

Government's persecution of Bernard Collaery should stop

Letters to the Editor, Canberra Times, 17 March 2022

The Commonwealth has spent a little more than \$4.2 million persecuting the former ACT Attorney-General, Bernard Collaery through the courts. That counts only the cost paid in external legal fees. It ignores the huge additional costs incurred internally with some of the government's brightest and best lawyers engaged.

Collaery is being prosecuted over his alleged role in disclosing the bastardry of the federal government when it bugged the private meetings of our impoverished neighbours, Timor-Leste, during negotiations with us concerning Timor Sea gas and oil royalties.

That dishonest conduct is not really a secret as the Commonwealth has never denied it. Why, therefore, has so much money been spent trying to keep the details of the Collaery prosecution secret? Are there other darker and more damning government secrets yet to be discovered?

Lawyers and judges of every hue and at every level of the Australian legal system have urged the government to abandon the Collaery prosecution concerning, as it does, morally bankrupt conduct on the part of the government which took place 20 years ago. The royalty agreement was, in any event, overturned in 2017 following referral by Timor-Leste to the International Court of Justice and the Permanent Court of Arbitration in The Hague.

The prosecution is far from finalised. No doubt millions more will be spent by the Commonwealth in bringing the matter to finality (leaving aside any appeal to the ACT Court of Appeal or, ultimately, the High Court). Wake up Scott Morrison, Michaela Cash and others, the voters of Australia are not as tolerant nor as naive as you apparently believe.

Jack Pappas, barrister-at-law, Empire Chambers, Canberra

Secret evidence unacceptable

I am horrified that Justice Mossop is allowing evidence to be presented at trial that is to be kept completely secret from the defendant, Bernard Collaery, and his legal team, and has "rejected suggestions the making of such an order would erode public confidence in the court system".

This is not any sort of justice in a free democracy, and my confidence in the court system has most certainly been eroded by this decision.

Recalling that Mr Collaery is on trial for representing a whistle blower (on Australia spying on East Timor for commercial benefit), this latest decision continues an unforgiveable state-sanctioned persecution worthy of a dictatorship.

Michael Hall, Hawker

Timor-Leste is a threat?

Harry Davis apparently sees "our nearer neighbours Indonesia, Fiji or Papua" ([Letters, March 15](#)) as posing a threat to Australia.

It would appear from the Commonwealth Attorney-General's submissions to the Supreme Court that the real threat comes from little Timor-Leste. Remember the Attorney-General keeps on submitting to the Supreme Court that if the prosecution of Bernard Collaery for disclosing the bugging of the Timor-Leste Cabinet were to proceed in open court, Australia's national security would be prejudiced.

The Attorney-General must be privy to secret information about the threat Timor-Leste poses, information which has escaped the attention of the general community.

Ernst Willheim, Campbell