

Senate crossbenchers request AFP investigation following charges against former ACT A-G

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Four crossbenchers in the Senate have written to the Australian Federal Police asking for an investigation into allegations that the federal government wiretapped the offices of the East Timor cabinet in 2004, arguing that charges against the former ACT Attorney-General ignore the real issue.

Senators Nick McKim, Rex Patrick, Tim Storer and Andrew Wilkie have written to the AFP seeking the opening of an investigation into allegations that, in 2004, the Australian Government “clandestinely recorded” cabinet discussions of the Timorese government so as to gain an upper hand in negotiations over the Timor Sea Treaty.

It was further alleged that the then Director-General of the Australian Secret Intelligence Service (ASIS) had instructed former spy “Witness K” — in his then capacity as an officer of ASIS — to place covert listening devices in East Timorese government buildings.

As reported by Lawyers Weekly in late June, the Commonwealth Director of Public Prosecutions [filed criminal charges against former ACT Attorney-General](#) Bernard Collaery and his client, Witness K, in relation to the divulgence of the aforementioned allegations.

Senator Wilkie revealed the laying of the charges using parliamentary privilege.

In their letter, the four senators wrote: “We believe an investigation is required to determine whether the actions by the Australian government officials involved in this matter constituted a conspiracy to defraud.”

“We ask that an investigation be undertaken by the AFP as a matter of priority, [given] the acts that ground the allegations have been pleaded by [Timor-Leste], the Australian government does not deny the allegation, the allegations go to international relations and economic crime, the importance this matter has on public confidence, [and] the significant political and media interest,” they continued.

In a separate statement, Senator Wilkie said Australia’s “unlawful use” of ASIS to “bug” the East Timorese cabinet during gas and oil negotiations had never been investigated and that must be remedied, rather than going after a lawyer and his client.

“The federal government is going after Witness K, and his lawyer Bernard Collaery, but leaving the substantive matter unaddressed,” he said.

“We crossbenchers are going after the real criminals here and asking the AFP to investigate the Australian government’s conspiracy to defraud East Timor.”

“It’s time to get to the bottom of this shameful chapter in Australian history when we sold out an old friend for commercial gain.”