Foreword

Professor Rory Medcalf

Australia is a world leader in national security law, for better and some may say for worse. Few countries can match its number and breadth of relevant legislative instruments. Not for nothing, for instance, did the 2021 *Richardson Review* of legislation relating purely to the country's intelligence agencies run to more than 1300 pages (and that was just the unclassified version). So far this century, every time a new security challenge has been identified – from terrorism to foreign interference, cyber intrusion to critical infrastructure vulnerability – government and parliament have not been tardy in adding to the statute book.

As a federated liberal democracy, Australia places the rule of law at the heart of its security policy settings, and this should be a source of pride and assurance across the community. On the other hand, the sheer volume and (notwithstanding policy-makers' efforts) complexity of the nation's security laws can bewilder and intimidate. This also makes the task of scrutiny and accountability especially daunting, with obvious risks.

Too often, a default setting for many whose professions and lives are touched by these laws is to avoid engaging, or if necessary to do so on the most vague and passive terms. This unfortunately extends to a surprisingly large part of the academic, policy, parliamentary, media and business communities, and across civil society at large. There are exceptions of course, but ignorance is no excuse.

This situation places a premium on trusted resources that can illuminate and interpret Australian national security law, not only for the legal profession but for policymakers, scholars, students and wider audiences alike. This book, therefore, fills a serious gap.

Its editor, my colleague Associate Professor Danielle Ireland-Piper, is to be commended on the vision of bringing together so many authoritative academic voices from around the country, and even more so on its execution. The contributors have delivered to ensure that this will be a rich and lasting resource. They represent expertise and practitioner experience across a comprehensive landscape, from definitions, concepts, history and powers through to the legislative responses to specific threats. Many of the chapters look well ahead, to emerging intersections of security, law and technologies, notably in biosecurity, autonomous lethality, cyber and space. Nor does this volume neglect the central place of people, with chapters devoted to human rights, international humanitarian law, citizenship and gender, and with – an albeit brief – consideration of the need for national security legislative frameworks to take proper account of implications for First Nations.

A few years ago, in redesigning the degree programs at the ANU National Security College, I consulted a range of the nation's most senior policymakers,

including departmental secretaries and intelligence agency chiefs. I asked them what skills and knowledge they found most lacking in new recruits to their organisations. What could the university system provide more consistently and effectively? One of the most common replies was literacy in national security law. We subsequently introduced national security law for non-lawyers into our degrees, in partnership with Dr Dominique Dalla-Pozza and our University's College of Law, as well as our own subject on national security, human rights, and international law. But we lacked a textbook. Now that call has been answered.

This book merits a place, not only in law curricula, but in the reading lists of any institution teaching Australian security.

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