

Court slams 'unnaturally slow' Witness K case

By Katina Curtis, AAP. Canberra Times, September 13 2019 - 1:05PM

A magistrate presiding over the case of a former spy who blew the whistle on an East Timor bugging scandal has bemoaned the matter proceeding "unnaturally slowly".

Lawyers have been given yet more time to agree on the facts surrounding the ex-intelligence officer and the national security implications of that information.

The former officer, known only as Witness K, is poised to plead guilty to conspiring to share secret information with the East Timorese government in relation to the 2004 diplomatic scandal.

But the highly secretive nature of the case is holding up the two sides from agreeing on exactly what it is he will be admitting to.

Acting chief magistrate Glenn Theakston said things had moved "unnaturally slowly" when it seemed all that needed to be resolved were national security questions about how information was handled.

A fortnight ago, both sides were given extra time to come to an agreement.

But appearing in the ACT Magistrate's Court on Friday, they asked for another extension.

Witness K's counsel, Haydn Carmichael, wanted the court to force the Attorney-General's Department to get back to him in a week about the agreed facts and then give the defence another week to finalise the document.

"We are concerned that there are some current hurdles that are entirely avoidable that do impact our ability to proceed the matter," he told the court.

He also said the commonwealth had failed to provide long-promised secure computer equipment that would allow Witness K's legal team to handle the sensitive information.

But the attorney-general's counsel Tim Begbie said a court-ordered timetable wasn't necessary.

"To put in place a timetable as if we need to be dragged kicking and screaming to the process in seven days is completely artificial," he told the court.

The hold-up in resolving the national security issues has meant the commonwealth has not been able to provide Witness K with its statement outlining the harm it alleges came from his revealing the spying scandal.

The matter has been adjourned until September 26.