

Ben Milloy

From: Shanahan, Fergus [redacted]
Sent: 17 January 2012 13:54
To: Ben Milloy
Subject: Assange clarification

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Dear Ben,

We are willing to print the following re Julian Assange. Please advise.

On July 14 we reported that Julian Assange was on bail as he appealed against a ruling to have him extradited to Sweden to face two charges of rape. In fact Mr Assange has not so far been charged with any offence, and one allegation is of molestation, not rape.

Best wishes,

Fergus

Ben Milloy

From: will.gore [redacted]
Sent: 17 January 2012 10:38
To: Ben Milloy
Subject: Re: FW: Complaints: 115619
Attachments: image002.png

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Dear Ben

Thank you for your email below and for forwarding Mr Assange's comments.

As I set out in my original response to the complaint, I do not believe our article was misleading given that it was a contemporaneous report of fast-moving events. AP had made several attempts to contact Wikileaks staff without success. Nonetheless, the piece made quite clear that Wikileaks rejected all claims about it being to blame for the security breach.

I do believe that remedial action is truly necessary under the terms of the Code but have proposed running a footnote to ensure absolute clarity and in the spirit of mediation, as fostered by the PCC. I would be happy to use the amended wording as put forward by Mr Assange but I think the most appropriate place for it to be published would be as a footnote/update to the article under complaint. I don't think it would be reasonable to publish the text (or even an amended version) as a letter.

Do let me know what you think about this. I am, as ever, more than happy to discuss.

best wishes
Will

Will Gore
Deputy Managing Editor

Ben Milloy

From: Sheila Allen [redacted]conomist.[redacted]
Sent: 16 January 2012 12:50
To: Ben Milloy
Subject: PCC - Complaints 115615 - J Assange

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Dear Ben

Thank you for your help. I think your suggested wording is basically fine. I have edited it slightly for our style below, but can you check with Mr Assange whether he is happy with it as well? As soon as he gives the go ahead, it would appear in the books and arts pages and look like this:

Clarification

In our review of "Julian Assange: The Unauthorised Autobiography" (Leaker's Leak - October 1st 2011), we said that Swedish prosecutors wished to question Mr Assange "in two cases of rape". In fact, Mr Assange is accused of one offence of rape, two offences of sexual molestation and one offence of unlawful coercion. We are happy to make this clear."

John Micklethwait

Ben Milloy

From: Stephen Pritchard <[redacted]@observer.[redacted]>
Sent: 27 January 2012 15:17
To: Ben Milloy
Subject: Re: FW: Our Refs: 115620/ 115618

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Dear Ben,

Thank you for your email. We could go back and forth arguing about this but let's try to reach an agreement. Thanks for your suggested form of words to appear both online and in print. I've adapted it slightly but I think it retains the flavour. Mr Assange asks if we have a corrections column. We have had one for 11 years, always on the letters page of the paper.

I look forward to hearing from you.

Best wishes,
Stephen Pritchard

Julian Assange has asked us to make it clear that, contrary to our review of "Julian Assange: The Unauthorised Autobiography' (Books, 2 October, 2011), he did not "criticise author Andrew O'Hagan's writing". He says his criticisms of the book were directed at the publisher, Canongate. He wishes to underline that he admires Mr O'Hagan's writing.

theguardian

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Ben Milloy
Press Complaints Commission
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27 January 2012

Dear Mr Milloy

Thank you for your letter of 13 January 2012 (ref 115617) regarding the complaint from Julian Assange in respect of three articles published by the Guardian.

In respect of the article headlined, Julian Assange extradition appeal: QCs clash over 'conceptions of consent', and Mr Assange's dispute over the use of the word "charges", we note the decision of the Commission, issued on 18 January in respect of a parallel complaint about other Guardian articles that referred to "charges" against Mr Assange. The Commission concluded that in the context, a distinction between a formal indictment by the Swedish authorities and the accusation specified in a European Arrest Warrant was not significant and raised no breach of the Code.

Regarding the opinion piece headlined, Steve Jobs v Julian Assange: what makes a good biography?, which was published on our Comment is free site under a clear heading of comment, Mr Assange continues to contest the commentator's use of the word "fugitive". Here is the passage in question:

For a start, Assange is not a recently dead hero, but an all-too-alive fugitive from rape allegations whose lack of interpersonal skills has yet to be modified by blistering commercial success. His stock-in-trade was not to be difficult but irresistible. It was just to be difficult.

It is clearly the writer's view of Mr Assange's ongoing attempts to resist the Swedish judicial process. It cannot be assessed as a statement of fact when used so plainly in a rhetorical context, although it's interesting to note the Merriam-Webster definition of "fugitive from justice": "One who having committed or being accused of a crime in one jurisdiction is absent for any reason from that jurisdiction." We do not believe readers, for whom all the details of Mr Assange's high-profile efforts to avoid a return to Sweden are available in links around this piece, would be misled. In any event, used in a figurative polemical context, the difference between running away and refusing to go back can hardly be significant.

Kind regards



Elisabeth Ribbans
Managing Editor

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