

No to secret trial of Collaery, Witness K

GreenLeft by *Jim McIlroy Sydney* *May 18, 2021*

Susan Connelly of the Alliance Against Political Prosecutions (AAPP) told protesters on May 17 that the secret prosecutions of Witness K and Bernard Collaery was an act of repression.

Protests were organised in Sydney and Canberra on the 50th scheduled hearing in the prosecution of Witness K and his former lawyer Collaery.

Barrister and former ACT Attorney-General Collaery is facing jail time for allegedly helping his client, the ex-Australian Security Intelligence Organisation agent, known as Witness K, reveal information about Australia's bugging of East Timor's government during commercial negotiations to carve up oil and gas resources in the Timor Sea.

Connelly, who is part of Timor Sea Justice Forum, attended a number of rallies that morning, which ended at Sydney Town Hall steps where attendees donned cloth hoods to emphasise the repressive nature of the trials of the two defendants.

"Australians denounce the extremely secretive nature of these prosecutions. The undue secrecy is not in the interests of national security, but is an attempt to conceal the disgrace of the Australian government's spying on its impoverished trading partner, Timor-Leste, in 2004," Connolly said. "Witness K and Bernard Collaery deserve Australia's highest honours for their courage and integrity – not prosecution."

Kathryn Kelly, co-convenor of the AAPP, said: "A justice system in a democratic society must be open, not be used in a political way to hide misdeeds and not be used to punish people who have done no wrong.

"These prosecutions fail on all these counts and the trust in our legal system is being harmed as a result," she said, adding that these prosecutions, along with that of Australian Defence Force whistleblower David McBride, should end.

A similar rally was organised in Canberra, where the trial is being held.

Witness K's former lawyer Collaery is challenging a secrecy order for the trial, which is being held behind closed doors under national security legislation.

Witness K has indicated he will plead guilty to breaching secrecy laws by revealing Australia's spying on East Timor. Collaery, however, is continuing to fight the charges against him.

The Human Rights Law Centre's [Kieran Pender](#) told the May 17 *Sydney Morning Herald* that the secrecy surrounding the prosecution of Collaery was "wrong and undemocratic".

"We should be protecting whistleblowers, not punishing them. Shrouding this case in secrecy only exacerbates the injustice being done," he said, adding that it is all about enabling the government "to admit in court that it spied on Timor-Leste, while refusing to admit that publicly".