

The AG has provided a certificate to the court under the National Security Information Act 2004 to say that trying Collaery in open court could prejudice national security. The purpose of the hearing was to decide what parts of the eventual trial, if any, should be held in open court. The hearing has now ended, but no decision has yet been made

We're hoping you can answer the following questions;

Has the AG requested the entire Bernard Collaery trial be held in closed court?

If not, what parts of the hearing has the AG requested be held in closed court?

Has the AG requested, for example, that evidence from former government ministers be heard in closed court? And if so, why?

Has the AG also requested that evidence about the 2004 oil and gas negotiations between Australia and East Timor be heard in closed court. And if so, why?

How are events that happened 16 years ago a threat to Australia's current national security?

Response from Attorney-General, Christian Porter:

As your enquiry notes, this matter is currently before the court. It is therefore not appropriate to discuss matters discussed in the court.

I can however, refer you to my previous statements regarding this case (and the former case of Witness K), including the attached expansive statement to 4Corners in August 2019 in which I state clearly that my preference is that as much as possible of this case be heard in open court whilst balancing the need to protect national security information, where required, through the NSI Act.