

# Timor-Leste, Witness K, Bernard Collaery, Howard and Downer

Bruce Haigh *Pearls and Irritations* – 5 July 2021

<https://johnmenadue.com/timor-leste-witness-k-bernard-collaery-howard-and-downer/>

*This is a tale of greed, denial, delusion, racism, power, loyalty, ethics and courage. Dressed in black are Howard and Downer, in white are Witness K and Collaery. The tale takes place in the subterranean world of spies, spooks, spivs and secret trials.*

According to the State that Persecutes the Innocent, the crime that needed to be addressed was that an Australian security officer working for ASIS, Witness K, was mightily disturbed that as an honest employee, of some achievement and standing, he was tasked with carrying out an illegal act against a small, needy and vulnerable target; Timor-Leste.

The State that Persecutes had a significant advantage in power and technology and used this advantage to bug a cabinet room where discussions took place by representatives of Timor-Leste on how to secure the best deal they could, in negotiations with The State, over disputed oil and gas reserves under the ocean bed between the two countries. Putting aside the illegality of the undertaking there was also a complete lack of ethics.

Witness K took his concerns to the management of ASIS, which authorised him to discuss his concerns that a crime had been committed, which of course should have been seen as our concern, with the Inspector-General of Intelligence and Security (IGIS) a mysterious job because no one is allowed to scrutinise the Inspector-General. The Inspector-General did the right thing and authorised Witness K to consult a lawyer, which he did in the form of a prominent Canberra figure, Bernard Collaery.

But then it went pear-shaped for K when the mysterious IGIS was replaced with an opaque IGIS who withdrew the earlier approval to consult a lawyer, putting both K and Collaery in an invidious position. K for having divulged the nature of his concerns, which were governed by the official secrets act, and Collaery for having heard them and for beginning to act upon them. The Oxford loving Attorney-General at the time, George Brandis, sat on his hands waiting for his posting to London as High Commissioner to solve his dilemma, which it did.

He was replaced by none other than Christian Porter. In order to protect the impeccable reputations of Howard and Downer, he bravely undertook to prosecute K and Collaery. But a Magistrate in the ACT, who had heard the case in secret, decided that K did not have a case to answer and gave him a three month suspended sentence. That was a blow for the forces of darkness, particularly Porter, who despite his rising thespian career, had to vacate his position as AG in the face of serious allegations of possibly criminal nature.

The redoubtable Bernard Keane of *Crikey*, a publication that aspires to turn The State of Persecution into Wonderland, said, “The wrong person was in the dock being sentenced last week in the ACT Magistrates Court ... It is Alexander Downer who should have faced court.” He notes that the beneficiary of knowledge gained from the bugging was the major

polluter Woodside. Incredibly Downer went on to receive grace and favour employment with Woodside.

In my book, 'The Great Australian Blight, Losing the plot in Australian foreign policy', I wrote, "Howard remained opposed to an independent East Timor until early 1999. Downer attempted to finesse Howard's recognition of the strength of Australian public opinion in favour of independence as a 'shift in government policy' ... nonetheless the Government continued to acknowledge and affirm Indonesia's right to occupy East Timor."

Downer denied the involvement and arming of the East Timorese Militia by the Indonesian Army (TNI) until not long before the intervention of the Australian-led, international peacekeeping force (INTERFET) in East Timor. The shadow foreign affairs spokesman, Laurie Brereton accused him in 1999 of lying. Greg Sheridan of *The Australian* backed Downer's anti-East Timor, pro-Indonesia line.

Later in the book, I note that Downer was reported in the SMH, on 8 December 2000, saying Australia and Indonesia needed better defence ties. "Bereft of ideas, morality and shame the government blundered about looking for its old comfort zone, unwilling or unable to acknowledge that following the ballot in east Timor the dynamics of the archipelago had irrevocably changed."

*"Nevertheless, Australia and East Timor did find Major-General Peter Cosgrove just in the nick of time. Cosgrove and his troops performed the task of securing peace and stability in East Timor in the manner in which every Australian hoped they would. Cosgrove provided leadership of a quality which had been sorely lacking in Australia. John Howard, John Moore (Minister for Defence), and Alexander Downer latched onto his coat tails hoping to gain some of the reflected glory and increase their diminished stature."*

Howard and Downer were humiliated by the way events unfolded in East Timor. They had behaved in petty and mean spirited fashion further demonstrating these characteristics with the authorisation of the bugging of the cabinet room in Dili. They have unleashed the most bizarre and cruel chain of events that will not end well for them.