



## Dissenting Report – Senator Bob Brown, Australian Greens

The Electoral Matters Committee has thoroughly investigated the conduct of the 2007 federal election and developed sound recommendations on many issues.

### **Truth in advertising**

Another persistent problem in our electoral system that the committee has failed to tackle is truth in advertising, in particular, the lack of contemporaneous regulation and penalties for parties, groups or individuals who knowingly lie or distort the truth in advertisements and publications about candidates and their policies during election campaigns.

We saw the well-publicised, tawdry example in the 2007 election campaign of the Liberal Party member Gary Clark distributing bogus flyers in the seat of Lindsay to scare people into thinking the Labor party supported terrorists. The spreading of lies in this instance was a deliberate act to gain an electoral advantage. His actions did not result in any penalty against the Liberal candidate before the election and afterwards he was charged with producing an unauthorised pamphlet and fined just \$1100.

The Greens have also borne the brunt of attempts by political parties and third parties to unfairly smear their policies and candidates but there is little recourse for action against the parties before or after the election.

As the Australian Greens point out in its submission to the government's green paper on electoral reform:

Legislation to impose controls on political advertising and penalties for breaches would enforce higher standards, improve accountability and promote fairness in political campaigning and the political system generally.

The Greens advocate amendment to the Commonwealth Electoral Act to make it an offence to authorise or publish an advertisement purporting to be a statement of fact when the statement is inaccurate and misleading to a material extent, similar to legislation introduced in South Australia.

The committee should have addressed this thorny problem.

**Senator Bob Brown**