

**STATEMENT OF WITNESS**

**(Criminal Justice Act 1967, ss 2,9/M.C. Rules, 1968, r.58)**

Statement of: Gareth Peirce

Age of witness  
(if over 18 enter 'over 18') : Over 18

Occupation of witness: Solicitor

Address: Birnberg Peirce Solicitors  
14 Inverness Street  
London NW1 7HJ

This statement, consisting of 3 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the December 1st 2020

Signed Gareth Peirce

Signature witnessed by Melissa E. Peirce

**Re: Prosecution Closing Submission**

1. This statement is made in response to the assertion that Professor Kopelman agreed with the defence lawyers to conceal relevant information from the Court. This assertion is not correct.
2. Professor Kopelman was instructed by Birnberg Peirce in May 2019 to provide a psychiatric opinion in this case; his report was due to be filed with the Court by December 18<sup>th</sup> 2019. Before its receipt Professor Kopelman raised two issues separately, the first that further medical/psychiatric investigations would need to be carried out before he could finalise his opinion

Signed Gareth Peirce

Signature witnessed by MC Peirce

and the second (shortly before the receipt of his report and its service on December 18<sup>th</sup> 2019) a concern at the possible implications of identifying Stella Moris by name as Mr Assange's partner and the mother of two of his children, when she had told Professor Kopelman of the close confidentiality that had been maintained of that information. (Members of this firm had not been party to the detail, content or progression of Professor Kopelman's contact with any interviewee, including with Mr Assange).

3. In light of Professor Kopelman's express concern touching upon the potential of risk to Ms Moris and in particular the two children, it was clear that full information had to be obtained, not then possessed by our firm and that careful advice was required as to appropriate further steps, if any that could or should be taken. Professor Kopelman was himself to be out of the country for one month; full conferences with counsel on all evidence filed on December 18<sup>th</sup> 2019 were planned for January (in the case of Professor Kopelman on his return by the end of the month).
4. In parallel, documents emanating from evidence within the Spanish court proceedings were being translated providing further evidence on a range of issues; these too were completed by December 18<sup>th</sup> 2019 for service on that date. (I exhibit extracts at **GP1**). This incoming material raised concerns relevant to those being raised by Professor Kopelman.
5. In consequence at a time when it had been directed, (and was desirable) that available evidence, including psychiatric reports, should be disclosed, unexpected issues triggering serious concern and professional responsibilities were being raised and had to be dealt with. The specific question canvassed with Professor Kopelman was whether the identification of Ms Moris as Mr Assange's partner could be deferred but the report nevertheless served, without detriment to or qualifications of its conclusions or their basis. If, as it was understood, this could be achieved temporarily, whilst full advice was awaited as to appropriate further steps, I indicated to Professor Kopelman that in the circumstances, I believed that would be appropriate. Professor Kopelman's report was received on December 17<sup>th</sup> 2019 for service on December 18<sup>th</sup> at the same time as a considerable body of separate evidence from other witnesses.
6. As is known thereafter dates for the evidential hearing and deadlines for the submission of final medical evidence came to be constantly reviewed and altered.

Signed Garrett Peirce

Signature witnessed by MC Peirce

7. Further details were obtained from Ms Moris about her position including that after being informed of interest in the DNA of the older child in 2018, she had not continued to take him to the Embassy; that she did not herself visit the Embassy from November 2018 until Mr Assange's arrest; that Ms Moris had formally changed her name and most recently, had changed her address to one that was more protected.
8. However before further steps were progressed and advised upon by counsel, an application was made for bail for Mr Assange in response to the Covid outbreak. Ms Moris elected to make a statement in support of the application in which details for which confidentiality had hitherto been maintained were set out and served upon the Court and the CPS. These details, following the refusal of a request that anonymity be granted, became a matter of public record. Professor Kopelman was notified of the altered circumstances.
9. Following successive postponements of the case Professor Kopelman served his final report, dated 13<sup>th</sup> August 2020, as directed. The majority of the inquiries requested by him had by then been completed; the question of anonymity for Ms Moris was no longer an issue. Professor Kopelman's final report consequently referred to her as Mr Assange's partner. He reviewed Dr Blackwood's report, who had interviewed Mr Assange in mid March and had summarised the background history given by Mr Assange as including the relationship established when in the Ecuadorian embassy with his current partner with whom he had two children and by whom he was visited in prison.
10. I confirm there was at no stage any intention to conceal information and regret that the temporary measure suggested in late December 2019 could have given any reason to suggest otherwise than the intention itself, namely to achieve a way in which unrestricted information could be accessed by the Court in the proceedings without concern.

Signed Garrett Peirce

Signature witnessed by MC Peirce

## **``Exhibit GP1 References to Spanish Evidence**

**Statement of Aitor Martinez 18<sup>th</sup> December 2019 (Exhibiting Scheduled attachments (Core Bundle Tabs 9 and 10 Re: Full Evidence from Spanish High Court Bundle D)**

### **Tab 10 Page 28**

#### **Email 21<sup>st</sup> September 2017**

David Morales' directive to employees to obtain personal data, telephone numbers and emails itemisation of visits of a number of individuals including four of Mr Assange's lawyers. There is an additional entry relating to the need for:

*"Special attention on Stella Morris ... we believe that it is false name, it is the one that supposedly in a rumour spread recently, said had a baby of the guest (Mr Assange) she is supposed to be Uruguayan but wants to get to identify the person related to her (mother) in Catalonia. If necessary I want a person dedicated to this activity fully, so if you have to hire someone for it tell me. All this has to be considered top secret so that the dissemination is limited."*

### **Tab 12 Page 7 (translated statement)**

Witness 2 describes in around December 2017, David Morales reporting a suggestion by the Americans that more extreme measures should be employed including the possibility of kidnap of Mr Assange or of poisoning him.

### **Tab 12 Page 6**

David Morales, described as having spoken to Witness 2 and others about the possibility of entering the Madrid offices of Baltasar Garzón's law firm (for whom Ms Moris worked on Mr Assange's behalf); to obtain information concerning Mr Assange for the Americans. Witness 2 noted two weeks after this conversation, national media reports of men in balaclavas having entered those law offices.

### **Tab 12 Page 7**

Witness 2 produced for the Spanish Court numerous clandestine surveillance photographs of Mr Garzón in Spain including pictures of his home.

### **Tab 12 Page 5**

Also in December 2017 Witness 2 confirmed that he had been asked by David Morales to steal the nappy of a baby in order to establish paternity and, expressly, that *"the Americans"* were the ones who wanted this.