

Guidelines for Government Advertising

Introduction

- 1.1 On 29 October 1998 the Auditor-General tabled *Audit Report No. 12, 1998–99, Taxation Reform—Community Education and Information Programme*. On 10 December 1998, the Committee resolved to conduct an inquiry into the issues that had been raised in the audit report.
- 1.2 Invitations to provide submissions to the inquiry were advertised in the national press on 18 and 19 December 1998. As well, submissions were invited from the agencies that had been referred to in the audit report. The Committee received 29 submissions and 28 exhibits during the course of the inquiry. A list of submissions and exhibits can be found at Appendix A and at Appendix B.
- 1.3 The Committee subsequently held two public hearings on 17 March and 18 May 1999. A list of participants at the hearings can be found at Appendix C.

The Committee's draft advertising guidelines

1.4 In his report, the Auditor-General stated:

If the Parliament has concerns over the future usages of government advertising, it is primarily a matter for the Parliament and/or Government to develop and adopt appropriate guidelines that clearly define and articulate characteristics of government advertising which differentiate between Government and party-political material.¹

1.5 The Auditor-General included as an appendix to his report a draft set of guidelines.²

1.6 The Committee was unable to reach agreement on a full report into the issues arising out of the audit report. The Committee therefore resolved that it was not in the best interests of the Committee to produce majority and minority reports. Rather, the Committee chose to focus on the central issue arising from the audit report, being a new set of draft guidelines for government advertising.

1.7 In addition, Mr Cox argued that an objective test for the expenditure of public money on information and education campaigns should be incorporated in the guidelines to determine the threshold between what is party political and an appropriate expenditure by government. In particular:

- No expenditure of public money should be undertaken on mass media advertising, telephone canvassing or information services, on-line services, direct mail or other distribution of unsolicited material until the government has obtained passage of legislation giving it authority to implement the policy, program or service described in the public information or education campaign.
- Where a proposed public information or education campaign covers a matter which does not require legislation, an appropriation for the specific purpose of the public information or education campaign must be obtained.
- The only exclusions to these requirements are where major issues of public health, public safety or public order may arise at short notice.

1 Auditor-General, *Audit Report No. 12, 1998–99, Taxation Reform—Community Education and Information Programme*, AGPS, Canberra 1998, p. 30.

2 Auditor-General, *Audit Report No. 12, 1998–99*, pp. 57–60.

- 1.8 In addition, Mr Georgiou dissented from components of the guidelines entitled *Material should not be liable to misrepresentation as party political* on the following grounds:
- in a highly combative political system, materials which are totally non-partisan are open to misrepresentation as party political; and
 - the arrow points indicating the factors which are used to determine whether material can be perceived as ‘party political’ in this report do not provide a sufficiently clear and objective basis for assessing whether or not such a perception is valid.

Recommendation 1

- 1.9 **The Committee recommends that the Government adopt the Joint Committee of Public Accounts and Audit’s draft guidelines for government advertising.**
- 1.10 There were different views within the Committee regarding whether the guidelines should be legislated.

Guidelines for government advertising campaigns

Underlying principles

The fundamental principles governing the use of public funds for government information programs are that:

- ❑ all members of the public have equal rights to access comprehensive information about government policies, programs and services which affect their entitlements, rights and obligations. Access to information should only be restricted where its provision would jeopardise the national interest;
- ❑ governments may legitimately use public funds for information programs or education campaigns to explain government policies, programs or services and to inform members of the public of their obligations, rights and entitlements; and
- ❑ government information programs shall not be conducted for party-political purposes.

Guidelines

Material should be relevant to government responsibilities

In developing material to be communicated to the public:

- ❑ the subject matter should be directly related to the Government's responsibilities;
- ❑ consideration should be given to an information strategy as part of policy development and program planning; but
- ❑ information campaigns should:
 - not be instigated unless a need is demonstrated;
 - clearly identify target recipients; and
 - be based on appropriate research.

Examples of suitable uses for government advertising include to:

- ❑ inform the public of new, existing or proposed government policies, or policy revisions;
- ❑ provide information on government programs or services or revisions to programs or services to which the public are entitled;

- disseminate scientific, medical or health and safety information; or
- provide information on the performance of government to facilitate accountability to the public.

Material should be presented in an objective, fair, and accessible manner

The following guidelines are suggested to assist in determining whether the material communicated is presented in an explanatory, fair, objective and accessible manner:

- Information campaigns should be directed at the provision of objective, factual and explanatory information. Information should be presented in an unbiased manner.
- Information should be based on accurate, verifiable facts, carefully and precisely expressed in conformity with those facts. No claim or statement should be made which cannot be substantiated.
- The recipient of the information should, to a practical and reasonable extent, be able to distinguish clearly and easily between facts on the one hand, and comment, opinion and analysis on the other.
- When making a comparison, the material should not attempt to mislead the recipient about the situation with which the comparison is made and it should state explicitly the basis for the comparison.
- Special attention should be paid to communicating with any disadvantaged individuals or groups which are identified as being within the designated target audience.
- Particular attention should be given to the communication needs of young people, the rural community, and those for whom English is not a convenient language in which to receive information.
- There should be recognition of the full participation of women, ethnic and Aboriginal and Torres Strait Island communities in Australian society by realistically portraying their interests, lifestyles and contributions to Australian society. Care should be taken that this is not done in a stereotypic way.

Material should not be liable to misrepresentation as party political

- The dissemination of information using public funds should not be directed at promoting party political interests.

For the purpose of these guidelines, advertising for party political purposes is defined as any information involving the production and dissemination of material to the public which promotes activities, programs or initiatives of the Government in a politically partisan or biased manner.

Dissemination of information may be perceived as being party-political because of any one of a number of factors, including:

- what is communicated;
 - who communicates it;
 - why it is communicated;
 - what it is meant to do;
 - how, when and where it is communicated;
 - the environment in which it is communicated; or
 - the effect it is designed to have.
- Material should be presented in a manner free from partisan promotion of government policy and political argument, and in unbiased and objective language.
 - Material should not directly attack or scorn the views, policies or actions of others such as the policies and opinions of opposition parties or groups.
 - Information should avoid party-political slogans or images.
 - Material should not be designed to influence public support for a political party, a candidate for election or a member of Parliament.
 - Distribution of unsolicited material should be carefully controlled. All advertising material and the manner of presentation should comply with relevant law, including broadcasting, media, privacy and electoral law.

Material should be produced and distributed in an efficient, effective and relevant manner, with due regard to accountability.

- Information campaigns should be justified by a cost/benefit analysis. The nature of the campaign should be justified in terms of society's needs, efficiency and effectiveness, and there should be a clear audit trail regarding decision making.
- Care should be taken to ensure that media placement of government advertising is determined on a needs basis and targeted accordingly and without favour.
- Existing purchasing/procurement policies and procedures for the tendering and commissioning of services and the employment of consultants should be followed.

Bob Charles MP
Chairman
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