

**SUBMISSION TO THE AUSTRALIAN SENATE, FINANCE AND PUBLIC
ADMINISTRATION REFERENCES COMMITTEE**

by

**Senator the Hon Eric Abetz
Special Minister of State**

As Chairman of the Ministerial Committee on Government Communications (MCGC), which has responsibility for overseeing Australian Government communication activities, I have a role in keeping Australians informed about matters which concern their benefits, rights and obligations. I am particularly keen to be involved in any investigation into the long established guidelines that provide the operating environment for the government's communication activities and the recent application of those guiding principles.

I will address my comments against the Terms of Reference:

a) the level of expenditure on, and the nature and extent of government advertising since 1996.

This Government has pursued an extensive programme of much needed reform since taking office in 1996. The most significant aspect of this reform has been the complete overhaul of the Australian taxation system. These far-reaching changes required significant communications with all members of the Australian community, from business of all sizes and their financial advisers, to wage and salary earners, people on Centrelink benefits, families with children and pensioners. Virtually anyone who has financial dealings of any sort required appropriate, targeted information.

The government has also overseen changes to employment services, youth study and employment opportunities as well as welfare reforms and our strong commitment to helping the Australian environment. This, coupled with social education programmes in health, aged care and national security, has resulted in an active communication strategy to ensure that the people of Australia have appropriate access to information about the myriad of programmes, policies and activities which affect their rights, benefits and obligations.

Communication activities are based on independent research and use media selections that have been identified as the most likely to succeed for each individual campaign. That said, it is still necessary to have a certain degree of media neutrality. For that reason, campaigns will generally employ a mix of media types. This has been demonstrated to consistently deliver better results than the use of only one media type. There is no media bias and no 'playing favourites' with particular networks or publishers.

Since 1996-97 the Australian Government has committed \$929 million to government information programmes. This pales in comparison with State government expenditure that, from 1996 to 2003, has totalled \$2.15 billion.

In the eight years prior to 1996 the Federal Labor government spent \$508.2 million in advertising programmes, which in real terms is the equivalent of \$694 million in today's dollars. Labor's expenditure was for information activities such as Defence Recruitment, Youth Training and New Start programmes, promotion of the Commonwealth Employment Service, AIDS awareness, Alcohol, Illicit Drugs, Medicare, Breast and Cervical Screening, Mental Health, Tobacco, the PBS, Citizenship, Aboriginal Reconciliation, Quarantine, Global Warming, Superannuation, Family Allowance, the JET, Aged and Families programmes, Disability Reform Package, Buy Australian, a Referendum and elections, Tourism, Recycling, Lead in Petrol, Road Safety, the Tax File Number Amnesty, the Census, Industrial Relations Reform and Working Nation.

Australian Government Campaigns since 1996 by comparison have included Defence Recruitment, Apprenticeships and Job Net, Alcohol, Illicit Drugs, Medicare, Breast and Cervical Screening, Immunisation, Tobacco, the PBS, Private Health Insurance, Citizenship, Quarantine, Greenhouse Emissions, Superannuation, Family Assistance and Aged Care initiatives, a Referendum, Constitutional Convention and elections, Oil recycling, the Census, Telstra Sale, National Security, and Reform of the Taxation System.

The nature of information activities is largely similar. The difference in expenditure, of roughly \$235 million, is substantially the result of informing Australians about the reforms to the taxation system.

It is notable that critics of the Government's current information program have been loathe to actually nominate campaigns that they would eliminate if they were in a position of power to do so. On the contrary, they have been at pains to state that Government advertising is important. Yet the apparent contradiction between their 'in principle' support and their opposition to the practical application of that support remains unresolved.

From the list above, it is clear that the content of Government campaign differs very little between Governments. Thus, if content is not the issue, the only objection could be based on either quantum, which is roughly comparable, or style, which is a matter of individual taste and hardly an objective criteria upon which to base a judgement. Indeed, in the latter case, the critics' views are inimical to good government, because all campaigns are independently pre-tested to ensure that the community receives the appropriate message.

For critics to seek to substitute their judgement about what is "good" and "effective" in a commercial over those who will actually be the key recipients of the message is not only intellectually arrogant, but would represent a waste of taxpayers money because the message would inevitably be diminished in the final execution.

If the critics believe that our advertising is a waste, they should be required to objectively critique the following specific campaigns and state whether campaigns should be run on:

- ❑ **Defence force recruitment** – the biggest single item at around \$25m per year;
- ❑ **Superannuation initiatives** – Labor has already promised to run TWO ad campaigns on superannuation if elected (ALP National Platform 2004, p.56-57);
- ❑ **Quarantine** – protecting Australia from diseases seems a reasonable thing to do;

- **Regional telecommunications** – informing people in rural and regional Australia about their rights and the existence of a Telecommunications Ombudsman;
- **New Apprenticeships** – encouraging the 70% of children who do not go to university to seek vocational training, and getting employers to support them in their decision by offering apprenticeship places;
- **Smarttravel** – advising people about the dangers of some overseas destinations;
- **Citizenship** – we want to encourage more people to become citizens of this country. Do our critics?
- **Medicare** – How would our critics have informed all eligible families to register for the safety net without sending out the registration forms in an explanatory booklet?
- **Anti-Tobacco** – surely even our critics would support this initiative.
- **Elimination of Violence** – Labor criticized us when we did not spend this money (Nicola Roxon, 7/3/2004); now they seek to criticize us when we do.

Indeed, what is the view of our critics on Labor's proposed advertising campaigns on:

- **Mentoring campaign** – uncosted – (ALP policy statement, 29 April 2004)
- **'Active Life' campaign** – \$2.5 million – (ALP policy paper 014, p.12)
- **'Healthy Eating' campaign** – \$2.5 million – (ALP policy paper 014, p.11)

If our critics support these Labor campaigns, then what is the objective measure of differentiation between what the Government currently does and what our political opponents would seek to do? Or are the attacks on the current Government information campaigns merely partisan political attacks?

b) the process involved in decision making on government advertising including the role of the Government Communications Unit and the Ministerial Committee on Government Communications.

In broad terms, the process is covered by the *Guidelines for Australian Government Information Activities: Principles and Procedures*, implemented in 1995 by the previous Labor Government and unchanged since that time.

Funds are approved for a communication activity by the relevant Minister who also approves the campaign requirement. The relevant department holds discussions with the Government Communications Unit (GCU) to develop the communication strategy and consultant briefs. The GCU compiles a list of suitable consultants drawing on its database of consultants who have registered their interest in undertaking government work. The relevant Minister approves all elements and the strategy, briefs and lists of consultants are then considered by the MCGC. Select tender processes are undertaken, creative advertising materials tested to determine their ability to achieve the communication

objective, and the evaluation panel usually recommends two preferred consultants to present to the MCGC for selection.

The MCGC closely monitors creative development of the campaign including subsequent testing of materials to ensure they are capable of appropriately achieving the communication objective. Where facts and data are included in advertising the Committee seeks the department's assurance that all details are verifiable, accurate and not liable to mislead. For example, the 'Superannuation Co-Contribution' campaign's draft creative contained a graphic device that presented an unrealistic view about the net result to a person of the program, so the MCGC asked that it be modified to reflect a more accurate level of expected return.

The Committee also considers the media strategy and plans compiled by the Master Media Planning and Placement agency, and manages the overall performance of the Master Media agency.

The GCU assists by overseeing the planning processes to ensure policies for communicating with special audiences (such as indigenous and NESB) are met, that there is appropriate media use and that relevant authorisations and clearances are applied. The GCU and MCGC also check materials for cultural sensitivities that may be overlooked by the department.

c) the adequacy of the accountability framework and, in particular, the 1995 Guidelines for government advertising, with reference to the relevant reports, guidelines and principles issued by the Auditor-General and the Joint Committee of Public Accounts and Audit.

The 1995 Guidelines for Australian Government Information Activities: Policy and Procedures provide an appropriate framework for government communication activities. They were developed by the previous government and are more comprehensive than most other guidelines under the References Committee's consideration.

An earlier efficiency audit by the Auditor-General (Report No 30 of 1994-95) closely scrutinised the processes followed by the GCU's predecessor organisation, the Office of Government Information and Advertising (OGIA) and found that advertising activities were well managed. The ANAO recommended some improvements to efficiency and these were generally all implemented, the only exceptions being those that were considered to involve undue administrative complexity or were unnecessary. Since that time, the only significant change is that contracts with creative advertising agencies are now managed directly by departments rather than the GCU.

The new guidelines proposed by the Auditor-General overlook a number of key elements contained in the 1995 Guidelines that are desirable to retain in a formal sense. These include the attention to Special Audiences, MCGC processes, targeting campaigns at an appropriate level for the task and the principles of fairness and equity that guide the government's relationships with the community.

The primary focus of both the Auditor General's proposed Guidelines and those of the JCPAA are that government advertising should not be, and should not be seen to be, in

any way party-political. However, it goes even further and says that government advertising should not be liable to misrepresentation as party political. On this issue, I contend that officials should not be put in the position of determining what is or is not, or even what may be "misinterpreted" to be, party-political. This is, ultimately, a matter for the parliamentarians and the people of Australia to determine. As Mr Georgiou stated, in his dissenting statement to the body of the JCPAA report:

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 factor which are used to determine whether material can be perceived as 'party political' in this [JCPAA] report do not provide a sufficiently clear and objective basis for assessing whether or not such a perception is valid.

Thus, if the ANAO/JCPAA recommendations were to be implemented, officials would be required to certify that each element of any information campaign could, in no way, be misinterpreted as 'party political', yet that official would have no objective criteria to support their decision for any such certification.

The broader problem is, as Mr Georgiou points out, virtually anything could be misinterpreted as party political. Even seemingly innocuous and bipartisan campaigns could become the subject of political controversy. For example, doctrinaire pacifist parliamentarians could claim that something as accepted as 'Defence Force Recruitment' is "party political" because it reinforces a view of Australian defence – i.e. armed forces – which is at odds with their own view. Another seemingly innocuous example is the 'Tough on Drugs' campaign that carries an overtly anti-marijuana message, despite the fact that there are some parliamentarians who actively support the decriminalisation and use of that drug.

Thus, any Government official effectively stakes their reputation and career on the probability that no MP will criticise, either with or without justification, that particular advertising campaign. That is not a recipe for good government, it is a recipe for the elimination of all Government information campaigns whatsoever.

The proposed ANAO/JCPAA guidelines provide what might be seen as an unnecessarily strong emphasis on ensuring that information does not seek to impart any emotional content, but must be clinical and "carefully and precisely expressed in conformity with those facts". In my experience as chair of the MCGC, it is necessary to acknowledge that clinical and factual information can also be highly emotional. They are not mutually exclusive.

For example, the 'Childhood Immunisation' campaign, featuring little baby Nathaniel suffering from whooping cough, would have been far less effective without the strong emotional (yet fully factual) pull of seeing the effect of the illness on vulnerable infants when parents neglect their immunisation responsibilities. Again, the 'Tough on Drugs' campaign with the 'Lost Dreams' theme provided a strong emotional, yet realistic, call to parents to talk to their children about the dangers associated with illicit drug use. And these same tactics were used by the Federal Labor government in campaigns such as road safety and AIDS.

Communication styles need to be appropriate for the task at hand. They have to capture the audience's attention in a cluttered advertising environment. While details must always

be accurate, factual and not misleading, it is inappropriate to so sanitize the messages that the communication becomes little more than an audio version of the Government Gazette.

Additionally, it is important that there be a strong and clear call to action in any campaign. One of the most disagreeable features of much of the State Government advertising is its vacuous, 'feel-good' nature. The most blatant example of was the 'Government School' campaign run by the State Government of NSW, which simply contained 'happy' images of young children, a music overdub of the song 'Teach Your Children Well' and no call to action whatsoever.

In my view that the ANAO/JCPAA proposals, as written, are unworkable and the 1995 Guidelines are sufficient.

It is also worth noting that the State Labor Governments in NSW and Victoria adopted advertising guidelines for their own communications activities in late 2002. In doing so they both appear to have consciously adopted the wording Australian Government's 1995 Guidelines for their own information activities, rather than adopt those in the ANAO/JCPAA reports. In other words, these two State Labor Governments chose to model their own guidelines on the Australian Government Guidelines, not the ANAO/JCPAA recommendations, despite the fact that these recommendations had been public documents for two years.

- d) the means of ensuring the ongoing application of guidelines based on those recommended by the Auditor-General and the Joint Committee of Public Accounts and Audit to all government advertising.**

As I have commented above, I do not believe the ANAO/JCPAA guidelines meet the requirements of any government. It is a matter for Departmental senior executives to have primary responsibility for ensuring compliance with government policies and processes. It would be appropriate for the MCGC to have overview responsibilities and the GCU to play a day-to-day role in monitoring and facilitating compliance with the guidelines.

In addition, there are already numerous formal processes for review in the form of ANAO and parliamentary scrutiny to ensure that the new guidelines are appropriately adhered to.

- e) the order of the Senate of 29 October 2003 relating to advertising projects, and whether the order is an effective mechanism for parliamentary accountability in relation to government advertising.**

I am of the view that through the ANAO, Parliamentary Questions and Parliamentary Committees, there are already sufficient accountability processes. Any additional, extensive layer of reporting is an unjustifiable demand on the Executive. Senator Hill clearly put the government's position when he replied to the Senate on 12 February 2004:

The government has been and continues to be committed to transparency in government advertising and public information projects and has worked to provide the Senate with comprehensive information through mechanisms such as the Senate order on departmental and agency contracts, commonly called the Murray motion, through agency and

departmental annual reporting arrangements and through the gazettal of contracts on the Internet.

The scrutiny of government by the Senate through questions on notice and Senate estimates hearings are also important ways in which details of particular and topical issues are made public, and the government continues to support these approaches as important methods of accountability to the parliament, particularly where the public interest is served. These mechanisms allow detailed information about the cost of government advertising campaigns to be made publicly available. Government support for these mechanisms has seen a high level of compliance and progressive improvement in the information reported. The order also seeks an opinion as to whether campaigns comply with guidelines to government advertising recommended by the JCPAA in its report No. 377 of 4 October 2000. Those guidelines were the subject of dissent within the committee on the grounds that they would require *inter alia* that officials would have to make assessments as to whether or not advertising material was liable to misrepresentation as party political. The government has not adopted these guidelines and continues to observe the 'Guidelines for Australian Government Information Activities' that were adopted by the previous government in February 1995. The government continues to support a broad approach which allows detailed scrutiny and accountability but avoids duplication and unnecessary complexity and cost. Therefore our position is that the existing levels of scrutiny should continue and will be underpinned by the former government's 1995 guidelines in relation to implementing government communication activities.

Nothing has occurred since Senator Hill made those comments to change my view.

Thank you for the opportunity to participate. I will be making a supplementary submission based on submissions already received by the Committee in the near future and I, of course, will be happy to appear before the Committee should this be required.



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