

Conflict of Interest: Julian Assange's Judge and Her Husband's Links to the British Military Establishment Exposed by WikiLeaks

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It can also be revealed that Lady Arbuthnot has received gifts and hospitality in relation to her husband, including from a military and cybersecurity company exposed by WikiLeaks. These activities indicate that the chief magistrate's activities cannot be considered as entirely separate from her husband's.

Lord Arbuthnot of Edrom, a former defence minister, is a [paid chair](#) of the advisory board of military corporation Thales Group, and was until earlier this year an [adviser](#) to arms company Babcock International. Both companies have major contracts with the UK Ministry of Defence (MOD).

The revelations highlight concerns about conflicts of interest. Lady Arbuthnot began presiding over Assange's legal case in 2017 and ruled this June that a full hearing would begin next February to consider the request for extradition from the UK made by the Trump administration.

British judges are required to declare any potential conflicts of interests to the courts, but it is our understanding that Lady Arbuthnot has not done so.

Lady Arbuthnot has recently appointed a district judge to rule on Assange's extradition case, but remains the supervising legal figure in the process. According to the UK courts service, the [chief magistrate](#) is "responsible for... supporting and guiding district judge colleagues".

Assange is currently being held in Belmarsh maximum security prison in London in conditions [described](#) by UN special rapporteur on torture, Nils Meltzer, as "psychological torture". If transferred to the US, Assange faces life in prison on espionage charges.

Lady Arbuthnot financially benefited from organisations exposed by WikiLeaks

At a time when Lady Arbuthnot was in her former position as a district judge in Westminster, she personally benefited from funding together with her husband from two sources which were exposed by WikiLeaks in its document releases.

The British parliament's register of interests shows that in October 2014, Lady Arbuthnot was provided with tickets worth £1,250 to the Chelsea Flower Show in London along with her husband. The tickets were [provided](#) by Bechtel Management Company Ltd, part of the major US military corporation, Bechtel, whose contracts with the UK's Ministry of Defence include a project worth up to [£215m](#) to transform its Defence Equipment & Support

Organisation, the body that buys and supports all the equipment used by the British armed forces.

Another of Bechtel's business lines is "[industrial cybersecurity](#)", a term which is often a euphemism for cyber warfare and surveillance technology.

WikiLeaks' [releases](#) on Bechtel have shown the company's close connections to US foreign policy. Cables [published](#) in 2011, for example, show that the US ambassador to Egypt, Margaret Scobey, pressured the Ministry of Electricity and Power to award a tender for technical consultancy and design of Egypt's first nuclear plant to Bechtel.

In another [personal benefit](#) declared to parliament, Lady Arbuthnot, again together with her husband, had flights and expenses worth £2,426 paid for a visit to Istanbul in November 2014. This was "to promote and further bilateral relations between Britain and Turkey at a high level", according to Lord Arbuthnot's declaration to the register of interests.

These expenses were paid by the British-Turkish *Tatlidil*, a forum established in 2011 during the visit to London of Turkish prime minister Recep Tayyip Erdoğan and announced with then prime minister David Cameron. *Tatlidil* describes its [objectives](#) as "facilitating and strengthen [sic] relations between the Republic of Turkey and the United Kingdom at the level of government, diplomacy, business, academia and media".

Its main role is to hold an annual two-day conference which is attended by the president of Turkey, and Turkish and British ministers. Lord Arbuthnot also [attended](#) the *Tatlidil* in Wokingham, a town just outside London, in May 2018.

As subjects of unwanted leaks, both Bechtel and Tatlidil have reason to oppose the work of Assange and WikiLeaks. Although the payments were entered into the parliamentary register of interests, the parties in the court case were not informed about them. Although Assange's trial has attracted significant criticism around the world, Lady Arbuthnot did not consider it necessary to mention these payments to the parties, public and media.

The Turkey connection

In a key legal [judgment](#) in February 2018, Lady Arbuthnot rejected the argument of Assange's lawyers that the then warrant for his arrest should be quashed and instead delivered a remarkable ruling.

She rejected the findings of the United Nations Working Group on Arbitrary Detention—a body composed of international legal experts—that Assange was being "[arbitrarily detained](#)", characterised Assange's stay in the embassy as "voluntary" and concluded Assange's health and mental state was of minor importance.

Lady Arbuthnot became involved in the Assange legal case around September 2017 and presided over the hearing on 7 February 2018, before delivering her judgment a week later. During some of this period — 29 January to 1 February — her husband was again [in Turkey](#) visiting Erdoğan and other senior Turkish government officials.

Some of these officials had been specifically exposed by WikiLeaks and had reason to oppose Assange's release. There is no suggestion that Lord Arbuthnot was asked to, or did, exert any pressure on Lady Arbuthnot, nor that she succumbed to any such pressure, but there is an appearance of bias which could have been avoided had this connection been

revealed and had Lord Arbuthnot avoided meeting those individuals at that time.

Arbuthnot was part of a four-member delegation, the others being Baroness Neville-Jones, a former chair of the British joint intelligence committee, which co-ordinates GCHQ, MI5 and MI6; Lord Polak, the president of Conservative Friends of Israel; and Lord Trimble.

Among those who Arbuthnot and the other Lords met on the trip were foreign minister Mevlüt Çavuşoğlu and energy minister Berat Albayrak, Erdoğan's son-in-law. In 2016, WikiLeaks had published 57,934 of Albayrak's personal emails, of which more than 300 mentioned Çavuşoğlu, in its "[Berat's Box](#)" release.

Thus at the same time Lady Arbuthnot was presiding over Assange's legal case, her husband was holding talks with senior officials in Turkey exposed by WikiLeaks, some of whom have an interest in punishing Assange and the WikiLeaks organisation.

The ramifications of Assange's exposure of Berat Albayrak and the ruling AKP Party, which had occurred just over a year before, were ongoing at the time of the Lords' meetings in Turkey. WikiLeaks' publications led to a crackdown on the media in Turkey reporting it, including the imprisonment of journalists and an all-out [ban](#) on access to WikiLeaks in the country.

The visit of Lord Arbuthnot and other British lords to Turkey was [paid for](#) by the Bosphorus Centre for Global Affairs which [describes itself](#) as an NGO monitoring the accuracy of news on Turkey. However, WikiLeaks' "Berat's Box" files [revealed](#) that the centre was financed by Berat Albayrak and acted as a government front to suppress reporting critical of the government. The centre has also been exposed as running a number of pro-government [troll accounts](#).

It is not known what was discussed on Lord Arbuthnot's trip to Turkey, or if the issue of Assange was raised. However, the contacts that the husband of Assange's judge had with powerful political figures who had recently been exposed by WikiLeaks raises concerns about conflicts of interest and whether these should have been declared by Lady Arbuthnot if they have not been.

Lord Arbuthnot's military and intelligence connections

Lord Arbuthnot is a member of the House of Lords and was the defence procurement minister in the Conservative government from 1995-97. He later served as chief whip during William Hague's leadership of the party. Arbuthnot was a strong [supporter](#) of David Cameron's war in Libya in 2011 and it was Cameron who [proposed](#) the then James Arbuthnot MP for a peerage in 2015.

Lord Arbuthnot also has connections to former officials in the UK intelligence services which WikiLeaks has [exposed](#) in its publications and which have conducted [intelligence operations](#) in the UK against WikiLeaks.

Until December 2017, Lord Arbuthnot was one of three directors of a private security firm, [SC Strategy](#), along with the former director of MI6, Sir John Scarlett, and Lord Carlile. Until June 2019, Arbuthnot remained a "[senior consultant](#)" to SC Strategy. Scarlett is [mentioned](#) in WikiLeaks releases and has largely remained out of public debates around privacy and surveillance.

Little is known of SC Strategy, which does not have a website, but Companies House [lists](#) an address in Watford. Carlile [states](#) on his register of interests that SC Strategy was formed by him and Scarlett in 2012 “to provide strategic advice on UK public policy, regulation, and business practice”. It lists one client as the Qatar Ministry of Foreign Affairs and Investment Authority.

It has been [reported](#) that SC Strategy “appears to maintain a degree of clout in Whitehall” and that in 2013 and 2104 the company had a private meeting with the cabinet secretary Sir Jeremy Heywood.

Lord Arbuthnot’s former partner at SC Strategy, Lord Carlile, was the Independent Reviewer of Terrorism Legislation in 2001-11 and is a prominent public [defender](#) of the intelligence services.

Lord Arbuthnot was also until February 2019 an “[adviser](#)” to the military corporation, Babcock International, on whose [board](#) sits the former head of GCHQ, Sir David Omand.

Until November 2018, Arbuthnot was a [member](#) of the advisory board of Information Risk Management, a cybersecurity consultancy based in Cheltenham, the home of GCHQ, one of whose “[experts](#)” is Andrew France, a former deputy director for cyber defence operations at GCHQ.

Before becoming a peer, Lord Arbuthnot was a [member](#) of the parliamentary Intelligence and Security Committee from 2001-06. He is also currently an [officer](#) of the all party parliamentary group on cybersecurity which is administered by the Information Security Group (ISG) at Royal Holloway, University of London. The ISG manages a project worth £775,000 that is [part-funded](#) by GCHQ.

Lord Arbuthnot himself appears in documents published by WikiLeaks, including two confidential US diplomatic [cables](#). A December 2009 US confidential cable [notes](#) Arbuthnot telling an official in the US embassy in London that he supported President Obama’s speech on US strategy towards Pakistan and Afghanistan.

Member of the British military establishment

Lord Arbuthnot’s past and present positions make him firmly a part of the British military industrial community. One of his profiles [states](#) that “he has a long history of involvement at the top of UK defence and political life”. WikiLeaks has styled itself as an adversary of the military community, with many of its releases focusing on the milieu in which people like Lord Arbuthnot operate.

Arbuthnot is a former chair of the parliamentary defence committee – a position he held for nine years between 2005 and 2014 – during which time WikiLeaks gained worldwide attention through its publishing of files on the Iraq and Afghan wars, in which the UK military was involved. He is also a former [member](#) of the national security strategy joint committee and the armed forces bill committee.

Arbuthnot’s parliamentary profile [states](#): “From time to time the member receives hospitality from the UK defence forum, the all-party parliamentary group for the armed forces and the all-party parliamentary group on defence and security issues”.

Lord Arbuthnot is also the [chair](#) of the advisory board of arms corporation Thales Group

which has been [exposed](#) by WikiLeaks in various releases.

Thales also has major contracts with the MOD including a £700m [drone project](#) and a £600m [deal](#) to maintain the royal navy's warships. One of Thales' lucrative business lines is "cybersecurity" and its website disparagingly [refers](#) to WikiLeaks and Assange personally as being able to "steal" information.

Thales produces "watchkeeper" drones used by the British military in Afghanistan which have been [exposed](#) in WikiLeaks releases. Arbuthnot is a strong supporter of drones: he was the chair of the defence committee when it produced a report highly supportive of British operations in 2014 which [recommended](#) "bringing watchkeeper to full operating capability".

Lord Arbuthnot's parliamentary profile also listed Babcock International as being a "[personal client](#)" in his role as consultant with SC Strategy until February 2019. Babcock has more than £22bn worth of [contracts](#) with the MOD and is its largest supplier of [support services](#), supporting more than 70% of all MOD [flying training](#) hours.

Like Thales, Babcock has a business line in "[cyber intelligence and security](#)". Arbuthnot was the [procurement minister](#) in 1996 when the government announced the sale of the controversial privatised Rosyth naval dockyard to Babcock.

Lord Arbuthnot is also [chair](#) of the Information Assurance Advisory Council, a body whose sponsors have [included](#) US arms corporations Raytheon and Northrop Grumman, and which also works on cybersecurity, among other digital information issues. Raytheon is extensively [exposed](#) in WikiLeaks releases.



A Thales Watchkeeper WK450 drone on display at the Paris Air Show. Lord Arbuthnot is a strong supporter of drones and chair of the advisory board of Thales which has been exposed by WikiLeaks in various releases. (Photo: Wiki Commons)

Conflict of interest

Lord Arbuthnot's links to the British military establishment constitute professional and political connections between a member of the chief magistrate's family and a number of

organisations and individuals who are deeply opposed to the work of Assange and WikiLeaks and who have themselves been exposed by the organisation.

UK legal guidance [states](#) that “any conflict of interest in a litigious situation must be declared.” Judicial guidance to magistrates from the Lord Chancellor and the Lord Chief Justice is [clear](#):

“Members of the public must be confident that magistrates are impartial and independent. If you know that your impartiality or independence is compromised in a particular case you must withdraw at once... Nor should you hear any case which you already know something about or which touches upon an activity in which you are involved”.

Our understanding is that Lady Arbuthnot has failed to disclose any potential conflicts of interest in her role as judge or chief magistrate.

Lady Arbuthnot is known to have stepped aside from adjudicating two other cases due to potential conflicts of interest, but only after investigations by the media. In August 2018, as the judge at the heart of tech giant Uber’s legal battle to operate in London, she recused herself to avoid any perceived conflict of interest with her husband.

Lady Arbuthnot reinstated Uber’s London licence after it had been judged not a “fit and proper” private car hire operator. She eventually withdrew from hearing further appeals by the company after an *Observer* [investigation](#) raised questions about links between her husband’s work and the company.

Qatar Investment Authority (QIA), the country’s sovereign wealth fund, is a major investor in Uber. QIA was also a client of SC Strategy, where Lord Arbuthnot was a director and then consultant. Lady and Lord Arbuthnot claimed that neither knew QIA invested in Uber, despite it being one of the company’s largest shareholders.

In 2017, Lady Arbuthnot also [stepped aside](#) from adjudicating a case concerning the broadcast of “offensive” material on the Holocaust when the defendant’s legal team raised the issue of “reasonable apprehension of bias” on the part of the judge. This was related to her husband’s involvement with Conservative Friends of Israel, a body of which Arbuthnot is a former chair and which had in the past paid for at least one visit to Israel.

Neither Lady nor Lord Arbuthnot returned requests for comment.

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Featured image: Lord James Arbuthnot of Edrom is the husband of the chief magistrate presiding over Julian Assange’s US extradition case. A long-standing Conservative Party politician, he has significant links to the British military and intelligence establishment. (Photo: UK Parliament)

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