

An Open Letter to the Parliament of Australia calling for truth in political advertising laws

Dear Australian Parliament

Each election has seen more allegations of false and misleading advertising and online misinformation than the one that preceded it.

Now, politicians of all political parties have acknowledged that something needs to change.

Regulating the truth is not impossible.

Last year, the Australian Capital Territory passed truth in political advertising laws with the unanimous support of Labor, Liberal and Greens parliamentarians. The laws are based on South Australia's laws, which have operated successfully since the 1980s.

The Australia Institute's research over five years shows that nine in 10 Australians want Parliament to pass truth in political advertising laws, with virtually no difference between Coalition, Labor, Greens and One Nation voters.

Australians want advertising to be truthful and transparent.

They expect the media to self-regulate, but they also want laws that would penalise misleading and deceptive political ads with fines, forced retractions or loss of public funding. The COVID-19 pandemic has highlighted the importance of Australians having confidence in their leaders and political institutions.

But we face an upcoming federal election in which fake news and misleading claims about political opponents will only further erode trust in government.

We urge you to pass truth in political advertising laws that are nationally consistent, constitutional and uphold freedom of speech.

The Hon David Harper AM QC

Former judge, Supreme Court of Victoria Court of Appeal

The Hon Anthony Whealy QC

Former judge, Supreme Court of NSW Court of Appeal

Nicholas Cowdery AO QC FAAL

Former Director of Public Prosecutions, NSW

Geoffrey Watson SC

Barrister and Director of the Centre for Public Integrity

Robert Richter QC

Barrister; former Chairman of the Criminal Bar Association; former President of Victorian Council of Civil Liberties

Professor Charles Sampford

Foundation Dean of Law and Research Professor in Ethics, Griffith University; Director, The Institute for Ethics, Governance and Law; Barrister

Dr David Morawetz

Founder and Director, Social Justice Fund

Professor Graeme Orr FASSA, FAAL

Professor, UQ Law School

Professor Meredith Edwards AM

Emeritus Professor, Institute for Governance and Policy Analysis, University of Canberra

Professor Spencer Zifcak

Allan Myers Chair of Law/Professor of Law, Australian Catholic University

Dr Klaas Woldring

Former Associate Professor, Southern Cross University

Professor Kate Auty

University of Melbourne

Professor Peter Doherty AC

Nobel Prize in Physiology/Medicine 1996; Australian of the Year 1997; Laureate Professor

The Hon Dr Carmen Lawrence

Former Premier of Western Australia; former Federal Cabinet Minister

Dr John Hewson AM

Crawford School, Australian National University; former Leader of the Opposition

The Hon Kevin Rozzoli AM

Former Speaker, NSW Parliament

Cheryl Kernot

Former Leader, Australian Democrats; Fellow, Centre for Social Impact

Caroline Le Couteur

Former Member of the ACT Legislative Assembly

Professor John Langmore AM

Former Member for Fraser; Professorial Fellow, School of Social and Political Sciences, University of Melbourne

Dr Fergus Green

Lecturer in Political Theory & Public Policy, University College London

Emeritus Professor Julianne Schultz AM FAHA

Founding editor, Griffith Review; Professor, Griffith Centre for Social and Cultural Research

Professor Lisa Hill FASSA

Professor of Politics, Politics and International Relations, University of Adelaide

Dr JF Pixley

Honorary Sociology Professor, Macquarie University

Lisa Forrest

Olympian and Author

Tony Windsor AM

Former Member for New England

Cathy McGowan AO

Former Member for Indi

Maxine McKew

Hon Enterprise Professor University of Melbourne

Sally McManus

Secretary, Australian Council of Trade Unions

Gordon Ramsay

CEO, Alliance for Gambling Reform

Fiona McLeod AO SC

Chair, Accountability Round Table

Alice Drury

Senior Lawyer, Human Rights Law Centre

Bill Browne

Senior Researcher, Australia Institute Democracy & Accountability Program

Eva Cox AO

Adjunct Professor, Jumbunna Institute for Indigenous Education & Research

Dr Valarie Sands

Chair, Australian Citizens Against Corruption; Member, Accountability Round Table

Angela Smith

Member, Accountability Round Table

Ross Knowles

Chairman, Ethinvest

Dr Cameron Hazlehurst

Chairman, The Ethicos Group

Joshua Jones

Barrister

Kiera Peacock

Partner, Marque Lawyers