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East Timor bugging prosecution is an attack on press freedom

Today's prosecution of 'Witness K' and Bernard Collaery has dangerous implications for press freedom in Australia and the ability of whistleblowers and journalists to work together to expose wrongdoing and uphold the public's right to know.

The case, to be heard in the ACT Magistrates Court this afternoon, also names five ABC journalists as potential witnesses.

The pair are being prosecuted for their alleged roles in helping to reveal a secret bugging operation mounted by Australian intelligence agents against East Timor in order for the Australian Government to gain a commercial advantage during sensitive oil and gas negotiations. The journalists have reported news stories about the operation.

MEAA chief executive Paul Murphy said: "In recent years we have seen government introducing an array of laws and penalties that seek to pursue and prosecute whistleblowers who seek to expose wrongdoing and ensure the public knows what governments do in our name. Indeed, the Journalist Information Warrant system allows 21 government agencies to secretly go after whistleblowers by accessing journalists metadata. We have also seen penalties applied to whistleblowers being extended to journalists who report on legitimate matters in the public interest, effectively criminalising journalists for simply doing their job," Murphy said.

"Governments must operate openly and transparently. They must stop cloaking their activities in secrecy by undermining freedom of information and restricting official contact with the media. Governments must stop prosecuting people who disclose matters of great public interest and must take steps to protect whistleblowers who seek to bring to light their legitimate concerns. And finally, the government must never attack press freedom by punishing journalists for maintaining their ethical obligations towards confidential sources," Murphy said.

"This vindictive prosecution, so many years after the events, is against the public interest and is highly politicised. It should be abandoned," he said.

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