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10 days in Sweden: the full allegations against Julian Assange

Unseen police documents provide the first complete account of the allegations against the WikiLeaks founder

By Nick Davies

Documents seen by the Guardian reveal for the first time the full details of the allegations of rape and sexual assault that have led to extradition hearings against the WikiLeaks founder, Julian Assange.

The case against Assange, which has been the subject of intense speculation and dispute in mainstream media and on the internet, is laid out in police material held in Stockholm to which the Guardian received unauthorised access.

Assange, who was released on bail on Thursday, denies the Swedish allegations and has not formally been charged with any offence. The two Swedish women behind the charges have been accused by his supporters of making malicious complaints or being "honeytraps" in a wider conspiracy to discredit him.

Assange's UK lawyer, Mark Stephens, attributed the allegations to "dark forces", saying: "The honeytrap has been sprung . . . After what we've seen so far you can reasonably conclude this is part of a greater plan." The journalist John Pilger dismissed the case as a "political stunt" and in an interview with ABC news, Assange said Swedish prosecutors were withholding evidence which suggested he had been "set up."

However, unredacted statements held by prosecutors in Stockholm, along with interviews with some of the central characters, shed fresh light on the hotly disputed sequence of events that has become the centre of a global storm.

Stephens has repeatedly complained that Assange has not been allowed to see the full allegations against him, but it is understood his Swedish defence team have copies of all the documents seen by the Guardian. He maintains that other potentially exculpatory evidence has not been made available to his team and may not have been seen by the Guardian.

The allegations centre on a 10-day period after Assange flew into Stockholm on Wednesday 11 August. One of the women, named in court as Miss A, told police that she had arranged Assange's trip to Sweden, and let him stay in her flat because she was due to be away. She returned early, on Friday 13 August, after which the pair went for a meal and then returned to her flat.

Her account to police, which Assange disputes, stated that he began stroking her leg as they drank tea, before he pulled off her clothes and snapped a necklace that she was wearing. According to her statement she "tried to put on some articles of clothing as it was going too quickly and uncomfortably but Assange ripped them off again". Miss A told police that she didn't want to go any further "but that it was too late to stop Assange as she had gone along with it so far", and so she allowed him to undress her.

According to the statement, Miss A then realised he was trying to have unprotected sex with her. She told police that she had tried a number of times to reach for a condom but Assange had stopped her by holding her arms and pinning her legs. The statement records Miss A describing how Assange then released her arms and agreed to use a condom, but she told the police that at some stage Assange had "done something" with the condom that resulted in it becoming ripped, and ejaculated without withdrawing.

When he was later interviewed by police in Stockholm, Assange agreed that he had had sex with Miss A but said he did not tear the condom, and that he was not aware that it had been torn. He told police that he had continued to sleep in Miss A's bed for the following week and she had never mentioned a torn condom.

On the following morning, Saturday 14 August, Assange spoke at a seminar organised by Miss A. A second woman, Miss W, had contacted Miss A to ask if she could attend. Both women joined Assange, the co-ordinator of the Swedish WikiLeaks group, whom we will call "Harold", and a few others for lunch.

Assange left the lunch with Miss W. She told the police she and Assange had visited the place where she worked and had then gone to a cinema where they had moved to the back row. He had kissed her and put his hands inside her clothing, she said.

That evening, Miss A held a party at her flat. One of her friends, "Monica", later told police that during the party Miss A had told her about the ripped condom and unprotected sex. Another friend told police that during the evening Miss A told her she had had "the worst sex ever" with Assange: "Not only had it been the world's worst screw, it had also been violent."

Assange's supporters point out that, despite her complaints against him, Miss A held a party for him on that evening and continued to allow him to stay in her flat.

On Sunday 15 August, Monica told police, Miss A told her that she thought Assange had torn the condom on purpose. According to Monica, Miss A said Assange was still staying in her flat but they were not having sex because he had "exceeded the limits of what she felt she could accept" and she did not feel safe.

The following day, Miss W phoned Assange and arranged to meet him late in the evening, according to her statement. The pair went back to her flat in Enkoping, near Stockholm. Miss W told police that though they started to have sex, Assange had not wanted to wear a condom, and she had moved away because she had not wanted unprotected sex. Assange had then lost interest, she said, and fallen asleep. However, during the night, they had both woken up and had sex at least once when "he agreed unwillingly to use a condom".

Early the next morning, Miss W told police, she had gone to buy breakfast before getting back into bed and falling asleep beside Assange. She had awoken to find him having sex with her, she said, but when she asked whether he was wearing a condom he said no. "According to her statement, she said: 'You better not have HIV' and he answered: 'Of course not,' " but "she couldn't be bothered to tell him one more time because she had been going on about the condom all night. She had never had unprotected sex before."

The police record of the interview with Assange in Stockholm deals only with the complaint made by Miss A. However, Assange and his lawyers have repeatedly stressed that he denies any kind of wrongdoing in relation to Miss W.

In submissions to the Swedish courts, they have argued that Miss W took the initiative in contacting Assange, that on her own account she willingly engaged in sexual activity in a cinema and voluntarily took him to her flat where, she agrees, they had consensual sex. They say that she never indicated to Assange that she did not want to have sex with him. They also say that in a text message to a friend, she never suggested she had been raped and claimed only to have been "half asleep".

Police spoke to Miss W's ex-boyfriend, who told them that in two and a half years they had never had sex without a condom because it was "unthinkable" for her. Miss W told police she went to a chemist to buy a morning-after pill and also went to hospital to be tested for STDs. Police statements record her contacting Assange to ask him to get a test and his refusing on the grounds that he did not have the time.

On Wednesday 18 August, according to police records, Miss A told Harold and a friend that Assange would not leave her flat and was sleeping in her bed, although she was not having sex with him and he spent most of the night sitting with his computer. Harold told police he had asked Assange why he was refusing to leave the flat and that Assange had said he was very surprised, because Miss A had not asked him to leave. Miss A says she spent Wednesday night on a mattress and then moved to a friend's flat so she did not have to be near him. She told police that Assange had continued to make sexual advances to her every day after they slept together and on Wednesday 18 August had approached her, naked from the waist down, and rubbed himself against her.

The following day, Harold told police, Miss A called him and for the first time gave him a full account of her complaints about Assange. Harold told police he regarded her as "very, very credible" and he confronted Assange, who said he was completely shocked by the claims and denied all of them. By Friday 20 August, Miss W had texted Miss A looking for help in finding Assange. The two women met and compared stories.

Harold has independently told the Guardian Miss A made a series of calls to him asking him to persuade Assange to take an STD test to reassure Miss W, and that Assange refused. Miss A then warned if Assange did not take a test, Miss W would go to the police. Assange had rejected this as blackmail, Harold told police.

Assange told police that Miss A spoke to him directly and complained to him that he had torn their condom, something that he regarded as false.

Late that Friday afternoon, Harold told police, Assange agreed to take a test, but the clinics had closed for the weekend. Miss A phoned Harold to say that she and Miss W had been to the police, who had told them that they couldn't simply tell Assange to take a test, that their statements must be passed to the prosecutor. That night, the story leaked to the Swedish newspaper Expressen.

By Saturday morning, 21 August, journalists were asking Assange for a reaction. At 9.15am, he tweeted: "We were warned to expect 'dirty tricks'. Now we have the first one." The following day, he tweeted: "Reminder: US intelligence planned to destroy WikiLeaks as far back as 2008."

The Swedish tabloid Aftonbladet asked if he had had sex with his two accusers. He said: "Their identities have been made anonymous so even I have no idea who they are. We have been warned that the Pentagon, for example, is thinking of deploying dirty tricks to ruin us."

Assange's Swedish lawyers have since suggested that Miss W's text messages "which the Guardian has not seen" show that she was thinking of contacting Expressen and that one of her friends told her she should get money for her story. However, police statements by the friend offer a more innocent explanation: they say these text

messages were exchanged several days after the women had made their complaint. They followed an inquiry from a foreign newspaper and were meant jokingly, the friend stated to police.

The Guardian understands that the recent Swedish decision to apply for an international arrest warrant followed a decision by Assange to leave Sweden in late September and not return for a scheduled meeting when he was due to be interviewed by the prosecutor. Assange's supporters have denied this, but Assange himself told friends in London that he was supposed to return to Stockholm for a police interview during the week beginning 11 October, and that he had decided to stay away. Prosecution documents seen by the Guardian record that he was due to be interviewed on 14 October.

The co-ordinator of the WikiLeaks group in Stockholm, who is a close colleague of Assange and who also knows both women, told the Guardian: "This is a normal police investigation. Let the police find out what actually happened. Of course, the enemies of WikiLeaks may try to use this, but it begins with the two women and Julian. It is not the CIA sending a woman in a short skirt."

Assange's lawyers were asked to respond on his behalf to the allegations in the documents seen by the Guardian on Wednesday evening. Tonight they said they were still unable obtain a response from Assange.

Assange's solicitor, Mark Stephens, said: "The allegations of the complainants are not credible and were dismissed by the senior Stockholm prosecutor as not worthy of further investigation." He said Miss A had sent two Twitter messages that appeared to undermine her account in the police statement.

Assange's defence team had so far been provided by prosecutors with only incomplete evidence, he said. "There are many more text and SMS messages from and to the complainants which have been shown by the assistant prosecutor to the Swedish defence lawyer, Bjorn Hurtig, which suggest motivations of malice and money in going to the police and to Espressen and raise the issue of political motivation behind the presentation of these complaints. He [Hurtig] has been precluded from making notes or copying them.

"We understand that both complainants admit to having initiated consensual sexual relations with Mr Assange. They do not complain of any physical injury. The first complainant did not make a complaint for six days (in which she hosted the respondent in her flat [actually her bed] and spoke in the warmest terms about him to her friends) until she discovered he had spent the night with the other complainant.

"The second complainant, too, failed to complain for several days until she found out about the first complainant: she claimed that after several acts of consensual sexual intercourse, she fell half asleep and thinks that he ejaculated without using a condom – a possibility about which she says they joked afterwards.

"Both complainants say they did not report him to the police for prosecution but only to require him to have an STD test. However, his Swedish lawyer has been shown evidence of their text messages which indicate that they were concerned to obtain money by going to a tabloid newspaper and were motivated by other matters including a desire for revenge."

Notes

¹<http://www.guardian.co.uk/media/2010/dec/17/julian-assange-sweden>