

Barr mute as Labor locals speak up for Collaery

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Lawyer Bernard Collaery... charged with conspiring with Witness K and unlawfully disclosing information to the Timor-Leste government.

*“Where, oh where, was Chief Minister Andrew Barr? I have searched the records and can find not a single indication of his support for Bernard Collaery,” writes “The Gadfly” columnist **ROBERT MACKLIN**.*

IT was good to see Canberra’s Labor senator Katy Gallagher and MPs Andrew Leigh, Alicia Payne and David Smith joining the protest against the outrageous prosecution of former ACT Attorney-General Bernard Collaery last week.

But where, oh where, was Chief Minister Andrew Barr?

I have searched the records and can find not a single indication of his support for the lawyer whose only “crime” seems to have been a willingness to represent a whistleblower who dared reveal that the Howard government had spied on Timor-Leste for commercial gain.

Both are being prosecuted in the ACT judicial system under the very nose of the man who runs the place as “he who must be obeyed”.

Bernard and his client, Witness K, were arrested and charged in 2018 with breaching security information laws.

Collaery, whom I’ve known as a decent and thoroughly likeable bloke for 30 years, has been charged with conspiring with Witness K and unlawfully disclosing information to the Timor-Leste government.

It’s alleged that the information related to planting listening devices in the office of the Timor-Leste’s cabinet during the oil and gas negotiations of the early 2000s and was “unlawfully communicated to various journalists at the ABC”.

The trial has been dragging on for the last three years, destroying Collaery’s legal practice and taking a heavy toll on his health. Yet he continues to provide *pro bono* legal advice to groups such as the Winnunga Nimmityjah Aboriginal Health and Community Service.

And for all its conservative – even apathetic – instincts, the Canberra community has a very sympathetic attitude to Collaery. If he did overstep the mark, at least it would seem that he did so with the very best of motives.

Prime Ministers such as Scott Morrison talk piously of their defence of “Australian values”. Do they really include cheating on the underdog and keeping it secret?

As an openly gay man, Andrew Barr knows all about the kind of bullying adopted toward folk whom the dominant group see as vulnerable to such tactics. One might have expected that he would at least register his disappointment that our courts were being used in this fashion.

He was equally silent when “CityNews” revealed the secret trial of Witness J who was actually jailed for nine months at the Alexander Maconochie Centre without the knowledge of his then Attorney-General, the Greens’ Shane Rattenbury.

Did Barr know?

That case has been overshadowed by the seemingly endless proceedings of the Collaery matter. But I understand that, behind the scenes, Witness J and his lawyers are deeply involved in negotiations with two Federal government bodies. The talks are designed to extract a measure of “justice” for the decorated former military intelligence officer.

While incarcerated at AMC he wrote and later published, “Here, There are Dragons”, a fascinating account of his life in the prison.

It would not be surprising if he had further literary ambitions given the extraordinary pathway that took him from the battlefields of Afghanistan to civilian service in the embassies of south-east Asia.

Equally important is the need to set the record straight on the issues that surrounded the secrecy of his trial under the *National Security Information Act*, which lies at the base of both his and Collaery’s travails.

The authorities, it seems, would prefer to see the whole thing barred.

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