

## Motions

### ASSANGE, MR J.

**The Hon. F. PANGALLO (15:48):** I move:

That this council—

1. Recognises Julian Assange is an Australian citizen and a journalist with WikiLeaks who aided in exposing possible war crimes and civilian casualties in the release of documents which included Afghanistan War logs in 2010 and Guantanamo Bay files in 2011, supplied to WikiLeaks by Chelsea Manning, a former U.S. Army intelligence analyst.
2. Acknowledges Mr Assange genuinely believed his actions were for the purpose of:
  - (a) government accountability, transparency and integrity; and
  - (b) the broader public interest and for the interest of justice.
3. Notes that since the publication of those documents, Mr Assange has been forced into isolation or imprisoned over the course of 10 years, resulting in the serious deterioration of his health and mental wellbeing.
4. Recognises Mr Assange's impending prosecution by the United States of America constitutes a serious attack on the fundamental democratic freedoms of the press.
5. Questions the legitimacy of prosecuting Mr Assange in the United States through that country's Espionage Act of 1917, carrying a penalty of up to 175 years imprisonment, and whether the act should be applied to non-US citizens either living and/or working in other countries at the time of any alleged offending.
6. Calls on the President of the Legislative Council to write to:
  - (a) the President of the United States, Joe Biden, expressing the Legislative Council's desire that he show clemency by intervening in the extradition and prosecution of Mr Assange, and instruct the US Attorney-General and US Department of Justice to withdraw all charges on medical and humanitarian grounds; and
  - (b) the Prime Minister of Australia, the Rt Hon Anthony Albanese, and Minister for Foreign Affairs, Hon Senator Penny Wong, requesting they write to the President of the United States and the US Ambassador to Australia, Ms Caroline Kennedy, to express the concerns of the Legislative Council regarding Mr Assange's prosecution.
7. Notes a poll conducted by the *Sydney Morning Herald* in January 2022 which showed 71 per cent support for Mr Assange being returned to Australia.

I rise today to call on the federal Albanese government to intervene in the extradition of Julian Assange to the United States, where he will face prosecution for a breach of the Espionage Act. If convicted, Mr Assange faces up to 175 years in jail. It is our duty as Australians and defenders of freedom of the press and other democratic values to ensure that civil liberties and protection of state citizens is paramount.

For the US to have a claim to sovereignty over the world and seek to apply their law to anyone, anywhere, goes beyond the pale. The United States is exercising a law of universal jurisdiction that can have you charged and deported to the USA for breaking an American law. It is this application of this apparent authority to exercise US laws extraterritorially that we are witnessing in plain sight with Julian Assange. The extension of US domestic law to persons such as Julian Assange, who has no legal connection to the United States by way of citizenship, residence or by any other ties to the jurisdiction, is repugnant to the rule of law.

Since 2012, Mr Assange has been persecuted, detailed, isolated and had his human rights infringed. All the while, Australia has stood by and watched as one of its citizens is subjected to such treatment for standing up for press freedoms, integrity and government accountability. There is widespread support for Julian Assange domestically in Australia and from the global community, including a vast number of non-state actors such as the International Federation of Journalists and its 600,000 members, Reporters Without Borders, Human Rights Watch and Amnesty International, to name a few. The list, however, is extensive.

A *Sydney Morning Herald* article published on 5 January 2022 showed that 71 per cent of respondents support the call for Julian Assange to be brought back to Australia. Sixteen per cent voted no and 13 per cent were unsure. As many in this chamber would appreciate, 71 per cent is a significant number in support. In May 2022, Assange advocates tabled a Change.org petition with a 700,000-signature 'Bring Julian Assange home' campaign to present to parliament in support of bringing Mr Assange home to Australia with his brother Gabriel Shipton, stating now is the time the government can intervene and come up with a political solution to bring Julian home.

It is up to the Prime Minister now to pick up the phone and bring Julian home. I echo the words issued by Greg Barns, the Assange family's legal counsel, on the same day that it is incumbent upon not only prime ministers but also our foreign minister, now the Hon. Penny Wong, to get heavily involved in this matter, along with the Attorney-General and attorneys-general of each jurisdiction, to bring to an end what is a disgraceful case based on a person who revealed war crimes—something that, of course, Australia was currently looking at with allegations in relation to Afghanistan.

I will point out and I welcome today's announcement from the federal Attorney-General, the Hon. Mark Dreyfus QC, who announced that charges against lawyer Bernard Collaery have been dropped. As members in this chamber would know, Mr Collaery was being prosecuted for leaking classified information that had been supplied by his client, known as 'witness K', who was a spy and who in fact pleaded guilty to charges.

The information revealed an act of treachery by the Australian government in which the government bugged the government offices of Timor-Leste during talks on gas and oil reserves. I welcome today's announcement that Mr Collaery will not be prosecuted and I hope, with that, the federal government moves swiftly to try to also seek some recourse for Mr Assange.

It is time for the decade-long suffering of one of our own to come to an end. As Australians we stand proud behind Julian's courage and defence of democratic transparency and press freedom in the face of extreme deterrence and his continual fight for justice. It is time we recognised, not only in this chamber but in the state and country, that whistleblowing and the rights around protection be highlighted as a strength of our institutions. Whistleblower protection is an integral aspect of the public capacity to ensure and foster transparency of government.

Intervening in the Assange persecution will act to promote a culture in Australia of accountability and integrity in both public and private institutions by empowering the citizenry against corruption and encourages the reporting of corruption, misconduct and also fraud. Taking action to bring Julian Assange home or to resolve the matter by having the charges dropped have real implications.

It is not just about Julian, it is about civil institutions being held to a certain standard, and that citizens of democratic nation-states are aware of and have access to understand what decisions the government make in the name of the body politic. Julian's actions and subsequent treatment go to the fundamental question of media freedom, whistleblower protection and the public interest, which lies in the balance of openness in government.

I would like to read a statement entitled 'Journalists demand Assange release from UK Jail', dated 22 June 2022. It is a statement from the International Coalition of Journalists. I will read the statement from Geneva, which states:

An international coalition of journalists, editors and publishers demanded on Wednesday that WikiLeaks founder Julian Assange be immediately released from a UK jail and that all charges against him be dropped.

Fifteen representatives of journalist and publishers' unions and organisations [from six countries] gathered in Geneva for the 'call to free Julian Assange in the name of press freedom'.

The petitioners also called on Swiss authorities, who have said they have worked to protect Assange, to facilitate his release by offering him a safe haven from further prosecution in Switzerland. The call came after the British government last week approved Assange's extradition to the United States, to the dismay of his supporters and free press campaigners. Assange, 50, has said he will appeal against the decision.

He is wanted to face trial for violating the US Espionage Act by publishing military and diplomatic files in 2010 and could face up to 175 years in jail if found guilty. The Assange case has become a cause célèbre for media freedom, and his supporters accuse Washington of trying to muzzle reporting of legitimate security concerns. Wednesday's event slammed the British decision as a flagrant violation of human rights and a showing of total contempt for freedom of the press.

Pierre Ruetschi, the head of the Swiss Press Club hosting the event, warned that democracy is being taken hostage, and I quote him:

This attempt at criminalising journalism is a serious threat.

Tim Dawson of the National Union of Journalists of Britain and Ireland agreed, and I quote him:

If Julian Assange can be threatened with prosecution as a spy, what might that mean for other journalists?

Assange has been held on remand at a top security jail in South-East London since 2019 for jumping bail in a previous case, accusing him of sexual assault in Sweden. Before that, he spent seven years at Ecuador's embassy in London to avoid being removed to Sweden. The Australian was arrested when the government changed in Quito, and his diplomatic protection was removed. I seek leave to table that document.

Leave granted.

**The Hon. F. PANGALLO:** I would also like to point out and acknowledge an advertisement that was taken out in the national newspaper, *The Australian*, by well-known Australian businessman Dick Smith. Mr Smith told me that he had visited Julian Assange three times in the Ecuadorian embassy in London, and found him to be quite a sincere and genuine person in what he was doing. In his advertisement Mr Smith says:

A message to all Australians—

and this follows a letter that he had written to the *Sydney Morning Herald* on 15 December 2021—

For the US to claim sovereignty over the globe and seek to apply their law to anyone anywhere in the world at will is sheer arrogance.

In the ad Mr Smith says:

The United States has a law of universal jurisdiction that can have you charged and deported to the USA for breaking American law. Yes, even if you are an Australian citizen and haven't been to the United States. It is happening to scapegoat Julian Assange, and it can happen to you.

In a message to the Prime Minister, Mr Smith says, 'Prime Minister Albanese, you are a fair person, please take action.' I seek leave to table that advertisement.

Leave granted.

**The Hon. F. PANGALLO:** And this from the conversation, and the heading is, 'A new book argues Julian Assange is being tortured—will our new PM do anything about it?' It is written by Matthew Ricketson, Professor of Communication at Deakin University. He writes:

It is easy to forget why Julian Assange has been on trial in England for, well, seemingly forever. Didn't he allegedly sexually assault two women in Sweden? Isn't that why he holed up for years in the Ecuadorian embassy in London to avoid facing charges? When the bobbies finally dragged him out of the embassy, didn't his dishevelled appearance confirm all those stories about his lousy personal hygiene? Didn't he persuade Chelsea (formerly Bradley) Manning to hack into the United States' military computers to reveal national security matters that endangered the lives of American soldiers and intelligence agents? He says he is a journalist, but hasn't *The New York Times* made it clear he's just a source and not a publisher, entitled to first amendment protection?

If you answered yes to any or all of these questions, you are not alone, but the answers are actually no. At the very least it is more complicated than that. To take one example, the reason Assange was dishevelled was that staff in the Ecuadorian embassy had confiscated his shaving gear for three months before to ensure his appearance matched his stereotype when the arrest took place.

That is one of the findings of the United Nations Special Rapporteur on Torture, Nils Melzer, whose investigation of the case against Assange has been laid out in forensic detail in *The Trial of Julian Assange*. 'What is the UN's Special Rapporteur on Torture doing investigating the Assange case?' you might think. But did Melzer investigate? When Assange's lawyers first approached him in 2018, he said, 'I had more important things to do. I had to take care of real torture victims.' Melzer returned to a report he was writing about overcoming prejudice and self-deception when dealing with official corruption. He said, and I quote:

Not until a few months later would I realise the striking irony of this situation.

The 47 members of the UN Human Rights Council directly appoint special rapporteurs on torture. The position is unpaid. Melzer earns his living as a professor of international law, but they have diplomatic immunity and operate largely outside the UN hierarchies. Among the many pleas for his attention, Melzer's small office chooses between 100 and 200 cases each year to officially investigate. His conclusions and recommendations are not binding on states.

He bleakly notes that in barely 10 per cent of cases does he receive full cooperation from states and an adequate resolution. He received nothing like full cooperation in investigating Assange's case. He gathered around 10,000 pages of procedural files, but a lot of them came from leaks to journalists or from freedom of information requests. Many pages had been redacted. Rephrasing Carl von Clausewitz's maxim, Melzer wrote his book as 'the continuation of diplomacy by other means'. What he finds is stark and disturbing, and I will quote:

The Assange case is the story of a man who has been persecuted and abused for exposing the dirty secrets of the powerful, including war crimes, torture and corruption. It's a story of deliberate judicial arbitrariness in Western democracies that are otherwise keen to present themselves as exemplary in the area of human rights. It is the story of wilful collusion by intelligence services behind the back of national parliaments and the general public. It is a story of manipulated and manipulative reporting in the mainstream media for the purpose of deliberately isolating, demonising and destroying a particular individual. It is the story of a man who has been scapegoated by all of us for our own societal failures to address government corruption and state-sanctioned crimes.

Under the heading of 'collateral murder', the article then goes on to say:

The dirty secrets of the powerful are difficult to face, which is why we—and I don't include myself—

says the author—

swallow neatly packaged slurs and diversions of the kind listed at the beginning of this article.

Melzer rightly takes us back to April 2010, four years after the Australian-born Assange had founded WikiLeaks, a small organisation set up to publish official documents that it had received encrypted so as to protect whistleblowers from official retribution. Assange released video footage showing, in horrifying detail, how US soldiers in a helicopter had shot and killed Iraqi civilians and two Reuters journalists in 2007. Apart from how the soldiers spoke—and I quote: 'Ha, ha, ha, I hit them.' 'Nice.' 'Good shot'—it looks like most of the victims were civilians and that the journalist's cameras were mistaken for rifles.

When one of the wounded men tried to crawl to safety, the helicopter crew, instead of allowing their comrades on the ground to take him prisoner, as required by the rules of war, seek permission to shoot him again. As Melzer's detailed description makes clear, the soldiers knew what they were doing. I quote:

Come on, buddy—

the gunner comments, aiming the crosshairs at his hapless target—

all you got to do is pick up a weapon.

The soldiers' request for authorisation to shoot is given. When the wounded man is carried to a nearby minibus it is shot to pieces with a helicopter's 30-millimetre gun. The driver and two other rescuers are killed instantly. The drivers' two young children inside are seriously wounded.

US Army command investigated the matter, concluding that the soldiers acted in accordance with the rules of war, even though they had not. Equally to the point, writes Melzer, the public would never have known a war crime had been committed without the release of what Assange called the collateral murder video.

The video footage was just one of hundreds of thousands of documents that WikiLeaks released last year in tranches known as the Afghan war logs, the Iraqi war logs and Cablegate. They revealed numerous alleged war crimes and provided raw material for a shadow history of the disastrous wars waged by the US and its allies, including Australia, in Afghanistan and Iraq.

Under the heading 'Punished forever' Melzer retraces what has happened to Assange since then, from the accusations of sexual assault in Sweden to Assange taking refuge in the Ecuadorian embassy in London in an attempt to avoid the possibility of extradition to the US if returned to Sweden. His refuge led him to being jailed in the United Kingdom for breaching his bail conditions.

Sweden eventually dropped the sexual assault charges, but the US government ramped up its request to extradite Assange. He faces charges under the 1917 Espionage Act which, if successful, could lead to a jail term of 175 years. Two key points became increasingly clear as Melzer methodically works through the events. The first is that there has been a carefully orchestrated plan by four countries, the United States, the United Kingdom, Sweden and, yes Australia, to ensure Assange is punished forever for revealing state secrets.

The second is that the conditions he has been subjected to and will continue to be subjected to, if the US's extradition request is granted, amount to torture. On the first point, how else are we to interpret the continual twists and turns over nearly a decade in the official positions taken by Sweden and the UK? Contrary to the obfuscating language of official communiqués, all of these have closed down Assange's options and denied him due process.

Melzer documents the thinness of the Swedish authorities' case for charging Assange with sexual assault. That did not prevent them from keeping it open for many years. Nor was Assange as uncooperative with the police as has been suggested. Swedish police kept changing their minds about where and whether to formally interview Assange, because they knew the evidence was weak. Melzer also takes pains to show how Swedish police also overrode the interests of the two women who had made the complaints against Assange.

It is distressing to read the conditions Assange has endured over several years. A change in the political leadership of Ecuador led to a change in his living conditions in the embassy, from cramped but bearable to virtual imprisonment. Since being taken from the embassy to Belmarsh prison in 2019 Assange has spent much of his time in solitary confinement—for 22 to 23 hours a day. He has been denied all but the most limited access to his legal team, let alone family and friends. He was kept in a glass cage during his seemingly interminable extradition hearing, appeals over which could continue for several more years, according to Melzer.

Assange's physical and mental health have suffered to the point where he has been put on suicide watch again. That seems to be the point, Melzer writes:

The primary purpose of persecuting Assange is not—and never has been—to punish him personally, but to establish a generic precedent with a global deterrent effect on other journalists, publicists and activists.

The author of this article, Matthew Ricketson, asks:

So will the new Australian prime minister, Anthony Albanese, do any more than his three Coalition and two Labor predecessors to advocate for the interests of an Australian citizen?

In December 2021, Guardian Australia reported Albanese saying he did 'not see what purpose is served by the ongoing pursuit of Mr Assange' and that 'enough is enough'. Since being sworn in as prime minister, he has kept his cards close to his chest.

The actions of his predecessors suggest he won't, even though Albanese has already said on several occasions since being elected that he wants to do politics differently.

Melzer, among others, would remind him of the words of former US president Jimmy Carter, who, contrary to other presidents, said he did not deplore the WikiLeaks revelations. 'They just made public what was the truth. Most often, the revelation of truth, even if it's unpleasant, is beneficial...I think that, almost invariably, the secrecy is designed to conceal improper activities.'

More recently, another article by Daniel Hurst, under the heading 'Julian Assange: what is Australia's position on his extradition, and what options does it have?' I seek leave to table that document as well.

Leave granted.

**The Hon. F. PANGALLO:** Mr Hurst writes:

Australia's prime minister, Anthony Albanese, has said he stands by his previous comments opposing the ongoing pursuit of WikiLeaks co-founder Julian Assange.

But when asked on Monday whether he had spoken with Joe Biden about the US push to extradite Assange from the UK, Albanese indicated he would pursue the issue out of the public glare. The US is seeking to try Assange in connection with the publication of hundreds of thousands of leaked documents about the Afghanistan and Iraq wars, as well as diplomatic cables.

Mr Hurst asks:

So what is the new Australian government's position? What options does it have? And what are the next steps in the legal process?

This is what the Prime Minister, Mr Albanese, has said in the past about Mr Assange. This was in northern Tasmania on 15 December:

'Well, I've said for some time that enough is enough. The fact is that you have the circumstances whereby the person who has actually leaked the classified information to WikiLeaks is free, is walking around, isn't incarcerated. But the person who published that information remains in jail in Britain awaiting the extradition procedures that the United States is taking place.'

That was a reference to the former army intelligence analyst Chelsea Manning, who was released in 2017 when Barack Obama commuted her 35-year military prison sentence in one of his final acts as president. Albanese went on to say that Assange had 'paid a big price for the publication of that information already'.

'I do not see what purpose is served by the ongoing pursuit of Mr Assange. He is an Australian citizen as well. And with that should come an obligation of the Australian government to ensure that he receives appropriate support.'

In April, Assange's father, John Shipton, said the election of a Labor government would be a 'great opportunity' to free the WikiLeaks co-founder. Shipton said he had had several lunches with Albanese and had been assured the then opposition leader would do 'whatever he can' to free his son.

What did Mr Albanese say most recently?

Speaking to reporters in Melbourne, the prime minister reaffirmed his previously stated position, while suggesting that he would not take a more forthright public position.

'I have made clear what my position is publicly,' he said. 'I made it clear last year. I stand by my comments that I made then.'

'But I make this point as well—there are some people who think that if you put things in capital letters on Twitter and put an exclamation mark, then that somehow makes it more important. It doesn't.'

'I intend to lead a government that engages diplomatically and appropriately with our partners.'

It is an about-face when you go from Leader of the Opposition to Prime Minister and you then need to engage with your direct allies with whom you have significant arrangements, like AUKUS. Why are press freedom groups worried about this case? I quote:

Press freedom advocates and human rights groups have raised fears the prosecution of Assange under the US Espionage Act sets 'a dangerous precedent'.

Daniel Ellsberg—the whistleblower prosecuted 50 years ago for releasing the Pentagon Papers about the Vietnam war—has said: 'This extradition would mean that journalists, anywhere in the world, could be extradited to the US for exposing information classified in the US.'

Imagine that: they could just go anywhere and pluck any journalist. Just because they published some classified information that would have embarrassed the government, they could be plucked from anywhere, come to this country, because we have those relations with them, and those people could be facing jail terms of up to 175 years. What is happening with the legal process? I quote:

In April a UK court formally approved the extradition of Assange to the US on espionage charges but it was up to the home secretary, Priti Patel, to sign off.

On Friday the UK Home Office announced that Patel had approved the extradition, saying the UK courts had 'not found that it would be oppressive, unjust or an abuse of process to extradite Mr Assange'.

'Nor have they found that extradition would be incompatible with his human rights, including his right to a fair trial and to freedom of expression, and that whilst in the US he will be treated appropriately, including in relation to his health,' a Home Office spokesperson said.

WikiLeaks immediately announced that the decision would be appealed (the Home Office said Assange 'retains the normal 14-day right to appeal'). Any appeal was likely to focus on grounds such as the right to freedom of expression and whether the extradition request was politically motivated.

The author then asks: how did the government's response differ from the previous government's stance? He writes:

The foreign affairs minister, Penny Wong, and the attorney general, Mark Dreyfus, responded to Patel's decision by observing that Australia was 'not a party to Mr Assange's case, nor can the Australian government intervene in the legal matters of another country'.

But they said they planned to 'continue to convey our expectations that Mr Assange is entitled to due process, humane and fair treatment, access to proper medical care, and access to his legal team'. This is a similar position to what the former Australian government repeatedly said in public.

But there was a critical addition to the statement alluding to new overarching representations to the US and the UK: 'The Australian government has been clear in our view that Mr Assange's case has dragged on for too long and that it should be brought to a close. We will continue to express this view to the governments of the United Kingdom and United States.'

What options does the government have to intervene?

The only real option for the Australian government is to vigorously pursue this issue at a political level.

The government has not elaborated exactly what it means by bringing the matter to a close. One option would be to encourage the US to drop the charges. The Biden administration has previously said this is a matter for the Department of Justice, which it says acts independently.

Another option would be to encourage the US president to issue a pardon to Assange. If Assange were to be extradited and convicted and sentenced, Australia could also lobby for the sentence to be commuted, in a similar way to Manning's sentence.

Ultimately, this is a question of how much political capital Albanese wishes to use.

One of Assange's most vocal advocates, the independent MP Andrew Wilkie, thinks the time for quiet diplomacy is over and the government should 'call an end to this madness'.

'I think if Anthony Albanese made an unambiguous and strong public comment in support of Julian Assange I think that would be helpful at this point in time,' Wilkie told Sky News [recently]. He acknowledged the new government's changed tone as 'good' but said 'it hasn't amounted to anything' because Patel had signed off on the extradition.

The former foreign minister Bob Carr has argued that Australia has been an 'exemplary ally' to the US and this should count for something. Carr also points to the Howard government's success in 2007—after years of mounting calls to act—in securing the return of the former Guantánamo Bay inmate David Hicks to serve out the remainder of his sentence in Australia.

Could Assange serve any sentence in Australia?

The US has already offered this. It was among a number of assurances that were crucial to a successful US appeal against an earlier British court ruling blocking Assange's extradition.

These assurances included that Assange would not be subject to 'special administrative measures' or held at a maximum security 'ADX' facility and could apply, if convicted, to be transferred to a prison in Australia.

That article was by Daniel Hurst, which was published in *The Guardian* on 20 June 2022. I would like to go to another piece, which was written by prominent Canberra journalist Michelle Grattan, talking to Greg Barns on the battle to free Mr Assange.

Julian Assange, the founder of WikiLeaks, is facing extradition to the United States...

Barrister Greg Barns has worked pro bono on Assange's case for the last nine years as part of the Australian Assange campaign.

Barns argues the Assange issue 'goes to fundamental questions like freedom of the press and freedom of speech.'

The election of the Albanese government has reignited calls for Australia to do more to try to bring Assange home.

'We've certainly been heartened by the approach taken by the new government,' Barns says.

'I think Anthony Albanese himself has been committed for some time now in his public statements and certainly been supportive privately of Assange's position. He's made that clear in a number of statements with a theme really that this has gone long enough.'

'There has been a marked change in rhetoric on the part of Mr Albanese, but also I think in his very telling statement that he did not want to pursue this matter through megaphone diplomacy, which we respect, because of course you're dealing with Australia's closest ally.'

'He wants to do something, but he wants to do it in a way that respects the friendship between Australia and the United States.'

Which I guess is understandable. It continues:

On what US President Joe Biden should consider when it comes to the relationship with Australia and the issue of Assange, Barns notes Biden has 'given a number of speeches now talking about democracy and the importance of democratic values'.

This is an opportunity to assert those values by saying that freedom of speech and freedom of the press are fundamentally important in a democracy and in the democratic world. And so there are certainly plenty of avenues and plenty of reasons why President Biden might deal with this matter.

This case has gone on too long. There are fundamental principles at stake and it's time to end it.

I seek leave to table that *Conversation* article.

Leave granted.

**The Hon. F. PANGALLO:** The Australian federal government now have the opportunity to become a global stalwart in ensuring the actions taken to identify and call out governmental misconduct, accountability and breaches of ethical duties are elevated and celebrated. The Australian government have made it clear in their position that journalists should not be prosecuted for doing their jobs. The Attorney-General, the Hon. Mark Dreyfus QC, recently expressed his commitment to journalistic protection in an ABC Law Report interview with Kristina Kukulja, highlighting that a free press is the lifeblood of our political debate and without it there would be little room to keep citizens informed.

I could not agree more with the Attorney-General's assessment of journalist protection and free press. I call upon him and his government to act on the promises they made in opposition and throughout the election campaign in defence of Assange's treatment and commitment to intervene through any means available and necessary.

It was only last year in 2021, when in opposition, the now Prime Minister Anthony Albanese was a signatory to the 'Bring Julian Assange home' campaign and stated on the record that Julian should be freed. This sentiment was also echoed by the Minister for Foreign Affairs, Penny Wong, who stated:

We will continue to convey our expectations that Mr Assange is entitled to due process, humane and fair treatment, access to proper medical care, and access to his legal team.

And bring the matter to a close. It was only in January 2021 that a UK judge sided with Mr Assange's team, ruling that he could not be extradited because there was no guarantee the American authorities could or would look after him. Now Julian is facing this reality.

The government has the opportunity to ensure the safety and risk to Julian is mitigated by taking diplomatic political measures in a bona fide attempt to bring Julian home or have the charges against him dropped. It is not just the position on record that Julian Assange be freed by the now government ministers but also government backbenchers, with Julian Hill MP describing secretary Patel's decision to approve the extradition as 'appalling' and compared his plight with army intelligence analyst Chelsea Manning, who was the source of the leak. He further suggested that there is only a political solution to the matter and that 'Political cases should never be the subject of extradition.'

Many in this country voted for change at the federal election on 26 May 2022, with an expectation that a new incoming government would act promptly on the Assange matter, where inaction had become the staple for the past nine years. Attorney-General Mark Dreyfus correctly stated in an interview on ABC Radio National Law Report that Australia has no jurisdiction in interfering with either the jailing or extradition of Julian Assange, but emphasised on record that it is the Australian government's position that:

...the case of Julian Assange has gone on far too long. What is available to the Australian Government is making diplomatic representations.

In the A-G's own words, we are taking steps as they are available, when he was asked about a resolution.

Alongside many of my fellow Australians, I call on the Albanese government to turn their words in opposition into action in the government. I commend this motion to the chamber.

Debate adjourned on motion of Hon. I.K. Hunter.