



NICK XENOPHON
Independent Senator for South Australia
AUSTRALIAN SENATE

Our ref: NC – M/HW

Mr Ian McPhee PSM
Auditor-General for Australia
Australian National Audit Office
GPO Box 707
Canberra ACT 2600

Dear Auditor-General

RE: Advertising campaign by the Australian Government

I refer to the Government's print and electronic media campaign in Australian media outlets, following the announcement by the Prime Minister on 19 July 2013 in relation to unauthorised maritime arrivals.

I note the text of the newspaper advertisement states:

*If you come here by boat without a visa
YOU WON'T BE SETTLED IN AUSTRALIA.
For more information call 1300 724 010
www.australia.gov.au/novisa*

I refer to the March 2010 *Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies*, issued by the Department of Finance and Deregulation's Financial Management Group.

I would be grateful if you could investigate, as a matter of urgency, whether the campaign referred to breaches these guidelines, or indeed any other guidelines or legislation.

In particular, I would be grateful if you could consider the following:

1. The Independent Communications Committee is required to consider campaigns and provide advice where a campaign is valued at more than \$250,000. I presume this is clearly the case for this campaign, given the volume of advertising to date.
2. The Special Minister of State can exempt a campaign from these guidelines on the basis of a "national emergency, extreme urgency, or other compelling reason". Could you please indicate whether your office has the power to look behind the veracity of any exemption?

3. The Underlying Principles referred to in the Guidelines make reference to the fact that "governments may legitimately use government funds to explain government policies, programs and services... to encourage informed consideration of issues or to change behaviour". The Guidelines also make reference to the fact that "government campaigns must not be conducted for party political purposes".
4. The advertisements are directed at people smugglers and irregular maritime arrivals. Do the Underlying Principles apply when the target audience is not Australian citizens or people within Australian territories, and therefore unlikely to be reached by Australian media outlets?
5. I refer to Principle 1 of the Guidelines. I query whether the policy or program has, to date, been underpinned by legislative authority, or appropriation of the Parliament, or a "Cabinet decision which is intended to be implemented by the current Parliament".
6. Given the Prime Minister has appeared in some of the advertisements, I also query whether this could be considered to be party political in nature, and be in breach of Clause 28(d) of the Guidelines.
7. I also note Principle 4 states that campaigns "should only be instigated where a need is demonstrated, target recipients are clearly identified". I ask how a target audience of people smugglers and irregular maritime arrivals could possibly be an audience in these circumstances.
8. There is also a requirement in Clause 25 that "campaign material should be tested on target audiences". I ask whether this has taken place, and whether this suggests that the target audience is consumers of Australian media, or people smugglers and irregular maritime arrivals.

I am happy to provide further information if required, and please do not hesitate to contact me directly if you would like to discuss this further.

I look forward to hearing from you at your earliest convenience.

Yours sincerely



NICK XENOPHON

22/07/ 2013