

August 16, 2004

Senator Forshaw
Chair
Finance and Public Administration Reference Committee
Parliament House
Canberra, ACT, 2600

Dear Senator Forshaw

Thank you for inviting me to make a submission to your enquiry.

In the time available, it was not possible for us to do a new submission on this – with only limited editing being possible.

We had previously dealt with these issues in a submission to the Finance and Public Administration Committee.

I would not change the position set out in our previous submission.

I would only add one comment – though more in sorrow than hope. The previous submission was made at a distance from both elections and controversial advertising campaigns. This enquiry enjoys no such distance and the main interest will be in partisan comments about who has abused the power to control government advertising or, sadly, who has abused it the most. It is 30 years since I first had the opportunity to vote in a federal election and it is obvious beyond repetition that accusations of the abuse of government advertising are made by each side against the other and that the prevalence of complaints has risen with the scale and gloss of government advertising campaigns. The amounts spent on government advertising between elections – and in some case in the lead up to elections, can dwarf the election spending by both parties at the ensuing election. Each side considers that the other has abused the power it has as government to provide spin rather than information. The logical conclusion is that both agree that a temptation exists and that at least one political party has given in to the temptation. One does not have to take sides and agree with one party – or to say that each are right about the other. One might observe that the more that one side of politics considers that the other has abused its power, the more it is likely to decide that it is OK.

I would thus conclude:

1. There is a temptation to abuse
2. There is a risk that governments will give in to the temptation
3. There is almost universal agreement that at least one party has given in to that temptation.
4. Any claim by one side of politics that they are too virtuous to give in to the temptation is unlikely to be widely endorsed. Those who reject such claims of virtue will include most opponents, most small party supporters, and most independents. Indeed, I suspect that some on the same side of politics will want their party to use government power to secure their own re-election and that the abuses by the other side legitimate what they see as no more than tit-for-tat.

I would argue that it is time to recognize that we need an institutional solution that puts approval of government advertising in the hands of an independent body as suggested in our submission. I recall the debates about gerrymanders that raged for most of the first century of federation. Each side had its own arguments about why what they did was OK and the other side was terrible. We have now largely taken redistributions out of the hands of politicians and put them in the hands of independent electoral commissions. It is one of those developments of our integrity system that are now completely accepted and which we trumpet to the world and occasionally provide useful and important assistance to fledgling democracies. I would like to suggest that the time is overripe for another development of our integrity system of which we can be retrospectively proud.

I would be very happy to appear before this Committee to expand on the points made in the submission.

Yours sincerely



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