



IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
DIVISIONAL COURT

AC-2022-LON-001745 and 1746

AC-2022-LON-001745

President of the King's Bench Division and Mr Justice Johnson

BETWEEN:

JULIAN PAUL ASSANGE

Appellant

-and-

GOVERNMENT OF THE UNITED STATES OF AMERICA

Respondent

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Interested Party

UPON the court's order dated 18 April 2024

**AND UPON the court receiving requests to attend the hearing on 20 May 2024
("the hearing") by video link**

It is ordered that:

1. The court's decisions, and reasons, in respect of each individual request to attend the hearing by video link are set out in a confidential schedule to this order.
2. Each individual who has requested to attend the hearing shall be informed of the court's decision, and reasons, in respect of their individual request.
3. The schedule to the order shall not otherwise be disclosed without further order of the court.

4. HMCTS shall allow access to the courtroom, and overflow courtrooms, and, in the event of insufficient capacity, shall allocate seats in accordance with its established practices.
5. The court will not consider any further requests for remote access to the proceedings unless either
 - A) an employee of HMCTS permits such a request to be made otherwise than by way of a formal written application, or
 - B) Such request is made (1) by way of written application, (2) with payment of the requisite application fee, (3) setting out the reasons why the application was not made in accordance with the court's timetable, (4) giving reasons why it is in the interests of justice to grant the application notwithstanding that it was not made in accordance with the court's timetable, (5) providing the information required by the court's order of 18 April 2024 and (6) the court has capacity to consider the application.
6. Any person who is given permission to attend the hearing by remote link pursuant to paragraph 2 above may observe the proceedings by way of an audio-visual link.
7. This order shall be uploaded to the judiciary website. All those who are provided with a link to observe the proceedings shall be provided with a hyperlink to a copy of this order on the judiciary website (but not its confidential schedule).
8. Each such observer shall ensure that nobody else is able to hear or view the proceedings via the link unless that person has first identified themselves to the court and has been provided with permission by the court to view the link.

9. Each observer may only access the link from within England and Wales unless they have been informed, in writing, by a member of HMCTS staff (which permission shall only be given on the court's direction) that the court has authorised access for that observer from outside England and Wales.
10. Each observer shall, as a condition of continued access:
 - (a) keep their camera turned off, and ensure that they are muted (unless instructed otherwise)
 - (b) conduct themselves appropriately and in particular in accordance with any instructions of the judges and/or court staff for persons observing the proceedings (remembering that they will be treated as if they were physically present in the courtroom)
 - (c) not use the "chat" functionality of the link.
11. Transmission via the link is dependent on the link being activated at least 5 minutes before the proceedings start, so that information may be provided by the court staff before proceedings start.
12. HMCTS will take all reasonable steps to ensure that the remote link remains operational and functional during the hearing. In the event that the link cannot be maintained, that will not be a reason to stop the hearing unless the court directs otherwise.
13. This direction may be varied or revoked at any time and without notice by further direction of the court.
14. Any party who wishes to vary or set aside this direction may do so on written application.

Important note: See the attached rules for those who observe proceedings remotely. If you do not obey the rules then that might amount to a criminal offence or a contempt of court which may be punished by imprisonment.

GDPR: Your personal data will be processed for the purposes of facilitating your attendance at the hearing, ensuring that the proceedings are conducted without disruption, and enforcing the applicable laws and directions, including those requiring orderly behaviour during proceedings, prohibiting live text-based communication from court, and the making of audio-visual recordings. They will not be used for any other purposes, and will not be kept on file for longer than is necessary for those purposes.

Reasons:

- (A) The hearing has generated a large amount of interest, including international interest. Many requests have been made for attendance from within the UK and from abroad.
- (B) HMCTS have made arrangements for two overflow courts, which will have a livelink from the courtroom, so as to enable as many people as possible to attend the hearing in person. Seats will be allocated by HMCTS in accordance with its established practices.
- (C) The court has considered each individual request for attendance by remote access.
- (D) In respect of each request made by an individual who will be in England and Wales, the court has considered that it is in the interests of justice, having regard to the open justice principle and the court's technological capacity, to grant the request.
- (E) In respect of each request made by an individual who is not in England and Wales, the court has taken account of the open justice principle and the international interest in the proceedings, including in particular from Australia (given that the appellant is a national of Australia) and from the United States of America (given that the respondent is the Government of the USA). The court has also taken into account that some of those who would wish to view the hearing are unable to travel to London. The court has also had regard to the numbers of journalists who will be able to attend the court in person and the further number who will be able to attend by remote link from within England and Wales. The court has also had regard

to the information provided by each person requesting access, including any reasons as to why it is said to be in the interests of justice to permit remote attendance. The court notes the suggestions made by some applicants that the proceedings should be broadcast or live-streamed to enable those abroad to watch the proceedings. However, the court does not have the power to broadcast the proceedings, and a live-streaming direction may not be made for streaming to the internet (only for streaming to premises that have been authorised by the Lord Chancellor): [section 85A\(3\) Courts Act 2003](#).

- (F) The court has, (save where it has otherwise stated), concluded that it would not be in the interests of justice to permit remote observation from outside England and Wales. That is because it is satisfied that the open justice principle has been fully reflected by the access that has been provided which will include journalists from England and Wales and Australia and the USA (and elsewhere), and because the court does not have jurisdiction to enforce its order outside England and Wales.
- (G) Each person requesting access is to be informed of the court's decision and the reasons for that decision. Otherwise, the schedule to this order is to remain confidential in order to protect the privacy of those who have requested access to the proceedings.
- (H) It is not in the interests of justice to consider further requests for remote attendance unless those requests are made in accordance with paragraph 5 of this order.

Dated this 13th day of May 2024

Rules for third-party observers (public hearing)

You are being given remote access to a public court hearing. The judiciary and court service are committed to open justice. This is subject to five simple rules to protect the court process.

1. **Do not share your link without permission.** The link must only be used by someone else if that has been approved by the court.
2. **Behave respectfully.** A court hearing is a serious matter. Behave as if you were in a physical court room. Do not disturb or interrupt. Follow any instructions of the judge. Your access may be terminated if you do not.
3. **Do not record the hearing.** It is a criminal offence to record a court hearing. You must not record video or audio or take photos or screenshots of the hearing.
4. **If you want to report, take care.** You can report live in writing if you are a journalist or you have the specific permission of the Judge conducting the hearing. Otherwise, reports must be after the event. In all cases there may be reporting restrictions which you must obey. It is your responsibility to find out whether restrictions apply.
5. **Do not use the chat function of the link.** If you do, your access to the hearing is likely to be removed.
6. **Take all these rules seriously.** If you break them you might not just lose your access. You might be guilty of an offence or contempt of court for which you could be fined or sent to prison for up to 2 years.

To make sure these rules are followed we advise you to

- find somewhere private to join the hearing
- turn off your microphone and camera
- switch off any other device, unless you have permission to use it
- check whether reporting restrictions apply