



**THE HON RICHARD MARLES MP
DEPUTY PRIME MINISTER
MINISTER FOR DEFENCE**

The Hon Shayne Neumann MP
Chair
Joint Standing Committee on Foreign Affairs, Defence and Trade
Parliament House
CANBERRA ACT 2600

Dear Mr Neumann *Shayne*

I write to refer an inquiry into how Australia makes decisions to deploy the Australian Defence Force (ADF) into international armed conflicts to the Joint Standing Committee on Foreign Affairs, Defence and Trade (the Committee).

As you know, under Australia's Westminster system of government, decisions about the deployment of the ADF into international armed conflicts are within the prerogative powers of the Executive. I am firmly of the view that these arrangements are appropriate and should not be disturbed. They enable the duly elected government of the day to act expeditiously on matters of utmost national importance in the interests of the safety and security of our nation and its people.

There is, however, an important role for public discussion and scrutiny, including by the Parliament, when the ADF is deployed into hostilities abroad. Governments have typically, as a matter of practice rather than necessity, provided explanations to the Parliament of their decisions to deploy the ADF into hostilities abroad. This has provided an important opportunity for scrutiny by the Parliament of such decisions.

I note that the aforementioned practice was substantively strengthened under the former Labor Government during Australia's involvement in the conflict in Afghanistan. In 2009, then Defence Minister Faulkner committed to providing regular reports on Australia's involvement in Afghanistan, a practice that was subsequently adhered to throughout the life of the former Labor Government. The frequency of such statements decreased significantly, however, from around 2014 onwards.

In light of the public and parliamentary interest in these matters, and consistent with the Albanese Government's commitment to transparent and accountable government, it is timely for the Committee to hold a public inquiry into this matter. To that end, I ask that the Committee, and in particular its Defence Sub-Committee, inquire into and report on how Australia makes decisions to send service personnel into international armed conflicts, having regard to:

1. the approach of similar Westminster system democracies around the world;
2. parliamentary processes and practices, including opportunities for debate to provide greater transparency and accountability on the deployment of the ADF;
3. the security implications of pre-notification of ADF deployments that may compromise the safety of ADF personnel, operational security, intelligence and/or have unintended consequences; and
4. any related matters.

I ask that the Committee report by February 2023 and I have requested that the Department of Defence be available to assist with the Committee's deliberations.

I would appreciate the Committee's timely consideration of this referral and wish to acknowledge the important role and valuable work of the Committee.

Yours sincerely

RICHARD MARLES

27/9/22