

Coalition launches new — and false — attack on Bernard Collaery

Bernard Keane – *Crikey* – 24 November 2022

The Coalition is obsessed with Bernard Collaery and is now using Parliament to make false allegations against him.

<https://www.crikey.com.au/2022/11/24/coalition-new-attack-bernard-collaery-witness-k/>

Shadow attorney-general Julian Leeser yesterday used parliamentary privilege to make an extraordinary and false attack on Attorney-General Mark Dreyfus' decision to end the prosecution of Bernard Collaery, alleging it may have been because "Collaery was an attorney-general in the ACT Labor government".

Leeser's claim is blatantly wrong: Collaery was attorney-general in an ACT *Liberal* government under Trevor Kaine from 1989 to 1991, after helping bring down a minority Labor government in December 1989. Leeser — who was 13 at the time — clearly has little grasp of the history of the Canberra Liberals.

Asked by *Crikey* what evidence he had about a link between Collaery and Labor, Leeser declined to respond.

His misrepresentation of Collaery was part of a broader attack on Dreyfus over his decision to end the vexatious prosecution of Bernard Collaery by the Coalition, which was intended as punishment for Collaery's role in the exposure by Witness K of the potentially illegal bugging of the Timor-Leste cabinet by the Howard government.

Leeser used an obscure [consideration in detail](#) process in the Federation Chamber to ask a lengthy question of Dreyfus, before hastily exiting the room prior to Dreyfus responding.

Calling Dreyfus' decision "extraordinary and unexplained", Leeser repeated the accusations against Collaery and K and quoted former director of public prosecutions (DPP) Sarah McNaughton — the former trade union royal commission counsel hand-picked for the DPP job by the Coalition — claiming the prosecution was in the public interest.

In fact at no stage during the extended legal harassment of Collaery did McNaughton explain how the prosecution was in the public interest — a [fact noted by Dreyfus](#) before the election.

"What message does this send to people who might deal in Australia's secrets?" Leeser said. "What warranted this action?"

As well as falsely accusing Collaery of being a Labor attorney-general, Leeser said "Did Mr Collaery represent himself to the attorney-general and make those requests? How many legal activists put pressure on the attorney-general to make this decision? What public interest has been served by the attorney-general's intervention here?"

Among the "legal activists" who called for an end to the persecution of Collaery were the [Australian Bar Association](#), the [ACT Bar Association](#), [Professor Spencer Zifcak](#) of the

Australian Catholic University (where Leeser worked before entering politics) and the [Australian Lawyers' Alliance](#),

Leeser's claim that ending the prosecution of Collaery sends the wrong message to "people who might deal in Australia's secrets" again raises the possibility that, on returning to power, the Coalition might again move to prosecute Collaery via another hand-picked DPP. Leeser has previously refused to rule this out, and again refused to rule that out today when asked by *Crikey*.

Having not let decency stand in the way of its persecution of Collaery, it now seems the Coalition won't let the facts get in the way either.