

Key (from original complaint to Ofcom):

Doc A - 6/7/2011 Email from Tilly Cowan, Assistant Producer, Oxford Films to my assistant Sarah Harrison

Doc B – 6/7/2011 Email from Sarah Harrison to Tilly Cowan

Doc C – 7/7/211 Email from Tilly Cowan to Sarah Harrison

Doc D – 14/7/2011 Email from Tilly Cowan to Sarah Harrison

Doc E – 21/7/2011 Email Sarah Harrison clarification request

Doc F – 22/7/2011 Email Tilly Cowan clarification response

Doc G – 18/8/2011 Email Tilly Cowan to Sarah Harrison

Doc H – 22/8/2011 Email Sarah Harrison to Tilly Cowan

Doc I – 23/8/2011 Email Tilly Cowan to Sarah Harrison

Doc J – 17/11/2011 Email Julian Assange to Patrick Forbes, Producer, Oxford Films

Doc K – 18/11/2011 Email Patrick Forbes to Julian Assange

Doc L – Link to transcript of phone call Julian Assange to Patrick Forbes 16/11/2011
<http://wikileaks.org/Guardian-s-WikiLeaks-Secrets-and.html> (this link also sets out many other substantive points of my complaint)

Secrets and Lies Email chain (date order)

From: Tilly Cowan <tilly.cowan@oftv.co.uk>
Date: 6 July 2011 13:48
Subject: Hi Sarah
To: "sarah harrison" <XXXXXXXXXXXXXXXXXX>

Dear Sarah,

How you lovely? It seems an age since we were fact checking like crazy women and setting up weird bonfires at the BIJ! Those were good and surreal times.

I know how busy you are with Wikileaks and so you probably do not even have a moment to yourself but I wanted to talk to you about an important project I am working on.

I am working with Oxford Films and we are producing a feature length documentary exploring the story of Wikileaks. We will be looking at the impact Wikileaks has had on the world, and also at the treatment and the trial of Bradley Manning and assessing whether a fair trial is in fact taking place. The film will be released at the end of the year on Channel 4, on several German stations and is set to hopefully be distributed in cinemas across the world.

I was at the talk on Saturday and it is exactly these sorts of questions, but in even more detail, that we are interested in asking Julian. How has Wikileaks changed global political interaction, political transparency and why is it so important for the progress of civilization that we have this mine of information in order understand how humanity operates – potentially forcing us to behave in a moral way. The idea discussed that Wikileaks has made it impossible for

people not to know what is happening in the name of war and diplomacy is very compelling as is the idea that states have been forced into a state of undeniability over their actions. **We are honestly not at all interested in the personal life of Julian but in his work to bring about the biggest leak in history.**

I am aware that that there are far more important things happening at the moment, but the film would be totally incomplete without hearing about what drives Julian in his work and why what he has done is so important. In fact it would be devastating to have this gaping hole.

If we could have a chat or meet for a coffee at any spare waking moment you have to see if Julian might consider taking part I would be very grateful. I feel we know each other it would be nice to have an honest chat about what the documentary would entail.

I know that our execs have been in touch with Julian's agent about it as well but those avenues, while essential, are of course very formal considering we have worked together I wanted to speak to you directly.

Take care.

Best,

Tilly

From: sarah harrison <XXXXXXXXXXXXXXXXXXXX>
Date: 6 July 2011 21:40
Subject: Re: Hi Sarah
To: Tilly Cowan <tilly.cowan@oftv.co.uk>

HI!!!

So good to hear from you. Sorry not to return calls etc.... Manic!

Regarding your request I am afraid that I will have to ask the same questions we ask all people requesting interviews with Julian just to see if it is something he can consider) and then we can go from there - would be great to have a coffee if poss, but I am in London so little it is tricky!

- 1) what is the deadline for this interview? (Julian is very busy at the moment and so knowing when this would need to take place would definitely help decide).
- 2) How long would the interview take?
- 3) What questions/topics will you be wanting to discuss with Julian? (I know you say something here, but if this can be elaborated on then that would be great. Is it just the questions Amy asked, or others...)
- 4) Where would the interview need to take place?
- 5) Who are the other people you are interviewing?
- 6) What is the concept/angle for the film?

Sorry to ask you these sorts of things when we know each other, but I am sure you can understand why I need to ask these things.

Do you know which agent your execs spoke to?

Lots of love

Sarahx

On 7 July 2011 10:05, Tilly Cowan <tilly.cowan@oftv.co.uk> wrote:

Hey,

I cannot imagine how manic you must be!!

Yes of course you have to ask these questions do not worry at all- let me have a chat with the team and get back to you asap on where we are at. Thank you for just getting back to me.

I know Eve wanted to see you too, so aside from work stuff, one day we should all have a drink when things calm down, totally unrelated to work!

Love,

Tilly x

From: sarah harrison [mailto:xxxxxxxxxxxxxxxxx]

Sent: 07 July 2011 10:49

To: Tilly Cowan

Subject: Re: Hi Sarah

That's great, and a catch up would be fab - when I am calmer :)

Speak soon. X

From: Tilly Cowan <tilly.cowan@oftv.co.uk>

Date: 7 July 2011 13:12

Subject: RE: Hi Sarah

To: sarah harrison <xxxxxxxxxxxxxxxxx>

Hey lovely,

Here I have answered your questions. I hope this is enough info and you feel they are ok? We have just started on the project and in the usual way have hit the ground running!

1. We would ideally like to do the interview in late July, or if not late August. However we can push this to early/mid September if this proves to be impossible. We will be as flexible as we can though and work around him in whatever way helps you out.

2. We would only need 45 mins or an hour max.

3. We would like to know what motivates Julian to do what he does, how he feels about what Wikileaks has achieved, what impact he considers the leaking of the war logs/cables to have been on the political landscape, ordinary people and society and on traditional journalism. We also would like him to tell us his story of how this all unfolded how he felt when he got the material, what a feat it was to deal with it all and how he planned the strategy of getting it out there. Also what it was like to watch the world's reaction as it all unfolded in front of him, what it was like to be at the helm of something so important. Basically, we would like him to give us a factual account of what happened during this period but also what it felt like to be leading the whole process and why he considers what he does to be so important and what changes it has brought about. It would also be great to know what he envisages for the future.

4. We are open to suggestions on this and we don't mind at all where this takes place. If you have no preference we will think of some options and send these through to you? Let me know.

5. We have only been working on this for a week but we will be interviewing Der Spiegel and the Guardian who we have exclusive access to, as of course they were part of the story, but **this is not a media focused story I want to stress**. We are also talking to David House and Naomi Colvin so we hope to interview them as well, although this has not yet been confirmed. We are just starting to work out who else we want to interview at the moment.

6. We are setting out to make a definitive factual account of the wikileaks affair. **It will focus on the core of the story, the substance, content, and impact of the Iraqi, Afghan and diplomatic cables, rather than the way in which the media and others have handled them, or any unrelated legal proceedings**. We want to make sure it is vital that a balanced picture emerges of this process, and therefore we want to talk to different parties involved. We are also closely following Manning's treatment, his case and how it is being handled, assessing whether he is or will be able to have a fair trial or is being treated in a humane way during his confinement

The exec spoke to Michael Foster a while ago as they have a pre-existing relationship (Oxford made a Channel 4 series presented by Alan Davis who he also represents). But this was a little while ago and I don't think anything came of this initial conversation- but it was left on a positive note.

I know you know this but for us **it is so so important that we hear Julian's voice in this film as without the voice of Wikileaks you can never tell the story in the same way and it is the only way we can achieve real balance and factual accuracy**. Let me know if you want to go through any of this?

I hope you are well? I look forward to a well-earned stiff drink when life is less insane for you, and on a far smaller scale me too!

Take care hon.

Tilly x

From: Tilly Cowan <tilly.cowan@oftv.co.uk>
Date: 14 July 2011 10:23
Subject: RE: Hi Sarah

To: sarah harrison <XXXXXXXXXXXXXXXXXXXXXX>

PS Just so you know **Josh Stieber** who was part of the Collateral Murder lot has agreed to take part and talk about why he became a conscientious objector and why it was important to see the reality of war in this way, through the release of the video and we are talking to **Ethan McCord** who also approved of the leaking of the material because of what it showed the public about what was being done in the name of war. We also have PJ Crowley taking part who obviously didn't approve of the leaks but did speak out against the torture of Bradley Manning.

We are also speaking to **Tunisian activists** who say that the leaks gave the Tunisian people the assurance that the Americans agreed with them about government corruption and therefore it added strength to the revolution- who we hope to feature.

Hope to speak soon! x

From: sarah harrison <XXXXXXXXXXXXXXXXXXXXXX>
Date: 21 July 2011 22:28
Subject: Re: Hi Sarah
To: Tilly Cowan <tilly.cowan@oftv.co.uk>

Hi Tilly,

This is great. Many thanks. If you could please elaborate a little more on point six this would be much appreciated. **Is the leaks themselves and their content that is your focus? Or is it the media partnerships and how this worked?** Are you approaching any other of our media partners? And how at Guardian and Der Spiegel have you/are you speaking to?

Sorry for all the questions! Thanks for your help and patience in answering them.

Love,

Sarah x

From: Tilly Cowan <tilly.cowan@oftv.co.uk>
Date: 22 July 2011 12:01
Subject: RE: Hi Sarah
To: sarah harrison <XXXXXXXXXXXXXXXXXXXXXX>

Hi Sarah,

Do not worry at all about asking for more information I do understand the need for clarity.

Our focus is the factual accounting of the Wikileaks story from the Apache video release through to the release of the cables. Therefore, the first narrative will retell the story of the leaks-their handling and their impact and the second narrative will be assessing the treatment and trial of Bradley Manning and the lead up to the case.

Our aim is to tell the story of leaks, from those who were there at

the time who will guide us through how it all unfolded. We will also examine the impact of the leaks - with soldiers like Josh and Ethan explaining the importance of why this information needed to be seen by the world, the extent the leaks played in the Arab Spring, the embarrassment caused to the Obama administration etc. We will also look at what the enduring legacy might be.

At Der Spiegel we are speaking to Georg Mascolo and **Holger, Stark** at the Guardian so far we have been in touch with Alan Rusbridger and David Leigh and we are going to speak to one or two others who dealt with the material but we have not yet been in touch with them. We are speaking to Dean Baquet and Bill Keller at the New York Times. This is so they can tell us about how the story of the leaks unfolded, their dealings with the US administration and what was significant about content of the leaks.

We would like to have Julian in the film because he was of course at the epicentre of the entire story and can tell us how it happened in more comprehensive detail than anyone.

Let me know if you need anything else! Hope you have managed to rest up a bit.

Love

Tilly xxx

From: sarah harrison [mailto:xxxxxxxxxxxxx]
Sent: 23 July 2011 00:54

To: Tilly Cowan
Subject: Re: Hi Sarah

Hi Tilly,

Many thanks for all of this and sorry to keep bothering you on it.

I was wondering if I could take this opportunity to suggest some things to you - there are some people/organisations you have not mentioned that can tell a much more detailed, knowledgeable and/or interesting version of events and have not been interviewed so much in the UK. Guardian, for example, have been in many, many documentaries about WikiLeaks and Julian, **Telegraph though (who we still work with)** have not. It also depends on your remit of who you want to interview. Maybe it might be easier to have a phone call about it? I could call you on Monday, or a day next week that suits if you could give me a good time and number to call on.

Love

Sarah xxx

On 25 July 2011 10:03, Tilly Cowan <tilly.cowan@oftv.co.uk> wrote:

Hi Sarah,

That sounds like a good idea. Call me on 079xxxxxxx or Tel: 020 7483 xxxx any time today x

From: sarah harrison [mailto:xxxxxxxxxxxxxxxxx]
Sent: 26 July 2011 16:07

To: Tilly Cowan
Subject: Re: Hi Sarah

Hi Tilly,

Great to talk yesterday. I shall get you those contacts as soon as I have spoken to them and got the best details for you to call them on and have let them to know to assist you. In the mean time the **link to our page that lists the media currently publishing is -**
<http://wikileaks.org/Media-Currently-Publishing.html>

Let me know if there is anything else I can do.

Sarah x

On 26 July 2011 18:25, Tilly Cowan <tilly.cowan@oftv.co.uk> wrote:

Hi Sarah,

Great to talk to you as well. Thanks for this and for the help you have offered!

We would be interested especially in speaking to **Kristinn Hrafnsson** about the Apache Helicopter video and Al Ahkbar if you think they might be happy to do so?

Tilly x

From: sarah harrison [mailto:xxxxxxxxxxxxxxxxxxxxxxxx]
Sent: 27 July 2011 01:54
To: Tilly Cowan
Subject: Re: Hi Sarah

Hi,

So far I have managed to speak to **Al Akhbar** and he is happy to speak to you/be interviewed. The guy I was talking about is **Mansour Aziz**, Online Manager. His contacts are:

email is: xxxxxxxxxxxxxxxxxx
phone is: +961xxxxxxxxxx

Will let you know about Kristinn and **Egypt partner** as soon as I can.

Sarah x

From: Tilly Cowan
Sent: 27 July 2011 17:15
To: sarah harrison
Subject: RE: Hi Sarah

Thanks so much Sarah I will try and get through to him today.

Tilly x

From: Tilly Cowan <tilly.cowan@oftv.co.uk>
Date: 18 August 2011 15:17
Subject: Wikileaks documentary
To: sarah Harrison <XXXXXXXXXXXXXXXXXXXX>

Hi Sarah,

It was so lovely to see you yesterday and to really get a chance to meet Julian. It must be a really fascinating place to be- and to be part of history in such a way.

The meeting was really interesting it was great to have been given so much time to discuss all those issues! I am sorry we had to rush off we would have been very happy to stay longer but family duties beckoned Patrick!

Firstly, as discussed we are still carrying on our hunt for people impacted by the diplomatic cables- so please do pass on anything you think would be interesting to feature. We just need to work out where in the world we can actually realistically get to -but obviously the stronger the story the more we will push to get there. I will of course have a look at the material you suggested which can provide an overview on certain regions as well.

Secondly, it would actually suit us to **interview Julian after all the other interviews -not least because they're happening in the next two**

weeks and will have been completed by the 2nd September. This way we can put to him what others have stated in their recollection of certain events and make sure he can respond as he feels fit. As I said after this there will only be case studies rather than key players who we will be interviewing and hopefully by that point we will know who they will be.

Thirdly, we start our edit at the start of September and although we will continue to film anything related to the Manning trial and other cases of how ordinary people have been impacted, we will need to do any remaining key interviews pretty soon after this or editing everything will prove difficult. What would be fantastic, if you will consider it, is if we could pencil in an interview with Julian one day on the week starting 5th September? We are happy to interview him as long as he would like, with a minimum time period of an hour, if he is too busy. We are also happy to come to Norfolk and even do the interview in the evening if that is easier because of the curfew- we can always stay nearby.

Love,

Tilly xxx

PS Eve said the three of us should have a drink in September if you are around at all. She is making a film about the sociological influences on the James Bond genre after 50 years!

From: sarah harrison <XXXXXXXXXXXXXXXXXXXX>
Date: 22 August 2011 13:42
Subject: Re: Wikileaks documentary
To: Tilly Cowan <tilly.cowan@oftv.co.uk>

Hi Tilly,

It was great to see you too and good to hear more about what you are doing. Julian would be happy to do an interview, but we would ask the following:

It is good that he will be given a chance to give a reply to anything said by the other talking heads. But we want to confirm the way in which this will be framed. It will be good for him to have an opportunity to put his side out on some things, but we don't want it done in the accusatory style of someone such as Sweeny (not that you would - that is an extreme example, but you get my point.) We would also like to be sure that **the majority of the interview focuses on the points that you have shown you agree are most important - the effects and philosophies of WikiLeaks.**

He is very busy in the coming weeks, so the only opportunity there is is on Friday the 9th of September. I have double checked that so won't make the same mistake as last time. ;)

There is one other meeting that day that is yet to confirm its timing, but I would imagine the interview with you would be late afternoon sometime - as soon as I can I shall confirm. Unfortunately it will need to be in Norfolk. Is that all ok?

Also - the person mentioned in the meeting re Kenya - not sure if I have given you their details or not, but it is -

<xxxxxxxxxxxxxx@kenya.org>, just in case.

Looking forward to seeing you again.

Love,

Sarah xxx

From: Tilly Cowan <tilly.cowan@oftv.co.uk>
Date: 23 August 2011 21:39
Subject: RE: Wikileaks documentary
To: sarah harrison <XXXXXXXXXXXXXXXXXXXXXX>

Hi there

That's great! Thank you.

And what you say is absolutely fine with us.

The film is a story of a defining moment in history and **we want Julian's account of events as the central protagonist.** So I guess our framing of Julian is simply that - as wikileaks progenitor, and defining spirit, and it's really important that he gives his own account of what happened, and why it did, this covers events, philosophy and results..And yes in some instances that will involve responding to what others say/their version of events in during the process, but what we really want his him recounting and explaining a very important story in his own words.

This is a history with a broader focus than other people- as we have said we are assessing the content of the material and the impact, as well as the process of how it came about and what the publication involved in terms of all the different bodies working together. Because what we're after is the definitive account by the people involved - **Julian was the driving force of this whole event, and at the epicentre as the story unfolded, and therefore it is essential to hear his take on what happened and what impact he considers this to have had** and continues to have as more material is divulged.

I hope this answers all your questions!

Let us know what time we can be with you on the 9th- we would like as long as possible with Julian to cover all the different facets of the story.

Thanks again.

Tilly xxx

From: Joseph A. Farrell <XXXXXXXXXXXXXXXXXXXXXX>
Date: 17 November 2011 14:28
Subject: Channel 4
To: patrick@oftv.co.uk
Cc: sarah harrison <XXXXXXXXXXXXXXXXXXXXXX>

Dear Patrick

I follow up our conversation from yesterday where I spoke about the differences between your promises to me and Sunshine Press Productions on the nature of the documentary "WikiLeaks: Secrets and lies" compared to the promo statement released by Channel 4.

As a result, until I can be assured that the film, and the Channel 4 promo, is accurate and meets terms under which my agreement and the agreement of Sunshine Press Productions was given, namely that, "We are setting out to make a definitive factual account of the WikiLeaks affair. It will focus on the core of the story, the substance, contact and impact of the Iraq, Afghan and diplomatic aables, rather than the way in which the media and others have handled them, or any unrelated legal proceedings.... We are also closely following Manning's treatment, his case and how it is being handled, assessing whether he is or will be able to have a fair trial or is being treated in a humane way during his confinement.", I and Sunshine Press Productions demand that, until further notice:

1. No material acquired as a result of our collaboration is to be used by you or any other party. This includes all interview footage of me and footage of the grounds of Ellingham Hall.
2. No footage provided by Sunshine Press Productions to you, is to be used by any party. This includes all the footage we generously quoted at AP rates.
3. That you not use, or permit to be used, the WikiLeaks or Julian Assange trademarks, which are registered EU-wide, both in word and in form, in the title or the promotion or in any other way which might suggest that your film is a result of WikiLeaks, endorsed by WikiLeaks or otherwise associated with WikiLeaks.

Unless we can be quickly assured of the accuracy and faithfulness of the Channel 4 promo and film to that description promised by you to me and Sunshine press, we shall be forced to explain these and other matters to Channel 4, the films distributors and the UK public in order to mitigate against the damage inaccuracies or biases in the film and the promo may do to myself and my cause.

You may reassure us that the film is and promo are faithful to the collaboration promises you made by providing a copy of the promo and the film before it is broadcast.

Please arrange to do so by 5pm GMT Friday November 18, 2011.

For reference I include the statement by Channel 4 here followed by my rationale.

Director
Patrick Forbes

Wikileaks: Secrets and Lies: Julian Assange
The definitive account of the 'wiki-saga', featuring the first major television interview with Wikileaks founder Julian Assange.

The film unites all the major protagonists for the first time, including Assange's erstwhile partner Daniel Domscheit Berg, and the editorial teams at the Guardian, Der Spiegel and New York Times newspapers, as well as the US state department spokesperson who had to deal with the leaks.

When Assange launched his whistle-blower website he was heralded as a hero, bravely publishing classified material to highlight government wrongdoings to its peoples.

He won awards around the world and was credited with creating a historic moment for journalism. But the story took a dark twist when Assange was accused of rape and sexual assault in his home country of Sweden.

Award-winning film-maker Patrick Forbes presents the story of Wikileaks, using the words of people at the heart of the story, and on both sides of the fence.

This is the story of Wikileaks told by the people involved: sulphurous, personal and moving, it documents history in the making and the frontier of new technology and journalism.

It's also a story of human emotions clashing with the advent of new technologies, summed up in the words of Guardian journalist Nick Davies as 'a Greek tragedy... as triumph was turned into disaster through the actions of one man.'

You will note the Channel 4 statement depicts your documentary as:

- 1) being about the personalities and not the work
- 2) containing "dark" references to the Swedish "rape" case
- 3) "summed up in the words of Guardian journalist Nick Davies as 'a Greek tragedy... as triumph was turned into disaster through the actions of one man.'". Knowing Nick Davies' previous media statements, this clearly and damagingly refers to me. This narrative formulation, "summed up", shows no distance from Nick Davies' transparent attempt to shift criticism away from his own actions and that of his employer, but rather, adopts this blame-shifting as the narrative stance of the documentary and of Channel 4. As you know the Guardian and WikiLeaks, including the journalist Nick Davies, have long been locked into an adversarial relationship over the Guardian's deliberate breach of the Cablegate contract. Hence, this summation of the entire documentary is odd, unprofessional and, as a matter of fact, untrue.
- 4) includes the statements "home country of Sweden" which, as you are aware, is false. I have never lived in Sweden. I am born and raised an Australian citizen and live, as a result of legal force, in England.
- 5) states that a former German volunteer/employee for the organisation, Domscheit Berg, who we suspended last August, is a "major protagonist...[and] erstwhile partner". As you must be aware he is not a "major protagonist", except, perhaps as a gifted post-facto opportunist, and was never a "partner". He is, as you are aware, a peripheral player. He was, as you know, absent from most of the organization's work, including its founding, all the major publishing events of 2011, 2010, 2007 and 2006, the Guantanamo Files, Cablegate, the Iraq War Diaries, Collateral Murder, and most of the Afghan War Logs. That he has had ghost written a tawdry book of self-aggrandizing libels which he has sold to Hollywood does not give Channel 4 license to skip basic fact checking. His book contains many proven malicious untruths, for example, that the organisation sold information to Aftenposten or al-Jazeera to a claim that I torture cats. I include a previous statement on the status of Domschiet-Berg, which you have had ample opportunity to read, at the end of this document marked by the letters "AA".

While you and Channel 4 have both OFCOM and legal obligations to present accurately and impartially, I note here that you have extra moral and legal obligations in relation to the courts and to myself.

Your broadcast issues on November 29. On December 5, two high court judges at the Royal Courts of Justice will decide whether I am to be extradited or whether I may appeal to the Supreme Court. Your promo, broadcast and resulting publicity will occur during the time when the judges have retired to consider the matter. Given that the legal basis of the appeal is entirely whether the requested appeal point is of general "public interest", the judgement is political and will be influenced by your broadcast. If the broadcast is adverse, it may lead to a chain of events which would see my incarceration or killing in the United States. Similarly, other courts, including the Grand Jury currently sitting in Washington, a future and highly politicised Swedish criminal trial, Manning's military trial, a future criminal trial against myself in the United States, and/or the administrative hearings currently being conducted by the European Commission into the banking blockade against WikiLeaks may be affected. Likewise, the political will of the Australian and British governments to intervene on my or Mr. Manning's behalf may be adversely affected by untruths or partial reportage broadcast by the film or its promo.

In my phone conversation with you, I drew your attention to these points. I note that the statement about my "home country of Sweden" has been corrected but that none of my other concerns have been addressed. This appears to demonstrate an ability to make corrections but wilful disregard to actually do so in relation to all but one of the points raised.

The collaboration offered to you, and the footage that arises from it, which we provided to you, and the interview between myself and you, was granted only under the terms you proffered, chiefly:

"We are setting out to make a definitive factual account of the WikiLeaks affair. It will focus on the core of the story, the substance, contact and impact of the Iraq, Afghan and diplomatic ables, rather than the way in which the media and others have handled them, or any unrelated legal proceedings.... We are also closely following Manning's treatment, his case and how it is being handled, assessing whether he is or will be able to have a fair trial or is being treated in a humane way during his confinement."

It was on this basis that I agreed to entertain collaboration with your film project for free. This collaboration, taken at market rates, is worth between fifty and three hundred thousand pounds. However your promises as to what the documentary was to be about are at odds with the Channel 4 promotional description of the film. The natural reading of this, given the only partial correction of the statement, is that the Channel 4 summary is an accurate description of the film, and that you have deceptively described it to me and Sunshine Press Productions to gain our involvement and access to me and to footage at below market rates.

In the pre-interview meeting with you and Tilly, for which we have second by second contemporaneous notes, you **reconfirmed this statement, saying you were looking at the US assassination squad I discovered, Task Force 373, and were trying to locate its members, that the film would not cover Sweden, that the film was "more on the effect of publishing than on the production", and so on.**

These promises are also at odds with the promo text issued by Channel 4.

Additionally, during our telephone call yesterday, you made the

following admissions:

1. That David Leigh, a reporter from the Guardian, was an made an adviser to the film, by you and that this fact was not disclosed to me. As you are aware this organisation, and myself personally, are locked into various disputes with Leigh, who, as you are aware, deliberately and secretly broke our Cablegate contract, and who, as you are aware, has engaged in a great many tawdry plots and libels in an attempt to destroy WikiLeaks.
2. That David Leigh and other hostile Guardian personalities, such as Nick Davies and Alan Rusbridger were paid monies, directly, or indirectly, by you, for their "involvement".
3. That these facts would not be revealed to the audience.

In making these statements, it is clear you are caught on the horns of a dilemma. Namely, that either Leigh et al were paid members of the production, in which case the film has no credibility, or that you paid for their interviews through slight of hand, in which case you have engaged in chequebook journalism. A third possibility is that you funnelled production money to senior people in the Guardian hierarchy to maintain patronage. Regardless, to intentionally conceal these payments and associations from the audience is a disgrace. Additionally, David Leigh, James Ball, Alan Rusbridger, and other Guardian personalities are either selling or have sold libellous books, life rights or film options about me and/or WikiLeaks. Have these and other pecuniary interests and legal conflicts been detailed to the audience?

I note that despite the film revolving around my work, which now suffers an unlawful banking blockade by US financial companies, no payments were made to me, by you. This asymmetry, where the worst type of opportunists are paid, by you, and where the people who have actually taken most of the risks and done most of the work, are not, is striking.

As a result, until I can be assured that the film, and the Channel 4 promo, is accurate and meets terms under which my agreement and the agreement of Sunshine Press Productions was given, namely that, "We are setting out to make a definitive factual account of the wikileaks affair. It will focus on the core of the story, the substance, contact and impact of the Iraq, Afghan and diplomatic ables, rather than the way in which the media and others have handled them, or any unrelated legal proceedings.... We are also closely following Manning's treatment, his case and how it is being handled, assessing whether he is or will be able to have a fair trial or is being treated in a humane way during his confinement." I must suspend all agreements.

JULIAN ASSANGE

Document AA:

Sat Aug 20 23:41:31 2011 GMT

Five days short of a year ago, on 25 August 2010, WikiLeaks suspended former employee "Daniel Domscheit-Berg". Over the last 11 months, we have tried to negotiate the return of various materials taken by Mr. Domscheit-Berg, including internal communications and over 3000 unpublished, private whistleblower communications to WikiLeaks. Mr. Domscheit-Berg has repeatedly attempted to blackmail WikiLeaks by threatening to make available, to forces that oppose WikiLeaks, these private communications and to which Mr. Domscheit-Berg is not a party.

He has stated he will commit this action, should WikiLeaks move to charge him with sabotage or theft. Mr. Domscheit-Berg has refused to return the various materials he has stolen, saying he needs them, solely, to carry out this threat. Mr. Domscheit-Berg has already, secretly, and with malicious intent, disclosed portions of the private communications content to other parties, to the harm of WikiLeaks.

The negotiations have now been terminated by the mediator, Andy Müller-Maguhn, who has stated that he doubts Mr. Domscheit-Berg's integrity and claimed willingness to return the material and that under those circumstances Müller-Maguhn cannot meaningfully continue to mediate. In response, Mr. Domscheit-Berg has stated that he has, or is about to, destroy thousands of unpublished whistleblowers disclosures sent to WikiLeaks. The material is irreplaceable and includes substantial information on many issues of public importance, human rights abuses, mass telecommunications interception, banking and the planning of dozens of neo-nazi groups. Our sources have in some cases risked their lives or freedom attempting to convey these disclosures to WikiLeaks and to the public.

As a matter of policy and implementation WikiLeaks does not collect or retain source identifying information, so fortunately, source identities for this material are not significantly at risk.

WikiLeaks has only made one prior formal statement regarding Mr. Domscheit-Berg, which we issued in February and repeat here: WikiLeaks has been taking legal action against former employee, Daniel Domscheit-Berg who was suspended from the organization in September. The reasons for these actions will gradually become clear, but some are hinted at by extracts from Domscheit-Berg's book.

In the book Domscheit-Berg confesses to various acts of sabotage against the organization. The former WikiLeaks staffer admits to having damaged the sites primary submission system and stolen material.

The sabotage and concern over motives led to an overhaul of the entire submission system, an ongoing project that is not being expedited due to its complex nature and the organization's need to focus its resources on publication and defense.

It should be noted that Domscheit-Berg's roles within WikiLeaks were limited and started to diminish almost a year ago as his integrity and stability were questioned. He has falsely misrepresented himself in the press as a programmer, computer-scientist, security expert, architect, editor, founder, director and spokesman. He is not a founder or co-founder and nor was there any contact with him during the founding years. He did not even have an email address with the organization until 2008 (we launched in December 2006). He cannot program and wrote not a single program for the organization, at any time.

Domscheit-Berg was never an architect for the organization, technically, or in matters of policy. He was a spokesperson for WikiLeaks in Germany at various times, but he was never the spokesman for WikiLeaks, nor was he ever WikiLeaks editor, although he subedited some articles. He was also never a computer scientist, or computer security expert, although he was a computer science student many years ago. His accounts of the crucial times in WikiLeaks history since April last year are therefore based upon limited information or malicious falsifications.

In order to provide an environment which would encourage Mr. Domscheit-Berg to return what he has stolen and not to use it for malicious purposes, we have made no further statements until today.

This diplomatic silence has been difficult for us, and, is perhaps a warning lesson about secret diplomacy. While we have been silent in order to maximize the chances of regaining the material that was entrusted to us, Mr. Domscheit-Berg has issued dozens of legally harmful falsehoods including during our ongoing legal conflict with the Pentagon, during the imprisonment and investigation of two alleged sources, Bradley Manning and Rudolf Elmer and during the imprisonment and extradition hearings of our founder Julian Assange.

Mr. Manning is imprisoned pending trial, Mr. Assange is under house arrest pending extradition. Over 100 WikiLeaks supporters have been arrested or raided by the FBI, Scotland Yard and other police or intelligence services. Publicly declared task forces into WikiLeaks over the last year include the Pentagon (120 personnel), the State Department, the FBI, the US Department of Justice and the CIA. Concurrently, a "secret" Grand Jury in Washington (Alexandria) has been considering whether to indict Julian Assange with espionage as a result of Wikileaks' publishing.

Mr. Domscheit-Berg has acted dishonestly, he has admitted to stealing WikiLeaks property, and has admitted to the deliberate sabotage of Wikileaks' operations, impeding it from carrying out the will of its sources. He has lied, constantly, and flagrantly, to the public, to us, to our lawyers, and to the mediator, Andy Müller-Maguhn.

We are making this public statement in a final attempt to make Mr. Domscheit-Berg return the data he has stolen, before he destroys it. This material was entrusted to WikiLeaks specifically by our sources, who often go to significant risks to bring us materials under the basis that we will bring their revelations to the public and defend them from censorship. Every day that passes compromises the will of these sources and the efforts they have undertaken.

Mr. Domscheit-Berg has illegitimately taken this data along with Wikileaks' secure online submissions system, funds and internal documentation. He has sabotaged years of work, none of which was his own. We have had to recreate this work under difficult circumstances. This rebuilding comes at a significant cost to Wikileaks, which is under an unlawful Washington instigated financial blockade enforced by the big US financial companies. This cost is ultimately borne by the public, who fight to keep our operations afloat with contributions of twenty dollars a month or less.

From: Patrick Forbes <patrick@oftv.co.uk>
Date: 18 November 2011 16:26
Subject: RE: Channel 4
To: "Joseph A. Farrell" <XXXXXXXXXXXXXXXXXXXX>
Cc: "sarah harrison" <XXXXXXXXXXXXXXXXXXXX>

Dear Julian,

Thank you for your detailed email. Your concerns appear to stem from the Channel 4 press release and what role the Guardian and its personnel may, or may not, have played in the making of the programme.

I believe your fears on both counts are unfounded. Please can I reassure you that I am confident I have made a film, both for Channel 4 and for distribution, which is accurate, fair, duly impartial and consistent with the description we gave you at the outset.

Let me deal first with the Channel 4 press statement. As I explained to you, the mistake about your nationality was corrected promptly, once I had alerted the Channel to it, and a short paragraph referencing Bradley Manning was inserted. The revised press statement can be found here:

<http://www.channel4.com/programmes/wikileaks-secrets-and-lies/episode-guide/series-1/episode-1>

Taking your points on the Channel 4 press statement in turn and using your numbering:

1. Inevitably, a press statement of a few paragraphs about a ninety minute film will include reference to the key protagonists involved in the story and whose interviews feature in the programme. It does not follow from this that the film does not do justice to "the core of the story, the substance, content and impact of the Iraq, Afghan and diplomatic cables".

2. The press statement does not say that the programme contains "dark" references to the Swedish case. It says "But the story took a dark twist when Assange was accused of rape and sexual assault in Sweden." I cannot imagine that for you that this has been anything other than a "dark twist", although this is not a phrase used in the film. Inevitably the case is referenced, it would be bizarre and misleading if it was not.

3. Nick Davies is referring to you in this comment. His key criticisms of you, with which you are familiar, are included in the programme, as are your rebuttals and your key criticisms of him. Nick Davies does not sum up the film in this sentence and nor does the press statement suggest he does.

4. The reference to Sweden as your "home country" was removed once the error was spotted, as I informed you at the time.

5. We are confident that Daniel Domscheit Berg is accurately described in the programme and **the allegations you mention do not feature.**

As to your application for permission to appeal to the Supreme Court, I'm afraid I don't agree that the programme's broadcast on 29th November can have any effect on the decision which the High Court will make on this issue or on the other matters that you mention.

Oxford Film and Television is not prepared to accede to any of your three demands. In our view we have full entitlement to use both your filmed contribution and the archive supplied under the terms of the release from and archive release which you signed on Friday 18th November. We expressly deny that you have been deceived or misled in any way, or that there is any question of a payment to you being appropriate in all the circumstances. Had the question of paying for your interview ever arisen, which it did not, I would have made it clear that this was not something to which we could agree.

I now turn to what you call my "admissions" and, again, use your numbering:

1. David Leigh acted as a consultant on some factual matters - chronology, fact checking - and helped us with contacts. He was not an "advisor" and will not be credited as such.

2. A small sum was paid to the Guardian in respect of the rights necessary to make the documentaries.

3. Commercial arrangements concerning rights are often made between media organisations and there is generally nothing improper about that and this is certainly the case here. These are matters that are simply not relevant for the audience to know.

Channel 4 does not generally permit previews of its programmes to participants except in specific circumstances which are agreed in advance and only then within very limited parameters. Had you requested a preview opportunity at any stage we would have considered it with Channel 4 but we can see no reason to provide one now. **It is not appropriate for a contributor to a programme to see a promotional trail in advance of its broadcast.** However, I have passed your email to Channel 4 so it can take account of your concerns when considering the content of the on air trail for the programme.

The film certainly contains opinions with which you won't agree; but where they amount to a criticism of you then your position is reflected. We are satisfied that the Channel 4 programme, and indeed all versions of the programme, meets our obligations under the Ofcom Broadcasting Code, and is both accurate and fair.

We intend to rely on the agreements you have signed and believe we are fully entitled to do so. We would urge you not to write to Channel 4 and our distributors in the terms you suggest but I'm sure you'd check carefully with your lawyers before sending anything which might be libellous of, and thus damaging to, this company or me personally. Meanwhile I reserve all of Oxford Film and Television's rights.

Yours sincerely,

Patrick

Patrick Forbes
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dir 020 7483 XXXX
mob XXXXX XXXXXX

(after receipt of Ofcom complaint, referring to Sarah's email of 27 July)

From: Tilly Cowan

Sent: 20 February 2012 13:52

To: Patrick Forbes

Subject: FW: Hi Sarah

Here she said she would look into Kristinn and then never came back to me.

T
