

Change needed to counter abuses of power

Peter Whish-Wilson – *The Tasmania Examiner* – 23 June 2021

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This past few days you may have heard about the scandal that is the prosecution of government whistleblower "Witness K" and his lawyer Bernard Collaery.

They disclosed that in 2004 Australia bugged the cabinet of the newest and poorest nation in the world: Timor-Leste.

The motive? To gain advantage in negotiations over our shared national borders, primarily for the benefit of oil and gas corporations wanting to explore and develop the Timor Sea.

Information obtained from this secret operation is alleged to have directly profited Woodside Petroleum - a significant donor to political parties over the years - and their consortium of fossil fuel polluters eyeing off the resource-rich Timor Sea.

The Howard Government minister who allegedly ordered this secret operation - Alexander Downer - consequently retired and joined the board of Woodside Petroleum just four years later.

This revolving door between senior levels of government and big corporations triggered an Australian Secret Intelligence Service agent - known only as Witness K - to blow the whistle on this scandalous affair.

Witness K went through internal grievance processes and then sought legal advice from high profile lawyer Bernard Collaery, a former ACT Attorney General.

Soon both men were raided by the Federal Police, had their passports confiscated and charges were laid on national security grounds for breaching Australia's secrecy act.

After years of shameful persecution, deliberate delays and \$4 million of public money spent on legal fees, Witness K finally had his day in court last Thursday.

This brave man is in his 70s and has suffered from long-term mental illnesses including post-traumatic stress disorder and depression.

Broken, he pleaded guilty to blowing the whistle and disclosing state secrets, but has never resiled from his public interest disclosures and his ethical motivations.

The judge thankfully spared Witness K jail time for his role in exposing Australia's outrageous 2004 bugging of Timor-Leste and the subsequent state theft of their natural resources, but Bernard Collaery is facing charges and potentially ten years in jail.

Why the years of dogged determination to harass, intimidate and prosecute these courageous men in such secrecy? This certainly looks like an abuse of power and a cover up. It's noteworthy the government has never denied this shady and immoral act took place.

What can we learn from this sad tale? Firstly, we need to clean up politics by banning senior ministers joining the big businesses they were regulating as lobbyists, and we must limit political donations.

We also need to fix broken whistleblower laws by strengthening protections, reform national security laws to improve transparency, and amend prosecutorial guidelines.

- **Peter Whish-Wilson, Tasmanian Greens senator**