

Kieran Pender on the Collaery case

In an age of disinformation, whistleblowers such as Julian Assange and Edward Snowden have been accorded the status of folk heroes. And yet as their respective cases show, no other act of public service is harried as ruthlessly and vindictively by governments whose secrets have been aired.

In his cover feature for the April issue, Kieran Pender argues for stronger whistleblower protections by examining the case of Bernard Collaery. A notable Canberra lawyer, Collaery has been charged with breaching the *Intelligence Services Act 2001* for allegedly passing on information that implicated the Australian government in spying on Timor-Leste for commercial gain. Since 2018, a tortuous pre-trial battle has been fought over the attorney-general's right to enshroud the case in secrecy. As Pender shows, the Collaery case cuts to the very heart of Australian democracy.



Extracts from Kieran Pender's article

'Rather than prosecuting those who authorised this shocking intelligence operation, the government wants to shoot the messenger.'

'The attorney-general appealed to the High Court – not to challenge the underlying decision of the Court of Appeal, but to contest the Court's refusal to redact parts of their written reasons. The government wants to keep a judgment that said no to secrecy itself secret.'

'There is no public interest in prosecuting whistleblowers. Doing so in secret is the sort of thing more commonly associated with authoritarian regimes than with liberal democracies.'



Kieran Pender

About Kieran Pender

Kieran Pender is an Australian writer and lawyer. He is a senior lawyer at the Human Rights Law Centre and a regular contributor to *Australian Book Review*, *The Guardian*, and *The Monthly*.

Interviews

Kieran Pender is available for interview. Please direct requests to Peter Rose at editor@australianbookreview.com.au | (03) 9699 8822