

Christian Activism in Oz: Pine Gap Protest

by Sean O'Reilly *Monday, Mar 6 2006, 11:50am*

national / peace/war / other press

Sean O'Reilly found not guilty of obstructing Commonwealth official.

On Friday in the Alice Springs Magistrate's Court, magistrate Melanie Little found me not guilty of obstructing a Commonwealth official. The charge, which carries a maximum 2 years imprisonment, arose out of the Pine Gap 6's action in December under the banner of Christians Against All Terrorism. After four of the group had been arrested inside the base attempting to carry out a citizen's inspection, Jessica Morrison and I were detained by Commonwealth Protective Services (CPS) officers as we vigiled in support at the base entrance. As the traffic banked up in what eventually was a 4-hour lockdown of Pine Gap, I was arrested by officer David Parker after questioned his authority for searching our vehicle and removing cameras, banners and other belongings. On Monday, the assistant federal prosecutor for the Northern Territory, Mr. Paul Usher, presented evidence provided by Parker, fellow CPS officer, Veronica Maass, a further CPS officer and 2 N.T. police officers.



Christians Against All Terrorism

Parker claimed that he informed me of his powers under Section 14 of the Australian Federal Police Act (1979) which I denied. He went on to claim that he warned me 8-10 times over 15 minutes as I allegedly continued to 'badger', hinder by stepping in his path and prevent Parker from properly performing his duties. Parker stated that I came within 6-8 inches of him. When I suggested that I hadn't met a police officer yet that would tolerate that level of harassment, Parker responded that he was giving me the benefit of the doubt. I further challenged Parker on his recollection of the event.

Cracks began to appear in the prosecution's case when officer Veronica Maass, who was monitoring Jessica, gave her testimony and was cross-examined. Maass stated that the episode lasted 5-10 minutes and that Parker warned me 'a few times'. When pressed further she replied 3-5 times. She stated that I got between Parker and the vehicle, which Parker had not claimed. She could not recall exactly what I had stated. Despite dealing with Jessica, Maass claimed to have had an uninterrupted view of what took place. When their notes were requested, Maass's notes stated I was arrested at 06.18 hr. and Parker's said 06.40hr.

I couldn't understand what contribution the third CPS officer was making for the prosecution and barely listened. However when Darren Kirk from the N.T. Police stated that the whole episode lasted only 3-4 minutes my attention was refocussed. Fellow officer, Richard Lyons, then testified that he was unsure how long the incident lasted but no more than 5 minutes. He testified that the exchange

between Parker and I 'appeared amicable'.

Towards the end of the luncheon adjournment the prosecutor approached me in the foyer. He presented me with some previous decisions pertaining to obstruction and hindrance. A friend and I quickly examined them. There seemed to be more material in them to support my case than that of the prosecution. On resumption Mr. Usher referred to several sections and so did I. I did not call any witnesses, unable to arrange a video link with Jessica as demanded by the court. Mr. Usher and I then both summarised our cases. I pointed out what by now were obvious inconsistencies in evidence provided by the witnesses for the prosecution and referred to the previous decisions, which covered the substantiality of any obstruction or hindrance. By now the magistrate had a copy of these cases and this was to prove significant.

Magistrate Little reserved her decision until Friday when after a summation lasting about 30 minutes she delivered a verdict of not guilty. It was a moment of relief and elation. The decision was strongly based on those inconsistencies in evidence and the case decisions, which I had highlighted. I received reasonable local media coverage and have made an application for costs. Bryan Law, Adele Goldie, Jim Dowling and Donna Mulhearn, arrested inside the Pine Gap base, will appear for committal hearing set down for the 19-20 April. It has yet to be determined whether they will also be charged under the Defence (Special Undertakings) Act 1952 which carries a maximum 7-year sentence. We continue to need your support to cover travel and other expenses to continue this witness through the court process.

Thanks,

Sean O'Reilly

*We need your support. Donations can be deposited in our account.

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Cleaves Alternative News. <http://cleaves.lingama.net/news/story-186.html>

