

WESTERN SYDNEY UNIVERSITY



Western Sydney University
Submission to the Parliamentary Joint Committee on Intelligence and Security
Inquiry into national security risk affecting the Australian higher education and
research sector

16 December 2020

Western Sydney University addresses the Terms of Reference accordingly:

A. The prevalence, characteristics and significance of foreign interference, undisclosed foreign influence, data theft and espionage, and associated risks to Australia's national security

Western Sydney University is strongly committed to working with the Commonwealth Government to counter foreign interference in the higher education and research sector. At the same time, the University acknowledges that international education and research collaborations align with the Australian Government's competitiveness agenda and drive national interest in innovation, research and development, teaching and student mobility.

The scope and scale of international engagement are significant in the Australian higher education and research sector, and to the national interest. Research with the most 'impact' – a growing priority of the Australian Research Council – is often delivered through international collaboration. It is indeed this global connectivity that safeguards Australia's world-class higher education sector.

Over 60 per cent of Australia's research publications are co-authored by an international researcher/partner and such co-publications are highly cited and impactful. These publications bring renewed perspectives to intractable societal issues that often lead to innovative solutions. Western Sydney University ranks second among Australian universities for our collaborative publications. Import of goods and services into Australia is estimated to have an annual value of over AUD 250 billion, where many of these products are subject to Intellectual Property rights. As a 'net importer' of intellectual property, Australia benefits significantly from international research funding and expertise.

Western Sydney University currently has over 400 international agreements with more than 320 international institutions across 55 countries, and an additional 195 agreements currently in progress, forming a wide network of strategic relationships and collaborations to advance the University's research, teaching and innovation. These agreements include memoranda of understanding (for dual awards, research), articulation agreements, agent partnership agreements, cooperative agreements, letter of intents, agreements for short

courses, study abroad agreements, and student and staff exchange agreements. Additionally, the University also currently has over 175 research agreements funded by overseas industry partners and business.

Despite the volume and range of international agreements, extensive internal compliance measures including risk assessment of partners and stringent due diligence processes prior to entering into an agreement, and regular reviews of existing agreements, are in place. These processes are supplemented with advice and support from the University's Offices of Legal Counsel and Audit and Risk Assessment and a number of relevant University policies such as the: Conflict of Interest Policy; Commercial Activities Guidelines; Cyber security Policy, Digital Information Security Policy; Research Data Management Policy; Risk Management Policy and Framework; Research Code of practice; International Partnerships for Academic Cooperation Policy, Procurement Policy; Gift and Benefit Acceptance and Management Policy; and so on. In instances where our due diligence processes identify any potential threat to the safety and security of our staff, students and public, or to our intellectual property, such agreements are not undertaken, and approval is declined by a senior officer of the University.

These governance processes coupled with regular communication, mandatory training programs to enhance awareness of security risks particularly from international partnerships (for staff and HDR students), and leadership of senior University management ensures the University and the communities serviced are protected from security threats and foreign interference. Furthermore, extensive regulatory and compliance regime currently exists to manage foreign interference and are detailed in our response to point C.

These Western Sydney international partnerships, even in those areas considered as carrying potentially higher risks have had a positive impact for both parties with no identified or undisclosed risks of foreign interference. Some examples of Western Sydney University' successful international collaborations which have delivered social and economic advancement include:

- Partnerships with 37 countries comprising, Algeria, Argentina, Bangladesh, Belgium, Brazil, Brunei Darussalam, Bulgaria, Canada, Colombia, Costa Rica, France, Germany, Iceland, India, Indonesia, Ireland, Italy, Korea| Republic of, Malaysia, Mexico, Morocco, New Zealand, Nigeria, Philippines, Romania, Saudi Arabia, Serbia, South Africa, Spain, Sweden, Turkey, Ukraine, United Kingdom, United States, Uruguay and Zambia. These partnerships have focussed on transforming research, policy and practice to maximise the benefits of digital technologies for young people, **enabling organisations to develop campaigns and resources promoting young people's rights, safety and wellbeing. Collectively, this has reached 36 million people globally;**
- Partnerships with the United States, the United Kingdom, and Germany, for a project entitled, 'Empowering museums and science centres as change agents in global climate change interventions'. This project has **positioned and empowered museums and science centres as key agents of and catalysts for climate change action globally.** Guidelines have been developed from the research informed museums and science centres globally about their key role in influencing government and communities to tackle climate change; engage with audiences

globally; develop exhibition and program content tailored to different audiences; strengthen connections between science and cultural aspects of climate change and inform climate policy;

- Partnerships with government agencies, agricultural organisations and suppliers in Sri Lanka and India, predicated on **transforming agricultural practices and outcomes through improved crop, water and market intelligence** in both countries. The research group set up a program that helped farming villages manage their groundwater resources collectively and sustainably and adopt less water-intensive crop selection, planting and irrigation practices. The group also built a mobile-phone-based information system that gave farmers strategic, real-time, actionable intelligence about agronomic, climatic, financial and market conditions, enabling them to optimise crop production. These interventions made farming more efficient and sustainable, optimised water, fertiliser and fuel usage, reduced environmental burden, and improved the livelihoods of village communities with many outcomes applicable to the Australian context;
- Partnership with Nanjing University of Traditional Chinese Medicine (NJTCM): Over the past two decades, 15-25 Western Sydney University students studying a Bachelor of Traditional Chinese Medicine will spend 10 weeks of clinical practices in Jiangsu Provincial Hospital affiliated with Nanjing University of Traditional Chinese Medicine each year. Through the clinical practices, students have gained first-hand experience regarding the traditional Chinese medicine (TCM) treatments with large number of patient cases (150 patients/day in China versus 20 patients/month in Australia). On completion of the clinical practices, Western Sydney University students will also receive a TCM Bachelor degree awarded by the Nanjing University of Traditional Chinese Medicine.

These relationships are carefully managed in the national interest and were fundamentally established to build capacity in research, teaching and learning and student and staff exchanges. To date, Western Sydney University has not experienced any foreign interference or threats of foreign interference from any of our international collaborations and we believe our security practices and oversights will ensure this continues to be the case. Nonetheless, the University acknowledges that the sector cannot become complacent in this matter and therefore have stringent policies, processes and procedures in place to identify even minor unsuspecting threats of foreign interference.

B. The Sector's awareness of foreign interference, undisclosed foreign influence, data theft and espionage, and its capacity to identify and respond to these threats

Academic freedom and freedom of speech are the core foundational principles that have enabled the development of Australia's world-class higher education sector. In addition to their autonomy, it is critical for universities to uphold academic freedom and freedom of speech.

In recent years, the university sector is becoming increasingly aware of the risks of foreign interference, data theft and espionage, particularly following the cyberattack on a major

Australian university in 2018. Universities' acknowledge that a robust and trusted system of international collaborations is one in which risks are managed and benefits realised.

Increasingly, universities are prepared to counter foreign influence in the higher education sector by being more prepared, using rigorous due diligence processes for international collaborations, smarter use of information, being cyber protected, using new methods to secure voice and data communication, and ensuring the rapid recovery of critical systems. The design of critical infrastructure in universities is resilient to intentional, or accidental damage.

Universities have established a suite of foreign interference taskforces and working groups and are working proactively and collaboratively with other actors to share expert knowledge and resources and develop best-practices relating to countering foreign interference. Training and support of researchers is growing their capacity to identify and respond to potential threats of foreign interference.

This includes membership of the Council of Australasian University Directors of Information Technology (CAUDIT), a peak member association supporting the use of information technology and cyber technology in the higher education and research sector in Australasia. CAUDIT has partnered with Australia's Academic and Research Network (AARNet), AusCERT, Research and Education Advanced Network New Zealand (REANNZ) the Australian Access Federation (AAF) and the Australasian Higher Education Cybersecurity Service (AHECS) to support the ability of universities to continue to operate in the face of cyber disruptions, aiming for minimal negative impacts.

C. The adequacy and effectiveness of Australian Government policies and programs in identifying and responding to foreign interference, undisclosed foreign influence, data theft and espionage in the Sector

A range of Australian Government Acts, policies and programs have informed the development of a suite of compliance measures for universities to ensure the security of information and intellectual property. These include:

- **The National Security Legislation Amendment (Espionage and Foreign Interference) Act 2018.** The Act provides Australian law enforcement and security agencies the necessary powers to investigate and the option to pursue prosecution. Criminal charges and imprisonment are now possible consequences for actions that would previously be considered security incidents or breaches of administrative policy.
- **Foreign Influence Transparency Scheme Act 2018.** The Act establishes a scheme to improve the transparency of activities undertaken on behalf of foreign principals, and for related purposes.
- **Foreign Influence Transparency Scheme Act 2018.** The Act provides the public with visibility of the nature, level and extent of foreign influence on Australia's government and politics.
- **Guidelines to counter foreign interference in the Australian university sector,** released by the University Foreign Interference Taskforce (UFIT), jointly

developed by universities and the Federal Government to enhance existing safeguards against foreign interference.

Other related policies and programs include:

- **Autonomous Sanctions Act 2011.** This Act provides provision relating to sanctions to facilitate the conduct of Australia's external affairs, and for related purposes.
- **Defence Trade Controls Act 2012.** This Act puts in place new measures to control the transfer of defence and strategic goods technologies to ensure exports of such proliferation-sensitive technology are consistent with Australia's security interests and international obligations.
- **Membership of the Defence Industry Security Program.** In order to be eligible for Defence-related research funding, membership requires security clearances and intensive internal security and risk procedures to be adhered to.
- Inclusion of questions relating to Foreign Interference and a requirement to state how the proposed research (including international collaborations) meets the National Interest Test in all Australian Research Council grant applications.
- **Establishment of an Integrity Unit within TEQSA** to manage THE Universities Foreign Interference Taskforce recommendations and their implementation.

These acts/policies/legislation/guidelines highlight the numerous obligations universities are required to comply with and are largely effective in reducing foreign interference risks.

E. Any other related matter.

Importantly, compliance should not inhibit university activity or collaboration. Australia as a 'net importer' of intellectual property benefits greatly from international research funding and expertise. These pursuits should be encouraged and supported.

The University welcomes the opportunity to contribute to this important inquiry and is willing to contribute to further policy development on related matters.

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