

# SANCTUARY

## Annual Human Rights Lecture

### ‘Time for Reform’

**Bernard Collaery - UNE Armidale - 29 October 2020**

I am honoured to be here at Armidale. I thank the organisers. I am delighted to be with my sister Luise Ashley and my brother-in-law Dr. Paul Ashley. I am privileged to meet those who offer practical sanctuary in this civilised and tolerant University City. I have followed the support Sanctuary gives, nowadays concentrated I understand, on your more than 600 Ezidi migrant settlers fleeing ISIS persecution<sup>1</sup> with about the same number in Coffs Harbour and double in Toowoomba.

Do I hear down the dim gorges echoes of the ABC’s Children’s Choir singing ‘*We Are Australian, I am, you are, we are Australian.*’ I ask you this evening whether our federal government Ministers and their advisers are singing to the same tune as our children?

While most Australians identify with the ubiquitous ‘fair go’ the air-waves are full of political scandals affecting self-seeking politicians. Why and when did we as a country abandon our historical purpose of ensuring government by the people for the people? How did we get into this mess? Recalling that a working democracy is fundamental setting for the preservation of human rights can we avoid the abyss that threatens our fragile democracy?

Although our exploitative colonial treatment of the East Timorese is but one element of that abandonment, the decision taken in 1963 to ignore the plight of the Timorese was, I conclude after a long look through the papers of that period, an identifiable turning point. I’ll come back to that proposition but first our ‘historical purpose’. There seems agreement that it was born out of post-colonial events in the 19<sup>th</sup> and the early to mid 20<sup>th</sup> century, recorded during the great pre-federation debates<sup>2</sup> and declared irrefutably for us by three wartime Australian Prime Ministers, Robert Menzies, John Curtin and Ben Chifley. The signal event that heralded that bi-partisan watershed was the Declaration on 14 August 1941 of the Atlantic Charter.<sup>3</sup>

When President Franklin Roosevelt and Prime Minister Winston Churchill met aboard warships at Placentia Bay, Newfoundland in August 1941 the two great leaders had different objectives. Churchill wanted the United States to enter the war against Nazi Germany. As his papers now confirm, Roosevelt, while sympathetic to Britain’s plight, had an overall objective

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<sup>1</sup> (Or Yizidi) [https://www.aci.health.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0007/596608/2-Ezidi-resettlement.pdf](https://www.aci.health.nsw.gov.au/__data/assets/pdf_file/0007/596608/2-Ezidi-resettlement.pdf)

<sup>2</sup> John Quick and Robert Garran, *The Annotated Constitution of the Australian Commonwealth*, (Websdale, Sydney, 1901), at 285-287 explaining the origin from the United States Constitution of the preambular words, in the Australian Constitution, ‘*Whereas the people...*’ meaning the political body which, ‘*forms the sovereignty, holds the power and conducts the Government through its representatives...every citizen is one of this people and a constituent member of the sovereignty.*’ (286).

<sup>3</sup> [https://www.nato.int/cps/en/natohq/official\\_texts\\_16912.htm](https://www.nato.int/cps/en/natohq/official_texts_16912.htm)

of bending Great Britain to a global plan a ‘...struggle to impose a moral, post-imperial vision’.<sup>4</sup> Unlike the Trumpism of modern United States Roosevelt had something to sell. While Churchill’s Britain and the Commonwealth were fighting for democracy Roosevelt, of the New World the New Deal, was fighting with all the strength of a great democracy.

Roosevelt’s WW I predecessor Woodrow Wilson, also a Democrat, had much the same plan at the 1919 Versailles Peace treaty negotiations but was rebuffed. Roosevelt’s plan was more grandiose. Roosevelt thought Congress might prove more amenable to Churchill’s aims if Britain would join the United States in leading a new world order. Unlike Britain’s successful stonewalling of President Wilson in 1919 Britain was in no position to reject Roosevelt’s longstanding US Democrat party policy for democratic reform in the colonial world.

Churchill, faced with one military defeat after another, agonised about Roosevelt’s wish to answer calls for self-determination in India, Burma and other colonial places, but Britain had its back to the wall. The result was the Atlantic Charter-the precursor to the UN Charter. It was cabled directly from Placentia Bay to Canberra. Menzies as Prime Minister greeted the declaration by the two great leaders saying to the Parliament,

This declaration sets out in plain language the fundamental aspirations of all liberty-loving people of the world...It is a reminder to us that the new order of the world, of which we have from time to time spoken, is now in the making...’<sup>5</sup>

The common principles, accepted diffidently by Churchill, but endorsed wholeheartedly by Menzies, John Curtin then Opposition Leader and carried forward by Herb ‘Bert’ Evatt as Curtin’s External Affairs Minister and by Chifley included precepts well understood by all four men who themselves had come from relatively humble origins-Evatt and Menzies had depended on bursaries for their high school education.

The Charter sentiments of liberty, freedom from fear, from want, labour standards, economic advancement and social security, self-determination for colonial and captive peoples and a commitment to peace met receptive ears in Australia and within the British Labour Party and India and Burma because it answered aspirations for change.

It resonated with the social justice writings of the late 19<sup>th</sup> early 20<sup>th</sup> Century by Mary Gilmore and others, care by dedicated individuals like Sister Mary McKillop and Daisy Bates for the poor and the indigenous, the lament by Jessie Street and Enid Lyons for women’s rights, the poignant miner’s poetry of Edward Dyson,<sup>6</sup> calls also by the maritime workers for job protection and occupational safety, the Bulletin stories of Henry Lawson, the ballads of those walking the track and toiling in the shearing sheds and the aspirations of all other who yearned for racial equality, higher education and better health.

If you examine the Australian print media of the wartime and immediate post-war era you find a ringing endorsement of the Atlantic and UN Charter aims. It was redemptive to find among the dispiriting papers at the Australian National Archives pre-war letters from many Australians urging, unsuccessfully I regret to say, Prime Minister Lyons to give sanctuary to Jews fleeing Nazi Germany. I recall a moving letter from Eleanor Dark and the Anglican Bishop of Sydney that was so uplifting. It stands as an indictment of prejudice.

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<sup>4</sup> Nigel Hamilton *The Mantle of Command*, (Biteback Pub., London,2016), xii.

<sup>5</sup> *Parliamentary Debates, House of Representatives, 20 August 1941, (Robert Menzies)*

<sup>6</sup> Edward Dyson, *Rhymes From The Mines And Other Lines*, (Angus and Robertson, Sydney, 1896).

Those war and post-war years consolidated our national psyche. I grew up near the migrant hostel established on our former dairy farm at Fairy Meadow. My formative education was from the Josephite nuns at school below the mines on the Illawarra escarpment close to the mines rescue siren at Russell Vale in the era of wooden pit-props. As soon as the siren went the nuns had us on our knees praying. While pockets, mostly in Melbourne and Sydney, of the new Australian gentry some marked by philanthropy, stood out by the 1950's as 'wealthy', somehow, the bulk of the Australian people had reached a cultural 'fair go' consensus.

The preceding decades of shared privations had jel-set our historical purpose in the New World. A fair go, a home for the displaced and the malnourished of Britain and Europe, a free economy, competent fiscal management, full-employment and national confidence. This is not, as some suggest, a sentimental harking back. The events of those years now provide a ready model for us to reset our parliaments and to reform public service.

Reconstructing Australia-Reimagining Australia is a current theme that harks back to our post-war years of rebuilding confidence and security-the confidence and security that has ebbed away in recent years. Melbourne University Publishing's recent collection of essays, *What Happens Next* is having good sales.<sup>7</sup> Understandably so after COVID. Perhaps some of you heard co-editor Professor Janet McCalman tell Phillip Adams that we need now to reflect on our wartime and post-war leadership.<sup>8</sup> I have long shared Janet's view.

Returning to illustrate past lessons for a moment we recall that as Japan's ruthless march in China and elsewhere loomed large in our fears the Australian Parliament passed the *National Security Act 1939* to enable trials of persons accused of national security offences. Despite the threat looming to Australia neither Menzies as Prime Minister nor Curtin as Opposition Leader sought to take the power from our judiciary to freely decide when a court should be closed for evidence to be heard secretly.

Popularism, zealotry and wedge politics in Australia post 9/11 has led our Federal Parliament to do what we didn't do with an invader on the way to our door. New powers in the name of fighting terrorism, marked in Australia mostly by the mentally disturbed, require the judiciary to give the greatest weight to the views of the Federal Attorney- General. Compared with the resolute aims of our great wartime leaders and their capable implementation by bureaucrats during Reconstruction our current Federal Parliament, absent effective opposition, is a rudderless drifting vessel. Judith Brett writes that Menzies

'...profited from the institutional development that had taken place under John Curtin and Ben Chifley, but established a pattern of relationships between the bureaucracy and the executive of which Stanley Bruce—an earlier prime minister committed to the 'science' of administration—can only have dreamed, and that has scarcely been matched by any of Menzies' successors. It gave 'the seven dwarfs'—notable bureaucratic chiefs of great intellect but short stature—the scope to drive the professionalisation of the Commonwealth public service. Douglas Copland, the economist who had

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<sup>7</sup> *What Happens Next-Reconstructing Australia After Covid 19*, Emma Dawson and Janet McCalman, Eds., (MUP 2020).

<sup>8</sup> Phillip Adams , *Late Night Live*, ABC RN, 12 October 2020, <https://www.abc.net.au/radionational/programs/latenightlive/reconstructing-australia-after-covid-19/12722758>

advised every prime minister from Bruce to Menzies, remarked during Menzies' first prime-ministerial term that he spent more time with his 'experts' than with his ministers.<sup>9</sup>

In foreign policy terms, thanks to archives in Washington, the United Kingdom, and limited archive releases in Australia, evidence suggests the drift away from our historical purpose commenced in 1963 with a signal event. As *Konfrontasi* with the Indonesian confederation loomed, Australia, New Zealand and the United Kingdom met in Washington in February 1963. When the future of Portuguese Timor came up for discussion, US Assistant Secretary of State Averell Harriman made clear the views of the Kennedy Administration. He suggested that Australia assume the same burden it had taken on with respect to Papua and New Guinea and bring the neglected Portuguese Timor colony to self-determination. Due to NATO dependence on Portugal neither the United States nor the UK wished to offend the sensitivities of a NATO ally.

Garfield Barwick, Attorney-General and Minister for Foreign Affairs and the most powerful of Menzies' Ministers represented Australia. Barwick summarily rejected the Kennedy Administration's request that we bring development and democracy to the impoverished Timorese-our loyal wartime allies- who had stood with our young soldiers against the Japanese invader. That appalling decision was an abandonment in every sense of our historical purpose. That abandonment was made worse by Whitlam's shallow understanding with corrupt President Suharto in 1974 and the years follow in our national shame. And why? Barwick was dealing with Cabinet issues concerning the search for oil on our Continental Shelf upon which Timor Island sits uplifted and moving closer to Jakarta by some centimetres each year.

Barwick believed that Indonesia would take over eventually and with maritime boundary issues in mind he wanted no part of any accord with Portugal a maritime law savvy country. In February and March 1963, encouraged possibly by Washington, Prime Minister Salazar wrote to Menzies from Lisbon asking rhetorically whether Australia could exercise a similar condominium over the colony as Australia had in PNG. Once again, Australia rejected the opportunity to lift the Timorese out of their misery. By November 1963 during the lead up to the 1963 Federal Election all became clear to those in the know when Menzies declared that complete success in Australia's search for petroleum would 'revolutionise' the national economy.<sup>10</sup> The record shows that petroleum companies were already seeking exploration licences for the Timor Sea from Canberra not Lisbon.<sup>11</sup>

The archives chronicle Menzies' resistance to Barwick's proposal to cede Portuguese Timor to Indonesia being worn down in face of submissions by Barwick and the mandarins behind him who, in line with hollow diplomacy, supported pragmatism above self-determination. Sadly, the foreign policy archives show Menzies surrendering his principles on self-determination to a Barwick influenced Cabinet. Years later Whitlam did the same, unforgivably, in contempt of the Portuguese and of the Church and all the values his Labor party stood for. This petroleum driven shift in values that paradoxically brought little revenue to Australia compared with massive corporate revenues, has scandalised those of us who grew up believing that we would develop an exemplary society in Australia.

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<sup>9</sup> Judith Brett, *The Politics of Consolidation*, 35 <https://www.anzsog.edu.au/preview-documents/publications-and-brochures/5140-the-pivot-of-power-chapter-1/file>

<sup>10</sup> Sir Robert Menzies, '1963 Election Speech', 12 November 1963

<sup>11</sup> Bernard Collaery, *Oil Under Troubled Water*, (MUP, 2020), 109-131.

Along with this loss of virtue there was, an almost right-hand turn in foreign policy towards post-colonial and/or nationalist movements in North and Southeast Asia. Having rejected good advice from the Kennedy Administration and ignoring the reason why Kennedy retired Allen Dulles our leaders began to parrot the obsessive suspicion in Washington that nationalist struggles were the domino moves of communism. We supported the ongoing pretensions of a faded colonial Britain and France in the Suez debacle even though Britain failed to take their appointed mediator Menzies into their confidence. We all too readily joined the wagons drawn around Peking and Moscow. In short, we ditched our capacity for independent foreign policy formulation.

Having joined the nefarious Allen Dulles in the CIA game of regime change we continued with the same. We were complicit in the notion that democracy could be delivered by covert and overt interference in nationalist struggles. We failed to discern genuine nationalist movements such as Ho Chi Minh's own struggle where, as history now records, he held out both to the French and to the Americans his vision of his nationalist, socialist struggle, only to be rejected. No word of Ho Chi Minh's approaches being shared with Australia. So HCM turned north towards Vietnam's historical enemy. Those of you who have been to the national museum in Hanoi can't fail to notice close to the entrance, the wreckage of a United States bomber and nearby a diorama showing how the Vietnamese once again defeated the Chinese invader in 1982.

Malcolm Fraser's Gough Whitlam Oration Speech on 6 June 2012 was a redemptive reflection on the lost years of myopic and incompetent foreign policy,

Vietnam, Iraq and Afghanistan should give pause to those who believe that there can be military solutions to problems of governance in other countries.

We need our military, a military efficient, operating and effective. When our military goes to war it should be for purposes and objectives clearly in Australia's interests, not merely because the Americans want some company.

There are too many who believe if we support the United States and go to war when they want us to, they will in turn support us on issues that we regard as fundamental to our own security.

History strongly suggests that the real determinant of the actions of great powers are their own interests. We should not expect anything else.<sup>12</sup>

Before these disasters, John Curtin, Evatt, Chifley and the bureaucrats they led developed policies to educate, train, befriend, support and aid genuine national struggles, as we did in 1947/1949 in the Dutch East Indies. H C 'Nugget' Coombs and other fiscal and social planning experts delivered the Curtin and Chifley Government planning papers that were shared with Menzies on demobilisation and full employment, post-war manufacturing, affordable housing projects and national infrastructure schemes. All this under an unchallenged cross-party ideal that government was there for the people. Menzies kept Coombs and other smart minds on in public service. This gave continuity and adaptability to many great projects.

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<sup>12</sup> Malcolm Fraser, 'Politics, Independence and the National Interest: The legacy of power and how to achieve a peaceful Western Pacific', UNWS, [https://www.westernsydney.edu.au/newscentre/news\\_centre/story\\_archive/2012/2012\\_gough\\_whitlam\\_oration](https://www.westernsydney.edu.au/newscentre/news_centre/story_archive/2012/2012_gough_whitlam_oration)

Despite the high-point ideological peaks of Chifley's attempted bank nationalisation, and, Menzies' attempt to ban the communist party, a sense of decency prevailed in Canberra. The closeness of the two failed referenda questions showed, if nothing else, an engaged electorate. Australia continued to support the Indonesian nationalist struggle for independence. Richard Casey unrolled his Colombo Plan and we provided refuge to waves of the newly displaced after the Hungarian Revolution and other events in Eastern Europe. These years in Canberra projected an image of confidence and security. The bureaucrats joined with eminent industrialists, economists, scientists, engineers, educationists and medical researchers to set national goals.

How unlike the Curtin, Chifley and Menzies eminent support crews are some of our current intense, narrow and often prescriptive senior bureaucrats. Now there is little accountability. Courage too is in short supply with a lonely under-funded Commonwealth Auditor-General being left as full-back for a bureaucracy often either too gutless, risk averse or intimidated to tackle their own Ministers. Unlike their post-war predecessors few have a broad life-experience, few have served abroad, have experienced danger and insecurity or dependence on life skills to earn a hard living or even a living at all outside the public service payroll. One or two spell-masters, notably with no experience in disciplined command, have perfected the art of surviving the political vicissitudes and entrancing their Ministers.

It may require strong moral leadership to ensure a return to effective governance in our nation. The current excesses are a wake-up call. So far, a significant portion of the younger generation of Australians are disengaged. Political leadership has been compromised in their eyes. It is seen as some sort of behaviour that many of the younger generation have no wish to engage in.

For many of the younger generation, their only experience of politics is of the bearpit, the catcalling, the accusations, the liars, the dissimulators, and the corrupt. For them, the process is what they have come to expect. Whereas for those of us who grew up on the notion that we were out to make a better country we know what has been lost. We believe that moral leadership can be revived and must return. It is the leadership that sprang up during our nation's great events in the 19th and 20<sup>th</sup> centuries – particularly during the great period of national reconstruction after World War II. It is the type of leadership my dwindling generation must attest to in loud-voice and assist a younger generation to revive.

In recent years, the cascade of moral reverses, of unethical behaviour, of shallowness, has followed as our politicians have run off the road. Australia's historic purpose as a new democracy has been corrupted and lost sight of by the non-workings of parliamentary democracy. Nothing illustrates more the non-workings of our parliament than the manner in which the opposition has allowed, without effective scrutiny, more than nineteen post-9/11 bills to pass that have eroded our civil liberties, besmirched democracy and placed massive power in the hands of a small group of bureaucrats in Canberra.

After half a lifetime in Canberra, I can say that, while there was a brief respite during the *Hawk-Keating Accord*, as the calibre of Cabinet politicians has diminished the power of bureaucrats, some reflecting nothing more than their own unelected ambition, has increased. There was a moment some years ago when public officials of integrity, including I must say a politician, George Brandis, stood up when John Howard alleged that mothers seeking visas would either throw or stand by while children were thrown into the sea. I wish Mr Howard had been standing next to me in Timor when the UN investigators showed how mothers protecting infants had

turned their backs on the gunmen. It wasn't just a lie by our Prime Minister. It was an unedifying slur on motherhood.

A secret hearing occurred several weeks ago in Canberra in which, without precedent in our nation, the leaders of our intelligence agencies, the leaders of our Department of Foreign Affairs and Department of Home Affairs, were there at the Attorney-General's request to support his certificate that there would be prejudice to national security if there wasn't a secret trial regarding the conduct Witness K had identified. The Attorney didn't appear. The Prime Minister, who said on appointment he would model his government on John Howard's, remained silent. Instead, public servants were ushered in one by one. I doubt that any Attorney I know would have required that from public servants.

No doubt, I shall be long-gone if access is ever granted to that transcript held only by the Secret Service. I sat there as the accused, thinking if only the men and women I have served with could hear this. If only my legal fraternity could hear this. If only my family and friends could sit with me in Court as others fashion my trial with its threatened imprisonment. With the door shut, the CCTV shrouded, the court transcription service displaced by an agency recorder, the secret trials in Arthur Koestler's *Darkness at Noon* came back to mind.

We are now plumbing the depths our democracy has fallen to post 9/11, mute victory to those who set out to harm us. Exposed for no one else to see or hear is the vulnerability of our judiciary to a legislature operating without a concerted and principled opposition—a judge required, as now in Hong Kong by the same words, to give 'greatest weight' to the opinion of a Government.

In the 1980's, Justice Robert Hope conducted five reviews of the Australian intelligence community. This included his review of the maverick ASIS operation in the Sheraton Hotel incident out of which came the key recommendation that generalised extant intelligence requirements should not be used to authorise specific operations that require Government approval including risk analysis. Hence, unchallenged passage of oversight amendments introduced following unanimous recommendations by a Parliamentary review committee to the original ISA Bill introduced by Mr Downer.<sup>13</sup> If those amendments were not to Mr Downer's liking he should have said so at the time. Like Justice Hope we thought that this couldn't happen again. All I have learned since my prosecution commenced, increases my confidence in the advice I gave Witness K concerning maverick activity. Advice that by order under legislation introduced in the context of terrorism I may now only address in secret, which secret, recorded secretly and not kept in Court records, the jury, if they get to hear it, will be equally bound to maintain under the same legislation.

One of Justice Hope's most important recommendations, given the disasters of the Cold War, was that control over our intelligence functions should not be centralised. I doubt that PM Malcolm Turnbull was briefed on the Hope recommendation. Instead, without explanation, Turnbull centralised all intelligence agency functions within an ill-defined structure. This occurred at a time when public confidence required a judicial inquiry into the effectiveness and independence of ASIS.

Instead, Messrs Turnbull and Dutton spoke of the great threat to our nation whereas the greater threat is internal and to our democracy. Once again there are lessons in history. During World

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<sup>13</sup> *Intelligence Services Act 2001*, s6A. Note: as the Act stood in 2004.

War II, President Franklin Roosevelt kept the functions of war, intelligence, particularly economic, and, the Treasury separate in their advisory roles to him.<sup>14</sup> As history shows, Roosevelt profited by neither elevating nor including J. Edgar Hoover in a top pyramid role. Aware that his Chiefs of Staff would form their own caucus he usually consulted them separately. We must learn from history-particularly from Justice Hope's in-depth reviews and from a leader like Roosevelt, a true democrat, who exercised prudent, informed moral judgement when conducting war and shaping the destiny of nations.

I remain hopeful that a Judicial Inquiry so long overdue will recommend a root and branch restructure of Australia's national security apparatus. A whole suite of legislation should be comprehensively reviewed. The Home Affairs Department, that *Crikey* says is the most incompetent Department in public service history should be dissolved and with it the uniforms, the so called 'intelligence' functions, the media office, the pseudo-policing, and with that, the whole overlay and encroachments on other functions. As structured, the office of Director-General National Intelligence should be abolished and the intelligence agencies strengthened in their parity and independence. Each intelligence head should be obliged by statute to report directly to the Prime Minister and regularly consult with the Leader of the Opposition and an all-party National Security Committee.

Leadership of an agency co-ordination role must rotate on a cycle set by law and the role regulated, accorded statutory independence and assigned to eminent intelligence analysts of scholarly background and sound organisational skills with current or to be acquired jurisprudential training. As with MI6, as I have long said, ASIS should be physically distanced from Foreign Affairs and Trade staff and linked by statutory requirement in the exercise of its proper functions to a Treasury and Defence Department skill-set. Functioning Allied intelligence components based on Australian territory should conform to protocols known to all Agency heads and approved by the Cabinet Security Committee.

As for the Department of Foreign Affairs and Trade all I can think of recommending is to send them all to Church or maybe an ashram or perhaps the Lowy Institute to reflect and not to come back for several years while we reformulate diplomatic values.

I might guess that the reason why you are here this evening is out of concern for our country. Indeed, the cruel irony is that our national security is at risk under the current administrative structure and political direction in Canberra. The threats now posed to our nation mean that, just as in war time and just as during the Great Depression, the times we live in should now separate us from the opportunists, the profiteers, the unthinking masses and those collaborating with a controlled media. The rise of zealotry in the bureaucracy, emboldened by a lack of intellectual vigour and ordinary ethics within political leadership is a new threat to our democracy.

Knowing our history and of the achievements of our forebears and my own age I regret to see my country move apart from the developed European democracies and the values so many struggled and died for. We have a Parliamentary Executive that has whole-heartedly embraced popularism and shallow short-term opportunistic economic decision-making, a theme that former Liberal leader John Hewson is constantly repeating. Why are our economic policies short-term, power clinging initiatives?

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<sup>14</sup> Nigel Hamilton *The Mantle of Command*, (Biteback Pub., London,2016), x-xi, 150-152.



And then there is the paradox of a Prime Minister who will brandish a lump of coal in the Parliament, who will refer disparagingly to young Greta Thunberg in terms of her spreading, impliedly and disparagingly, her own anxiety complex among the young. And yet he is a father, a Prime Minister who embraced science in fighting the pandemic. Here is a seasonal man who rejects climate science, belittles those who adopt an enquiring intellectualised approach, but then rides home on the scientists during the COVID-19 crisis. He attributes a moral Christian position to his life which is laudable, yet one of the greatest blots on our democracy is the martyrdom of Witness K. A man who, disciplined enough to carry out orders, was nevertheless morally opposed to, I have said, a ‘new culture within ASIS.’<sup>15</sup> A client who came forward with approval, disgruntled by human resource management **resulting from that change**.

This hero, a man you would be proud to know as your husband, your brother, your Dad, your mate, is treacherously backgrounded in Canberra as an employee disgruntled by non-promotion in the same way that Moscow used to refer to its defectors. If his name is leaked, others in this violent world may put family and loved ones at risk. A veteran Australian in no different a position from those brave defectors who came forward during the Cold War while leaving their family members behind.

While Labor leader Anthony Albanese refers to what happened in Dili as ‘wrong’ from the start he has no words of support for Witness K. To me, this suggests he was backgrounded. We should recall that the *Intelligence Services Act 2001* requires the ASIS Director-General Paul Symon, by all accounts a decent former military officer and no author of the events I criticise, to brief the Opposition Leader regularly. My guess is that Anthony Albanese’s comments reflect accurately his briefing **and** the briefing D-G Symon received when he took over ASIS in December 2017. I suggest that Major-General Symon digs harder for the full facts. I console Witness K with the words of Thomas Paine during the American War of Independence in 1776, ‘...we have this consolation with us, that the harder the sacrifice, the more glorious the triumph.’

All this, could have been avoided years ago in confidence, as invited by Prime Minister Gusmão by quietly abrogating the CMATS Treaty, condemning a maverick act and dealing with those responsible. Instead, it is the cover-up that has brought our nation into disrepute across the world and near contempt in our Region. In terms of our national security, it goes with years of incompetent foreign policy decision-making that left nations in the Pacific turning to China as we reduced foreign aid and failed to support our own construction industry that could have undertaken the Atoll and climate change public works now offered by China.

The litany goes on. I am sure that most of you can add to it. We need a wakeup call, and it must start with fundamental change in Canberra. We need good judgement and ethical standards within parliament. Those of any political party who have failed to recognise and support our historical purpose are unfit for our troubled times. It is time for reform!

Thank you.

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[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Privileges/Completed\\_inquiries/2013-2016/report156/index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Privileges/Completed_inquiries/2013-2016/report156/index)