

comms declare



SUBMISSION

Senate Inquiry into
Greenwashing

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Comms Declare thanks the Senate Standing Committee on Environment and Communications for taking new submissions for the Greenwashing Inquiry.

In addition to our previous submission (72) we offer information on a gas-sponsored series in News Corp newspapers, which we believe warrants further investigation.

It relates to the Terms of Reference point (e) 'legislative options to protect consumers from greenwashing in Australia' and 'the role of corporate sponsorship and advertising by fossil fuel companies and their commercial arrangements with media organisations.'

In early December 2024 News Corp published a week-long series of stories across mastheads including The Daily Telegraph and The Courier Mail in print and online. The series comprised stories overwhelmingly sympathetic to gas industry concerns, including:

- promoting the need for increased gas supply and new gas projects; and
- the negative implications of a shortfall in gas supply, including rising energy costs and the potential for widespread blackouts.

The gas stories were described as being 'proudly sponsored by APA, Tamboran Resources, Santos, Jemena'. This disclosure appeared in the later pages of the publications.

However, in at least four cases, front page stories were published without any front page disclosure of the sponsorship, which Comms Declare asserts is a likely infringement of Australian Consumer Law.

Comms Declare made a complaint about the series to the Australian Press Council (APC). On 15 April 2025, APC published its adjudication determining that News Corp did not breach its Standards of Practice, but also stated that News Corp preferably would have given more prominent disclosure to the sponsorship of the front pages.

Comms Declare subsequently commissioned legal advice on the series and have written to the Australian Competition and Consumer Commission (ACCC) with our concerns. The letter is attached in Annexure A.

In the letter, Comms Declare submits that the gas stories are likely to infringe sections 18 and 29 of the Australian Consumer Law on the following basis.

- The front pages are misleading because they are presented as independent journalism, where in fact they are sponsored by the fossil fuel industry. This is a contravention of ACL sections 18 and 29(g).
- The gas stories are misleading and are greenwashing because they make false, incomplete, and unbalanced claims about the necessity for, and role of, gas supply for Australian domestic energy supply and the transition to renewable energy. This is a contravention of ACL sections 18 and 29(l).

We believe, given the commercial nature of the sponsorship, that the News Exemption does not apply. The exact terms of the agreement between News Corp and the sponsors, we believe, warrants further investigation.

Advertising or Editorial: The Case for Oversight

We respectfully ask the Inquiry to investigate regulations around 'sponsored content', also known as 'advertising features' or 'native content'.

Native content advertising has grown significantly in the last two decades and is a valuable source of funds for news outlets across print, digital and broadcast.

To command higher fees, some publishers are allowing native advertising to further intrude into news and editorial content - leaving consumers increasingly unaware of the influences at play and degrading trust of media.

The Committee questioned Channel 10 about such an example at its hearing in June 2024 in which, sponsored segments from gas lobbyists started running that were "made to look exactly the same as the headlines and using the 10 News sets" (Meade, A).

Native advertising appears to fall in a gap between laws, regulations and codes of conduct - which are traditionally aimed at either advertising (eg; Australian Consumer Law) or journalism (eg APC Code of Conduct, Broadcasting Services Act). The "sponsor" is clearly paying to influence the news content but the publisher maintains that influence does not exist.

This form of advertising provides a ready path for biased commercial interests to present greenwashing and misinformation. Several studies have shown that native advertising is recognised as advertising by less than 1 in 10 readers. Even those that notice the sponsorship disclosure are persuaded by the content - and do not register that it is misleading (Amazeen, M).

The sponsorship deals also appear to influence news content. Some research points to sponsorship resulting in "agenda cutting", where journalists and editors give less coverage to particular advertisers or contentious issues (such as climate change) because of a perceived conflict of interest with media owners or commercial interests. (Buchmeier, Y) This is more subtle than censorship and harder to regulate.

As per our first submission, we maintain that only tobacco-style bans on fossil fuel advertising and sponsorship will stop greenwashing and misinformation from coal, oil and gas companies and help Australia successfully move to a clean, green economy.

Thank you for your attention to this matter. We are ready to assist the Inquiry in any way.

Belinda Noble

Founder and CEO

Comms Declare

Meade, A. (2024) Channel Ten running 'premium' ads for gas lobby that appear to be part of news bulletin, senators told, 7 June

Amazeen et al (2018) The effects of disclosure format on native advertising recognition and audience perceptions of legacy and online news publishers, Journalism, 7 February

Buchmeier, Y (2025) Agenda Cutting, Elgar Encyclopedia of Political Communication

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CHANGING THE INFORMATION CLIMATE

Comms Declare promotes sustainable communication, and is dedicated to shifting the narrative around climate action. We exist to reduce the social licence of climate polluters and champion those that integrate sustainability into their communications practice.

At our core is our unwavering belief in the power of communications to create cultural change and shape a safer, healthier future for each of us and our planet.

We represent dozens of communications agencies and hundreds more professionals across advertising, marketing and media.

Comms Declare is a registered charity and member of CANA.

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