

Today marks an important day in the life of the ANU College of Law. The establishment of a new Centre to harness research capability and give focus to its work in the area of military justice is a significant milestone in the history of the College. My one regret today is that despite our best efforts we could not devise a name which lent itself to a more catchy acronym!

In a moment it will be my real pleasure to ask the Minister for Defence Science and Personnel, the Hon Warren Snowdon, MP, to launch the Centre. Before I do so, however, I would also like to give you some background to the establishment of the Centre and its proposed activities.

In 2005 the ANU was successful in winning the open tender to conduct training for military lawyers. That training commenced in 2006 and the initial contract is to continue until 2010 – although it may be longer, given that the contract is renewable for a further 3 years.

From the time the ANU submitted its tender for that teaching contract, it was envisaged, in line with the ANU's charter as a research intensive university, that the ANU College of Law would develop a Centre to develop a research capability to match its teaching program. In December 2007 that ambition was realised when the University approved the setting up of a Centre, with effect from 1 January 2008.

In working towards that goal, it has come as a surprise to discover that this will be the first Centre in Australia within an academic

institution which is devoted to all aspects of law as it applies in the military. There is a wealth of material on military history; there are historiography grants and military history conferences; the ANZAC tradition and Australia's other military achievements contribute significantly to the national identity. Surprisingly, however, there is no academic Centre with a comprehensive focus on military law. The community is the poorer for it.

The experience defence has to offer the civilian populace, both in terms of its institutional structures and its understanding of the practice of law within a military context is valuable to the general community. Defence capability and discipline is to be envied. Its operations are steeped in traditions and history. Exposing some of that rich heritage to the community through academic analysis and critique will, I believe, have mutual benefits, not least because it will help rectify the current deficit of knowledge of defence within the civilian community.

To locate the Centre within the nation's capital underscores the national importance of such a venture. What more important than national defence and security. As the Prime Minister, Kevin Rudd, said recently: "National security is fundamental business for the nation. It is fundamental to the government of the nation". It is therefore fitting that there should be a Centre which focuses on that fundamental business in Canberra.

To house the Centre within the ANU is equally appropriate. Not only was the ANU set up to engage in research and teaching on issues of national and international importance but there are

existing bodies within the ANU which already contribute to those goals and with which the Centre has developed affiliations. I refer in particular to the Strategic and Defence Force Studies Centre, and the ANU College's own Centre for International and Public Law. There are also numerous individual experts and researchers within the Australian National University or visiting this institution whose experiences the Centre will be able to draw on.

These contacts epitomise the advantages of an academic institution. At the same time, as the ANU Vice-Chancellor has said "The reputation of a university depends not on the splendour of its buildings but on the nature of its contribution to learning". Those involved with the Centre, particularly the ANU College of Law teachers involved with the military law program - some 25 per cent of those in the College – are an enthusiastic team who are determined to make that contribution.

Their enthusiasm and their growing knowledge of the military has been encouraged by the considerable assistance provided to them by the Directors, Deputy Directors and staff of the Defence Military Law Centre at Randwick who manage the military law teaching program. On behalf of the ANU College of Law team I would like to acknowledge the debt we owe to those staff. They have sharpened our understanding and have made a considerable contribution to that sense of collegiality which has enabled realisation of the ANU College of Law Centre. I am proud to be part of that team and also, as Director, to be in a position to shepherd their efforts.

As evidence of that determination, one of the initial projects of the Centre is to produce the first text on Australian military law – to match its Canadian counterpart *Canadian Military Law Annotated* by Justice Gilles Letourneau and Colonel Michel Drapeau. Some projects already in train or planned include research into:

- Aust/NZ Maritime Security
- Aust/NZ Military Operations Law and Policy in the Asia Pacific
- Australian Private Military Contractors; and
- Use of the Military in Aid of the Civil Power.

More projects are listed on the Centre's website. As the indicative list indicates, the Centre will provide a focal point for this research effort in ways which we hope will be of value to defence and to the nation.

The first conference with which the Centre is expecting to be associated is to be held towards the end of 2008. That conference initiated by the Commonwealth and Defence Force Ombudsman is to be a joint undertaking between the Ombudsman's Office, the Office of the Inspector-General of Defence, and the Centre. I am delighted that both the Commonwealth and Defence Force Ombudsman, Professor John McMillan, and the Inspector-General of the Defence Force, Mr Geoff Early – are here today. The proposed conference will mark the 25th anniversary of the establishment of Office of the Commonwealth and Defence Force Ombudsman in 1983.

The establishment of a Centre devoted to all aspects of law and the military is overdue. The Senate *Military Justice* inquiry in 2005 reflected that heightened interest in this aspect of Australia's national affairs. The Centre will fill a significant gap in our nation's coverage of its understanding of itself.

And now I invite the Minister for Defence Science and Personnel, the Honourable Warren Snowdon MP, the Federal member for Lingiari to perform the office of formally launching the Australian Centre for Military Law and Justice.