Till: Ny Marianne
Ämne: FW: [CJSM] A

Marianne,
I hope all is well with you. I was away last week. Everything here is in hand.

One point which it would be really helpful if you could kindly clarify, today if possible, is this:-

I. do realise that asking about such em silly. As usual I promise it is relevant and important and I would not ask you to do anything which is not so.

Kind Regards,

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| From: | Ny Marianne [Marianne.Ny@aklagare.se] |
| :--- | :--- |
| Sent: | 04 July 2011 14:33 |
| To: | CV: [CJSM] A |

Thanks, $\square$ will be very grateful. I hope there will be no more mistakes. and I am happy this one was discovered before it was too late.
Marianne

```
-----Ursprungligt meddelande-----
Frȧn: @cps.gsi.gov.uk]
Skickat: den 4 juli 2011 15:13
Till:
Ämne: FW: [CJSM] A
```

Marianne,
any thanks for your help as always.
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so that the 'professionals' can co-ordinate any press releases. Lawyers do not usually get involved in press matters [as they usually make a mess of things].

Kind Regards,


```
-----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 July 2011 13:04
To:
Subject: SV: [CJSM] A
```

Everything is fine here. I am.giad to hear that things seem to work out well this
time, especially as you and your team last time had to put in a tremendous effort to
handle the case.


I enclose a list showing who is on duty during July and August. If you need to get in touch with me personally you are welcome to call or use my private email address regardless of me being on vacation.

Are you and your team planning for holidays?
would very much appreciate
to know who she is to get in touch with in case of a press release being necessary in connection with the hearings or the High Court delivering its judgment, Mr A announce appealing against the judgment, etc. We do not want the message to differ from yours!

Kind regards,
Marianne
-- ----ITrsmruncliat meddelande-.---
Frän
Skịckat: den 4 juli 2011 12:34
Till: Ny Marianne
Ämne: FW: [CJSM] A.

Marianne,
I hope all is well with you. I was away last week. Everything here is in hand.


Curiously if we are right about this then we may be able to deal with much of the new defence assertions with very little effort. I do realise that asking about such seemingly curious points of English must seem silly. As usual I promise it is relevant and important and I would not ask you to do anything which is not so.

Kind Regards,


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lawful business purposes. Communications using these systems will also be monitored and may be recorded to secure effective operation and for other lawful business purposes.


[^5]From:<br>Sent: $\quad 04$ July 2011 14:50<br>To:<br>'Ny Marianne'<br>Subject:<br>RE: [CJSM] A

Really not a problem at all and we can sort it out easily; that is simply part of our job [one of the many advantages of team working].

I have asked the press office to contact
-----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 July 2011 14:33
To:
Subject: SV: [CJSM] A
hanks, will be very grateful. I hope there will be no more mistakes and I am happy this one was discovered before it was too late.
Marianne
-----Uranvunaliat meddelande-----
Fran:
@cps.gsi.gov.uk]
Skickat: den 4 julie 2011 15:13
Till: Ny Marianne
Ämne: FW: [CJSM] À

Marianne,
Many thanks for your help as always.


All UK team leave is of course now cancelled until after the appeal hearing!!
I will let the others have details of the Swedish contacts. I am fairly hopeful that no real panics or need for urgent information from you will arise but obviously litigation can never be that certain.

I will contact the CPS HQ press office and ask them to liaise with
 'professionals' can co-ordinate any press releases. Lawyers do not usually get involved in press matters [as they usually make a mess of things].

Kind Regards,

```
-----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 July 2011 13:04
To:
Subject: SV: [CJSM] A
```

Everything'is fine here. I am glad to hear that things seem to work out well this time, especially as you and your team last time had to put in a tremendous effort to handle the case.

I enclose a list showing who is on duty during July and August. If you need to get in touch with me personally you are welcome to call or use my private email address regardless of me being on vacation.

Are you and your team planning for holidays? $\square$ would very much appreciate to know who she is to get in touch with in case of a press release being necessary in connection with the hearings or the High Court delivering its judgment, Mr $A$ announce appealing against the judgment, etc. We do not want the message to differ from yours!

Kind regards,
Marianne
-----Ursprung1igt meddelande----
ickat: den 4 julie 2011 12:34
ill: Ny Marianne
Ane: FW: [CJSM] A

Marianne,


Curiously if we are right about this then we may be able to deal with.much of the new defence assertions with very little effort. I do realise that asking about such seemingly curious points of English must seem silly. As usual I promise it is relevant and important and I would not ask you to do anything which is not so.

Kind Regards,

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The link worked perfectly. This was news but not surprising ones. I forwarded the message to $\square$.
Marianne
-----Ursprungligt meddelande-----
Frag: $\qquad$ acps.gsi.gov.uk]
Skickat: den 4 juli 2011 16:05
Till: Ny Marianne
Ämne: FW: [CJSM]

Marianne,
There is an interesting article below, found by Hanna. I, hope the link is ok [just say
fr -have messedit upI.
think it really just confirms all which I have been saying, particularly about the new defence approach. Not sure if you or $\square$ are aware of recent comments by -
http://www.thenation.com/article/161598/julian-assanges-new-legal-strategy

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Subject: FW: Assange Extradition Request by Sweden CO/1925/2011

Info only. Hopefully no work will arise or, if it does it will be easily resolved.

## From:

Sent: 08 July 2011 10:44
To: 'Ny Marianne'
Subject: FW: Assange Extradition Request by Sweden CO/1925/2011


From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 06 July 2011 16:11
To:
Subject: SV: Assange Extradition Request by Sweden CO/1925/2011


## Marianne,

These are the recent documents received from the defence, which sets out its case.
I confirm that he has now not only instructed new solicitors but also has parted company with both his original counsel [Messes Robertson QC and Jones] and is now represented by Ben Emerson QC and Mark Summers of counsel. This change must have been a shock to the former as both certainly believed they were acting a week or so ago when I went away. The new defence team is an extremely formidable one but not one which in any way concerns me.

The CPS press office tell me that Assange has been telling the news agencies that he felt the
approach taken by his previous lawyers was too aggressive and it alienated the public, particularly in Sweden. He apparently wants a more conciliatory approach.

The following really important issue may amuse you. He has recently been complaining to the press that the UK authorities [or perhaps a foreign one] had been keeping him under surveillance where he was living and when he went out to report to the local police station [as part of his bail conditions].

It turns out that what he thought was secret surveillance equipment was a radar activated roadside speed sign, outside the property and which had been installed some years ago. Oh to have such an ego!

I look forward to hearing from you on the other matter.

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Activity and use of CPS Connect systems, the Government Secure Intranet, and the Criminal Justice Extranet is monitored to secure their effective operation and for other lawful business purposes. Communications using these systems will also be monitored and may be recorded to secure effective operation and for other lawful business purposes. *******************************************************************

[^6]
## From:

Sent: 08 July 2011 13:45
To: 'Ny Marianne'.
Subject: FW: Assange Extradition Request by Sweden CO/1925/2011

Many thanks. No problem at all and you are never a bother! You know to get in touch immediately if ever there is anything, no matter what, which is concerning you or upon which you need clarification.

All is in well in hand here.
I will say 'Hi' to the defendant for you next week and let him know that you and your colleagues are so looking forward to seeing him soon!!

Have a relaxing weekend $\qquad$

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 08 July 2011 12:42

## To:

Subject: SV: Assange Extradition Request by Sweden CO/1925/2011
Going through our correspondence from February I realized that the issues in question had been dealt with earlier. The assertions made regarding what happened and what actions had been taken by me and $\qquad$ during September and October are more or less the same as last time. I believe you and your team already have the full picture. I am sorry for bothering you for no reason at all.
Kind regards,

## Från:

@cps.gsi.gov.uk]
Skickat: den 8 juli 2011 11:44
Till:
Ämne: FW: Assange Extradition Request by Sweden CO/1925/2011

Marianne,


I have contacted the CPS press office and they will liaise with

## $\square$

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Seat: 06 July 2011 16:11
To
Subject: SV: Assange Extradition Request by Sweden CO/1925/2011

Marianne

Fråu:
@cps.gsi.gov.uk]
Skickat: den 4 juli 2011 13:01
Till: Ny Marianne
Ämae: FW: Assange Extradition Request by Sweden CO/1925/2011

Marianne,
These are the recent documents received from the defence, which sets out its case.
I confirm that he has now not only instructed new solicitors but also has parted company with both his original counsel [Messes Robertson QC and is now represented by Ben Emmerson. QC and Mark Summers of counsel. This change must have been a shock to the former as both certainly believed they were acting a week or so ago when I went away. The new defence team is an extremely formidable one but not one which in any way concerns me.

The CPS press office tell me that Assange has been telling the news agencies that he felt the approach taken by his previous lawyers was too aggressive and it alienated the public, particularly in Sweden. He apparently wants a-more conciliatory approach.

The following really important issue may amuse you. He has recently been complaining to the press that the UK authorities [or perhaps a foreign one] had been keeping him under surveillance where he was living and when he went out to report to the local police station [as part of his bail conditions].

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1.

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- CPS Connect systems, the Government Secure Intranet, and the met is monitored to secure their effective operation and for other es. Communications using these systems will also be monitored

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 11 July 2011-08:10
To:
Subject: SV: Assange Extradition Request by Sweden CO/1925/2011
Thanks, the weekend was lovely and the weather perfect. Hope yours was too. And yes .... we are looking $\qquad$ forward to meet with mr A.
Marianne
Från: @cps.gsi.gov.uk]
Skickat: den 8 puli 2011 14:45
Till; Ny Marianne
Ämne: FW: Assange Extradition Request by Sweden CO/1925/2011

Many thanks: -No problem at all -and you are never a-bother!-You-know to get in touch immediately if ever there is anything, no matter what, which is concerning you or upon which you need clarification.

All is in well in hand here.
I will say 'Hi' to the defendant for you next week and let him know that you and your colleagues are so looking forward to seeing him soon!!

Have a relaxing weekend.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 08 July 2011 12:42
Td
Subject: SV: Assange Extradition Request by Sweden CO/1925/2011

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Kind regards, Marianne

Från: @cps.gsi.gov.uk]
Skickat: den 8 puli 2011 11:44
Till: Ny Marianne
Ämne: FW: Assange Extradition Request by Sweden CO/1925/2011

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It turns out that what he thought was secret surveillance equipment was a radar activated roadside speed sign, outside the property and which had been installed some years ago. Oh to have such an ego!

I look forward to hearing from you on the other matter.

From:


Sent: 12 July 2011 17:28
To: 'Ny Marianne'
Cc:
Subject: ASSANGE

End of day 1. All is fine. The arguments and submissions have been pure law and rather technical. Full notes of the hearing, prepared $b$, will follow on for your information [they are being proof checked]. They may be helpful to you and your prosecutor colleagues in due course and to l Nothing. adverse arose.

The Guardian newspaper website has a [roughly] minute by' minute account. I will send links through in case you or wish to follow progress tomorrow [in live time].
${ }^{* * * *}$ will also send through to you a short note on a technical point [relating to the translation issue upon which we recently corresponded]. This is being drafted now.
ais should save mucrinne and entity tomorrow.
Once the defence lawyers see the written response they will accept the position. Rather a shame they cannot just accept our word. [l suppose times change and I am living in the past!!]

From:
Sent:
To:
Cc:
Subject:

12 July 2011 17:40
'Ny Marianne'
PW: [CJSM] ASSANGE

Marianne,


From:
Sent:
To:
Subject:
12 July 2011 17:49
FO: [CJSM] ASSANGE
-----Original Message-----
From:
Sent: 12-July 2011-17:48
To: 'Aaron Watkins'
Cc: 'Clare Montgomery'; 'Hannah Pye';
Subject: FW: [CJSM] ASSANGE

All: FYI.
A aw:
hanks. I reckon that this and a short reply from should be fine. Hopefully she
 will pick overnight and we will get reply tomorrow morning.
-----Original Message-----
From:
Sent: 12 July 2011 17:40
To: 'Ny Marianne'
Subject: FW: [CJSM] ASSANGE

Marianne,

I would be extremely grateful if you could. kindly send•your written response [direct] to me as soon as is convenient. If I have it by say 9.30 am tomorrow [10.30 am Swedish] that would great as we can then get the defence top agree the matter before court starts at 10.00 am .

Please let me know if there are any problems or aspects which you need to discuss.
Kind Regards,

## From:

Sent: 13 July 2011 09:48
To: 'Ny Marianne'
Subject: RE: AM_131226_10_ÖH_09000cba81c7d6e5
Many thanks. All is in hand and off to court. Report to follow later

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 13 July 2011 08:31
To:
Subject: AM_131226_10_ÖH_09000cba81c7d6e5


I enclose the letter with my written confirmation

Marianne

Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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AKLAGARMYNDIGHETEN
Utvecklingscentrum Göteborg

I hereby confirm that the phrase in the Swedish EAW "Assange har den 18 augusti 2010 eller dagarna däromkring..." is accurately translated as "On 18th August or on days thereabouts", " not as currently stated in the EAW: "On 18 August 2010 or on any of the days before or after that date..."

\section*{Marianne Ny}

\begin{tabular}{lll} 
From: & Ny Marianne [Marianne.Ny@aklagare.se] \\
Sent: & 13 July 2011 09:48 \\
To: & SV: Julian_Assange \\
Subject: & \(:\) &
\end{tabular}

Thanks, we are very excited on what is going on in court. I am very content with the reports in media and I was happy to receive your reassuring message.
Marianne
```

        Trspring:-igt-medde-rande
    Frän:
9cps.gsi.gov.uk]
Skickat: den 12 juli 2011 18:30
Till: Ny Marianne
Kopia:
Ämne: FW: Julian_Assange

```

This is the Guardian newspaper link which I mentioned. Full details of all today's hearing below. If you log on you will also get the last hour or so the hearing.

To see this story with its related links on the guardian.co.uk site, go to http://www.guardian.co.uk/meḑia/2011/jul/l2/julian-assange-extradition-live-coverage

Julian Assange extradition appeal hearing ? live coverage
Full coverage of WikiLeaks founder Julian Assange's battle to avoid being sent to Sweden to face rape and sexual assault allegations
? Read more about Julian Assange [http://www.guardian.co.uk/media/julian-assange]
? Read more about WikiLeaks [http://www.guardian.co.uk/media/wikileaks]
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Tuesday July 12 2011
guardian.co.uk

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http://www.guardian.co.uk/media/2011/jul/l2/julian-assange-extradition-live-coverage
3.02pm: The Assange team thinks it is "profoundly unjust" if allegations are made to satisfy "dual criminality" test for extradition when they actually do not satisfy this test.
 says, and the court must ask if what is detailed there would be a crime in England, authorities say, according to Emmerson.
2.52pm: at the high court says the debate over the European arrest warrant has "gone into hyperspace", with Assange's barrister Ben Emmerson talking at double speed. The application could be significant though, says.
\(2.36 \mathrm{pm}:\) If Assange is extradited to Sweden, and the US were then to request his extradition, what would happen to the Swedish case?

It is worth remembering that there are no extradition proceedings currently pending against Assange from the US.

I have just been speaking to \(\quad\), who writes for the Guardian's law site [http://www.guardian:co.uk/law/series/law-the-expert-view]. told me that under the terms of the European arrest warrant, the swedes would not be able to set
aside their own case and pass Assange on to the US. "They are not allowed under the deal to send him to the US on other charges," \(\square\) said.

If, on the other hand, the US requested Assange's extradition while the Swedish extradition request was still being decided, the British home secretary would have to decide which request to give precedence to. \(\quad\) said he thought the home secretary would be likely to favour the US, on the assumption that the charges from the US would be likely to be more serious.

In addition, a barrister at Matrix Chambers, has said
[http://www.guardian.co.uk/law/2011/feb/23/julian-assange-extradition-law] that Assange's contention that he should not be extradited to Sweden because he might be extradited to the US, where he might face the death penalty or detention in Guantanamo Bay, is "frankly, a hopeless argument".
the US justice department's attache' to the American embassy in London, told the BBC's Law in Action: "The president, of course, has decided to close quant? namo Bay, and so no one -is going to Guant?namo Bay and that claim is baseless." She said the US always gave assurances in any case for which it had requested extradition that prosecutors would not seek the death penalty.
2.36 pm : I am going to try to answer some of the most frequent questions posed below the line as we.go:

Why is Assange facing extradition to Sweden when there are as yet no charges against. him there?
under the Swedish legal system, charges are laid after extradition and a second round questioning.

In terms of the charges in Sweden, if you read the judgment
[http://www.guardian.co.uk/law/interactive/2011/feb/24/julian-assange-extraditionjudgment l when the judge ruled that he should be extradited, the judge found that "the proceedings in Sweden are at the preliminary investigation stage. The preliminary investigation does not come to an end until evidence is served on Mr Assange or his lawyer and there is an interrogation of Mr Assange with the opportunity for further enquiries. Thereafter there is a decision as to charge. If charged the trial is likely to take place shortly thereafter.
2.23pm:

Ben Emmersón are having an argument about the European arrest warrant regime. Should Assange see all the evidence now?
2.17pm: Reuters points out that permission to appeal to the supreme court if Assange loses this appeal. will only be granted on a point of law considered.to be of general public interest.

\%). 14pm: The Press Association has put up a bit more from this morning's session. Ben Emmerson, Assange's QC, said that one of Assange's alleged victims described his behaviour at one point as "very strange" and talked of "just wanting" sex to be "over with". Emmerson said:

Her words may indicate she was not. particularly enjoying what was going on. But they certainly do not go anywhere. near what we would regard in this country as lack of consent.

He said the high court had to decide whether the "acts" would have been offences had they happened in England.

What [Swedish prosecutors] must prove beyond reasonable doubt is that if these circumstances as alleged had happened in. London, would they have constituted offences? [There are] very serious questions on dual criminality in [three charges]. [There are] very serious questions on whether what happened in charge four could have recognisable as a charge in this [country].

Emerson said there was evidence that Assange's lawyers had not seen. because under Swedish law prosecutors were not obliged to reveal it until proceedings were at a
later. stage.
2.10pm: Assange has arrived late to the afternoon session.
2.02pm: start again.
? Julian Assange's legal team is arguing that the European arrest warrant issued against the WikiLeaks founder is invalid, because of significant discrepancies between its allegations of sexual assault and rape and the testimonies of the two women he allegedly had sex with.
? Ben Emmerson QC told the court that the warrant ? which details four allegations of unlawful coercion, sexual molestation, and rape relating to encounters between Assange and two swedish women, known as \(\square\) on a trip to stockholm last year ? was a misinterpretation of the evidence and it was "surprising and disturbing" that Swedish district judges who requested Assange's extradition had been misled.

\section*{? Emmerson told}
that there. was no evidence that there was a lack of consent in the encounters, as appeared to be suggested in the wording of the arrest warrant, and that three of the allegations would not amount to criminal offences
under English law. Referring to the allegations in the European arrest warrant,
Emerson said:
The senior district judge found that those factual allegations would establish dual criminality on the basis that lack of consent, and lack of reasonable belief in consent, may properly be inferred from the conduct described, particularly the references to "violence" and a "design" to "violate sexual integrity". However, that description of conduct is not accurate. The arrest warrant misstates the conduct and , that reason alone and invalid warrant.

\section*{?' Of the encounter on 13 August between Assange and}

The appellant [Assange]'s physical advances were initially welcomed but then it felt awkward since he was "rough and impatient" ? They lay down in bed. \(\square\) was lying on her back and Assange was on top of her. ? AA felt that Assange wanted to insert his penis into her vagina directly, which she did not want since he was not wearing a condom.? She did not articulate this. Instead she therefore tried to turn her hips and squeeze her legs together in order to avoid a penetration ? tried several times to reach for a condom, which Assange had stopped her from doing by holding her arms and bending her legs open and trying to penetrate her with his penis without using a condom. says that she felt about to cry since she was held down and could not reach a condom and felt this could end badly.

But crucially, Emmerson said, there was no lack of consent sufficient for the unlawful coercion allegation, because "after a while Assange asked what \(\square\) was doing and why she was squeezing her legs together. told him that she wanted him to put a condom on before he entered her. Assange let go of \(\square\) arris and put on a condom which \(\square\) found her."

2)
The case does not hinge on whether Assange accepts this version of events and others relating to other incidents because there are no charges against him, but whether the arrest warrant in connection with them is valid on "strict and narrow" legal grounds, Emmerson said.

As if to illustrate the change of strategy of Assange's new legal team, Emerson said:
Nothing I say should betaken as denigrating the complainant, the genuineness of their feelings of regret, to trivialise their experience or to challenge whether they felt Assange's conduct was disrespectful, discourteous, disturbing or even pushing at the boundaries of what they felt comfortable with.
1.09pm: The court has now broken for lunch. We will be summing up some of this morning's proceedings shortly.
1.03pm: The four allegations against Assange are misdescribed in the arrest warrant, Emmerson says, and in all but one case would not be crimes in England.

The alleged rape by Assange when he had sex with \(\square\) when she was asleep or half asleep was not a crime, Emerson says, because then consented.

The judges are wondering if they can investigate the difference between the strong wording in the arrest warrant and that of the witness statements.
12.27 pm ：Emerson is arguing today that the arrest warrant against Assange inaccurately described what happened．

12．22pm：Emmerson has told the judges that the allegations against Assange cannot amount to crimes in England and therefore extradition must be blocked．The extradition order is also flawed，he says，because it seeks Assange＇s return to Sweden＂not for prosecution but for the purposes of an investigation＂（Assange has not yet been formally charged with any offence and according to the Swedish legal system charges will only be laid after extradition and a second round of questioning）．

Emerson argues that using extradition for the purpose only of an investigation amounts to＂a disproportionate utilisation＂．of the European arrest warrant system，

He says the courts not inquiring into the credibility of the women，or determining guilt or innocence．Nothing he says should be taken as condemnation of the women，he says；this is not intended to challenge＂the genuineness of their feelings of regret about having had consensual sex with Mr Assange or trivialise their experiences＂．

Emmerson said earlier that he was not challenging the fact that they＂found Mr Assange＇s sexual behaviour in these encounters disreputable，discourteous，disturbing or even pushing towards the boundaries of what they were comfortable with＂．But the sexual activities that occurred had taken place with consent，he argued，and，unlike in Sweden，could not be criminalised in the English jurisdiction．．
C 2．20pm：The thrust of the Assange tamis case is that there was no lack of consent in

2he incidents and that the Swedish district courts were misled by the wording of the保rest warrant．Emerson says it is＂surprising and disturbing＂that the warrant misled the district judges by misinterpreting witness statements．

\section*{12．07pm：Emmerson is now explaining the alleged victim sines statement． Emerson says：}

They fell asleep and she woke up by his penetrating her．She immediately asked if he was wearing anything．He answered：＂You．＂She said：＂You better not have KIV．＂．He said：＂Of course not．＂she may have been upset，but she clearly consented to its the sexual encounter＇sl continuation and that is a central consideration．

11．50am：Emmerson stresses there was＂no violence or threats＂，so the arrest warrant was misleading；he says．

11．46am：＂He ripped her clothes and at one point ripped her necklace，＂tells． the court about Assange and the other alleged victim，known as This alleged victim is＂convinced Assange＇broke the condom by the glans and then continued to ejaculation＂，Emmerson says of \(\quad\) s statement．

11．35am：The so－called＂minor rape＂allegation ？when Assange was alleged to have had lex with one of the alleged victims，known as when she was asleep or half asleep ？ Vas an＂entirely consensual sexual encounter＂，Emmerson says．

11． 31 am：The Press Association has filed a first take from the court this morning．As mentioned earlier，Ben Emmerson QC told
that the European arrest warrant under which Assange is being held was flawed because it failed to provide a＂fair，accurate and proper＂description of the alleged sexual misconduct．

Emmerson argued that Assange was a victim of a＂philosophical and judicial mismatch＂ between English and Swedish law over what constituted sex crimes．

Assange＇s legal team is asking the judges to rule that Assange＇s sexual encounters with the women were＂consensual＂and that the alleged offences are not extraditable．

11．27am：In one case Assange is accused of having sex with a woman without a condom ？ but Emerson says deceiving someone on this issue is not illegal under English law．

11． 22 am：The Swedish judges were misled by the wording of the arrest warrant，Ben Emerson says．

11．13am：Assange＇s team says the Swedish district judge got it wrong over the charges．
11.04am: The Assange team is making a big play of the fact that the warrant fails to describe the complete complaint, and that the whole file has not been seen by them.
10.58am: Assange's team is taking a conciliatory line. They will not challenge whether the alleged victims felt he was "disrespectful, discourteous, or disturbing".
\(10.53 \mathrm{am}:\) The description of the circumstances of the alleged offences in the warrant is not fair and accurate, Assange's team says, and the offences cannot be fairly characterised as rape.
lo. 50 am: The Assange team is promising not to attack his accusers and not to doubt their discomfort about his sexual conduct.
10.46am: Ben Emmerson, Assange's barrister, says the case against his client rests on four sex charges, and goes on to describe them in graphic detail.
10.35am: Assange's solicitor, has handed out the "skeleton case". On page three it reads: "Reports were filed as: i 'rape' ii 'molestation'."
10.34am: The Press Association news agency says that Assange's lawyers are expected to argue that the alleged offences are not extraditable and sending him to sweden would be an abuse of process and incompatible with his rights under the European convention on human rights.

They are also expected to challenge the validity of the arrest warrant and complain that it did not contain a proper, fair and accurate description of the alleged sexual isconduct.
10.24am: There have been hints online from a high-profile member of Arionymous, the loosely organised group of hackers sympathetic to WikiLeaks, that confidential US data might be leaked online to coincide with this hearing.

Early this morning the Associated Press news agency reported that hackers affiliated with Anonymous claimed to have stolen tens of thousands of encrypted military passwords from US contractor Booze, Allen Hamilton and posted them on the internet.

The Pentagon said it was aware of the incident and coordinating with other federal partners on the matter.
10.2lam: Other supporters of Julian Assange in court this morning include WikiLeaks's \(\square\), the Icelandic investigative journalist, at whose house Assange has been staying under strict conditions since December, and Hun of the Bureau for Investigative Journalism.
10.13am: Campaigning leftwing journalist \(\square\) is set behind Assange,
reports. The press benches are packed in the grand, wood-panelled court.
To.08am: Here are a couple of pictures from outside the court ? one of Assange
http://Yfrog.com/kjsnaxij] from [http://twitter.com/\#!/ and one of the banner mentioned earlier [http://yfrog.com/kizmvevj] from [http://twitter.com/\#!
lo. \(03 \mathrm{am}:\) said: the human rights campaigner, has been having his say outside
court.
WikiLeaks and Julian Assange have provided a great public service in exposing. US war crimes. The sex allegations must be taken seriously but he is innocent until proven guilty. So far he has not been charged with any offence. Swedish prosecutors and police need to interview him. There is no reason why they cant come to London. If he goes there I am sure the US will seek his extradition.
9. 6 . The changes to his legal team ?
Ben Emmerson replaces Geoffrey Robertson QC ? are thought to be part of a more conciliatory approach by Assange. office would not comment on their strategy yesterday, but. she has previously
been quoted indicating the need for sensitivity and respect in the case. She
reportedly wrote to former US senator for an article in US magazine the
Nation:

Each of the human beings involved deserves respect and consideration. It is hoped that
whatever steps as are required to be taken in the future will be taken thoughtfully, with sensitivity and with such respect.
9.55am: Assange has claimed that if he was extradited to Sweden in this case it would make it easier. for the US authorities to seek to extradite him to face possible charges relating.to his release last year of hundreds of thousands of classified documents, including US diplomatic cables and war logs from Afghanistan and Iraq. Assange's legal team argued before their last appeal that there was a "real risk". he could face the death penalty in the US or detention at the Guantanamo Bay prison camp.
9.53am: The accusations against Assange relate to alleged incidents with two women in Stockholm in August 2010. One accusation, that he had sex with a woman while she was asleep, amounts to rape under Swedish law. Assange denies any wrongdoing.
\(9.49 \mathrm{am}:\) sends his first update from the royal courts of justice on the Strand in• central London.

Assange arrived around 9.15 am , giving no answer to questions as he moved at a snail's pace through a tight scrum of photographers. He was asked if he was looking forward to his latest day in court and whether he would take the case to the supreme court if he loses over the next. couple of days. He said nothing and if anything looked mildly anxious though that may well have been the effect of the media scrum.

He looked slim and smart in a navy suit and black shoes and was wearing dark-rimmed spectacles. He was carrying a heavily stuffed laptop bag. Around a dozen camera crews awaited him and more photographers. Also by the court railings are small groups of rotesters. One is carrying the banner: "Free Assange! Free |l End the wars."

is the US soldier arrested on suspicion of having passed classified material to WikiLeaks.
9.35am: Julian Assange is due back in court this morning to appeal against his extradition to Sweden to face accusations of rape and sexual assault.

The WikiLeaks founder will be at the high court from 10.30 am for the latest stage of his battle to avoid being sent to Sweden.
is in court four of the Royal Courts of Justice and in the Guardian office; together we will cover the hearing throughout the day.

Assange will appear in front of two high court judges today:

The accusations against him relate to a trip the 40 -year-old Australian made to Stockholm in August last year. The Swedish authorities secured a European arrest warrant in December 2010, after which Assange was arrested and bailed.

Yis first appeal was in February this year. His defence team claimed that he would not Set a fair trial and that his extradition was politically motivated. Assange's team said his arrest warrant amounted to an abuse of process because the allegations were originally dismissed and then reopened.

But City of Westminster magistrates court, sitting at Belmarsh magistrates court, found against him and ordered his extradition, leading to today's appeal.

Assange has hired a new legal team for the hearing today: who represented the Guildford Four, the Birmingham Six and former Guantanamo Bay inmate and Ben Emmerson QC, who specialises in European human rights law.

The WikiLeaks founder has been under house arrest for seven months in Ellingham Hall, Norfolk.

If he loses this week, he could appeal to the supreme court. The case is expected to last until tomorrow. But judgment is expected to be reserved, so a ruling might not be made public for days or weeks.

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To find out more and to nominate a deserving team or individual, visit www.guardian.co.uk/publicservicesawards. Entries close 15 July .
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From:
Sent: 13 July 2011 17:23
To: 'Ny Marianne'
Subject: FW: Translation

Appeal hearing over. Reserved judgment. Fuller report to follow.

\section*{From}

Sent: 13 July 2011 09:48
To: 'Ny Marianne'
Sulbject: RE: Translation
Thanks [again].

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 13 July 2011 08:31
To:
Subject: Translation


The-phrase-in the-Swedi-sh EAlW"Assange-har-den-18-augtrsti-2010-eller-dagarna däromkring..." is accurately translated as "On 18th August or on days thereabouts", " not as currently stafed in the EAW: "On 18 August 2010 or on any of the days before or after that date..."

Kind regards,
Marianne

Marianne Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum G̈̈teborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 14 July 2011 08:35
To:
Subject: SV: Translation

Thanks
Från: pcps.gsi.gov.uk]
Skickat: den 13 juli 2011 18:23
Till: Ny Marianne
Ämne: FW: Translation

Appeal hearing over. Reserved judgment. Fuller report.to follow.
```

From:
Sent: 13 July 2011 09:48
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```

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Sent: 13 July 2011 08:31
To:
Subject: Translation

The phrase in the Swedish EAW "Assange har den 18 augusti 2010 eller dagarna däromkring..." is accurately translated as "On 18th August or on days thereabouts", " not as currently stated in the EAW: "On 18 August 2010 or on any of the days. before or after that date..."

Kịnd regards,
Marianne

\section*{Marianne Ny}

Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 18 July 2011 14:10
To:

I hope you had a nice weekend. I heard from the weather forecast that some lousy weather would be
sweeping up from southwest towards England and Denmark. hope it did not affect you.
Thanks for the link to the Guardian. It was exciting indeed to follow the reports from the hearings though hard to judge how things were going. Assange seemed to have got himself a more skillful defence team this time. As far as I understand a verdict is expected in around a month but nothing is said about the exact date. Have you any idea when will we know the date?

Kind regards,
Marianne

Marianne-Ny
Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Götebarg
Box 128
40122 GÖTEBORG
www.aklagare.se

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From:
Sent: 18 July 2011 14:19
To: 'Ny Marianne'
Subject: RE:

Marianne,
A series of notes and reports from last week's appeal hearing will.follow on very shortly [computer willing].

From: Ny Marianne [mailto:Mariànne.Ny@aklagare.se]
Sent: 18 July 2011 14:10
To
Subject:

I hope you had a nice weekend. I heard from the weather forecast that some lousy weather would be sweeping up from southwest towards England and Denmark. I hope it did not affect you.
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Kind regards, Marianne

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\section*{Marianne Ny}
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Box 128
40122 GÖTEBORG
www.aklagare.se

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From:
Sent: \(\quad 18\) July 2011 14:25
To: 'Ny Marianne'
Subject: FW: Re A. NOTE RE APPEAL HEARING DAY 1
Attachments: Re A 12.7.2011.doc

\section*{Marianne,}

This is a detailed note relating, to the first day. It is merely an internal [CPS] note and is not an official court transcript. However it may help you and your colleagues in due course.

Sent: . 18 July 2011 14:27
To: . 'Ny Marianne'
Subject: FW: Re A- Notes APEAL.HEARING DAY 2 13/7/2011
Attachments: Re A 13.7.2011.doc

Marianne,
These are similar notes for day 2.

From:
Sent:
To:
Subject:
Attachments:

18 July 2011 16:04
'Ny Marianne'
PW: [CJSM]
_-attachment_doc; _attachment_:doc


Assange \(\vee\) Swedis Assange_v_Swedis
h_JI_12.7.201... h_DA_13.7.201...

Marianne,
You have the detailed CPS notes of the appeal hearing. I attach a short report for each day of the appeal setting out the issues which arose: I hope these are easy for you to follow and to understand the legal points involved.
here are now only three main issues for the court to consider. The defence tack has changed considerably. In particular the human rights arguments are no longer relevant. All 'attacks' on Sweden, the victims [and you] have disappeared. The legal arguments were all based on 'pure law,' much of 'it being of a very technical nature.

That said the hearing was very adversarial and little quarter was given by either QC during the many heated exchanges.

It is difficult to know when the judgment will be given. It is just possible it could. be this month but is probably more likely to be in september.
will let you know as soon as I have any news. Please do not hesitate to contact me if you need any further information or clarification.

From:
Sent: 18 July 2011 16:06
To: 'Ny Marianne'
Subject: RE: Re A. NOTE RE APPEAL HEARING DAY 1

Don't worry, you are not. The only problem is here is my computer and its operator!!

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sènt: 18 July 2011 15:04
To:
Subject: SV: Re A. NOTE RE APPEAL HEARING DAY 1

Thanks a lot. I did not mean to hurry you up.
Märianne
Frain: @cps.gsi.gov.uk]
Skickat: den 18 juli 2011 15:25
Till: Ny Marianne
Ämne: FW: Re A. NOTE RE APPEAL HEARING DAY 1

\section*{Marianne,}

This is a detailed note relating to the first day. It is merely an internal [CPS] note and is not an official court transcript. However it may help you and your colleagues in due course.
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\begin{tabular}{ll} 
From: & Ny Marianne [Marianne.Ny@aklagare.se] \\
Sent: & 19 July 2011 16:19 \\
To: & \\
Subject: & SV: [CJSM]
\end{tabular}

This was interesting and clarifying. Thanks.
I have a summer vacation coming up next week. It seems to me that \(I\) can expect to be back in due time for the judgment being handed down.
Marianne
-----Ursorumalict meddelande-----
Fran: @cps.gsi.gov.uk]
Skickat: den 18 juli 2011 17:04
Till: Ny Marianne
Ämne: FW: [CJSM]

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That said the hearing was very adversarial and little quarter was given by either QC during the many heated exchanges.

It is difficult to know when the judgment will be given. It is just possible it could be this month but is probably more likely to be in September.

I will discuss with you in due course all the permutations of what could happen. I will let you know as soon as I have any news. Please do not hesitate to contact me if you need any further information or clarification.

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 20 July 2011 08:17
To:
Subject:
SV: [CJSM]

I will be back August 22 but you and your team are always welcome to contact me. Please use my private address
during my holiday and do not hesltate. I would appreciate to know when the judgment will be given and whatever else might occur in the case.
I-suppose-JA-wi-l not-be-able-to-make-it-for-the-crayfish party in August? Too bad, donlt you think?

Marianne
-----Ursprungligt meddelande-----
Från: @cps.gsi.gov.uk]
Skickat: den 19 juli 2011 17:28
Till: NY Marianne
Ämne: FW: . [CJSM]

Is it crayfish party time already? Oh, if only JA could be there with you all. When are you back?
```

        -----Original Message--.--
        From:-Ny-Mariamme [mailto:Martame.Ny@aklagare.se]
        Sent: 19 July 2011 16:19
        To:
        Subject: SV: [CJSM]
        This was interesting and clarifying. Thanks.
        I have a summer vacation coming up next week. It seems to me that I can expect to be
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        Marianne
        -----Ursprungligt meddelande-----
        Fran: cps.gsi.gov.uk]
        Fkickat: den 18 juli 2011 17:04
        Till: Ny Marianne
        Ämne: FW: [CJSM]
    Marianne,
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From:
Sent:
To:
Subject:

20 July 2011 17:11
'Ny Marianne'
RE: [CJSM]

I heard it on the grapevine [which is a pop record long, long before your time] that judgment is most likely to be in the autumn. I will keep you posted. - Have a great
vacation.
-----Original Message-----
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 20 July 2011 08:17
TO:
Subject: SV: [CJSM]
I will be back August 22 but you and your team are always welcome to contact me
Please_use my private_address.
Huring my holiday and do not hesitate. I would appreciate to know when the judgment
will be given and whatever else might occur in the case.
I suppose JA will not be able to make it for the crayfish party in August? Too bad, don't you think?

Marianne

Fran:
Skickat: den 19 julia 2011 17:28
Till: Ny Marianne
Ämne: FW: [CJSM]

Is. it crayfish party time already? Oh, if only JA could be there with you all.
When are you back?


From: Ny Marianne. [mailto:Marianne.Ny@aklagare.se]
Sent: 19 Jill 2014 16:19
To:
Subject: SV: [CJSM]
This was interesting and clarifying. Thanks.
I have a summer vacation coming up next week. It seems to me that \(I\) can expect to be back in due time for the judgment being handed down.
Marianne
```

From:
Sent: 25 July 2011 15:32
To: . 'Ny Marianne'
Subject: FW: Julian Assange -extradition request by Sweden - CO/1925/2011
Attachments: 110722 suppl skeleton.pdf

```

\section*{Marianne,}

This defence document is sent merely for your information. I hope you will not see it before your return from holiday. There is certainly no need for you to do so.

It is hard to see what the defence actually hope to achieve from its contents. I am sure the appeal judges, to whom it has been sent, should not be troubled in the slightest when considering it

Anyway I hope that by the time you do read this, you will have had a really relaxing and well earned break.


From: @birnbergpeirce.co.uk]
Sent: 22 July 2011-15:16

\section*{To: (RCJ)'}

Cc: '@judiciary.gsi.gov.uk'; 'claremontgomery@matrixlaw.co.uk'; @7br.co.uk';
'HannahPye@5sah.co.uk'; Close Paul;
Subject: Julian Assange - extradition request by Sweden - CO/1925/2011
Dear Sirs,
We are forwarding to the Court a supplementary submission in this case. In the course of the hearing on \(13^{\text {th }}\) July 2011, counsel for Mr Assange undertook to the Court to provide a note on the status of the ECtHR case of Skoogstrom .v. Sweden, which note is attached herewith.

Thank you for your assistance in ensuring this is given to

Birnberg Peirce \& Partners

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From: Ny Marianne [Marianrie.Ny@aklagare.se]
Sent: \(\quad 22\) August 2011 16:41
To: \(\square\)
Subject: VB: FWd


Marianne
Från: @advbyra.se [r @advbyra.se]
Skickat: den 25 juli 2011 13:46
Till: Ny Marianne
Ämne: Vb: Fwd: Kennedy

BORGSTROMQ EBODSAROM
\begin{tabular}{ll} 
Postadress: & Box 3431 \\
& 10368 stockholm i \\
Besobksadress: \%ästmannanatan 4 \\
Telefon: \\
Fax:
\end{tabular}

 \(!\)


that is a pity. I think there is a chance that the British court will not extradite which would then leave the matter still alive but unlikely ever to have resolution in Sweden. That is not very satisfactory for the women or for Assange. I had envisaged you bringing a meeting together in


\section*{Marianne,}

I can fully understand your views, as well as those of and his two clients. There is no doubt that the sustained defence attack on the victims' characters throughout this case has been quite disgraceful and totally unnecessary. This approach is extremely surprising. It is not clear if it was part of a general defence policy.
has been a member of and an adviser to [l assume pro bono] the Assange defence team. She was at the extradition hearing throughout sitting behind his counsel and advising them. She is well aware of all the issues, Swedish law and the victims' full Swedish [confidential] evidence. She is [or was] a member of Doughty Street Chambers. This is the same set [of barristers' chambers] as his appointment as DPP].

I am not too sure of role or involvement in the matter. Part of your second email may be missing. I believe his response may have been short and to the point. I envisage that we will need some more details of his recent contact with to understand what exactly she was trying to achieve and her basis for this.

I am not sure I can do more at this stage. Please do not hesitate to let me know if further specific advice is needed. Further details about role would be interesting.

Kindest Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 22 August 2011 16:34

\section*{To:}

Subject: VB:

I got this email from He was a bit upset and so am I. This action taken by surprises me. also told me that she will give a lecture (?) Thursday morning on the Assangè
case.
Kind regards
Marianne
informed me that you contacted him in order to establish contact with the two women whom I represent in the case whereby Julian Assange is suspected of rape, sexual molestation and unlawful coercion also forwarded your e-mail to him dated July 18th 2011.

Firstly I would like to give a brief outline as to how the judicial procedure takes place in Sweden. Sex crimes are objects of public prosecution since the Swedish law was amended in 1984. Prior to
that the victim could decide whether or not she wanted the police to investigate and the prosecutor to prosecute. The reason for the amendment was that it was considered unreasonable to put the burden of such a decision on the individual victim. As a consequence many women were placed under great pressure. The perpetrator sometimes threatened the victim or offered different kinds of benefits if she were to refrain from taking legal steps. The legislator also made it quite clear that it is a responsibility for society to prosecute sexual abuse. This means that my clients do not have the power to decide if the case shall be taken to a court of law.

I have of course spoken to my clients about the suggestion that they should participate in "seeking a. solution that was mutually satisfactory."Their reaction was as follows:

Since they have no influence on the judicial procedure they feel that they should not have been approached like this.

They also ask themselves what.Assange is actually offering. During almost ten months he has both personally and through his lawyers spread rumours that he was set up, lured into a "honey-trap and that the two women were in some way or another connected with the C̣IA etc. Assange has all the time known that these claims are lies. My clients find it absurd that he is asking for anything in return as a precondition for publically telling the truth.

My clients have instructed me to inform the Swedish prosecutor, Marianne Ny, of the approach from Assange.

Since my clients and l at this stage have no influence on the legal proceedings all we can do is to await the ruling of the British court and the decision of the Swedish prosecutor: Until then I must ask you, on behalf of my clients, to ask Assange to unconditionally and without any delay publically make clear his contrition and assert that the women did not set him up and that they are not part of any CIA conspiracy.

Yours sincerely


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From:
Sent: . 24 August 2011 14:07
To: ' Ny Marianne'
Subject: FW: J ASSANGE

Marianne,
Thanks. This is the narrative, which is in very small print, at the very bottom of your secönd email of yesterday, Somehow the contents seem even more staggering in larger print. I am riot sure if there are any parts above this narrative which automatically become eraṣed when an email is resent.

Could you please clarify who \(\square\) is and his role [apart from clearly havining some 'international reputation and status']?

I cannot believe that could possibly have been acting without the total knowledge and specific agreement of \(J\) Assange and his lawyers.
So, he is know full of contrition and wants to apologise [and/or explain all] to the victims. How strange that he just forgot tọ do so at any stage during any of the court proceedings. I can but wonder if there are now two wholly separate Assanges.
I assume that has a professional duty [in Sweden] to notify his clients of the offers made.
I will contact you further when I have spoken with

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 24 August 2011 13:37
To:
Subject: SV: J ASSANGE
By accident I sent you a message before finishing it. What I intended to tell you was that the only information I have is what is clear from the two emails, that forwarded to me (and I to you). As far as I understood things started with calling and him turning down the idea. then got the email where she writes:
that is a pity. I think there is a chance that the British court will not extradite which would then leave the matter still alive but unlikely ever to have resolution in Sweden. That is not very satisfactory for the women or for Assarige. I had envisaged you bringing a mejeting together in Sweden next weekend possibly or a week today and both sides seeking a solution that was mutually satisfactory with Assange making clear his contrition and publicly asserting that the women were not setting him up or part of any. CIA conspiracy. I know that the Prosecution could then still seek to continue but it woud be unlikely if the women said théy felt honour was satisfied by a full aplogy and clearing of their reputations. I think only you could create such a meeting because of your international reputation and status. I also felt you had the sensitivity to gain the trust of the women. I am not one of the lawyers but would come out to help if that was useful. Perhaps one last try is worth it. Yours

\footnotetext{
informed

\(\square\)who then sen the email below. As far as I know this is what has happened. I wanted you to know what had happened if this somehow would affect the case. What to do or not to do, you and are the best to judge. I have total confidence in the way you, Ind the team is
}
handling the matter regarding \(A\).

Regarding the supplemental skeleton 110722 I agree with you an I did not see it till I returned this week and my holiday has been both relaxing and enjoyable. I hope that you also have had or will have a relaxing break.

Marianne

Fran: @cps.gsi.gov.uk]
Skickat: den 23 augusta 2011 18:13
Till: Ny Marianne.
Ämne: J ASSANGE

Marianne,
I can fully understand your views, as well as those of \(\quad\) and his two clients. There is no doubt that the sustained defence attack on the victims' characters throughout this case ha's been quite disgraceful and totally unnecessary. This approach is extremely surprising. It is not clear if it was part of a general \(\qquad\) defence policy.
has been a member of and an adviser to [I assume pro bono] the Assànge defence team. She was at the extradition hearing throughout sitting behind his counsel and advising them. She is well aware of all the issues," Swedish law and the victims' full Swedish [confidential] evidence. She is [or was] a member of Doughty Street Chambers. This is the same set [of barristers' chambers] as _ [before his appointment as DPP].


I am not too sure of

ole or involvement in the matter.. Part of your second email. may be missing. I believe his response may have been short and to the point. I envisage that we will need. some more details of his recent contact with to understand what exactly she was trying to achieve and her basis for this.

I am not sure I can do more at this stage. Please do not hesitate to let me know if. further specific advice is needed. Further details about s role would be interesting.

Kindest Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 22 August 2011 16:34
To:
Subject: VB:


Stockholm 2011-07-25

Dea
informed me that you contacted him in order to establish contact with the two women whom 1 represent in the case whereby-Julian Assange is suspected of rape, sexual molestation and unlawful coercion. also forwarded your e-mail to him dated July 18th 2011.

Firstly I would like to give a brief outline as to how the judicial procedure takes place in Sweden. Sex crimes are objects of public prosecution since the Swedish law was amended in 1984. Prior to that the victim could decide whether or not she wanted the police to investigate and the prosecutor to prosecute. The reason for the amendment was that it was considered unreasonable to put the burden of such a"decision on the individual victim. As a consequence many women were placed under great pressure. The perpetrator sometimes threatened the victim or offered different kinds of benefits if she were to refrain from taking legal steps. The legislator also made it quite clear that it is a responsibility for society to prosecute sexual abuse. This means that my clients do not have the power to decide if the case shall be taken to a court of law.

I have of course spoken to my clients about the suggestion that they should participate in "seeking a solution that was mutually satisfactory."Their reaction was as follows:

Since they have no influence on the judicial procedure they feel that they should not have been approached like this.

They also ask themselves what Assange is actualiy offering. During almost ten months te has both personally and through his lawyers spread rumours that he was set up, lured into a "honey-trap and that the two women were in some way or another connected with the CIA etc. Assange has all' the time known that these claims are lies. My clients find it absurd that he is asking for anything in return as a precondition for publically telling the truth.

My clients have instructed me to inform the Siwedish prosecutor, Marianne Ny, of the approach from Assange.

Since my clients and lat this stage have no influence on the legal proceedings all we can do is to await the ruling of the British court and the decision of the Swedish prosecutor. Until then I must ask you, on behalf of my clients, to ask Assange to unconditionally and without any delay publically. make clear his contrition and assert that the women did not set him up and that they are not part
```

A copy of this mail has been sent to Marianne Ny and to

```
BORGSTROM&&BODSTROM
Advokat
Postadress: Boix 3431
    103:68 Stockholm
Besökşàdress: Västmannagatan}
Telefoṇ:
Fax:
```

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From:
Sent: 26 August 2011.17:19
To: . . 'Ny Marianne'
Subject: J ASSANGE

## Marianne,

has spoken with her opponent. He knows that in our view forduct was wholly inappropriate. I am sure that this message will be passed on the rest of the defence team. I. do not expect to hear further from them. However, nor do l expect there to be any repetition of her conduct.

If there is any further approach then please let me have full details. I do of course realise how unsettling all this must be for the victims. Unless you still have specific concerns then my advice would be to let matters rest.

I reach this view as I would not wish to see any risk of your prosecution being prejudiced, in any way, by publicity detrimental to JA but which he could use to argue that he would not receive a fair trial.

As always please do not hesitate to let me know if there are any issues which you wish me to clarify. Monday. is a Bank Holiday here. Back in on Tuesday. Have a good weekend.

Kindest Regards,

## From:

Sent: 31 October 2011 11:01
To: 'Ny Marianne'
Subject: RE: JASSANGE

I will catch up with you this afternoon. Weather forecast here is excellent and apparently with a very sunny day due on Wednesday.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 31 October 2011 10:29
To:
Subject: SV: J ASSANGE

Tam so surv voulcould not aet in touch We at soma ovomanhen numbers exchanged last week. My new number is
It would be good to talk to you. Can .l call. you after lunch sometime?
And thanks, the weekend was excellent. Lovely weather. Hope yours was too in spite of you having to work on this matter.

Marianne

## Marianne Ny

Åklagarmyndigheten/ Utvecklingsçentrum Göteborg
Box 128
40122 Göteborg

Fran @cps.gsi.gov.uk]
Skickat: den 28 oktober 2011 17:46
Till: Ny Marianne
Ämne: J ASSANGE

## Marianne,

Tried to telephone you but could not get through.
News!! Judgment will be handed down by the court next Wednesday morning [9.45 am GMT]. The contents will be strictly embargoed till then.

I will be working, on the matter this weekend as will I have everything in hand at this end [apart from getting through to speak to you]. I will be in the office all day on Monday. If.you are free I will discuss and clarify all the remaining issues [such as further appeal procedures; liaison between our press offices etc].

I cannot of course possibly comment on the embargoed judgment.
You may though be interested to know that the sun is shining in London. Hope you have a great weekend if you get this email in time otherwise I hope you had one. Speak soon.

PS If you receive this and can talk, I will be here for a little while yet.

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: . 01 November 2011 16:53
To: $\square$
Subject: SV: A

Thanks; this was allinformation_Lneeded
Marianne
Från_ ocps.gsi.gov.uk]
Skickat: den 1 november 2011 17:06
Till: Ny Marianne
Kopia: Barrett Daryl
Ämne: A

Marianne,
The judgment should be handed down at 9.45 am tomorrow [possibly a little later if the judges are late]. I envisage they will not read it or at least not in full. It is a matter entirely for them as to the procedures they adopt.

I envisage that the full judgment will be release on the Administrative Court's website between 9.45 and 10.00 .

I have copied in rom our Press Office and she will deal with all of the press side of the matter arising at this end. Your colleagues can contact her whenever they need any information. I will leave it to her and your colleagues to establish the best lines of communication.

Please just let me know if you [or others] have any legal questions [not very difficult ones though please!!].
Apparently the weather forecast for tomorrow remains a very sunny day. Speak soon.

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 03 November 2011 11:04
To:
Subject: SV: Julian Assange v Swedish Prosecution Authority : CO/1925/2011: Final Approved Judgment

Oh yes, I am pleased indeed. The judgment is absolutely clear on all points. So far I have read only parts of the judgment but the summary to.assist media was excellent to get a quick idea of the outcome. As a matter of fact, media pretty much lost interest in me and the Swedish Prosecution Authority when the judgment was made public gave some interviews on behalf of his clients saying the outcome was expected and $\square$ saying that we must respect his client not wanting to return to Sweden as his offer to be subject to questioning while he was in Sweden was turned down.
(. Thanks for all details on what.to expect next. It is good to have an idea on what the schedule might be.

I hope you had a nice evening last night and thanks to you $\square$ and the rest of the team for an excellent job.

Kind regards,
Marianne

Erån:

## Dcps.gsi.gov.ink]

Skickat: den 2 november 2011 15:49
Till: Ny Mariarine
Ämne: FW: Julian Assange v Swédish Prosecution Authority : CO/1925/2011: Final Approved Judgment

Marianne,
I attach the best possible version of the judgment. You have no doubt have read it already. Hope you are pleased. Not one single allegation, slur or criticism of you, your colleagues or the Swedish Justice system by the defence has stuck or been upheld. The press were present in some numbers both inside and outside court.

We are back in The Administrative Court on 5 December to argue over whether the Judges should certify a point of law of general public importance, which could be considered by the Supreme Court [SC] on an appeal. Obviously we will argue that no such point of law arises on the facts of this case.

If the court refuses to certify a point of law then the case is at an end [subject to any attempt by the defence to go to Strasbourg]. If it does certify a point of law then it will [as is its usual practise] refuse to grant leave to appeal. The defence would then have to petition the SC for leave. It would do so formally in writing. We give a detailed written response. The SC will then grant or refuse leave. If it refuses then the defence will have used up all its remedies under English law. Again it could try Strasbourg, which normally decides within'a couple of weeks if it will grant interim relief against the UK [to prevent surrender].

If the SC grants leave the case proceeds to an appeal hearing in the SC.
Your obvious next question is a very difficult one to answer. I do not precisely how long all this will take. The Administrative Court should decide whether or not to certify on [or shortly after] 5 December. If it certifies a point of law the SC documents [from both sides] should be lodged by Christmas. I will of course do absolutely everything l.can to try to stop the defence delaying matters.

I mention all this as I expect someone will ask you about these issues. As always if you have any problems, issues or questions then just let me know. Sorry for the short delay in writing. Hope the above at least deals with all the urgent points.

The sun is shining nicely today. Speak soon.
Kind Regards,

From:
Sent:02 November 2011 12:38


Subject: Julian Assange v Swedish Prosecution Authority : CO/1925/2011: Final Approved Judgment
Please find attached final judgment handed down this morning.


Clerk to the
President of the Queen's Bench Division
Room C121, Royal Courts of Justice
Strand
London
WG2A Rt

## @judiciary.gsi.gov.uk

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From:
Sent: 10 November 2011 11:25
To: 'Ny Marianne'
Subject: FW: High Court judgment: Julian Assange v Swedish Prosecution Authority (extradition appeal)

## Marianne,

No problems! I have just seen the press release [below] issued by the court to help joumalists to understand the judgment.

Apologies if you and/or your press colleagues already have this document. I thought it may just help one day.


## Judicial Office PR 191-02/11/2011 [For Immediate Release]

## High Court judgment: Julian Assange v Swedish Prosecution . Authority (extradition appeal)

Please find below a link to the above judgment handed down by the High Court this
http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments/assange-judgment.pdf

## SUMMARY TO ASSIST THE MEDIA

## The High Court (President of the Queen's Bench Division has today dismissed an appeal by Julian Assange against his extradition to Sweden.

## Introduction

The President of the Queen's Bench Division, out the background to the allegations against Mr Assange, the European Arrest Warrant (EAW), his arrest in England and subsequent hearing in paragraphs 1-7. The EAW sets out four offences:
"1. Unlawful coercion - On 13-14 August 2010, in the home of the injured paity $\square$ in Stockholm, Assange, by using violence, forced the injured party to endure his restricting her freedom of movement. The violence consisted in a firm hold of the injured party's arms and a forceful spreading of her legs whilst lying on top of her and with his body weight preventing her from moving or shifting.
2. Sexual molestation - On 13-14 August 2010, in the home of the injured party in Stockholm; Assange deliberately molested the injured party.by acting in a manner designed to violate her sexual integrity. Assange, who was aware that it was the expressed wish of the injured party and a prerequisite of sexual intercourse that a condom be used, consummated unprotected sexual intercourse with her without her knowledge.
3. Sexual molestation - On 18 August 2010 or on any of the days before or after that date, in the home of the injured party in Stockholm, Assange deliberately molested the
injured party by acting in a manner designed to violate her sexual integrity i.e. lying next to her and pressing his naked, erect penis to her body.
4. Rape - On 17 August.2010, in the home of the injured party $\square$ Enköping، Assange deliberately consummated sexual intercourse with her by improperly exploiting that she, due to sleep, was in a helpless state.

It is an aggravating circumstance that Assange, who was aware that it was the expressed wish of the injured party and a prerequisite of sexual intercourse that a condom be used, still. consummated unprotected sexual intercourse with her. The sexual act was designed to violate the injured party's sexual integrity.' (para 3)

## Grounds of Appeal (para 6)

Mr . Assange appealed against his extradition on four grounds:

1. The EAW had not been issued by a "judicial authority".
2. Offences 1-3 described in the EAW (set out at paragraph four offences: above) did not meet the dual criminality test (a principle of extradition that a person should only be extradited where the conduct is not only an offence under the law of the State requesting extradition, but also under the law of the State from which the person's extradition is sought). None of the descriptions of the offences was a fair and accurate description of the conduct alleged. As regards offence 4, the conduct, if fairly and accurately described, would not have amounted to the offence of rape.
3. The condition in s.2(3) of the 2003 Act had not been satisfied as Mr Assange was not an "accused".
4. The issue of the EAW and subsequent proceedings were not proportionate.

Mr Assange did not pursue other grounds which had featured in the hearing before the Senior District Judge

The Court sets out the approach it took and looks at the construction of the Extradition Act 2003, the differences between the Act and the EU's legislation (the Framework Decision of June 2002) which the 2003 Act implemented in the UK, the purpose of the. Framework. Decision and the issue of mutual recognition.

## Ground of appeal 1 - Was the EAW issued by a judicial authority? (paras 20-54)

Mr Assange contended that for the purposes of the 2003 Act, a judicial authority must be an independent person or body exercising judicial powers and functions. (para 25)

The Court considered what is meant by the term 'judicial authority' for the purposes of the 2003 Act and the Framework Decision. It also considered the term under. the jurisprudence of the ECHR and the status of the designation of a judicial authority by another Member
State.

The Court concluded that although the EAW was issued by a prosecutor, the prosecutor was a judicial authority under the 2003 Act and Framework Decision. The Court went on to say that Mr Assange had been represented at a hearing of the Svea Court of Appeal in Sweden, which had dismissed his appeal against the issuing an the arrest warrant.

The President of the Queen's Bench Division, on behalf of the Court, concluded:
"... [that] the action of the Prosecutor has been subject to independent scrutiny by judges in Sweden which as judges in another Member State we must respect.

## (. "We therefore dismiss this first ground of challenge." (paras 53-54)

Ground of appeal 2 - Dual criminality: the fairness and accuracy of the description of the conduct alleged (para 55-127)

For certain serious offences listed in the Framework Decision called Framework Offences, dual criminality is not required. Where an offence is not a Framework Offence, dual criminality is required - the offence alleged must also be an offence in the country the accused is now in. Offences 1-3 are not Framework Offences; Offence 4, rape, is a Framework Offence. (para 55)

Mr Assange contended that whilst the conduct as described in Offences 1 and 3 would constitute and offence in England and Wales, a fair and accurate description of the prosecution case would not meet that test. He contended that Offence 2 did not meet the dual criminality test on the basis either of the description set out in the EAW or of a fair and accurate description of the offence. (para 58)

In respect of Offence 4, Mr Assange contended that whilst rape was a Framework Offence and therefore didn't require dual criminality, the conduct described in the EAW was not fairly and accurately described and that if it had it would not be rape. (para 59)
The Court considered the issue of dual criminality in relation to Offences 1 - 3 and ruled that dual criminality was satisfied in each. (paras 70-103)

The Court rejected Mr Assange's contention that under the law of England and Wales consent to sexual intercourse on condition a condom was used was remained consent to sexual intercourse even if a condom was not used or removed. (paras 86-91)

The Court considered the issue of Offence 4 and ruled that the conduct -described in the EAW was fairly and accurately reported. The President of the Queen's Bench Division concluded:
"It is quite clear that the gravamen of the offence described is that Mr Assange had sexual intercourse with her without a condom and that she had only been prepared to consent to sexual intercourse with a condom. The description of the conduct makes clear that he consummated sexual intercourse when she was asleep and that she had insisted upon him wearing a condom. ...... it is difficult to see how a person could reasonably have believed in consent if the complaint alleges a state of sleep or half sleep, and secondly it avers that consent would not have been given without a condom. There is nothing in the statement from which it could be inferred that he reasonably expected that she would have consented to sex without a condom." (para 124)

The court went on to say:
"It is clear that the allegation is that he had sexual intercourse with her when she was not in a position to consent and so he could not have had any reasonable belief that she did." (para 126)

The Court ruled that Mr Assange's objections raised in relation to Offence 4 fail. (paras 104-127)

## Ground of appeal 3 -Was Mr Assange accused of an offence in Sweden? (paras 128 154)

It was common ground that extradition is not permitted for investigation or gathering evidence or questioning to see if the requested person should be prosecuted. Mr Assange's contention was that, although he was required for the purposes of being prosecuted, he had not been accused of an offence in Sweden as he had not been charged. The Court therefore had to consider whether Mr.Assange was 'accused' for the purposes of the 2003 Act and Framework Decision.

The President of the Queen's Bench Division said:
"In the present case, as is accepted there is nothing on the face of the EAW which states in
terms that Mr Assange is accused of the offences. ... The fact that the term "accused of the offence" is not used does not matter if it is clear from the EAW that he was wanted for prosecution and not merely for questioning." (para 148)

He went on to say:
"In our judgment Mr Assange is on the facts before this court "accused" of the four offences. There is a precise description in the EAW of what he is said to have done. The extraneous evidence shows that there has been a detailed investigation. The evidence of the complainants s clear as to what he is said to have done as we have set out. On the basis of an intense focus on the facts he is plainly accused. That is ... decisive." (para 151)

He added:
"... even if the court was constrained to determine whether someone was an accused by solely considering the question of whether the prosecution had commenced; we would not find it difficult to hold that looking at what has taken place in Sweden that the prosecution had commenced. Although it is clear a decision has not been taken to charge him, that is because, under Swedish procedure, that decision is taken at a late stage with the trial following quickly thereafter. In England and Wales, a decision to charge is taken at a very early stage; there can be no doubt that if what Mr Assange had done had been done in England and Wales, he would have been charged and thus criminal proceedings would have been commenced. If the commencement of criminal proceedings were to be viewed in this way, it would be to look at Swedish procedure through the narrowest of eyes. On this basis, criminal proceedings have commenced against Mr Assange." (para 153)

## The Court dismissed this ground of appeal.

## Ground of appeal 4 - Proportionality (paras 155-160)

Mr Assange submitted that even if under the EAW he was technically a person accused of offences, it was disproportionate to seek his surrender under the EAW. That was because, as he had to be questioned before a decision was made on prosecution, he had offered to be questioned over a video link. It would therefore have been proportionate to question him in that way and to have reached a decision on whether to charge him before issuing the EAW. (para 155)

The Court dismissed this argument on the facts. The President of the Queen's Bench Division said:
"First, in this case, the challenge to the issue of the warrant for the arrest of Mr Assange failed before the Court of Appeal of Sea. In those circumstances, taking into account the respect this court should accord the decision of the Court of Appeal of Sven in relation to proceedings governed by Swedish procedural law, we do not consider the decision to issue the EAW could be said to be disproportionate.
"Second and in any event, this is self evidently not a case relating to a trivial offence, but to serious sexual offences. Assuming proportionality is a requirement, it is difficult to see what real scope there is for the argument in circumstances where a Swedish Court of Appeal has
taken the view, as part of Swedish procedure, that an arrest is necessary:" (paras 158 159)

He added:
"... The Prosecutor must be entitled to seek to apply the provisions of Swedish law to the procedure once it has been determined that Mr Assange is an accused and is required for the-purposes-of-prosecution.... Those-procedural provisions-must-be-respected-by-usgiven the mutual recognition and confidence required by the Framework Decision; to do. otherwise would be to undermine the effectiveness of the principles on which the Framework Decision is based. In any. event, we were far from persuaded that other procedures suggested on behalf of Mr Assange would have proved practicable or would not. have been the subject of lengthy dispute." (para 160)

## Conclusion (para 161)



The Court dismissed the appeal.
-ends-
This summary is provided to assist in understanding the Court's decision. It does not form part of the reasons for the decision. The full judgment of the Court is the only authoritative document.

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From:
Sent: 15 November 2011 13:58
To:
Cc: 'Ny Marianne'
Subject: J ASSANGE

Just to confirm that the defence tell me that their written submissions regarding the certification of a point of


The written documents are really to try to save the court's time at the next hearing on 5 December when oral submissions are made by both sides.

I may be away tomorrow but will send on copies of all documents to you very shortly. I hope this helps.


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I may be away tomorrow but will send on copies of all documents to you very shortly. I hope this helps.


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From:

## Sent: $\quad 15$ November 2011 14:17

To:
Cc: $\quad$ Ny Marianne'
Subject: FW: J ASSANGE

Because Santa Claus [or Father Christmas] will have just brought you a new Porsche and a new yacht and the Swedish Government will have awarded you a State pension of life of 400,000 euros a year.

Joking apart I will tell you and it will be on the TV news. I will keep you posted.


From:
@aklagare.se]
Sent: 15 November 2011 14:09
To:
Subject: SV: J ASSANGE
Thank you It is much appreciated.
If by any chance Assange changes his mind and he decides not to ask for the certification, when do we need to come and pick him up at the latest? How will we know?

Från: @cps.gsi.gov.uk]
Skickat: den 15 november 2011 14:58
Till:
Kopia: Ny Marianne
Ämne: ] ASSANGE

Just to confirm that the defence tell me that their written submissions regarding the certification of a point of low by the Administrative Court will be sent to the court office and to me sometime later today.
in will start working on our wituenteply. wee nave no mine porno ry quickly.

The written documents are really to try to save the court's time at the next hearing on 5 December when oral submissions are made by both sides.

I may be away tomorrow but will send on copies of all documents to you very shortly. I hope this helps.


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From:
Sent: $\quad 21$ November 2011 14:28
To:
'Ny Marianne'
Subject: FW: Julian Assange
Attachments: 111115 Julian Assange Sealed Application.pdf

Merely for your information; the defence have made an application (attached) to ask the court to certify a point of law. As expected they did so at the last minute. I was away last week so could not send details to you any earlier.

Our document in reply is just being finalised and will go out very shortly [there is no time limit for us].
-As you-know-these documents-are merely to assist the court in identifying-the issues before the hearing.

## From:

@birnbergpeirce.co.uk]
Sent: 15 November 2011 16:36

## To: <br> Aaron Watkins

Subject:-Julian-Assange
Please see attached.

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From:
Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
23 November 2011 13:28
SV: J Assange-v-Swedish Prosecution Authority CO/1925/2011

Thanks for advising me and my colleagues. It is very helpful.
The level of activity in Sweden is on the increase. Two weeks ago it was made known
 Sweden. also happens to be a Social Democratic politician and the vicechairman of a local police board in Stockholm. This caused some. debate. Could it be suitable for the vice-chairman of a local (advisory) police board to.become the spokesman of a suspected investigated by the police. Other PR agencies also questioned whether it is suitable for a PR agency to take on a criminal case.
Last week we were told was to be replaced by two other renowned lawyers. So what next? Assange unexpectedly showing up in Stockholm?

Kind regards,
-Marianne
(
Q---Urspruncliqt meddelande-----
Fràn:
Skickat: den 21 november 2011 16:00
Till: Ny Marianne
Ämne: FW: J Assange-v- Swedish Prosecution Authority Co/1925/2011
Prioritet: Hög

Marianne,
Our reply.

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)
ctivity and use of CPS Connect systems, the Government Secure Intranet, and the Criminal Justice Extranet is monitored to secure their effective operation and for other lawful business purposes. Communications using these systems will also be monitored and may be recorded to secure effective operation and for other lawful business purposes.

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 05 December 2011 09:49
To:
Subject: SV: Assange
Good-luck-and-never mind-ift.the-Christmas-gift-would-show-up-on-New-Year-s-Eve-instead
Marianne

## Från: @cps.gsi.gov.uk]

Skickat: den 2 december 2011 17:47
Till:
Kop
Ny Marianne
Ämne: RE: Assange

The hearing on Monday is at 10 am [GMT]. It should take $45 / 60 \mathrm{mins}$; it could take less if the judges have already made their minds up beforehand or longer if they have not and genuinely want to hear lengthy legal argument.

We are of course all ready and prepared for the hearing.

No-one'ever said he would go easily to
sweden.

If he does try Strasbourg then he will normally be told within 14 days if the court will grant him interim relief [against the UK] to prevent his immediate surrender. Again, more on this issue next week as and when [if] this arises.

In the meantime I am seeking to resolve the other ancillary issues with his new solicitors.


However I promise I am doing all I can to get him on a special Scandinavian flight on 24/25 December, duly wrapped up as present for you and

From: @aklagare.se]
Sent: 02 Decemher 201113:10
To:
Cc:
Subject: VB: Assange
a short question (or two actually): When is the hearing on Monday? When can it be expected to
finish?
$\square$

## Från:

Skickat: den 2 december 2011 14:07

## Till:

Ämne: Assange

Villa bara fråga om du hat möjlighet att skicka fråga till bm han möjligen känner till tidjpunkt för förhandlingen i High Court på måndag.

Mvh

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$* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *$

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From: : Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 06 December 2011 11:37
To:
Subject: SV: Assange
There-is-no-hurry:/-

Från: Peps.gsi.gov.uk]
Skickat: den 6 december 2011 11:13
Till: Ny Marianne
Ämne: FW: Assange

Full update to follow [l have not forgotten you]. Just dashing off to court but will be in touch as soon as possible].

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 05 December 2011 13:31

## To:

Subject: SV: Assange

I heard the news and I have glanced through the Guardian and BBC news. What a surprise! A second
Christmas without $A$ showing up. This was a bit of a disappointment but even this case must end some day
or other, mustn't?
Marianne

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From:
Sent: 08 December 2011 10:12
To:
Cc:
'Ny Marianne'
Subject: RE:
It is no bother. I will be writing in detail later. I have delayed doing so merely as the rather complex position is only just becoming clear, or at least I hope it is if I can ensure certain events occur. However these are not in my direct control. I am awaiting some further information from the defendant's solicitors.


In media there is info that A has until 19 December to ask the Supreme Court to hear the case and that a Supreme Court spokesman would have.said that the Supreme Court will decide on this issue before Christmas (by 25 Dec ) and that if the Supreme Court refuses to hear the case, extradition must take place within 10 days from that day of decision.

Have you information on this? T guess there is no info yet if he has asked already the Supreme Court to hear the case? Will the Supreme Court have a hearing before they decide to hear the case?

Kind regards


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For more information please visit http://www.symanteccloud.com
irom:
Sent:
To:
Subject:

Ny Marianne [Marianne.Ny@aklagare.se]
09 December 2011 13:42
SV: [CJSM] Re A

The information is very useful. I realize that it is impossible to predict when and what to expect next. Thanks for clarifying things and for always being so helpful. I am so sorry for us bothering you a second time through Eurojust. We did not mean to. That waskind of a mistake.
-----Ursprungligt meddelande-----
Från
Skickat: den 8 december 2011 i5:26
Till: Ny Marianne
Kopia:
Ämne: FW: [CJSM] Re A


I attach a note of liast Monday's hearing. As you know the court certified one point of law. It refused leave to appeal [as it normally does] and thus. the defendant has to apply direct to the Supreme Court for leave.
He must do so within 14 days. That would [for technical legal reasons] expire at the end of Monday 19 December 2011. There is no set time for us to submit our written response.

Normally the Supreme Court takes many months to determine these applications. Suffice it to say the court is prepared to sit on Monday 19 December 2011 to determine whether or not it will grant leave to appeal in this case. It will do so privately [not in open court] and base its decision solely on the papers and without oral argument. No lawyers will attend. It will make its decision that day.

However to make real progress $I$ am of course dependant on the defence serving its application in good time before 19 December. There is scope for it to be difficult and to try to ensure the matter is not considered until well into the New Year. I can onfirm that whenever it does serve its application our response will be prepared and rved by return [no matter what]. I have made plans for this and, as best I can, I Wve tried to cover all eventualities.
If leave to appeal. is granted then the matter will proceed to a contested hearing before the full Supreme Court, hopefully quickly and sometime in the New. Year. I believe it. will be given priority over other pending cases.

If leave is refused then he has no further remedies in the UK courts. I am, excluding any unusual situations, such as sudden serious illness. His only remedy would be to try to seek interim relief. under Rule 39 from Strasburg. The ECHR normally determines such applications within 14 days and often very quickly. However the Christmas/New. Year break makes it difficult to judge likely times here. I take no role in this. process and the legal advisers' branch of the Foreign and Commonwealth Office deals with the matter on behalf of Her Majesty's Government.

I have delayed slightly sending my update to you as developments have been frequent and I have been working hard to try to get matters resolved.

I will keep you posted with any developments. I will try to speak to you tomorrow when you are back in the office. As always please let me know if there are any points which you [or your colleagues] need clarifying.

I should mention that the certified legal point has potentially far reaching consequences for scores of pending cases from, in particular, Estonia, Lithuania,

Netherlands, Belgium and Greece.
Well no-one ever said this was going to be an easy case!

$\square$

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${ }^{*}$

From:
Sent: 13 December 2011 14:49
To: 'Ny Marianne'
Subject: FW: Eurojust Request for Assistance'- Assange - Urgent

## Marianne,

Just for your information [below]. The reason for my usual caution when dealing with Eurojust is that its interests may not be the same as yours. In fact sometimes there can be a direct conflict. Obviously my professional duty is at all times only to you, who I represent as my client.

A further difficulty, which can arise is that information or documents sent by me to Eurojust [with or without your instructions] can lead to serious problems. It can all be given by Eurojust to each of its members and they in turn can pass on the information and details to third parties. This would not only be potentially embarrassing if the details were sensitive or confidential but also could lead to us having to disclosure all mañer of fürthēr documeñts iñ the UK exträdition proceedings. Normälly such disclose does nöt apply. However if the court considered that there something amiss or untoward with the request it would require full disclosure of all the underlying material.

This all stems from our adversarial coutt procedures. So my actions are always simply based in protecting your interests and of course ensuring that nothing whatsoever ensues from my actions which could prejudice a trial in Sweden or ever be used by the defence at that trial to its advantage.

I have no problem with Eurojust enquiries but usually cannot respond to them, even if I wanted to do so.
There is certainly-no-need for-youto-explain-orto-apologise

From:
Sent: 08 December 2011 16:14
To
Subject: FW: Eurojust Request for Assistance - Assange - Urgent

Further to my correspondence with Eurojust in December 2010 l am still dealing with matter.
I can confirm that throughout this matter I have been in very regular correspondence and discussions with Marianne Nye, whom I represent and also her colleagues in Sweden. Further'I have sent very extensive briefings and advices to her this week dealing with every aspect of this complex extradition.

In view of this and also the CPS security classification on this matter it would be wholly inappropriate for me to comment further.

```
From: [ommmmmenmenust.europa.eu]
Sent:08 December 2011 13:54
TO:
Cc:
Subject: RE: Eurojust Request for Assistance - Assange - Urgent
```

Many thanks for your prompt response and I look forward to hearing from

Best regards


Deputy to the National Member for the United Kingdom
Eurojust
(a)eurojust.europa.eu

## From: <br> @cps:gsi.gov.uk]

Sent: 08 December 2011 14:53
To:
Cc:
Subject: RE: Eurojust Request for Assistance - Assange - Urgent
is running this and I have forwarded it to him.

From: @eurojust.europa.eu]
Sent: 08 December 2011 13:23
To:-
CC: SCD Extradition;
Subject: RE: Eurojust Request for Assistance - Assange - Urgent

## From:

Sent: 08 December 2011 14:20
Tot
Cc: 'scd.extraditions@cps.gsi.gov.uk';
Subject: Eurojust Request for Assistance - Assange - Urgent
Dear colleagues
has received the e-mail set out below from the Swedish National Member and the requests for clarification have been re-enforced by a visit I have just received from the Swedish Assistant at Eurojust.

The questions raised by the Swedish Desk are set out in that e-mail.
In short I think the intense media interest in Sweden has led to speculation and rumour. I have left message on his voicemail but can you please assist with a short note setting out the latest state of play?

In short -

1. Is there any information about when the Supreme Court is likely to issue its decision on whether to grant or refuse leave to appeal?
2. Possible scenarios / timetables that might follow?
3. Reassurance regarding liaison with the Swedish authorities as matters progress?
4. A copy of the court judgement of 5 December 2011 would be helpful.

Many thanks as always

Deputy to the National Member for the United Kingdom Eurojust

- Qeurojust.europa.eu


## From

Sent: 08 December 2011 13:44
To
College Secretariat; $\sim$ College United Kingdom
Subject: Re: Assange pick up

## Dear

You are right that I am away from the office as
 also has been.
I think the idea that the Supreme Court would decide on Christmas Day whether to give permission for
Assange to appeal is very unlikely (English humour?).
I shall ask the UK Desk to make enquiries about the questions raised

Dear All $\qquad$
Could the CPS Extradition Unit be contacted re the queries above and for a copy of the recent judgment, please
Regards

## From

Sent: Thursday, December 08, 2011. 01:10 PM
To:
Cc:
College Secretariat
Subject: Assange pick up

## Dear

I have talked to the prosecutor responsible for the case, director for public prosecutions She has heard that the Supreme Court is preparing to present the decision on Christmas Day. Could this be correct?
If not, when will the decision be public.
Due to the description in media I'm rather optimistic to the outcome of the case. As Sweden has to be ready to pick up Mr Asange asap after a positive decision it is extremely important to have a very good dialogue with UK authorities. It is my experience in similar situations from Eurojust it is important with a pick as close to the decision as possible to avoid conflicts with an expected appeal to the European Court of Human Rights. After the 10 days time frame there are no longer à possibility to have coercive measures against Mr A.

We have heard that Mr A. has no permission for a permanent stay in the UK. Is this correct and what impact will it in that case have on the situation after the decision of the Supreme Court?

## I asked to inform as we heard that you were in Brussels all Thursday:

I'm in Sweden until late on Monday but will be possible to reach via BB or mobile phone.
National Member for Sweden

This message was sent from my Blackberry device

From:
Sent: Monday, December 05, 2011 03:03 PM
To:
Cc: ~College Sweden
Subject: RE: Assange can appeal to Supreme Court

## Dear

I-try-to-answer-some of your-queries $s_{-}$although Ido not-have-the-text of today's judgment

## Appeal to Supreme Court

The most relevant legislation is in section 32. of the Extradition Act 2003 (attached).

An appeal to the Supreme Court is only possible if two conditions are met (s.32(4)). They are that

## (a) the High Court has certified that there is a point of law of general public importance involved in the

 decision- the press reports indicate that the High Court judges decided there was such a point of law
- Press reports indicate that this point of law is whether the Swedish prosecutor who issued the EAW against Mr Assange was a "judicial authority".
- However, the High Court judges also thought that the case should not be considered by the Supreme Court
- Press reports indicate that the High Court had "very little doubt that, as a matter of law, the prosecutor was within the scheme" for issuing warrants, and Mr Assange's chances of success in the Supreme Court were "extraordinarily slim".

The position in brief is that the High Court think Assange's argument will not succeed (hence the Supreme Court need not consider it).
However, the High Court judges also consider that that a point of law of general public
 importance is raised (which allows Assange to ask the Supreme Court to decide whether to hear an appeal)
(b) it appears to the court granting leave that the point is one which ought to be considered by the [Supreme Court]

- The High Court refused leave to appeal, but decided that there was a point of general public importance
- Assange can thus ask the Supreme Court -to decide whether it wishes to give permission to appeal
- At present, he does not have a right to have his appeal heard by the Supreme Court
- He does have the right to ask the Supreme Court for permission to appeal
- Assange's lawyers have 14 days to ask the Supreme Court for permission to appeal, s.32(6)
- Supreme Court Rules 2009 Part 2 (attached) says that a panel of Justices (at least 3 Supreme Court judges) decide whether to grant leave on consideration of the papers. Alternatively an
oral hearing may be held.
- A Practice Direction Applications for Permission to Appeal (attached) has practical details of what must be done

It is difficult to say when the decision to grant or refuse leave to appeal will be made. Hope that this is of some limited use.

## Regards

National Member for the United Kingdom
Maanweg 174
2516 AB The Hague
The Netherlands
Office Phone
Fax
Mobile
Deurojust.europa.eu
www.eurojust.europa.eu

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## From:

Sent: 05 December 2011 13:54
To:
Cc: ~College Sweden;
Subject: RE: Assange can appeal to Supreme Court

## Dear

Thank for informing me in this matter. It is a little difficult to understand what this means.
The BBC news says that the judges "refused Mr A to appeal directly to the Supreme Court" and he "has still no automatic right to be heard by the highest court in the UK" but he can "ask the Supreme Court to look at his case". What will this mean and how long do you think it will take before we will have a final decision?

Med vänlig hälsning
Kind regards

## Sveriges Nationella Medlem

## EUROJUST

Maanweg 174
NL-2516 AB The Hague
THE NETHERLANDS


Sent: 05 December 2011 12:10
To:
Cc: ~College Sweden
Subject: Assange can appeal to Supreme Court

## Dear

The $B B C$ reports today that Assange has been granted leave to appeal to the Supreme Court
http://www.bbc.co.uk/news/uk-16027942
The wheels of justice grind slowly.... .
Regards
$\square$


National Member for the United Kingdom
Maanweg 174
2516 AB The Hague
The Netherlands
Office-Phone-
Fax
Mobile
@eurojust.europa.eu
www.eurojust.europa.eu

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 14 December 2011 19:43
To:
Subject: SV: re JULIAN ASSANGE
Thanks, I am glad to hear everything is alright. I am not surprised that it is nonstop work. I hope the holidays will give you a well-earned break.
I will be off duty next week but Karin and Ola will be on duty and we will keep in touch. I am quite excited to see what will happen next.Monday. If needed I will get back to office and please don't hesitate to call me or send email to my private address
Marianne

## Från: @cps.gsi.gov.uk]

Skickat: den 13 december 2011 14:30

## Till: Ny Marianne

Ämne: re JULIAN ASSANGE

## Marianne,

No problems, just to say hello and that all is in hand.. This should be a fairly quiet time on Assange but amazingly it is simply nonstop work.

I-amstifit waiting for the defence application to the Supreme Court for leave to appeal. This must be-made-by close of play next Monday. I have been trying to ensure the defence serve me with details as soon as possible and do not leave it to the last moment, with the intention of ensuring I cannot respond in time and so ensuring the matter is not determined by the court until well into next year.

Suffice it to say I have been rather busy trying to outflank the defence and to spoil their plans. They may still have the last say in that if they do delay then there is nothing I can do to stop them. [The Extradition Act 2003 gives them 14 days]. I can though suggest subtly that such an act gross discourtesy to the Supreme Court may put them, their counsel and their case in a rather poor light with the court.

What I can say is that following the most extensive contact with the Supreme Court it has confirmed that the Justices will sit next Monday or, more accurately, will decide the application that day and also announce its decision [probably at about 6 pm GMT]. This will involve the justices working from various locations on Monday and their decision will be given by telephone.

I do not believe anything like this has ever happened, either in terms of speed or in the informal nature of the procedures. I suppose this case never ceases to amaze.

If leave is given then the court will list the appeal for hearing before the full court on 1 and 2 February 2012. Again, this speed and approach by the court are simply unheard of and that is why 1 am doing absolutely. everything possible to ensure we can get the court to decide the question of leave on Monday.

If leave is refused then he will try to get interim relief from Strasbourg. It normally decides within 14 days. However with the Christmas/New Year break it is not possible to say how soon it will respond. I will keep you posted.

From:
Sent: 15 December 2011 12:59.
To: 'Ny Marianne'
Subject: FW: re JULIAN ASSANGE

I will keep you all updated. Sometimes court cases seem to become more like games of chess. In this case it usually seems more like guerrilla warfare or even psychological warfare.

The press office here is fully briefed and will as necessary link in with
In passing, I understand the press office at the Supreme Court has been a little overwhelmed with the media attention:

I will be in touch with you before Christmas, in any event.


From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 14 December 2011 19:43

## To:

Subject: SV: re JULIAN ASSANGE
Thanks, I am glad to hear everything is alright. I am not surprised that it is nonstop work. I hope the holidays will give you a well-earned break.
twill be off duty next week but Karin and Ola will be on duty and we will-keep in touch. Tam quite-excited to see what will happen next Monday. If needed I will get back to office and please don't hesitate to call me or send email to my private address Marianne.

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 16 Deçember 2011 07:56.
To:
Subject: SV: ASSANGE
What a_chock!_-hope_youmade it without staying-at office all night This_Eriday_will indeed be a very exciting
one. I will not ask to predict the outcome.
Marianne
PS My cell phone is

## Från:

cps.gsi.gov.uk]
Skickat: den 15 december 2011 19:24
Till: Ny Marianne
Ämne: ASSANGE


Change of plan. Court now wants to sit tomorrow. Got the defence response at 4 pm. Such professional tactics. Working on our reply. Could be a very, very late night!!

Will be in touch tomiorrow.

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Hello from sleepy London.

did the final tranche of drafting and finished at about 3.45 am.
has caste her eyes over it and is happy. Ironically she is heavily involved [defending!] in another extradition case [cause celebre] and so has not been able to be involved throughout. The case is re and I envisage you'are aware of it.

I heard on the BBC world service news this moming [at about 5.30 am] that
US today. I am not even thinking any more thoughts about it!
It is possible the court will decide by lunchtime today. I will of course be in touch as soon as. I hear anything at all.


| From: | @birnbergpeirce.co.uk] |
| :--- | :---: |
| Sent: 15 December 2011 16:00 | $\ddots$ |
| To: |  |
| Subject: Julian Assange - Supreme Court : |  |

Dea
We will deliver to you by courier today the Notice and Grounds of Appeal in this case, but in addition forward it here to you electronically in light of its urgency.

Please do not hesitate to contact me if you require any further information.
Yours sincerely

Birnberg Peirce \& Partners

## Birnberg Peirce \& Partners - Disclaimer

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From:
Sent: - 16 December 2011 12:02
To:
'Ny Marianne'
Subject:
FD: RE: J ASSANGE
Attachments: Supreme Court Leave Application Responsevcm.docx

## 2 of 2

This is our reply to the defence application for leave. The approach to try to keep it short and to concentrate on the basic legal issues [rather than a long tiresome synopsis and academic dissertation of the law] is deliberate and mine. ! am working on the basis that the Supreme Court Justices have a pretty good idea of the law!!

The Justices consider the application in private and only on the papers. They will either grant or refuse the application. They do not give any narrative judgment or reasons. There is no appeal from their decision.

So fingers crossed!!

## $\sigma$



From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 16 December 2011 12:07
To:
Subject:-SV: RE: J ASSANGE
1 am amazed you made it! $\qquad$
Fingers crossed!
Marianne
Från: peps.gsi.gov.uk]
Skickat: den 16 december 2011 13:02
Tille Ny Marianne
Ämne: FW: RE: J ASSANGE

## 2 of 2

This is our reply to the defence application for leave. The approach to try to keep it'short and to concentrate on the basic legal issues [rather than a long tiresome synopsis and academic dissertation of the law] is deliberate and mine. I am working on the basis that the Supreme Court Justices have a pretty good idea of the law!!

The Justices consider the application in private and only on the papers. They will either grant or refuse the application. They do not give any narrative judgment or reasons. There is no appeal from their decision.

So fingers crossed!!

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 16 December 2011 12:28
To: $\square$
Subject: SV: RE: JASSANGE

## Dear

I am leaving office in 10 minutes. Please keep in touch via email to Kind regards
Marianne

```
Från:\@@cps.gsi.goviuk]
```

Skickat: den 16 december 2011 13:02
Till: Ny Marianne
Ämne: FW: RE: J ASSANGE
2 of 2
This is our reply to the defence application for leave. The approach to try to keep it short and to concentrate on the basic legal issues [rather than a long tiresome synopsis and academic dissertation of the law] is deliberate and mine. I am working on the basis that the Supreme Court Justices have a pretty good idea of the law!!

The Justices consider the application in private and only on the papers. They will either grant or refuse the application. They do not give any narrative judgment or reasons. There is no appeal from their decision.

## So fingers crossed!!

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```
Sent: . 16 December 2011 12:49
To:
Subject: SV: Press matters
Dear
```

Thank you for your quick reply. We are as ready as possible (I hope!) for any kind of decision by the Supreme Court, i.e. have prepared and translated various comments/notes for our web page, according to different outcomes of today's Court sitting.


Hope you are well.
I will forward this onto the PO now. They should contact you shortly. If not please let me know.
We should get a decision today. If leave is given then the Supreme Court will list the appeal for a hearing before the full court as soon as possible. I believe it would be given priority listing.

If no leave then he could go to Strasburg [ $E C H R$ ].I will clarify all as soon as position is clearer. I see is in court in the US today. 'As far as I know there is no [press] linkage with Assange at this end. However lam outside my comfort zone and will leave all such issues to the experts.


Sent: 16 December 2011 12:22
To
Subject: Press matters

## Dear

Unfortunately I cannot find the phone number to your press office. Could you please provide it?
Best regards,


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From:
Sent:
To:
Subject:

16 December 2011 14:27
'marianne.ny@telia.com'
RE: FD: JA EXTREMELY URGENT

Obviously you do not have to come to the hearing. The choice is entirely yours. If you I-just-wondered-if-you-wished-to-do-
come.
If you did then you would be most welcome indeed and it would be so nice to see you again..

Yes, I believe the legal establishment here is also very surprised.
I had a recent case involving prosecutors in Berlin. They told me they have a saying "On the high seas and before a German court one's fate is in God's hands".

As I have said before I stopped trying to guess the outcome of courts ages ago:
ave a great holiday break. I am not sure if you are going away. I do promise you that he team at this end will carry on fighting with all we have. We have in fact already started.

```
Happy Christmas;
```

$\square$
----original Message----
From: marianne.ny@telia.com [mailto:marianne.ny@telia.com]
Sent: 16 December 2011 13:51
To:
Subject: SV: FW: JA EXTREMELY URGENT
I am very surprised. If you think it would be a good idea I will certainly be there for the hearing. Marianne

```
From: @aklagare.se]
Sent: 03 January 2012 07:47
To:
Subject: The hearing in February
```


## Hello

A Happy New Year to you all! Hope everything is well.
As you might already know, Marianne will not attend the Supreme Court Hearing, due to the risk of being regarded - by the media and the defense - as involved in or interfering with the British proceedings. I would very much like to attend myself though, if possible. However, I would not go if there was any possible risk of me being suspected of acting/attending on behalf of Marianne. My reason for attending would be strictly educational and I would not represent anybody but myself as Head of Communication.

50, with your expert knowledge of the case and the public opinion in Britain, do you think there is such a risk?

Best regards,

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## Close Paul


appndix_(3).doc facts_and_issues.d ( 38 KB ) oc ( 118 KB )

These are, the agreed facts and issues.


This is the electronic version of our case. The bound paper version will look prettier.


```
From: Sent: To:
Cc:
Subject:
Attachments:
18 January \(2012 \cdot 14: 36\)
Nv Marianne:
FW: [CJSIVI] Assange: Appellant's Case
_attachment_.pdf
```

Assange_case_final .pdf (632 KB...

This is the Appellant. case.

D


From:
Sent: 18 January 2012 14:37
To: . 'Ny Marianne'
Cc:


Subject: FW: Swedish Extradition Act 1959 HELP PLEASE

Can you help me please?
Do you by any chance have an English copy version of:-
Swedish Extradition Act of 1959. It is called: Lag om utlamning for brott till Denmark Finland Island och Norge Svensk Forfattningssamling 1959 No 254


If so please could you let me have a copy [electronically]?
Don't worry if not, we can get a translation done in the UK.


From:
Sent: 18 January 2012 14:38
To: 'Ny Marianne'
Cc:
Subject: FW: Swedish Extradition Act

I have a copy in Swedish:
http://www.riksdagen.se/webbnav/index.aspx?nid=3911\&bet=1959:254\&format=html
The most relevant Article appears to be 9 .
1

5

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 18 January 2012 16:11
To:
Subject: SV: ASSANGE Act 2011 MORE HELP PLEASE

```
ear
It's good to hear from you and Happy New Year to you too. I had a pleasant break and enjoyed the holidays together with family and friends. I hope you were able to get some kind of break in spite of your heavy burden of work.
Did I tell you that Asante has got himself a new defence team in Sweden as well? Two renowned defence lawyers,
I would love to come to London for the hearings in Supreme Court but I find it hardly possible. I reckon I would subject myself to severe criticiṣm for refusing to go to' London to question Assange by both the defence and media if I did. I hope to be able to visit when this whole matter is
I am trying to find out if there is an English copy version of the Swedish Extradition Act of 1959. The Nordic
languages are to be used when it comes to extradition between the Nordic countries, so l doubt there is one
The Nordic arrest warrant is expected to come into force not before April \(1^{\text {st }}\). and I have no idea if there is an
English copy. I will get back to you as soon as I know. Would a copy of the legislation in Swedish
electronically be at any help.
Kind regards
Marianne
```


## Från:

 @cps.gsi.gov.uk]Skickat: den 18 januari 2012 15:39
Till: Ny Marianne
Kopia
Ämne: FW: ASSANGE Act 2011 MORE HELP PLEASE
Hello again,
Sorry to keep bothering you for help.

In Sweden last year the Government introduced: Act (2011:1165) on surrender from Sweden according to the Nordic arrest warrant: http://www.riksdagen.se/webbnav/index.aspx?nid=3911\&bet=2011:1165\#K3

The Nordic arrest warrant appears to co-exist with the EAW scheme. The legislation refers to the Government producing detailed regulations on the application of the NAW.

Could you please let me have a copy of these regulations? If you have them in Swedish and in English then that would be a bonus and a miracle. [l can but ask!!].
$\square$
PS Last one!

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## Fran:

Skickat:
Till:
Ämne:

## den 19 ianuari 2012 12:53

VB: The hearing in February. J ASSANGE

Så här hark konversationen gått med CPS om eventuell lämplighet att närvara i London.


Skickat: den 18 januari 2012 15:35
Till: Ny Marianne
Kopia:
Ämine: FW: The hearing in February; J ASSANGE

First, I am so sorry for not writing sooner. Anyway, Happy New Year to you both; I have not forgotten you. I hope you had a good break and all is well.

Secondly, I confirm that we have been quite busy here this year. Absolutely everything is in hand and all work is right on schedule. The timetable imposed on us by the Supreme Court [SC] to do the work has been ridiculously tight. We have done in days [and nights] what we would normally have been allowed many weeks or months to do. We have also had much less time than that enjoyed by the Appellant's team.

1 will send over to you details of $(1)$ the agreed-Se-facts and-issues-doeument ( 2 ) the-Appellant's-case-(3)-the Respondent's case. This is merely for your information. if you ever need them, indexes of all the legal authorities and case law which the court is likely to consider.

I will set out in further emails some minor points with which you may able to help, as they involve Swedish law and general documents.

Obviously it is a matter entirely for you both to decide if you want to attend the SC hearing. I promise that you would both be extremely welcome here if you did so. I cannot see any risk or problem: I would be only too happy to pass you both off as a couple of young Swedish law students who were just passing through London.

The press would have no access to you in court and you can leave with the rest of the prosecution team in total anonymity. you can undertake [quite properly] any press or other official function which you wish. It would never be a problem. I would of course arrange for you to work with the CPS press office to whatever degree you wished.

Subject to your times and commitments I would happily try to arrange for any other legal visits which are of interest to you whilst you were here [such as the Inns of Court, where the bar is based, or the Old Bailey].

So, particularly you if you are interested in coming then please just let me know and ignore totally any of your apparent concerns. Obviously if you do not want to leave nice warm Sweden and come to dreary wet London to see your boring solicitor, then I do fully understand, it seems amazing that it is nearly a year since I last saw you both. So, thinking about it, I reckon it has been too long and you should both definitely come over.

You will note on the documents which I will send shortly to you that J Assange has now instructed a new leading counsel

This is his third one.
We still have the best one though [by a long way].

```
From
                @aklagare.se]
Sent: 03 January 2012 07:47
To:
Subject: The hearing in February
```

Hello
A Happy New Year to you all! Hope everything is well.
As you might already know, Marianne will not attend the Supreme Court Hearing, due to the risk of being regarded - by the media and the defense - as involved in or interfering with the British proceedings. I would very much like to attend myself though, if possible. However, I would not go if there was any possible risk of me being suspected of acting/attending on behalf of Marianne. My reason for attending would be strictly educational and I would not represent anybody but myself as Head of Communication.

So, with your expert knowledge of the case and the public opinion in Britain, do you think there is such a risk?

Best regards

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From:
Sent: 19 January 2012 15:48
To: 'Ny Marianne'
Subject: FW: ASSANGE Act 2011 MORE HELP PLEASE

Thanks. We will sort out translations at this end.
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 19 January 2012 13:48
To:
Subject: VB: ASSAṄGE Act 2011 MORE HELP PLEASE

Unfortunately no English copies. I enclose the legislation in Swedish.
I will be out of office tomorrow. If you need any help please contact
Marianne
Från:
Skickat: den 19 januari 2012 14:16
Till: Ny Marianne
Ämne: SV: ASSANGE Act 2011 MORE HELP PLEASE
Här kommerpdf:er.

```
Från: Ny Marianne
Skickat: den 19 januari 2012 13:44
Till:
Ämne: VB: ASSANGE Act 2011 MORE HELP PLEASE
```

Som du ser förvarnade jag om att de lagar han frågar efter sannolikt inte finns att tillgå på engelska. Jag vet inte om han har nytta av att få dem på svenska som PDF-filer. Vet du om det finns att tillgå i så fall? Marianne

## Från: Ny Marianne

Skickat: den 18 januari 2012 17:11
Till:
Ämne: SV: ASSANGE Act 2011 MORE HELP PLEASE

[^7]The Nordic arrest warrant is expected to come into force not before April $1^{\text {st }}$ and I have no idea if there is an English copy. I will get back to you as soon as I know. Would a copy of the legislation in Swedish electronically be at any help.
Kind regards


## Från:

@cps.gsi.gov.uk]
Skickat: den 18 januari 2012 15:39
Till: -Ny Marianne
Kopia:
Ämne: FW: ASSANGE Act 2011 MORE HELP PLEASE
Hello again,
Sorry to keep bothering you for help.
In Sweden last year the Government introduced: Act (2011:1165) on surrender from Sweden according to the Nordic arrest warrant: http://www.riksdagen.se/webbnav/index.aspx? nid=3911\&bet=2011:1165\#K3

The Nordic arrest warrant appears to co-exist with the EAW scheme. The legislation refers to the Government producing detailed regulations on the application of the NAW.

Could you please let me have a copy of these regulations? If you have them in Swedish and in English then that would be a bonus and a miracle. [I can but ask!!].

PS Last one!

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## $F^{2}$

 and delete this message and any attachments without retaining a copy.Y)

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From:
Sent: 19 January 2012 18:21
To: 'Ny Marianne'
Subject: FW: ASSANGE Act 2011 MORE HELP PLEASE

You know you are always very welcome.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 18 January 2012 16:11

## To:

Subject:-SV:: ASSANGE-Act 2011-MORE-HELP PLEASE

## Dear

It's good to hear from you and Happy New Year to you too. I had a pleasant break and enjoyed the holidays together with family and friends. I hope you were able to get some kind of break in spite of your heavy burden of work.
Did I tell you that Asante has got himself a new defence team in Sweden as well? Two renowned defence lawyers,
Iwould love-to-come to tondon for the-hearings-in-Supreme-Cout but-finctithardy-possible. ireckon-1 would subject myself to severe criticism for refusing to go to London to question Assange by both the defence and media if 1 did. I hope to be able to visit when this whole matter is
I am trying to find out if there is an English copy version of the Swedish Extradition Act of 1.959 . The Nordic languages are to be used when it comes to extradition between the Nordic countries, sol doubt there is one. The Nordic arrest warrant is expected to come into force not before April $1^{\text {st }}$ and $I$ have no idea if there is an English copy. I will get back to you as soon as I know. Would a copy of the legislation in Swedish electronically be at any help.
Kind regards


Hello again,
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Sent: 20 January 2012 11:12
To:
Subject: SV: J ASSANGE.SC PAS 1\&2 Feb 2012

Yes, I am planning to go to the hearing (and I am very excited about it). On Monday, Marianne, the Prosecutor General and I will discuss which my formal status would be, and immediately thereafter the formal decision about my trip will be made. I will let you know as soon as éverything is settled.

I plan to arrive quite late on Tuesday night, as I have a late meeting, and leave midday on Friday. This will also be finally decided on Monday.

Best regards,


Från: @cps.gsi.gov.uk]
Skickat: den 20 januari 2012 11:49
Till:
Kopi
Ämne: J ASSANGE.SC PAS 1\&2 Feb 2012

## $\square$

I will assume you will come [alone] to the SC hearing and I will arrange for a security pass to be obtained for you for both days. Please let me know in due course if.you want to link in with the CPS press office [before, during or after the hearing]. This applies whether or not you travel as a press officer. Obviously I will liaise with you in due course when you know your travel plans.

If you need any UK input into any Swedish press briefing documents [or if Marianne needs any for Ministerial or other ones] then please do not hesitate to let me know.


## -

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From:
Sent: 20 January 2012 11:47
To:
Subject: FW: ل ASSANGE.SC PAS 1\&2 Feb 2012

Great. I look forward to hearing from you next week. Obviously please reassure Marianne, the PG and others [inc the AG if necessary] that they will have full support of the CPS and we will happily help in any way possible.

We may even try quite hard to win the case!
Kindest Regards,

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Subject: SV: J ASSANGE.SC PAS 1\&2 Feb 2012

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Best regards,



To: • $\square$
Subject: SV: J ASSANGE.SC PAS 1\&2 Feb 2012

I am very sorry to say that I will not, after all, attend. We have been discussing it thoroughly today and our. opinion is that there is a slight risk of me being recognised by the media, which just might be a harm to the matter or the Authority. If I only had to consider myself and my own department I would have come, but it is by far the most delicate matter we have ever handled and I just cannot take the risk. Hopefully it will come to an end eventually, and we will be free to go to London without hesitations.

I am totally convinced your preparations are excellent and that Claire Montgomery will be as brilliant as ever!

Best regards;


Från: @cps.gsi.gov.uk]
Skickat: den 20 januari 2012•12:47.

## Till:

Ämne: FW: J ASSANGE.SC PAS 1\&2 Feb 2012

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We may even try quite hard to win the case!
Kindest Regards,

## From:

@aklagare.se]
Sent: 20 January 2012 11:12
To:
Subject: SV: J ASSANGE.SC PAS $1 \& 2$ Feb 2012

Yes, I am planning to go to the hearing (and I am very excited about it). On Monday, Marianne, the Prosecutor General and I will discuss which my formal status would be, and immediately thereafter the formal decision about my trip will be made. I will let you know as soon as everything is settled.

I plan to arrive quite late on Tuesday night, as I have a late meeting, and leave midday on Friday. This will also be finally decided on Monday.

Best regards,

From:
Sent: 24 January 2012 14:08
To:
Cc: 'Ny Marianne'
Subject: FW: J ASSANGE.SC PAS 1\&2 Feb 2012

I am so sorry that you will not be coming. I do of course fully appreciate your concerns and the reasons for them. I will contact you [and Marianne] in a few days time to see if we need to establish a communication link with Sweden [to you and Marianne] during the appeal, in case we ever needed any urgent information from Sweden or you need details or facts for your press work.

The legal arguments in the SC are based on law rather than facts as occurred at the original extradition hearing(s) at Belmarsh court. No witnesses will give evidence on oath in the SC as they did before.

As always, please do not hesitate to let me know if there are any specific questions which you need me to answer. I suppose the obvious one at this stage is when will we know the outcome. I do not know. It usually takes many months. However as absolutely everything in this matter has been done at break neck speed I would not be surprised if the judgment was given within a say, a month or so.

The SC will know that the outcome will have an impact on numerous current pending EAW cases, no matter what. Cases are being adjourned regularly pending the outcome in Assange.

Thanks for your very kind comments.

```
From: Daklagare.se]
Sent:23 January 2012 16:39
To!
Subject: SV: J ASSANGE.SC PAS 1&2 Feb 2012
```

1 am very sorry to say that I will not, after all, attend. We have been discussing it thoroughly today and our . opinion is that there is a slight risk of me being recognised by the media, which just.might be a harm to the matter or the Authority. If I only had to consider myself and my own department I would have come, but it is by far the most delicate matter we have ever handled and I just cannot take the risk. Hopefully it will come to an end eventually, and we will be free to go to London without hesitations.

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Best regards,

Skickat: den 20 januari 2012 12:47
Till:
Ämne: FW: J ASSANGE.SC PAS $1 \& 2$ Feb 2012

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We may even try quite hard to win the case!
Kindest Regards,

From: @aklagare.se]
Sent: 20 January 2012 11:12
To:
Subject: SV: J ASSANGE.SC PAS 182 Feb 2012

Yes, I am planning to go to the hearing (and I am very excited about it). On Monday, Marianne, the Prosecutor General and I will discuss which my formal status would be, and immediately thereafter the
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## Fràn:

## Skickat:

Till:
Ämne:


VB: J ASSANGE.SC PAS 1\&2 Feb 2012

Apropå gảrdagens diskussion om bl.a. tidpunkt för när domstolen meddelar beslut.


I am so sorry that you will not be coming. I do of course fully appreciate your concerns and the reasons for them. I will contact you [and Marianne] in a few days time to see if we need to establish a communication link with Sweden fto you and Marianne] during the appeal, in case we ever needed any urgent information from Sweden or you need details or facts for your press work.

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Subject: SV: J ASSANGE.SC PAS 1\&2 Feb 2012

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Best regards,

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From:
Sent:
To:
Cc:
Subject:
O2February 2012 09:21
Ny Marianne
FWV:[CJSIVI]
Attachments: . _attachment_doc

Assange_v_Swedis
h_IA_1.2.2012...

Marianne,
I. attach an updated advice. No problems but still a lot of heavy legal argument to go yet. There are 7 very independently minded supreme Court judges sitting and a split decision is quite possible [but almost certainly not today].
know you are following events carefully. However never forget that it is only the English extradition system and English law which are under the judicial microscope. No criticism has been made at the hearing of the Swedish systems or you personally.

Obviously a major one of my roles in representing you [apart from winning] is to protect the integrity of the Swedish system [and your office]. I still have no concerns.

Counsel and .I are here to represent only you, not the English extradition law or systems. I mention this just in case it appears, to those not used to our adversarial system that criticism of the English extradition system. is in some way an implied criticism of the Swedish prosecution and the extradition request. It is not.

I will be in touch later: As you know [the CPS press officer] is at the hearing and obviously is available if ever $\square$ needs press assistance. Just let me know if any points which you or others need clarifying.

## IN THE SUPREME COURT OF THE UNITED KINGDOM

On appeal from Her Majesty's High Court of Justice (Administrative Court)

## BETWEEN:

 Mark Summers,

Respondent: Clare Montgomery QC Hannah Pye

1. This appeal against extradition came before the court today. opened for Mr . Assange, setting out that it was the Appellant's contention that the words 'judicial authority' as used in section 2(2) the Extradition Act 2003 ('the Act') and the Framework Decision 2002 did not include a body such as the Swedish Prosecutor. Her argument was based on the premise that for a party to exercise judicial authority they had both to be independent from the executive and from the parties in the proceedings. She argued that the Swedish Prosecutor was not independent to the proceedings since it would prosecute the case.
2. In submissions addressed the following points:
(i) The approach of the UK court to the Act emphasised that there must be mutual trust between states and adherence to the Act and Framework Decision to ensure a requested persons' rights are protected.
(ii) At the time the Framework Decision had been drafted the European Court of Human Rights had already defined the term 'judicial authority' in relation to Article 5 ECHR, requiring there to be independence and impartiality of the authority. In drafting the Framework Decision parties must have known they were using a term which had already been defined as a Jutge.
(iii) Draft versions of the Framework Decision included a definition of who could issue an EAW which included prosecutors, this was later removed and the inference to be drawn must be that parties did not seek prosecutors to have the ability to issue EAWs.
(iv) The Framework Decision sets a minimum standard for the level of cooperation between Member States; it requires states to recognise EAWs issued by Judges. Any State recognising an EAW issued not by a Judge is doing so voluntarily, cooperating to a greater degree than the Framework Decision requires.
(v) - Many-states-are-using-non-judicial-authorities-to- issue-and-execute-E-A-W/s-this-is-in breach of the Framework Decision and other Member States are not required to respect such EAWs pursuant to the Framework Decision; the Act does not permit such EAWs to be respected.
(vi) The decision of the Divisional Court was correct in finding that a Ministry of Justice could not issue an EAW as it was part of the executive, but failed to apply the same
test in relation to prosecutors, who as party to the proceedings are not impartial.
3. Clare Montgomery QC commenced submissions shortly before the end of the hearing and began to address the court with regard to the term 'judicial authority'. She began to argue that at the stage at which an EAW is issued the prosecutor cannot be described as acting as a judge in their own cause, but simply requesting extradition to allow the case, which would be adjudicated by a Judge, to proceed.
4. The case is to resume at $10: 30 \mathrm{am}, 2^{\text {nd }}$ February 2012.

| From: | Ny Marianne [Marianne.Ny@aklagare.se] |  |
| :--- | :--- | :--- |
| Sent: |  | 02 February 2012 09:35 |
| To: |  |  |
| Subject: |  |  |

Thanks, I am following the hearing with great interest and I am very grateful for being updated. I know you are in great hurry to get back to court, so thanks again and good luck!
Marianne
-----Ursprungliat meddelande-----
Frán: @cps.gsi.gov..uki]
Skickat: den 2 februari 2012 10:21
Till: Ny Marianne
Kopia:
Ämne: FW: [CJSM]

## arianne,

I attach an updated advice. No problems but still a lot of heavy legal argument to go yet. There are 7 very independently minded Supreme Court judges sitting and a split decision is quite possible [but almost certainly not today].

I know you are following events carefully. However never forget that it is only the English extradition system and English law which are under the judicial microscope.. No criticism has been made at the hearing of the swedish systems or you personally.

Obviously a major one of my roles in representing you [apart from winning] is to protect the integrity of the Swedish system [and your office]. I still have no concerns.

Counsel and I are here to represent only you, not the English extradition law or systems. I mention this just in case it appears, to those not used to our adversarial system that criticism of the English extradition system is in some way an implied criticism of the swedish prosecution and the extradition request. It is not.

I will be in touch later. As you know [the CPS press officer] is at the hearing and obviously is available if ever $\square$ needs press assistance. Just let me nnow if any points which you or others need clarifying.

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From:
Sent: $\quad 02$ February 2012 10:14
To: Ny Marianne
Subject:
FW: [CJSM]2nd Version
Attachments: _attachment_doc


Assange_v_Swedis
h_IDA_1.2.2012...

Please see attached. Just very slight amendments to the names of the Judges.

IN THE SUPREME COURT OF THE UNITED KINGDOM
On appeal from Her Majesty's High Court of Justice (Administrative Court)

BETWEEN:

## SWEDISH PROSECUTION AUTHORITY

## Respondent

## UPDATE ON HEARING $1^{\text {st }}$ February 2012

Coram: Lord Philips -of Worth-Matrayers, Lord-Dyson, Baroness-Hale-of-Richmond, Lofd-Kefr-of Tonaghmore, Lord Brown of Eaton-under-Heywood, Lord Walker, Lord Mance.


1. This appeal against extradition came before the court today. opened for Mr. Assange, setting out that it was the Appellant's contention that the words 'judicial authority' as used in section 2(2) the Extradition Act 2003 ('the Act') and the. Framework Decision 2002 did not include a body such as the Swedish Prosecutor. Her argument was based on the premise that for a party to exercise judicial authority they had both to be independent from the .executive and from the parties in the proceedings. She argued that the Swedish Prosecutor was not independent to the proceedings since it would prosecute the case.
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(i) The approach of the UK court to the Act emphasised that there must be mutual trust between states and adherence to the Act and Framework Decision to ensure a requested persons' rights are protected.
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(iv) The Framework Decision sets a minimum standard for the level of cooperation between Member States; it requires states to recognise EAWs issued by Judges. Aṛiy State recognising an EAW issued not by a Judge is doing so voluntarily, cooperating to a greater degree than the Framework Decision requires.

- (v) Mañy stätes àre usiñ non-jūdiciala aüuhōitiès to issue and execute EAWs, this is in breach of the Framework Decision and other Member States are not required to respect such EAWs pursuant to the Framework Decision; the Act does not permit such EAWs to be respected.
(vi) . . The decision of the Divisional Court was correct in finding that a Ministry of Justice could not issue an EAW as it was part of the executive, but failed to apply the same test in relation to prosecutors, who as party to the proceedings are not impartial.

3. Clare Montgomery QC commenced submissions shortly before the end of the hearing and began to address the court with regard to the term 'judicial authority'. She began to argue that at the stage at which an EAW is issued the prosecutor cannot be described as acting as a judge in their own cause, but simply requesting extradition to allow the case, which would be adjudicated by a Judge, to proceed.
4. The case is to resume at $10.30 \mathrm{am}, 2^{\text {nd }}$ February 2012.

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 28 February 2012 17:39
To:
Subject: Assange

How are you doing? I hope you since long are done with submitting further material to SC. For the moment | am trying -to make plans for the next few months and-lam trying-to-figure-out-if-Assange-ought to be included or not. I expect the case to be quite time-consuming here as well if he will be extradited. Do you think there is a chance that the judgment will be given before end of March or Easter? You have always kept me posted and 1 realize there is no news yet so please forgive me for asking.

Kind Regards,
Marianne

## Marianne Ny

Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 Göteborg

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From:
Sent: 05 March 2012 13:21
To: Ny Marianne
Subject: FW: Assange.
Marianne,
I am doing well. Sometimes I actually now go for a whole day without the ' $A$ ' word being used: I only wish that I knew when a judgment could be expected. Unfortunately the system does not work that way and there is simply no way of knowing. I think that March is unlikely, April is. possible, May is more likely but June or even July are quite conceivable.

I realize that I have probably just given you a typical lawyer's answer. I reckon the best course is simply to plan your life [and any holidays] as suits you best. Are you planning a US trip?

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Sent: 28 February 2012 17:39

## To

Subject: Assange

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Kind Regards,
Marianne

## Marianne Ny

Överåklagare
( A . Aklagarmyndigheten/Utvecklingscentrum Göteborg
Box 128
40122 Götebora

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 05 March 2012 15:03
To:
Subject: SV: Assange
I am glad you are fine. Some day you even might to forget the whole thing. Being a lawyer myself am I totally happy with the answer. I will tell my team to prepare for April and that March probably means business as usual-Personally-lam-glad-to-get-the-opportunity-to-take-part-in-an-important-seminar-late-this-montheven might make private plans for the Easter. I might go to the US but I have not made up my mind yet.
Kind Regards,
Marianne

## Skickat: den 5 mars 2012 14:21

Till: Ny Marianne $\qquad$ $\stackrel{3}{2}$

## Ämne: FW: Assange

Marianne,
I am doing well. Sometimes I actually now go for a whole day without the ' A ' word being used. I only wish that I knew when a judgment could be expected. Unfortunately the system does not work that way and there is simply no way of knowing. I think that March is unlikely, April is possible, May is more likely but June or even July are quite conceivable.

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Kind Regards,
Marianne ${ }^{i}$

## Marianne Ny

Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
-Box 128
40122 Göteborg

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 15 March 2012. 14:52
To:
Subject: SV: re Supreme Court judgement in Assange
I agree. Let's speak next week.
Marianne

## Från:

@cps.gsi.gov.uk]
Skickal: den 13 mars 2012 20:03
Till: Ny Marianne
Ämne: re Supreme Court judgement in Assange

Marianne,
Some news-but still nothing really-definite, have spoken this evening -at some length to the-Supreme Court Office.

It seems that the judgment could be given by the full court either just before Easter or, if this is not possible, then sometime after 17 April [following the Easter break].

If it was possible this month then l'envisage the week starting 26 March would be the most likely. I have arranged to speak with the court office again next week. As always I will keep you posted. It seems that the usual arrangements for the judgment will not apply in this case. There will be no embargoed copy sent to the parties' lawyers some days beforehand, so that it can be proof checked and any factual errors corrected.

So I suggest that we liaise next week and plan accordingly for March and for April. However I most strongly advise that that you stick with your holiday plans. I am sure that all can be covered by
 and others. Obviously we will provide maximum support from this end.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 March 2012 09:56
To:
Subject: SV: Agenda for today's meeting re Supreme Court judgement in Assange.
Thíank you' so much for being so helpful and please excuse me for giving you so much trouble.
1 am leaving the $29^{\text {th }}$ of March and will be back on duty the $12^{\text {th }}$ of April. I will attend a meeting in Stockholm the $12^{\text {th }}$.and $13^{\text {th }}$.

I will get you a list of people on duty during my absence with e-mail addresses and phone numbers.
I will read my private email and mobile phone will be on during my vacation just in case.....
Marianne


## Hello

All-is well-in-London:-Very-mixed-but-not-unpleasant-spring weather-Obviously-still-no-news-
I reckon it is absolutely safe to assume that your information is totally and utterly wrong. I am sure the Supreme Court Justices will still be on leave until sometime next week. The court will then have to try to find a suitable date when the seven Justices in the case are next all available to sit together to give the judgment. It may be that all of them do not wish or need to attend but I think they will wish to do so.


As far as I know the defendant does not have to be at the hearing if he does not want to be there. He would not be summoned to attend the court [as he might be in proceedings before a lower court]. He is not on specific bail conditions to attend and if any bail issues ever arose then they can be dealt with in his absence. That said I have never known him to miss a photo opportunity.

I will of course contact you and Marianne immediately I have any news. You are very welcome to attend if you wish. I hope this detail enables you to deal with all the enquiries at your end.
Just say if you or' Marianne need anything at all.
Kind Regards,


Sent: 13 April 2012 09:55
To:
Subject: The A matter
Hell
Hope everything is well in London. Stockholm is still terribly cold and we are awaiting more bearable weather. I guess we will have to wait for another couple of weeks...

I am writing on behalf of Marianne who is attending a conference and therefore has no access to her e-mail. According to the Division for Criminal Cases and International Judicial Co-operation at our Ministry of Justice, they have obtained (unconfirmed?) information saying that Mr. Assange is summoned to the UK Supreme Court. on Monday. Have you any idea if this is correct and, if so, what it would mean?

Best regards,

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## From:

Sent: . $\quad 27$ April 2012 16:32.
To: . Ny Marianne'
Subject: FW: Assange
Attachments: Assange -

- recently received the attached yet furtherquestion-from the court:-The-legal-issues raised are very complex. Our reply to the court follows onto you.

Not sure where this leaves us on likely date for judgment. Hopefully sometime towards the end on May
From:
Sent: 18 April 2012 14:44
To: @birnbergpeirce.co.uk';
Subject: Assange

## Dear Sirs

Please see the attached letter and its enclosure from the Registrar.
Yours faithfully

[^8]
## - $\%$

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response to this message by e-mail.
This email has been sent from an email service operated for the uk Supreme Court by the
Ministry of Justice (Mon). Communication via this service may be

## From:

## Sent: $\quad 27$ April 2012 16:35

To:
'Ny Marianne'
Subject: FW: J Assange - submissions in response to the Supreme Court question on Pupino vFinal Attachments: Assange - submissions in response to the Supreme Court question on Pupino vFinal.docx

Our reply to the court for your information. lam waiting for the reply from defence to the court.
Have a good weekend. I shall be watching The Bridge [Swedish/Danish TV thriller] and trying to follow the plot.

From:
Sent: 27 April 2012 16:04
To:
Cc: @suipremecourt.gsi.gov.uk';
Subject: FW: J Assange - submissions in response to the Supreme Court question on $\square$ vFinal

Dear
I attach the Respondent's note (or ) in reply to the issues raised in the attachment to your letter of 18 April 2012, sent by email. A copy goes to

Yours Sincerely,

Special Crime and Counter Terrorism Divisiọn, CPS.
PS Have a good weekend and you too

From: @aklagare.se]
Sent: 29 May 2012 15:12
To:
Cc:
Subject: Tomorrow's decision
Dear
We-are-preparing for tomorrows decision from-the-Supreme-Gourt. And we-are-prepared for (almost )al options... However, I would need your help in a few matters.

## Option 1

If the court decides to surrender him, we would like to be very clear about the facts concerning the EAW regulations; , especially of the fact that he should be transferred to Sweden as soon as possible. Would that be of any problem for you?

## Option 2

If A complains to the ECHR, I guess I will get lots of questions concerning the proceedings in UK. related to $\qquad$ the ECHR - which I know very little about. Is there anybody at the CPS, or somewhere else, who could and is prepared to answer such media questions?

## Option 3

If the court decides that he should not be surrendered, it will very quickly become a political issue - at least in Sweden. We delegate (!) all political questions to our Ministry of Justice, but I suppose there will be quite a few tricky matters to consider. We might have to agree on a mutual statement," for instance. I might get in contact with you, in that case.

Hopefully everything goes as smooth as possible. My telephone is already busy, though.
Best regards,

Director of Communications
Swedish Prosecution Authority

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## From:

Sent: $\quad 29$ May 2012 18:15


Subject: RE: Tomorrow's decision

In response to your queries, l've put the answers below. I've had a couple of calls from journalists all round the world: Japan, Australia and the US on this case so there is a lot of international interest

Best wishes
www.cps.gov.uk
General press office contacts:
Tel: 02033570906
Email: cps.pressoffice@cps.gsi.gov.uk

## From:

 @aklagare.se]Sent: 29 May 2012 15:12
To:
Cc:
Subject: Tomorrow's decision
Dear
We are preparing for tomorrow's decision from the Supreme Court. And we are prepared for (almost) all options... However, I would need your help in a few matters.

Option 1
If the court decides to surrender him, we would like to be very clear about the facts concerning the EAW regulations, especially of the fact that he should be transferred to Sweden as soon as possible. Would that bè of any problem for you?
His transfer is not an operational matter for the CPS but for the police, so saying you want him transferred as soon as possible is not a problem for us. We do have a guide to the process on our blog. Here's the link: http://blog.cps.gov.uk/2012/01/julian-assange-extradition-process.html

## Option 2

If A complains to the ECHR, I guess I will get lots of questions concerning the proceedings in UK related to the ECHR - which I know very little about. Is there anybody at the CPS, or somewhere else, who could and is prepared to answer such media questions?
Please refer any queries to me on

Option 3
If the court decides that he should not be surrendered, it will very quickly become a political issue - at least in Sweden. We delegate (!) all political questions to our Ministry of Justice, but I suppose there will be quite
a few tricky matters to consider. We might have to agree on a mutual statement, for instance. I might get in contact with you, in that case.

That's not a problem - happy to speak to you tomorrow when we know what's happening. My mobile is but Ill have it switched off in court tomorrow morning.

Hopefully everything goes as smooth as possible. My telephone is already busy, though.
Best regards,

Director of Communications
Swedish Prosecution Authority

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From: Ny Marianne [Marianne.Ny@aklagare.se] .
Sent: $\quad 30$ May 2012 15:11
To:
Subject: SV: J ASSANGE
To win both was our goal. Oh yes, we are pleased. The judgment is of importance for more than this particular case.
It would be good to speak to you about what will happen next. The action by the defense came as a surprise.
We have the electronic versions of the judgment.
Marianne

Från:
Skickat: den 30 maj 2012 15:54
Till: Ny Marianne
Kopia: $\square$
Ämne: ] ASSANGE

Marianne,
Won: As if winning the Eurovision Song Contest was not enough for Sweden.
A total vindication of Swedish DPP/her colleagues/Swedish criminal justice system.
Will catch up tomorrow when you are back; will try to ring: Full update advice and general thoughts on remaining issues/possible problems and solutions to follow.

If you o have any questions or issues which you need clarifying then just let me know: I am assuming that you all have electronic versions of the [very lengthy and complex] judgment.

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\square
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## From:

Sent: $\quad 30$ May 2012 16:17
To:
Cc: $\quad$ Ny Marianne
Subject: RE: J ASSANGE

Thanks. All-noted-Just-say-whatever-you-need I confirm your -sanity has never been-inquestion here. I am pleased to see you missed the ESC and still have a life.

From:
Sent: 30 May 2012 15:29
To:
Cc: Ny Marianne
Subject: SV: J ASSANGE

I must confess I am about the only Swede not having watched the ESC, but please don't tell my fellowcountrymen, as it would inevitably stamp me as mad.

We have duly received the judgement, butt I have not so far had time to read it (117 pages!). I got excellent help from who has provided me with all the relevant statements, as well as answered my questions thoroughly. So at the moment, I believe I have all information we need.

All the best,

Från:
Skickat: den 30 maj 2012 15:54
Till: Ny Marianne
Kopia:
Ämne: ] ASSANGE

Marianne,
Won: As if winning the Eurovision Song Contest was not enough for Sweden.
A total vindication of Swedish DPP/her colleagues/Swedish criminal justice system.
Will catch up tomorrow when you are back; will try to ring: Full update advice and general thoughts on remaining issues/possible problems and solutions to follow.

If you or have any questions or issues which you need clarifying then just let me know. I am assuming that you all have electronic versions of the [very lengthy and complex] judgment.

Subject: FW: Julian Assange
Attachments: Appellant's Application to Re-Open Judgment 12.6.12.pdf
Marianne,
I delayed answering your questions [11 June] as I did not want to 'tempt providence'.
Silly really, as of course I have today been served with the defence's application to the Supreme Court [SC] seeking to re-open the appeal.

The defence argument, in essence, being that the justices erred in law.
You will see the defence team has now increased and an academic [specializing in international public law] has been brought in.

The court has asked-us to respond by Midday tomorrow. It seems they may be meeting [in private] to. consider the matter.

Obviously with the best will in the world any expectation that we respond in less than a day is simply unfair and unrealistic. I cannot say what approach the Court will take.

I believe this exact situation is unique. The court could proceed only on further written submissions or to an oral hearing or simply say it will not re-open the appeal.

We propose to serve a [relatively] short robust reply by tomorrow _stating that we do not accept-the-defence's. assertions. This work is under consideration.

If the SC does re-open the appeal then the current surrender times will be stayed. If it does not then the defendant could seek relief from Strasbourg but hopefully would b rejected within the week.

I will advise more fully when all matters are clearer.
It is quite clear that unless the SC is very careful it could look very silly indeed. I cannot even try to justify what is happening. If you are confused I can but sympathise totally with you.

I will contact you tomorrow as soon as I have news.


Sent: 12 June 2012 11:16
To

## Cc

Subject: Julian Assange
Dear
We herewith attach the Application to Reopen, in respect of the submission of which 14 days were permitted by the Supreme Court on the $30^{\text {th }}$ May.

May we draw your attention as a matter of urgency to paragraph 49 as we request in that paragraph that the Court's order of the $30^{\text {th }}$ May (permitting by agreement with the Respondent 14 days in which to consider, seek and obtain a Rule 39 decision by the European Court of Human Rights) be stayed pending the determination of this application.
. We have separately requested the Respondent to agree that this is the appropriate course, the Respondent (and the Treasury Solicitor on behalf of SOCA) having kindly agreed to the terms in the order of the $30^{\text {th }}$ May on the basis of the then presumed timetable, after which the Court permitted the Appellant 14 days further to submit the attached application, and have copied both into this email.

Thank you for.your guidance as to delivery of hard copies. A representative of this office will attend the Supreme Court. as soon as possible today with seven copies.

With kind regards,

## Birnberg Peirce \& Partners

Birnberg Peirce \& Partners - Disclaimer

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## ***WON [again]. NO NEW•APPEAL-NO RE-OPENED APPEAL***. <br> Will speak as soon as possible.

Trying to sort out surrender potential times. He will no doubtr now try to go to Strasbourg. for interim relief [Rule 39].

I do not accept he must be in the UK to do so [or that he will win]
()

PS Sweden's winning streak must end soon [I hope on Friday night!!!!].

CC in case any urgent press interest.
.


Sent: 13 June 2012 12:17
To:
Subject: SV: Julian Assange
I agree, it is a good idea to be careful. Thanks for updating me. I must admit being amazed, you get one day to respond. Do they expect you to work around the clock! I am sorry I brought you and your team into this mess.
I am in Stockholm right now, on my way for a meeting and will be back in Gothenburg late this night.
Marianne
O
Från: @cps.gsi.gov.uk]
Skickat: den 12 juni 2012 20:20
Till: Ny Marianne
Ämne: FW: Julian Assange

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I will advise more fully when all matters are clearer.
It is quite clear that unless the SC is very careful it could. look very silly indeed. I cannot even try to justify what is happening. If you are confused I can but sympathise totally with you.

I will contact you tomorrow as soon as I have news.


We herewith attach the Application to Reopen, in respect of the submission of which 14 days were permitted by the Supreme Court on the $30^{\text {th }}$ May.

May we draw your attention as a matter of urgency to paragraph 49 as we request in that paragraph that the Court's order of the $30^{\text {th }}$ May (permitting by agreement with the Respondent 14 days in which to consider, seek and obtain a Rule 39 decision by the European Court of Human Rights) be stayed pending the determination of this application.

We have separately requested the Respondent to agree that this is the appropriate course, the Respondent (and the Treasury Solicitor on behalf of SOCA) having kindly agreed to the terms in the order of the $30^{\text {th }}$ May on the basis of the then presumed timetable, after which the Court permitted the Appellant 14 days further to submit the attached application, and have copied both into this email.

Thank you for your guidance as to delivery of hard copies. A representative of this office will attend the Supreme Court as soon as possible today with seven copies.

With kind regards,

## Birnberg Peirce \& Partners

## Birnberg Peirce \& Partners - Disclaimer

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From: • Ny Marianne.[Marianne.Ny@aklagare.se]
Sent: 14 June 2012 16:43
To:
Subject: SV: Julian Assange
I am so glad and what a relief we got the decision so quick. You have done such a tremendous job. I hope this summer will bring you nothing but a long relaxing vacation.
By the way, what is going on Friday night? Football or what?
Marianne

Från: @cps.gsi.gov.uk]
Skickat: den 14 juni 2012 17:19
Till: Ny Marianne
Kopia:
Ämne: FW: Julian Assange

STOP PRESS
***WON [again]. NO NEW APPEAL-NO RE-OPENED APPEAL***.
Will speak as soon as possible.
Trying to sort out surrender potential times. He will no doubtr now try to go to Strasbourg for interim relief [Bul e-39].

I do not accept he must be in the UK to do so [or that he will win]
PS Sweden's winning streak must end soon [I hope on Friday night!!!!].
Paul.
$C C$ in case any urgent press interest.
.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 13. June 2012 12:17
To
Subject: SV: Julian Assange

I agree, it is a good idea to be careful. Thanks for updating me. I must admit being amazed, you get one day to respond. Do they expect you to work around the clock! I am sorry I brought you and your team into this mess.
I am in Stockholm right now, on my way for a meeting and will be back in Gothenburg late this night.
Marianne

Fran: picps.gsi.gov.uk]
Skickat: den 12 juni 2012 20:20
Till: Ny Marianne
Ämne: FW: Julian Assange

Marianne,

I delayed answering your questions [11 June] as I did not want to 'tempt providence'.
-- Silly really, as of course I have today been served with the defence's application to the Supreme Court [SC] seeking to re-open the appeal.

The defence argument, in essence, being that the justices erred in law.
You will see the defence team has now increased and an academic [specializing in international public law] has been brought in.

The court has asked us to respond by Midday tomorrow. It seems they may be meeting [in private] to consider the-matter-

Obviously with the best will in the world any expectation that we respond in less than a day is simply unfair and unrealistic. I cannot say what approach the Court will take.

I believe this exact situation is unique. The court could proceed only on further written submissions or to an oral hearing or simply say it will not re-open the appeal.

If the_SC_does reopen the -appeal then the current-surrender times will-be-stayed- If it does -not then -the defendant could seek relief from Strasbourg but hopefully would $b$ rejected within the week.

I will advise more fully when all matters are clearer.
It is quite clear that unless the SC is very careful it could look very silly indeed. I cannot even try to justify what is happening. If you are confused I can but sympathise totally with you.

I will contact you tomorrow as soon as I have news.
From
Sent: 12 June $201211 \cdot 16 \ldots$ @irnbergpeirce.co.uk]
To:
Cc:
Subject: Julian Assange

Dea

We herewith attach the Application to Reopen, in respect of the submission of which 14 days were permitted by the Supreme Court on the $30^{\text {th }}$ May.

May we draw your attention as a matter of urgency to paragraph 49 as we request in that paragraph that the Court's order of the $30^{\text {th }}$ May (permitting by agreement with the Respondent 14 days in which to consider, seek and obtain a Rule 39 decision by the European Court of Human Rights) be stayed pending the determination of this application.

We have separately requested the Respondent to agree that this is the appropriate course, the Respondent (and the Treasury Solicitor on behalf of SOCA) having kindly agreed to the terms in the order of the $30^{\text {th }}$ May on the basis of the then presumed timetable, after which the Court permitted the Appellant 14 days further to submit the attached application, and have copied both into this email.

Thank you for your guidance as to delivery of hard copies. A representative of this office will attend the Supreme Court as soon as possible today with seven copies.

With kind regards,

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 20 June 2012 10:01


Subject: SV: JULIAN ASSANGE
Dear all,
I agree. This was, at least from my point of view, a totally unexpected move.
Kind regards,
Marianne

## Från:

Skickat: den 20 juni 2012 08:23
Till: Ny Marianne
Kopia:
Ämne:-SV:-JULIAN ASSANGE

Mon dieu!
I really felt sorry for you and your team last night! Very grateful for any information, when available, as the situation is - to say the least - a bit confusing.

All-the best,


Skickat: den 19 juni 2012 22:22
Till: Ny Marianne
Kopia:
Ämne: JULIAN ASSANGE

Marianne
Hello,
You could not make it up.
Please see BBC website [and others no doubt].
Legal team all aware: We are all considering position/law. $\square$ will contact tomorrow with news.
I have asked the Met Police to try to find exactly where he is [embassy or at bail address]. Any arrest/bail breach is a police matter. I cannot tell them what to do.
are CPS press officers [on duty] in case $\quad$ needs to liaise.
I will be here [office] for a little while. Will be contactable at home tomorrow.
$\square$

From:
Ny Marianne [Marianne.Ny@aklagare.ṣe]
Sent: 27 June 2012 11:26
To:
Cc:
Subject:

Dear
No news is good news but not in this case. Anyhow, there is nothing we can do but wait and see. I will be out of office on Thursday and take a day off_on Friday. If youneed to get.in touch, please use my private email address Marianne.ny@telia:com.

Kind regards
Marianne
-----Ursprunaliat meddelande-----
Frán: @cps.gsi.gov.uk]
Skickat: den 20 juni 2012 11:04
Till: Ny Marianne
trame: Franvaro: JULIAN_ASSANGE
) am going to Manchester on 20 th June 2012 for a conference, and will not have access to my emails during much of that day whilst travelling.
I will be back late on Thursday, and will be working away from the office on that day. I will have full access to emails on Thursday.
Mobile:
My ordinary desk number $\quad$ has been diverted so I should be able to recieve calls on that number.

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From: Ny Marianne [Marianne.Ny@aklagare.se].
Sent: 04 July 2012 13:27
To:

## Subject: J.A

Can you imagine that we some day will make plans without respect to what JA might do next? I hope week off was pleasant and without any thoughts of JA. Your colleagues,
and
have been very
helpful. You seem to have everything very well in hand.
We got following information from
Under our Extradition Act 2003, a Requested Person can apply to be discharged if removal does not take place within the required 10 days and the judge "must order his discharge unless reasonable cause is shown for the delay". Although it seems obvious that the fact that Mr Assange will not come out of the Embassy is "reasonable cause", I expect that will not run the risk of having to argue this and will apply to extend the 10 day period if that becomes necessary.
Which leads to my question. Do you plan to take any kind of action at the end of this week and if so, do you plan to publish any information?

## Marianne

## Marianne Ny

Överảklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 Göteborg

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From:
Sent: 12 July 2012 10:14
To: Ny Marianne
Subject: FW: ASSANGE
Yes of course. I will send over what [limited] information. I have. I understand the Swedish media say they got it via a court order in Sweden. If so clearly you were not a party to the proceedings.

Look forward to speaking to you later.
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 July 2012 10:02
To:
Subject: SV: ASSANGE
I am trying to find out how they got hold of the email that was published last night. It certainly did not come from me. Is it all right for me to call you this afternoon?

## Från @cps.gsi.gov.uk]

Skickat: den 12 jul 2012 10:46
Till: Ny Marianne

## Kopia:

Ämne: ASSANGE

## Marianne,

I understand there have been a number of media developments and publicity overnight in Sweden. In particular the Swedish press is seeking to make mischief from the contents of my emails to you.
Would you have chance for a telephone conversation [hopefully in the next few minutes]? It would help me greatly to clarify a few issues.

## Kindest Regards,

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| From: | Ny Marianne [Marianne.Ny@aklagare.se] |
| :--- | :--- |
| Sent: | 12 July 2012 10:46 |
| To: |  |
| Subject: | SV: SV: E-post: AM-A 2012-0412404 |

I will get back to you in an hour. What number do you want me to call?

Frant
Skickat: den 12 juli 2012 11:40
Till: Ny Marianne
Ämne: RE: SV: E-post: ÁM-A 2012-0412404

Many thanks. Very interesting. Look forward hearing further.
Perhaps if possible we could speak later this morning if convenient to you.

```
---Original Message-----
rom: NY Marianne [mailto:Marianne'.Ny@aklagare.se]
    Sent: 12 July 2012 10:36
    TO:
```

    Subject: SV: SV: E-post: AM-A 2012-0412404
    Thanks, this clarifies it. I talked to \(\square\) She is on vacation but TV 4 had been in
    contact with her and she had told them that this was just a joke, an answer which of
    course; was not sent or published. I am still trying to find out more about how this
    could happen. It is obvious though that somebody has forgotten to tidy up his (or her)
    inbox!
    -----Ursprungligt meddelande-----
    Från: Close Paul [mailto:Paul.Close@cps.gsi.gov.uk]
    Skickat: den 12 juli 2012.11:26
    Till: Ny Marianne
    Ämne: FW: SV: E-poṣt: AM-A 2012-0412404
    More
    -
        Original Message-----
    com:
    Sent: 12 July 2012 08:17
    Co:
    Subject: Fw: SV: E-post: AM-A 2012-0412404
    All,
    Please see the response from Sweden - I have asked if we can have more time to look at
    this again.
    

## Dear

Thank you for your statement:
Just to clarify, these emails are not leaked documents, they have officially been released to the press after a freedom of information request and a subsequent court ruling deciding that they should be released.

- Would you mind clarifying this in your statement?
- What exactly are you referring to when you say a humorous relationship? Does that mean the offer to present them under a false identity was a joke, or part of a humorous relationship? And does that also refer to the anonymity? The protection from the press? Since in the Supreme Court the press and the trial spectators share the court room seating space with the other trial participants.
- said she was surprised about this offer and would never travel under a false identity. Does the CPS have any reaction to this?

Warmest regards,
TV4 Sweden
-----Urspruncliat meddelande----


Ämne: Re: E-post: AM-A 2012-0412404
Please find below:
A CPS spokesperson said:
"While we have not been able to verify the authenticity of this email yet, and never comment on apparently leaked documents, it is true that professionals working together
yer a period of time often develop humorous relationships: And of course it is not 12 policy to offer prosecutors from other jurisdictions any such arrangement."....
----- Original Message --ч--
From: Dtv4. se]
Sent: Wednesday. July 11. 2012 10.05 DM
To:
Cc :
Subject: Re: E-posti: AM-A 2012-0412404
I see. Can you please send the email to us all? That would be great.
Thanks.

## Best regards

skickat fran min iPhone
jul 2012 kl. 22:58 skrev

Hi , we wont be able to do an interview so no need to call me but i plan to send you by email a written comment as soon as possible.


Sent: Wednesday July 11, 2012 09:25 PM
To:


Subject: RE: E-post: AM-A 2012-0412404
Can we call you early tomorrow to see if you have a comment? At what time? It will not be me but a colleague of mine.

## Thanks

```
From: @cps.gsi.gov.uk]
Sent: den 11 juli}2012 21:4
To:
Subject: Re: E-post: AM-A 2012-0412404
```



I fully understand that. At what time tomorrow do you think we can call you? We start broadcasting at 6.00 in the morning ( 5.00 UK time). Do you think it is possible to get a comment to our morning news? We broadcast every hour from 6.00 until 9.00 .
Thanks


I am afraid that will almost certainly be too soon - it's evening for us so it is not always possible for me to get hold of people immediately. But I am doing my best
es it have to be this evening? Is tomorrow morning out of the question?
Lease let me know - I am doing all I can to get back to you as soon as possible though.

Thanks,

Subject: RE: E-post: ÄM-A 2012-0412404
Is it possible to get a comment in 40 minutes? Preferably by a telephone interview. Best regards.
/ /

From: @ @cps.gsi.gov.uk]
-Sent: den 11 julie 2012 21:32

:sect: Re: E-post: AM-A 2012-04.12404
Thank you. I am taking a look now. When is your deadline for a response, please? (It
is now 20.30 in the UK) Thanks,


Sent: Wednesday, July 11, 2012 08:25 PM.
TO:
Subject: FW: E-post: AM-A 2012-0412404

## Dear

I have attached the email conversation.
My questions at this. moment are:
Why did he offer to pass them off as law students?
Why did he offer them total anonymity?
Is this normal procedure?
Does British prosecution service in general offer foreign prosecution services to pass as other identities than their own during a SC hearing?
If not, why in this case?
What is your reaction to this conversation?

```
please, confirm that you got this mail as soon as possible.
```

Best regards
Journalist
TV4 Nyheterna

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[^9]
## 

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[^10]From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 12 July 2012 16:32
To: $\square$
Subject: SV: Response to Swedish TV - for information*** URGENT****SORRY.
is welcome to call or mail if she want to. I am afraid the press officer on duty left some minutes ago and we will not be able to publish until tomorrow morning. If I am wrong I will let you know immediately.

## Från: <br> @cps.gsì.gov.uk]

Skickat: den 12 jul 2012 17:20
Till: Ny Marianne
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Great. I will pass this on to the Press Office here. Could your press officers liaise please when they have a draft? Many thanks.

```
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 July 2012 16:13
To:
Subject: SV: Response to Swedish TV - for information*** URGENT****SORRY.
```

Is it TV 4? They seem to be really desperate to get somebody to comment on the topic. No one else has shown interest in it as far as I know. No problem with draft. We will publish something very short saying something like it was not taken seriously and/or that it was obvious that this was a joke. We have not
prepared anything yet as we wanted to see yourdriaft first.
Marianne

Fran:
Skickat: den 12 july 2012 17:03
Till: Ny Marianne
Kopia:
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Marianne,
Can you help me please? Sorry but it is really urgent.
The press Office here is under some pressure to respond to Swedish TV. This is a draft of our proposed response:

DRAFT:

## Attributed to a CPS Spokesperson:

"This light hearted exchange was clearly regarded as a joke by both the UK and Swedish prosecutors. Marianne Ny is a well known figure in Sweden, and as such, is instantly recognisable to Swedish media interested in the case. Any suggestion that the CPS could or would protect her anonymity is absurd. The fact that the UK legal team subsequently offered to organise official security passes for a proposed visit is testament to that:"

Could you please confirm that you have no issues with this draft? Could you also. kindly confirm if your Press Office will issue something to say that all this was not taken seriously, it was considered to be a joke and was always treated as such.
We are anxious to avoid the UK media trying to run the story and make any capital out of it. As I am sure you will agree it is essential that we can show a united UK/Swedish front and that both sides have issued statements
will be pleased to liaise with your press officers to agree finer details, if this is easier.
$\square$

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Tomorrow will be too late as the tv will have broadcast the story without a response from the Swedish authorities.

Best wishes

## From:

Sent: 12. July 2012 16:34
To: 'Ny Marianne'
Cc:
Subject: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Thanks.Noted.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 July 2012 16:32
To:
Subject: SV: Responise to Swedish TV - for information*** URGENT****SORRY,
is welcome to call or mail if she want to. I am afraid the press officer on duty left some minutes ago and we will not be able to publish until tomorrow morning. If I am wrong I will let you know immediately.

## Från: @cps.gsi.gov.uk]

Skickat: den 12 juli 2012 17:20
Till: Ny Marianne
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Great. I will pass this on to the Press Office here. Could your press officers liaise please when they have a draft? Many thanks.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 July 2012 16:13


Subject: SV: Response to Swedish TV - for information*** URGENT****SORRY.


#### Abstract

Is it TV if: They seem to be really desperate to get somebody to comment on the topic. No one else has shown interest in it as far as i know. No problem with draft. We will publish something very short saying something like it was not taken seriously and/or that it was obvious that this was a joke. We have not prepared anything yet as we wanted to see your draft first. Marianne


Från: Dcps.gsi.gov.uk]
Skickat: den 12 juli 2012 17:03
Till: Ny Marianne
Kopia:
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Marianne,
Can-you help me-please? Sorry-but-it ist-really-urgent.-
The press Office. here is under some pressure to respond to Swedish TV. This is a draft of our proposed response:

DRAFT:

## Attributed-to-GPS-Spokesperson:

"This light hearted exchange was clearly regarded as a joke by both the UK and Swedish prosecutors. Marianne Ny is a well known figure in Sweden, and as such, is instantly recognisable to Swedish media interested in the case. Any suggestion that the CPS could or would protect her anonymity is absurd. The fact that the UK legal team subsequently offered to organise official security passes for: a proposed visit is testament to that."

Could you please confirm that you have no issues with this draft? Could you also kindly confirm if your Press Office will issue something to say that all this was not taken seriously, it was considered to be a joke and was always treated as such.
We are anxious to avoid the UK media trying to run the story and make any capital out of it. As lam sure you will agree it is essential that we can show a united UK/Swedish front and that both sides have issued statements.
will be pleased to liaise with your press officers to agree finer details, if this is easier.
$\square$

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To: 'Ny Marianne'
Subject: FW: Response to Swedish TV - for information*** URGENT****SORRY:

Thanks so much. I will pass this on.

From: Ny Marianne [mailto:Marianine.Ny@aklagare.se]
Sent: 12 July 2012 17:07

## To:

Subject: SV: Response to Swedish TV - for information*** URGENT****SORRY.
is trying very hard to do something out of this pseudo-event. I think your response is brilliant. She will be able use that tonight. She is not honest in saying that she do not have a response from Swedish authorities-In-the interview with broadcaster last -night they-had-cut her statement leaving out her saying this was a joke. You can let them know that we have told you what said and that you have been in touch with me saying there are absolutely no misunderstandings. I will see what I can do. Anyhow the one being desperate is TV a and

## Från: <br> Deps.gsi.gov.uk]

Skickat: den 12 jul l 2012 17:50
Till; Ny Marianne
Amme:FW:-Response to -Swedish TV---forinformation***-URGENH****SORRY

Please see below. Time is now of the essence. Is it possible for a short email to go from your office to the contact?

From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 12 July 2012 17:30
To:
Subject: SV: Response to Swedish TV - for information*** URGENT.****SORRY.
No problem. Please pass this on to Julie. I do not have her address.
I called to discuss the matter. She will call. TV 4 to once again make the statement that we regarded this being a.joke: We also agreed on her going back to work as_soon as possible to publish That regarding the published_email conversation we refer to your statement. Will you publish this on your website or blog? It would be excellent if we could refer to that.
Marianne

Från ©ins.gsi.gov.uk]
Skickat: den 12 juli 2012 18:07
Till: Ny Marianne
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Marianne,
I am very sorry to keep pushing you. I hope I do not appear rude. The Press Office here is really being pressed and is very concerned that TV4 will seek to take advantage, if a Swedish response does not go out today.

I understand that TV4's current line is that Swedish prosecutors were surprised by my email and your offer. Thus we need your office to put them right, as otherwise they may run with that story. We will help all we can.
lam sure you will realise how important this could be and how_much your help is needed I do not believe that your office needs to say much but it must say something.

Perhaps: "This email exchange was both intended and received as a lighthearted joke".

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 13 July 2012 08:44
To:
Subject: VB: Response to Swedish TV - for information*** URGENT****SORRY.
Last night focus shifted from London to Sweden and being upset over us cooperating and pretending this. proves that I am not unbiased. Nothing at all today so this probably was the end of the story.
Marianne

Från: memmummummenemelia.com]
Skickat: den 12 juli 2012 21:26
Till: Ny Marianne;
Ämine: SV: Response to Swedish TV - for information*** URGENT****SORRY.
Hi i all,
I was just interviewed by TV 4. The interview will be on the 10 o'clock news tonight (9GMT). I emphasized
(several times!) that I regard the reference to law students as a joke (me being 50 years old) and that it is confirmed from CPS that it was intended as a joke. I also stressed that I would, of course, never attend incognito. Furthermore, that I refrained from attending due to the risk of me being regarded as a representative for a party and/or interfering with the British proceedings.

What is important to know is that this is TV4's exclusive news - they have been prying in our archives for months, looking for whatever they could find - which means that no other media is interested AT ALI. Assange's lawyer was on the early TV 4 news tonight, being very upset, but that is his job... I guessyou havereadhis-very-inaeerrate-atticle-in-the Guatilan.

Finally: Marianne and I file all A-related e-mails.in special folders, not available to or traceable for anybody but ourselves.

Best regards,


Från: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Skickat: den 12 juli 2012 18:5̣6
Till: @telia.com
Ämne: VB: Response to Swedish TV - for information*** URGENT****SORRY. Prioritet: Hög

## Frạn: @cps.qsi.gov.uk]

## Skickat: den 12 juli 2012 18:55

Til
Ko
Ämne: RE: Response to Swedish TV - for information*** URGENT****SORRY. Prioritet: Hög

## Hi Marianne

Thank you for your email. I'm sorry has had to interrupt her leave to deal with this.
Just to be clear - will be issuing the new statement in writing? Could she please copy it to us for our reference? I have copied in here too.

Are you also content for us to, when we give TV4 the below statement, tell them that we have been reassured by the Swedish Authorities that the email was regarded in the same way, and that we understand their press officer will be contacting them to ensure there is no misunderstanding on that point? This would be helpful as they are presenting your position quite differently to us, still.

We will not be putting this statement on our blog at this stage, as we hope that the story does not get picked up, so I am sorry there will not be anything for you to point to publicly, but of course, you can refer to it yourselves if that helps.

Our Duty Press Officer this evening is

Many thanks again,

A CPS spokesperson said:
"Th s-light hearted exchange was-clearly regarded as a joke by both the UK and Swedish prosecutors. Marianne Ny is a well known figure in Sweden, and as such, is instantly recognisable to Swedish media interested in the case. Any suggestion that the CPS could or would protect her anonymity is absurd. The fact that the UK legal team subsequently offered to organise official security passes for: a proposed visit is testament to that."

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 12 July 2012 17:46
To:
Cc:
Subject: VB: Response to Swedish TV - for information*** URGENT****SORRY.
Hi ,
I finally found your address. I just got a SMS from saying that she will give an interview for the late TV 4 news. Where do you intend to publish the statement?
I had some kind of accident writing the e-mail below. Anyhow, what I wanted to ask was how do you plan to publish the statement?

Marianne

## Från: Ny Marianne

Skickat: den 12 jul 2012 18:30

## Till:

Ämne: SV: Response to Swedish TV - for information*** URGENT****SORRY.
No problem. Please pass this on to I do not have her address.
$I$ called to discuss the matter. She will call. TV 4 to once again make the statement that we regarded this being a joke. We also agreed on her going back to work as soon as possible to publish That regarding the published email conversation we refer to your statement. Will you $\square$ publish this on your website or blog? It would be excellent if we could refer to that.
Marianne

Från: @cps.qsi.gov.uk]
Skickat: den 12 juli 2012 18:07
Till: Ny Marianne
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

Márianne,
I am very sorry to keep pushing you. I hope I do not appear rude. The Press Office here is really being pressed and.is-very-concerned that TV4 will seek to_take advantage, ifa_Swedishresponse does not go_out today.

I understand that TV4's current line is that Swedish prosecutors were surprised by my email and your offer. Thus we need your office to put them right, as otherwise they may.run with that story. We will help all we can.

I am sure you will realise how important this could be and how much your help is needed. I do not believe that your office needs to say much but it must say something.

Perhaps: "This email exchange was both intended and received as a light-hearted joke".


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```
From... Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 13 July 2012 11:15
To:
Subject: SV: re JA
Thanks, before this saga started I was planning to go to London to improve my knowledge in English.
```

Fran: $\quad$ @cps.gsi.gov:uk]
Skickat: den 13 july 2012 12:14
Till: Ny Marianne
Ämne: RE: re JA

Sorry. 24 hours a day and 7 days a week. It was once a very American term but is now commonly used here.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent:-13 July 2012-10:42
To:
Subject: SV: re JA
There is no reason whatsoever to thank us. We are all involved. We would have been able to handle this matter in a better way if we had been informed when the decision to give. TV 4 the correspondence. Even better if it had been deleted immediately after reading.
Thanks for the information on what options or rather lack of options Mr. A. faces.
What does [24/7 ]mean?

Fran:
@cps.gsi.gov.uk]
Skickat: den 13 juli 2012 11:16
Till: Ny Marianne
Kopia:
Ämne: re JA

Hello,
Thank you so much for all your help. You two are little stars. Well we have always's known
was a natural.
[! have the ideal face for radio].
Where would we all be without a little maelstrom or two to keep our attention in this saga?
I have been considering what possible legal options he has, I am in contact with the Home Office. I believe he has few, if any, options.

The Metropolitan Police are doing an absolutely superb job [24/7].

As a matter of international law, any status granted to him as a UN representative, would be very debatable.
Such a cynical move would have a serious adverse impact on diplomatic relations.
The UN would first have to sanction the grant of such a status.

I recall the UN is in New York.

PS I hope you can enjoy the rest of your holiday.
From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 13 July 2012 08:44
To:
Subject:-VB:-Response-to-Swedish-TV--for information*** URGENT:****SORRY,
Last night focus shifted from London to Sweden and $\quad$ being upset over us cooperating and pretending this proves that I am not unbiased. Nothing at all today so this probably was the end of the story. Marianne

Från: @telia.com]
Skickat: den 12 juli 2012 21:26
Till: Ny Marianne;

Hi all,
I was just interviewed by TV4. The interview will be on the 10 o'clock news tonight ( 9 GMT ). I emphasized (several times!) that I regard the reference to law students as a joke (me being 50 years old) and that it is confirmed from CPS that it was intended as a joke. I also stressed that I would, of course, never attend incognito. Furthermore, that I refrained from attending due to the risk of me being regarded as a representative for a party and/or interfering with the British proceedings.

What is important to know is that this is TV4's exclusive news - they have been prying in our archives for months, looking for whatever they could find - which means that no other media is interested AT ALL. Assange's lawyer was on the early TV4 news tonight, being very upset, but that is his job... I guess you have read his very inaccurate article in the Guardian.


Best regards,


## Från: @aklagare.se]

Skickat: den 12 juli 2012 18:56
Till: Dtelia.com
Ämne: VB: Response to Swedish TV - for information*** URGENT****SORRY. Prioritet: Hög

Från: @cps.gsi.gov,uk]
Skickat: den 12 juli 2012 18:55
Till: Ny Marianne
Kopia:
Ämne: RE: Response to Swedish TV - 'for information*** URGENT****SORRY:
Prioritet: Hög
Hi Marianne

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Just to be clear - wil be issuing the new statement in writing? Could she please copy it to us for our reference? I have copied in here too.

Are you also content for us to, when we give TV4 the below statement, tell them that we have been reassured by the Swedish Authorities that the email was regarded in the same way, and that we understand their. press officer will be contacting them to ensure there is no misunderstanding on that point? This would be helpful as they are presenting your position quite differently to us, still.

We-will not be putting this-statement onour blog at this stage, aswe hope that the story does not get picked up, so lam sorry there will not be anything for you to point to publicly, but of course, you can refer to it yourselves if that helps.

Our Duty Press Officer this evening

Many thanks again,

## A CPS spokesperson said:

"This light hearted exchange was clearly regarded as a joke by both the UK and Swedish prosecutors. Marianne Ny is a well known figure in Sweden, and as such, is instantly recognisable to Swedish media interested in the cease. Any suggestion that the CPS could or would protect her anonymity is absurd. The fact that the UK legal team subsequently offered-te-organise-effigial-security-passes for-a-proposed-visit is testament-to-that."

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Cc:
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I had some kind of accident writing the e-mail below. Anyhow, what I wanted to ask was how do you plan to publish the statement?

Marianne

Från: Ny Marianne
Skickat: den 12 juli 2012 18:30
Till:
Ämne: SV: Response to Swedish TV - for information*** URGENT****SORRY.
No problem. Please pass this on to do not have her address. .
I called to discuss the matter. She will callTV 4 to once again make the statement that we regarded this being a joke. We also agreed on her going back to work as soon as possible to publish That regarding the
published email conversation we refer to your statement. Will yo
blog? $1 t$ mild be excellent if we could refer to that.

Från: Dcps.gsi.gov.uk]
Skickat: den 12 july 2012 18:07
Till: Ny Marianne:
Ämne: FW: Response to Swedish TV - for information*** URGENT****SORRY.

## Marianne,

I am very sorry to keep pushing you. I hope I do not appear rude. The Press Office here is really being pressed and is very concerned that TV4 will seek to take advantage, if a Swedish response does not go out today.

I understand that TV4's current line is that Swedish prosecutors were surprised by my email and your offer. Thus we need your office to put them right, as otherwise they may run with that story. We will help all we can.

I am sure -you will realise how important this -could be-and-how much -your help is needed:-I do not believe that your office needs to say much but it must say something.

Perhaps: "This email exchange was both intended and received as a lighthearted joke".
$\square$

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From:

Sent: 20 July 2012 14:49
To:
Subject: SV: Urgent need of assistanice
Thank you for your information, it is very helpful.


Från: ゆcps.gsi.gov.uk]
Skickat: den 20 juli 2012 14:39
Till
Kopia: Ny Marianne;
Ämne: FW: Urgent heed of assistance

## Deal

So far asTrecall, all my emails to whether directly or indirectly were-also copied to Marianne. That has been standard procedure throughout this matter. Marianne is 'the client' and is always consulted on and notified of all imatters..Accordingly all correspondence will be on her file.

The correspondence in this matter involves many thousands ofemails and, as time is seemingly of the essence, it is ñot practical for me to check details of each. I assume Marianne can assist you.

I should mention that there is [from the UK perspective] a fundamental difference in the approash taken with material which is in the public domain and that which is not, due to its privileged nature.

The papers attached to your email [as above] are seemingly just some of the scores of court documents involved in this case. They relate merely to some of the earlier procedural parts of the Supreme Court appeal. f am not sure what, if any, relevancie they have to your query.

All these court papers would be on the Supreme Court file and so would be in the public domain in the UK. As . far as I am aware none relates to any correspondence with Marianne

What most emphatically would not be in the public domain is the privileged/confidential correspondence between the UK and Marianne. Thus legal advices, opinions and details of conversations would all be protected. These would include all such legal advices, whether from me, this office or from any counsel instructed to represent the Swedish Issuing Judicial Authority [Marianne]. Obviously the relationship is, in essence, treated as one between a lawyer and client. It would make our respective tasks and functions quite impossible if such material was not so privileged.

I assume that the recent enquiry to you, for the supply of documents, is on a similar mischievous basis as that from Swedisti TV last week.

As far as 1 am aware none of the attached documents relate in any way to $\square$ I am rather confused as to why it may be suggested that they do. The same principle really applies to Marianne. She is of course referred to in the documents but only in so far as it purports to relate to her alleged actions in Sweden prior to the extradition request being submitted. No correspondence between the UK and Marianne is cited or referred to in the documents.

Obviously please let me know if I am missing or overlooking sọmething.
I would have thought that, apart from issues and matters of public policy, all relevant correspondence would have been an integral part of the Swedish prosecution process and accordingly wholly exempt from any public disclosure.

Please let me know if this issue remains a problem or you require more information from me. If for any reason confidentiality is waived perhaps you or Marianne could kindly supply details of the relevant documents. Obviously great care should be taken to avoid any possible action, no matter how remote, which could possibly risk undermining the extradition process.

I hope this helps.
Kind Regards,

From: Daklagare.se]
Sent: 20 July 2012 09:00
To:
Subject: Urgent. need of assistance

Dear

I have been asked by the Deputy Prosecutor General to contact you in a matter where a person has contacted us and asked for copies of email-conversations between you and
As you may be aware of, the Swedish Constitution is very much in favor towards the principle of publicity.
This implies that-parts-of the conversations for sure-will be handed over.

In the course of deciding on what can be handed over or not, we are in need to know if the attached documents are public in the UK. The information on the described chronology would be considered confidential here in Sweden on the basis of a need to protect the criminal investigation concerning Mr. Assange, but if the information is public in the UK, the conclusion could be the opposite one.

I am sorry to have to pưsh it, but our constițution, again, prescribes a swift handling of a request like this. . would very much a.ppreciate it if you could come back to me during this day.

Kindest regards


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From: ■ @aklagare.se]
Sent: 23 July 2012 10:43
To: $\square$ Ny Marianne
Subject: SV: Urgient need of assistance
All I can say is that I am terribly sorry for this mess and the inconvenience it causes. I will take actions to ensure-it-will-not-happen-again $\qquad$
Best regards,

Från:
Dipps.gsi.gov.uk]
Skickat: den 20 jouli 2012 16:37
Till: Ny Marianne
Kopia:
Ämne: FW: Urgent need of assistance

Just to make sure you are both sighted on this correspondence.
From:
Sent: 20 . July 2012 14:49
To:
Subject: SV: Urgent need of assistance

Thank you for your information, it is very helpful.
$\square$

Från: cps.gsi.gov.uk]
Skickat: den 20 juli 2012 14:39
Till:
Kopia: Ny Marianne;
Ämne: FW: Urgent need of assistance

## Dea

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The correspondence in this matter involves many thousands of emails and, as time is seemingly of the essence, it is not practical for me to check details of each. l assume Marianne can assist you.

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I hope this helps.
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## To:

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## Dear

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As you may be aware of, the Swedish Constitution is very much in favor towards the principle of publicity.
This implies that parts of the conversations for sure will be handed over.

In the course of deciding on what can be handed over or not, we are in need to know if the attached documents are public in the UK. The information on the described chronology would be considered . confidential here in Sweden on the basis of a need to protect the criminal investigation concerning Mr. Assange, but if the information is public in the UK, the conclusion could be the opposite one.

I am sorry to have to push it, but our constitution, again, prescribes a swift handling of a request like this. I. would very much-appreciate it if you could come back to me during this day.

Kindest regards

Head of Intemational unit
Office of the Prosecutor-General
From:
Sent:
To:
Subject:
Ny Marianne [Marianne.Ny@aklagare.se] 15 August 2012 15:25
SV: JA

Dear
My holiday has come to an end and I am back in office again. It has been lovely and $I$
have enjoyed every minute. I have spent my leisure time gardening, swimming, seeing

- Eriends-and family and-just-relaxing-I-hope-you-wi-l-get-a-long-relaxing-holiday-now
that the Olympic games are over.
I am sorry for all troubles we caused you lately. Regarding the need for
confidentiality I fully agree with you.
Marianne
(-----Ursprungligt meddelande---.-
Från: @incps.gsi.gov.uk]
Skickat. den 14 ancucti 2012 17:48
Till:
Kopia: Ny Marianne
जिe: $\mathrm{FW}:$ JA

Hope you are both well [and still having relaxing holidays].
Please see below. Merely for your information.
Plans are in place here to cover all possibilities. I will keep you posted as soon as
I have any news.


From:

| Sent: | 17 August 2012 $11: 59$ |
| :--- | :--- |
| To: | Ny Marianne |
| Subject: | FW: JA |

Marianne,
you are never ever a trouble. Iife would be so dull if cases were all easy!!
I truly have no idea what will develop. We will though be ready to cover any issues

The Foreign Secretary has made very clear public statements lately. In fact they could
not have been any clearer. There will be no compromise
It is a main news story here. Is it getting much media coverage in Sweden?
I will contact you as soon as I have more news.
-----Original Message-----
From: NY Marianne [mailto:Marianne.NY@aklagare.se]
Sent: 15 August 2012 15:25
Subject: SV: JA
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" rrianne
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Skickat: den 14 aumusti 2012 17:48
Till:
Kopia: Ny Marianne
Ämne: FW: JA

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Please see below. Merely for your information.
Plans are in place here to cover all possibilities. I will keep you posted as soon as
I have any news.
-----Original Message-----
From: Aaron Watkins [mailto:AaronWatkins@matrixlaw.co.uk]
Sent: 14 August 201204.02
To:
Cc: Clare Montgomery; HannahPye@5sah.co.uk
Subject: JA
All,

Possible asylum decision this week. Just released on the BBC website:
http":/m.bbc.co.uk/news/uk-19251943
Thanks,
Aaron


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*******************************************************************

[^11]From:
Ny Marianne [Marianne.Ny@aklagare.se]
Sent: 17 August 2012 1.2:06
To:
Subject:
SV: JA

It is a main story here as well, not that much in favor of Assange as it just to be. The media coverage here includes UK so we are well aware of the public statement made by the Foreign Secretary.
Fo-be-honest, I-do-not-need that-much exci.tement-to enjoy-my-life-as_a-public prosecutor!
Speak soon!
Marianne

Frản:
[Irsmouncliat medielande_..... eps.gsi.gov.uk]
Skickat: den 17 augusti 2012 12:59
Till: Ny Marianne
Ämne: $F W: J A$

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I truly have no idea what will develop. We will though be ready to cover any issues which arise.

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Marianne
-----Ursprungligt meddelande----
Från: $201217: 48$
Skickat: den. 14 augusti 2012 17:48
Till:
Kopia: Ny Marianne
Ämne: $F W: J A$

Hope you are both well [and still having relaxing holidays].
Please see below. Merely for your information.
Plans are in place here to cover all possibilities. I will keep you posted as soon as I have any news.


This email (including attachments) is confidential and may be privileged. If you have received this email in error, please notify Matrix immediately. You may not copy, forward, disclose or otherwise use any part of it. It is the responsibility of the recipient to ensure that this email is -virus free and no responsibility is accepted by Matrix for any loss or damage arising in any way from receipt or use of it. Emails are susceptible to interference. The contents of this email may not have originated from Matrix, or be accurately reproduced: If verification is required, please request a hard-copy version.

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[^12]From:. Ny Marianne [Marianne.Ny@akiagare.se]
Sent: 31 August 2012 11:41
To:
Subject: VB: Assange on PA
Just fine thank you and no cold feet (yet)! Hope you are well too.
Marianne

## Från:

Skickat: den 31 augusti 2012 12:33

## Till:

Kор @cps.gsi.gov.uk)
Ämne: SV: Assange on PA

It is not very likely we would get cold feet, as the weather is still rather warm and all Swedes have warm
\% winter boots!

I guess you still get quite a lot of questions from the media. We do, anyway. Otherwise, everything is well. I don't know whether you have noticed the latest statement on our web page: http://www.aklagare.se/In-English/Media/News-in-English1/Why-is-the-prosecutor-not-able-to-question-Mr-Assange-in-the-UK-/It is perhaps not as satisfying/revealing as the journalists would want, but that is what we can provide at the moment.

All the best,


Från:
cps.gsi.gov.uk]
Skickat: den 31 augusti 2012 12:07
Till: Ny Marianne
Kopia:
Ämne: FW: Assange on PA

Marianne
Journalists!!!
Don't you dare get cold feet!!
Hope you are both well. Still thinking of you [always]!


## SWEDEN COULD DROP CASE SAYS ASSANGE

Topic LEGAL also in POLITICS
Published 31 Aug 2012-09:16
By $\square$ Press Association Parliamentary Editor
Page I: 09:16
Wikileaks founder Julian Assange could remain holed up inside Ecuador's embassy in London for a year, he has predicted.

The 41-year-old Australian, who faces arrest and extradition to Sweden over alleged sexual offences if he sets foot outside the building in Knightsbridge, insisted that he believes the case against him will be dropped.

In a TV interview broadcast in Ecuador, Assange said he believed it would take between "six and 12 months" for the issue to be resolved.

His comments follow Foreign Secretary
admission that "a solution is not in sight" to the row which has strained diplomatic relations with the South American country.

Assange was granted asylum by Ecuador after seeking sanctuary in the country's diplomatic mission in June.

In an interview inside the embassy, he told he believed the issue "will be solved through diplomacy", the BBC reported.

Assange added: "The Swedish government could drop the case. I think this is the most likely scenario. Maybe after a thorough investigation of what happened they could drop the case.
"I think this will be solved in between six and 12 months. That's what I estimate."
Ecuador has claimed that Britain threatened to storm its embassy after Foreign Official highlighted available powers to enter the building and make the arrest, an assertion strenuously denied by

The Foreign Secretary said yesterday: "This may go on for a long time so we are not making a threat against the embassy of Ecuador."

While talks aimed at finding a way of ending the stand-off would continue, he added: "Given Ecuador's position on what they call diplomatic asylum and our very clear legal position, such a solution is not in sight at the moment."

Tel: 02033570906
Email: cps.pressoffice@cps.gsi.qov.uk

From: Ny Marianne [Marianne:Ny@aklagare.se]
Sent: 16 November 2012 10:58
To:
Subject: News?
I hope everything is fine in London. Are there any news regarding A? I gotta call from your Embassy in
Stockholm, the-Vice-Ambassador wanting to meet with me: I have no-ideawhy:

## Kind Regards

Marianne

## Marianne Ny

Överåklagare
Åklagarmyndigheten/ Utvecklingscentrum Göteborg
Box 128
40122 Göteborg

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From: Ny Marianne [Marianne.Ny@aklagare.se]
Sent: • 04 December 2012 18:12
To:
Subject: SV: THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN
Good to. hear from you. I am OK without any Christmas present. In fact, it would be a great shock to get that one!

I have never heard of any journalist called
 Marianne

## Från: ___ [ps.gsi.gov.uk]

Skickat: den 29 november 2012 11:28
Till: Ny Marianne
Ämne: THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN

1 of 2
Hello Marianine,
I am so sorry for the slight delay in getting back to you; as usual due partly to absence but mostly male incompetence.

I can but assume that as you mix in

By chance I heard the BBC World service radio report earlier this moming about his health. The [BBC] link below may be of interest.

There is no question of him being allowed out of the Ecuadorian embassy, treated and then allowed to go back. He would be arrested as soon as was appropriate.

His concerns seem to stem from living in a confined space [surely just'good practice], having very little daylight in London and needing lots of good fresh air [again useful practice for going to the healthiest country in the world].

As for the weight loss, there are many people of my acquaintance [obviously just women] who would always welcome this. I believe his most serious condition remains the enduring damage to his ego; now that of course is a very serious male medical condition.

Some ghastly Swedish joumalist has been trying to get information/quotes from counsel. Suffice it to say none of the team will under any circumstances correspond/speak with her. I will send details to you merely for information and so you can pu and others on notice. The references to Mutual Legal Assistance [MLA] and Letter of Request [LOR] can be completely ignored; the document has no 'official' [or other] standing whatsoever. I will notify the CPS Press Office for general information.

I will of course let you know as soon as I have news. Please let me know if you need any further information or advice. I am sure you can guess what I would just love to send to you as a Christmas present.

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[^13]From:
Sent: 06 December $201211: 56$
To: Ny Marianne
Subject: FW: THE EXTRADITION OF JULIAN ASSANGE TO-SWEDEN
If you use the BBC link below to get onto the BBC news website [then search against Assange] this should update it with the most amazing [ 8 or 9 minute] interview of him [see 30 November and 1 December]. You may draw certain conclusions or, perhaps more likely, have some existing views re-affirmed.

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 04 December 2012 18:12
To
Subject: SV: THE EXTRADITION OF JULIAN ASSANGE TO SWEDEN
Good to hear from you. l' am OK without any Christmas present. In fact, it would bé a great shock to get that one!

I have never heard of any journalist called but I have notified

Marianne
http://m.bbc.co.uk/news/uk-20537157

## From:

Sent:
Ny Marianne [Marianne.Ny@aklagare.se](mailto:Marianne.Ny@aklagare.se)
To:
Subject:

## 03 October 2013 14:55

SV: Just curios!

7 am fine too. I am glad to hear that you still are handling the case fhough it is depressing that we haven't been able to bring it to an end.

Now and then I read the Guardian just to keep me updated on the situation. There is not very much interest in the matter here at the moment and it seem to be the same in GB as well.

I was told that once the court filed its final decision the defense is entitled to be informed on actions that will be taken in the matter. As far as I understand, that would mean that information that need to be confidential can't be exchanged?

Från:

```
@cps.gsi.gov.uk]
```

Skickat: den 30 september 2013 18:15
Till: Ny Marianne
Ärnne: RE: Just curios! .

Marianne,
How lovely to hear from you. I am fine and hope you are as well.
No, I still have the conduct of the matter and the file is still open, even though it has been very dormant for a long time!.
There is still no news from the Ecuadorian embassy. I saw some Australian newspapers a few months ago. The articles umre not very nice about him!
${ }_{j}{ }^{\text {re }}$


I assume that in the light of the absconding from Sweden and also in the UK, these factors would be taken into account, in Sweden, if the issue of his bail was considered on his return.

I hope this helps and deals with your query. Please let me know if you need more.
Kindest Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 30 September 2013.15:57

## To:

Subject: Just curios!

It is a long time since we last talked. I hope everything is fine. The case is filed, I suppose and you have passed the -whole-thing-over-to-somebody-else?
I and my assisting prosecutor have been discussing whether Assange committed any crime by breaking the terms of the bail or not. This of no interest regarding the case in Sweden. We are just curious about how it works in England.

Kind regards,
Marianne


Marianne Ny
Overảklagare

Aklagarmyndigheten
Utvecklingscentrum Göteborg
Postadress: Box 128, 40122 Göteborg
Besöksadress: Ernst Fontells Plats, Göteborg

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From:
Sent:
To:
Subject:
Attachments:

29 November 2013 12:35<br>Ny Marianne (Marianne.Ny@aklagare.se)<br>FW: Question<br>FW: Assange

Marianne,

Hello. I hope you and the others are all well. I expect that Sweden is now staring to feel wintery, snowy and Christmassy and is looking at its most beautiful!

First, I must apologise for the time taken to let you have my thoughts. I attach an article from yesterday's [London] Times. I have absolutely no idea what may have prompted the article or what discussions or negotiations may have. been going on.

I most certainly have not been involved in any of them. I am not sure to what extent you are aware of this apparent [US] jelopment or if it affects your general views.

J Assange has brought all his problems on himself. He is, as we say, "the author of his own misfortunes". I note the views expressed by his Swedish lawyers.

1. pe this helps. Please do not hesitate to let me know if you have further thoughts or plans, particularly if you need to then through. I will of course be only too pleased to help in any way which I can.

Kindest Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 21 October 2013 08:55
To:
Subject: SV: Question

I am sorry that this came as a (bad) surprise. It is certainly OK for you to take your time to think this over. Since middle of September I and have been discussing the situation and I wasn't sure of if it being possible to share our thoughts without you being obliged to notify the defence. I hope I didn't ruin your weekend.

Från
@cps.gsi.gov.uk]
Skickat: den 18 oktober 2013 16:45
Till: Ny Marianne
Ämne: RE: Question
would like to consider all the angles over the weekend, if that is OK with you. I promise I will be in touch as soon as possible. Hope you can have a relaxing weekend [somehow I have the feeling you may just have been a little bit busy lately!!].

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 18 October 2013 12:01

## To

Subject: SV: Question


#### Abstract

I was so glad to hear from you. Unfortunately I was out yesterday. As mentioned, I met witt in Stockholm last Wednesday. Lately we have been discussing whatoptions the present situation leaves us. In May we met with *) two Swedish lawyers now representing Julian Assange here, $\square$ meeting and other facts it seems that Julian Assange is absolutely determined not to go to Sweden, whatsoever. In spite of all efforts by you and the Metropolitan Police and the excellent work performed by you and your team, the chance of the judgment to extradite Assange being enforced within a reasonable time seems be small. The unique action by Julian Assange to hide in an embassy and ask for and to be granted asylum could no one of us anticipate and seems to leave us with few options, none of them particularly attractive.


There is a demand in swedish law for coercive meașures to be proportionate. The time passing, the costs and how severe the crime is to be taken into account together with the intrusion or detriment to the suspect. Against this background we have found us to be obliged to consider to lift the detention order (court order) and to withdraw the European arrest warrant. If so this should be done in a couple of weeks. This would affect not only us but you too in a significant way
Kindest regards, Marianne

## @cps.gsi.gov.uk]

Jickat: den 16 oktober 2013 17:56
rill: Ny Marianne
Ämne: RE: Question

Marianne,

Hello. Sorry-I was away yesterday. Obviously I would be only too happy to help in whatever way I can. I am in all day tomorrow. This email address is secure.
l look forward to hearing from you.

I hope everything is fine with you. Thanks for clarifying some issuies of interest. I am in Stockholm right now to meet with now is assisting me in the matter regarding Assange. If possible we would like to share some confidential information with you and get your response to it. Would that work? Kindest regards,

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## From:

Sent:
To:
Subject:

10 December 2013 16:29
'Ny Marianne'
RE: Question

Just to confirm that I do not consider costs are a relevant factor in this matter. I do wonder occasionally if the police just make public comments because they think it will somehow help to progress a case.

I have certainly not been aware of any adverse comment or concern being expressed by any government departments.
All we can do is to wait and see [and perhaps be eternally grateful that neither of us have to share a room in the Embassy with him over Christmas!].
dent Regards,

From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
Sent: 02 December 2013 10:36
To:
Subject: SV: Question

Everything is fine. I am on my way to Stockholm by train and the weather is lovely, bright and sunny but no snow (lucky enough). Last year we had a snowstorm early December -and all sorts of public communications was cancelled. I hope - enjoy the same kind of weather as we do right now.
here is absolutely no need for apologizes. We haven't been'able to move forward since last time we were in touch. We have tried to settle a time to meet with the two lawyers representing the victims, but so far without much success as everybody have been very busy. We would like to meet with them to get their views on the situation and to ensure them they are not forgotten. Hopefully we will be able to meet with at least one of lawyers next week.

I understand from your answer that I didn't make myself clear at all, asking for your views. The costs that are to be taken into account are those on your side and your views on this are weighty. It has been argued in Sweden that the English police regards the costs getting unreasonably high. I understand from your answer that the costs on your side is not an issue that we should take into consideration at this stage?

Thanks for the interesting article. There has been some articles on the issue in Swedish newspapers as well. It is hard to guess what (if anything) really is going on. I must admit that it would be a relief if A suddenly would get kicked out of the embassy.

## From:

Sent:
To:
Subject:

31 January 2014 14:36
'Ny Marianne'
RE: Question

Hello.
Lovely to hear from you as always.

Kindest Regards,

I have thought of you and Sweden quite a lot over the last month or so: Tomorrow is the last 2 parts of The Bridge; the best;current programme on TV! Can't wait].

## From: Ny Marianne [mailto:Marianne.Ny@aklagare.se] <br> Sent: 31 January 2014 13:38 <br> To: <br> Subject: SV: Question

I enjoyed my holiday with my family and had a great time. It seems rather far away these days. The debate regarding " Why can't the prosecutor just go to London and interrogate Assange" has started all over again. There will be a Sunday night talk show where the defense will argue that the case is all about prestige and that there is no reason for me not to go to London and of course, close the case as soon as possible. This is just to let you.know what is going on. Our answer on the website will be that a prosecutor not "just can go"' and that nothing has changed from our or your perspective.

тitruestregarus,
Marianne


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[^2]:    From: Ny Marianne [mailto:Marianne.Ny@aklagare.se]
    Sent: 07 February 201:1 15:53
    To: 'Gemma Lindfield';
    Subject: Corifideritial?

[^3]:    

[^4]:    - Marianne-

    Från:-Ursprungliat meddelande---. cps.gsi.gov.ukl
    Skickat: den 23 febriuari 2011 17:15
    Till: Ny Marianne
    Kopia: Pye Hannah
    Ämne: FW: RE: [CJSM] FW: Assange: Bail address

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[^6]:    This email has been scanned by the MessageLabs Email Security System.
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[^7]:    Dear
    It's good to hear from you and Happy New. Year to you too. I had a pleasant break and enjoyed the holidays together with family and friends. I hope you were able to get some kind of break in spite of your heavy burden of work.
    Did I tell you that Asante has got himself a new defence team in Sweden as well? Two renowned defence lawyers,
    I would love to come to London for the hearings in Supreme Court but I find it hardly possible. I reckon | would subject myself to severe criticism for refusing to go to London to question Assange by both the defence and media if I did: I hope to be able to visit when this whole matter is
    I am trying to find out if there is an English copy version of the Swedish Extradition Act of 1959. The Nordic languages are to be used when it comes to extradition between the Nordic countries, sol doubt there is one.

[^8]:    Registrar of The Supreme Court of the United Kingdom
    Parliament Square
    London SW1P 3BD

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