

Agreement in Principle

Mr BARRY O'FARRELL (Ku-ring-gai—Leader of the Opposition) [10.15 a.m.]: I move:
That this bill be now agreed to in principle.

This is a simple piece of legislation, which all members of the House should support. The Government side should support it, because former Premier Carr promised this legislation in the lead-up to the 1995 election. Yesterday we received through Freedom of Information the latest details of the State Government's advertising expenditure for the 10 months to the end of April this financial year—\$90 million. In the lead-up to the election, \$10 million a month was being spent by this Government using taxpayer funds to promote itself in the best possible light.

No doubt, many in the community, not just those on this side of politics, saw those ads for what they were—blatant political advertising designed to make people feel good about the Government, advertising designed to get Labor back across the line. In that sense, this legislation is all the more necessary because people will look back on this election campaign and the spending by this Government of \$90 million over 10 months—\$10 million a month—and say it worked. That is why in the first instance this legislation should be supported, because it will provide some comfort to taxpayers.

To give an idea of how big that media spend is, Coca-Cola reportedly spends around \$30 million a year advertising its product. So, in 10 months the lemma Government spent three times that amount. McDonald's, the all-pervasive fast food chain, spends in the order of \$55 million a year in advertising its product, and the Government will in the course of this financial year spend twice as much as McDonald's in promoting itself. The Premier's priorities are wrong when he is spending more than companies like Optus, Fosters, all the major banks, Toyota, Ford, Sony, David Jones, Kellogg's and Qantas. He is only doing it to make his party look good.

This is an age-old debate in this place—it ought to be given some focus. It will be given some focus by this legislation. The legislation will allow members on the Government side an opportunity to support this proposal, which originates from within the Australian Labor Party. In the lead-up to the 1995 election Bob Carr vowed that:

? a Labor government would not allow the blatant use of taxpayer money to be used for political messages under the guise of government advertising.

He promised this legislation. He never introduced this legislation. On three previous occasions over the life of the past three parliaments the Opposition introduced the legislation promised by Bob Carr and each time it has failed to receive the support of those on the Government side. Throughout that time this Labor Government has spent a billion dollars of taxpayers' funds on government advertising, money that could have been spent on far more important processes. I made the point in the House yesterday that the \$90 million spent in the first 10 months of this financial year would have completely eliminated the Government's priority list of railway level crossings. It could have upgraded the safety of those level crossings to active safety standards, the standard being sought by RailCorp, the standard that is being demanded by government. Instead, it decides to spend that money on its own political aspirations. This Government will never let the public interest get in the way of its own political and selfish self-interest.

This legislation deserves to be supported by those opposite because it is the same sort of legislation currently promoted by the Federal Labor leader, Kevin Rudd. Labor members of this House will have an opportunity to send a signal to the wider electorate when this matter comes up for debate the next time Parliament sits as to whether Labor nationally in 2007 is going to be as good as its word in 1994-95. The former State Opposition leader, Bob Carr, promised legislation at his election campaign in 1994-95, with no intention of honouring that promise afterwards.

Labor members of the New South Wales Parliament can send a message to the wider community in New South Wales and across Australia to show that Labor really supports legislation that seeks to give the Auditor General a role in scrutinising and overseeing government advertising and handling complaints. This proposal does that, as does Kevin Rudd's, and Bob Carr's proposal in 1994-95 did. I am delighted to be able to give those opposite an opportunity to not only live up to a pre-1995 election promise but also to place on record before the 2007 Federal election campaign whether Labor genuinely supports its Federal leader Kevin Rudd in relation to controls on advertising.

From time to time, those opposite seek to duck this debate by talking about other jurisdictions. I was always taught that two wrongs do not make a right. If there has been misuse of government advertising in New South Wales for political purposes, as there was in the lead-up to the State election campaign, and if \$1 billion has been spent on government advertising over the term of this Government, it speaks about the priorities of the lemma and Labor governments over that period. It also speaks about a waste of money when this financial year, on current projections, we are expecting to receive a deficit. That money could have eliminated the backlog of school maintenance in schools across the State. That money could have addressed safety issues, in the railways or other areas. That money could have been used in myriad areas across State administration.

This legislation is simple: it seeks to give the Auditor General the power to monitor the guidelines in relation to government advertising. It enables the Auditor General to order a public authority to stop dissemination of government publicity in certain circumstances, and it may order that a political party pay back the amount of expenditure on government publicity for political purposes incurred by a public authority where that party is held to be responsible for the publicity. In other words, this legislation would save the Labor Party the \$10 million a month spent on the lead-up to the State election campaign. Where is the money? The Government should give a cheque back to the taxpayers of New South Wales.

This legislation will enable the Auditor General to require a public authority to submit a report to him detailing expenditure on government publicity. The bill will enable members of the public who have complaints about government publicity in advertising to make complaints to the Auditor General in relation to that publicity and advertising and for the Auditor General to conduct an inquiry into the complaint. The Auditor General will be required to report annually to the Parliament in relation to these matters. The bill also sets guidelines for government publicity and those guidelines are reasonably simple. First, that government publicity should be accurate, factual and truthful; factual information should be outlined clearly and accurately, commented on and the analysis of the information to amplify its meaning should be indicated as such. Second, government publicity should be fair, honest and impartial, and the material should be presented in an unbiased and objective language and in a manner free from partisan promotion of

government policy and political arguments. Third, government publicity should be lawful and proper; the material should comply with the law.

These are important safeguards; they put transparency and some accountability into the process. They are designed to ensure that New South Wales taxpayers' funds are not misused by any government of any political persuasion for purposes that are simply designed to suit the party in power. In bringing this bill I say again that it is not only a test of this new Parliament in relation to these matters but it is also a test of Labor members in this House as to whether they support their Federal leader who is proposing similar measures. Opposition or defeat of this bill in this Chamber will send a clear signal to New South Wales residents and to the whole of Australia about what could be considered hypocrisy of the Labor Party where a leader says one thing and does another. We got used to that in this State under Bob Carr, who always said one thing and did another, and we are seeing it with the current Premier. This will give us a chance to see whether these Labor members are prepared to back their Federal leader or whether they will repeat the mistakes of the past.