

Australian Catholic University

Submission to the Parliamentary Joint Committee on Intelligence and Security

Inquiry into National Security Risks affecting the Australian Higher Education and Research Sector

December 2020

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Australian Catholic University (ACU) appreciates the opportunity to make a submission to the Parliamentary Joint Committee on Intelligence and Security's inquiry into national security risks affecting the Australian higher education and research sector. ACU's submission focuses on the issue of addressing foreign interference in Australian universities in the context of recent policy developments in this area.

ACU broadly supports the Commonwealth Government's work to address the issue of foreign interference in Australia. As the Government notes, foreign interference has the potential to undermine Australia's national security, open system of government, and sovereignty.¹

In particular, ACU supports government efforts to prevent any attempts by foreign actors to:

- (a) influence freedom of expression at Australian universities, including in relation to academic freedom, discussions in classes or tutorials, or views expressed on campus; or
- (b) improperly acquire sensitive intellectual property through whatever means.

ACU is concerned, however, that recent regulation intended to address foreign interference – notably the *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* ('the Foreign Relations Act') – has been drafted too broadly and indiscriminately, placing a disproportionate administrative burden on universities relative to the issue it seeks to address.

Paradoxically, some of this regulatory burden could impair Australia's national interest by inhibiting important research or international collaborations. This would ultimately be to the detriment of Australia's strong, well-renowned and internationally competitive university sector and research efforts.

ACU supports Universities Australia's advocacy on behalf of the university sector and agrees with its contention that the more effective model for combatting foreign interference is a working partnership with government – as established, for example, through the University Foreign Interference Taskforce (UFIT).

UFIT has prepared a set of guidelines to counter foreign interference in the Australian university sector, developed through a collaborative and consultative process involving university sector representatives. The work undertaken by UFIT has sought to determine how universities can counter foreign interference while recognising the value and importance of international collaborations, academic freedom and an open research culture.

The recently passed Foreign Relations Act, in contrast, introduces a blunt new scheme, including a ministerial veto power for international arrangements entered into by universities. Due to the breadth of the associated reporting requirement, and its application to existing arrangements, the Act will require the formal reporting to government of potentially tens of thousands of partnerships and research interactions by Australian universities.

ACU is in the fortunate position of being an unlikely target of foreign interference; its core research focuses and areas of international collaboration relate to health sciences (but not medicine), education and humanities, rather than highly sensitive areas such as information technology, defence science or intellectual property development. Nevertheless, the university understands that it will be expected to audit, identify and disclose all its international research and partnership arrangements, however irrelevant to the aims of the Act. This will be a major undertaking and will even capture such benign arrangements as student exchange programs.

¹ Department of Home Affairs, Australian Government, *Countering Foreign Interference*, at <https://www.homeaffairs.gov.au/about-us/our-portfolios/national-security/countering-foreign-interference>

The additional administrative burden comes as universities are under significant financial pressure, resulting in a reduction in available resources, and at a time when other administrative and reporting requirements – such as those associated with performance-based funding and the National Priorities and Industry Linkage Fund – are also being developed and imposed.

While ACU recognises the validity of the Government’s underlying concern and supports its intention to reduce the risk of foreign interference in higher education or research, it is important that efforts are concentrated on the areas of genuine risk.

It is important that regulations designed to detect and combat foreign interference do not unduly stifle, or place excessive regulatory burden on, the important work universities do with international partners, especially for research and via international outreach and collaborative programs. Such relationships have been a pivotal component in enabling Australian universities to achieve excellence and build the capacity and reputation of Australia’s university sector, features often celebrated by government. Such relationships will be all the more important as Australian universities, and the nation more broadly, seek to recover from the impacts of the coronavirus pandemic and navigate a challenging and competitive post COVID-19 international environment.

ATTACHMENT A - Australian Catholic University Profile

Australian Catholic University (ACU) is a publicly funded Catholic university, open to people of all faiths and of none, and with teaching, learning and research inspired by 2,000 years of Catholic intellectual tradition.

ACU operates as a multi-jurisdictional university with eight campuses, across four states, one territory, and overseas. ACU campuses are located in North Sydney (NSW), Strathfield (NSW), Canberra (ACT), Melbourne (Victoria), Ballarat (Victoria), Brisbane (QLD), Adelaide (SA), and Rome (Italy). ACU's campus in Blacktown (NSW) will open in 2021.

ACU is the largest Catholic university in the English-speaking world. The university has around 2,000 staff and teaches around 32,000 students across four faculties:

- Health Sciences
- Education and Arts
- Law and Business
- Theology and Philosophy

ACU is ranked first in Australia for graduate employment outcomes.² The university's graduates demonstrate high standards of professional excellence and are also socially responsible and committed to active and responsive learning.

ACU has a particularly strong reputation in the areas of Health and Education, producing more nursing and teaching graduates than any other university in Australia and helping to meet growing workforce needs in these areas.³

ACU's strategic plan focuses on areas that align with ACU's mission and reflect most of its learning and teaching:

- education;
- health and wellbeing;
- theology and philosophy; and
- social justice and the common good.

The university is also committed to targeted and quality research. ACU's performance in the Excellence in Research for Australia (ERA) rankings has rapidly risen: ACU ranked first or equal first for 10 fields of research in Australia in the latest ERA rankings.

To underpin its research intensification efforts, ACU has appointed high profile leaders to assume the directorships, and work with high calibre members, in its research institutes.⁴ ACU is a world-leading research university in its priority areas of education, health, and theology and philosophy.

² QILT 2020 Graduate Outcomes Survey, Longitudinal, full-time employment (August 2020).

³ Department of Education and Training, '2017 Special Courses' in *Selected Higher Education Statistics – 2017 Student Data* (2018). Accessible via <https://www.education.gov.au/selected-higher-education-statistics-2017-student-data>.

⁴ See Australian Catholic University, 'Research at ACU' via <http://www.acu.edu.au/>.