

14th October 2021

Submission to the Inquiry into Parliamentary Approval of Overseas Service Bill

This Bill emphasises an important principle of the oversight of Parliament over what engagements the Australian Defence Force (ADF) has. Parliament should have the approval (or not) of any declaration of war that Australia has – hence Parliament should have authority over what actions the ADF undertakes (in a war or conflict situation).

For any engagement, the government should be accountable to Parliament (as the representatives of the public) about what actions are being done and why they are necessary or beneficial. For actions that are routine, one would expect Parliament (including the support of the Opposition) to approve the measures efficiently. This does not unduly prevent the government from ordering ADF operations that are necessary or beneficial without major controversy.

There may be some debates or even rejection of operations that are more contested. However, this speaks to the principle of the bill - that Parliament should have clear oversight and authority over what overseas engagements our Defence Forces engage in. That is, the government should not simply be able to order any engagements they decide on without the approval of Parliament, or needing to demonstrate that the ethics and benefit of the engagement. The Parliament (as representatives of the public) may decide to reject a proposed engagement, which is a legitimate and important function of their oversight.

The Australian Defence Force (ADF) undertakes various operations for Australian national security and other purposes - and contributing to stability and training in our region or around the world. Having Parliamentary oversight gives an additional check that any engagements are ethical and in the Australian interest - and enables the Parliament to gain information about the engagements and their progress.

I support the Bill in principle. I believe it provides an important check on the government's ability to send our Defence Force personnel overseas and giving Parliament an important oversight role in Defence Force operations.

This check is not overly burdensome or insurmountable, particularly for routine or non-controversial missions (e.g. that have bipartisan support), but compels the government to be accountable and explain the actions they are undertaking. This emphasises the weight of any order to send our Defence Force personnel overseas in any conflict zone, which the government should take seriously (for the sake of our troops, the Australian public and our reputation around the world).

Thank you for considering my submission.

Kind Regards,
Benjamin Cronshaw.