

Michaelia Cash as AG makes the pursuit of K and Collaery even more absurd

Bernard Keane in Crikey.com, Mar 30, 2021

Cash refused to assist police investigating a crime in her office. Now she's in charge of prosecuting two men who exposed Howard government crimes.



New Attorney-General Michaelia Cash (Image: AAP)

With the dumping of Christian Porter from the role of attorney-general, the instigator of the government's vexatious pursuit of Witness K and Bernard Collaery is gone.

In his place, however, is a woman with even less credibility to continue the persecution of two remarkable patriots who exposed the crimes of the Howard government and its betrayal of the people of Timor-Leste.

Michaelia Cash is spectacularly inappropriate to be attorney-general. Her refusal to cooperate with an Australian Federal Police investigation into a crime committed in her office is a matter of public record. AFP deputy commissioner Leanne Close [told Senate estimates](#) in 2019 all about about Cash's refusal to cooperate with its investigation into leaking by her staff:

Senator Murray Watt: How did you describe the information that minister Cash and minister Keenan provided you? They sent you a letter?

Leanne Close: They did. They sent the AFP a letter in relation to this inquiry.

Watt: And would you say that that amounts to a witness statement?

Close: No. I would not classify it as a witness statement.

Watt: So, neither minister Keenan nor minister Cash provided a witness statement to the AFP?

Close: That's correct.

Watt: But they were asked to do so?

Close: Yes. We wanted to have the opportunity to speak to them both and see if they could provide information to support our unauthorised disclosure investigation.

Watt: But they declined your request and just sent you a letter?

Close: They sent us a letter.

Watt: How many times did you ask each of minister Keenan and minister Cash to provide you with a statement?

Close: At least two occasions — each office.

Watt: In writing?

Close: In writing, as well as verbally through their staff.

All of this was in relation to a bogus raid on the Australian Workers' Union designed to embarrass Bill Shorten. Unusually, the AFP believed there was sufficient evidence to warrant a prosecution of a staff member of the government in relation to the crime, but they were overruled by the government-appointed Commonwealth Director of Public Prosecutions.

Cash's repeated refusal to cooperate with the AFP was a cover-up of what had gone on in her office — of a crime that should, according to the AFP, have been prosecuted.

Now she's in charge of the prosecution of two men who exposed a far worse cover-up by the Howard government, one shamefully perpetuated by the Rudd and Gillard governments.

It is Cash who is now in charge of trying to make sure the trial of Collaery is kept secret, ostensibly on the grounds of national security, but in fact to continue that cover-up.

K and Collaery are two men who have faithfully served Australia, in different roles, throughout their lives. They have achieved far more by way of public service than Porter, Cash and the rest of cabinet put together. Now their persecution is being overseen by a woman who engaged in a cover-up and defied a legitimate investigation of a crime. It's even more farcical than when they were being pursued by the overprivileged party boy Porter.

Cash must withdraw the attorney-general's approval for the prosecutions of the two men as one of her first acts as a permanent appointment to the role.

An apology to both men should also be forthcoming, especially to Collaery, whose trial has been deliberately and vexatiously dragged out and delayed by Porter, in flagrant breach of his duty to uphold the Commonwealth's model litigant status.

The CDPP might also enlighten us as to why K and Collaery were charged but somehow Cash's staff weren't. Anything less would be an open mockery of the vaunted rule of law the government claims to be so obsessed with.

Should the new attorney-general apologise to Bernard Collaery and Witness K? Let us know your thoughts by writing to letters@crikey.com.au. Please include your full name to be considered for publication in Crikey's Your Say section.