

Integrity Commission Reform of Lobbying

Sat 11/06/2022



Thank you for the opportunity to comment.

I've delayed making this submission swinging between "what's the point, are you going to really listen" and "just do it anyway".

My submission is from two different perspectives: one as a public servant of 35 years and ;two as a ratepayer in recent years affected by questionable Council decisions that I strongly suspect were influenced by lobbyists although this is impossible to verify due to lack of transparency at the Council in question.

I'll outline how the current local government processes and poorly understood roles and responsibilities of Officers and elected members leave Councils firstly largely unaware of how bad they are and secondly left open to claims of bias and corruption.

The solutions are varied but a big part of the solution is just making officers in particular aware of a basic tenant of their role as being UNBIASED and that they are paid by ratepayers to provide this unbiased advice to elected reps in order that all ratepayers are served. Elected reps are elected by ratepayers to make unbiased decisions in the interest of all ratepayers.

There were always lobbyists even as long ago as 1980 when I began my career in local government. I think in those days lobbying was more 'innocent', ad hoc , they were just trying to raise the issues as they saw things. I watched that change gradually until near the end of my career the role was much more aggressive involving chain emails to elected representatives, social media pressure and an attitude of never seeing the other side of issues. Because of course nearly every problem and solutions has pros and cons associated but the fanatical lobbyist doesn't want to see it that way.

Now I see that within Councils there are officers who are unashamedly biased towards something. For example, there are anti car, pro bicycles, pro motorcycles, pro native trees/shrubs and so on. These officers are sought out by lobbyists who cultivate friendships with officers which puts officers who are weak in potentially difficult positions. If the officer does have the fortitude to write a report not recommending what the lobbyist wants, boom the behind the back emails/calls/social media posts go to elected reps.

This kind of potential threat that lobbyists can hold over officers and politicians often sways how an officer writes their report and on how politicians make decisions. Ie both have an eye out for what might upset the lobbyist.

The issue of bias is very poorly understood by public servants in my experience. I once watched an issue of the ABC The Drum on the topic of bias in the media. A bright young Associate Professor of Journalism from a Queensland University went on at length that everyone has biases including journalists and that is good because it brings passion etc etc. . I was almost going to turn off the program in disgust when this great old grizzly senior ABC news editor , another panelist, got a say. He basically said there is no room for bias in journalism and that he could take any young journalist aside and teach them everything they needed to know about bias in journalism in 30 minutes!! I

gave him a standing ovation!!!. So that's the sort of problem we face in public life now, bias in all sorts of areas is not understood and it is actually encouraged by no less than an associate professor of journalism teaching young people aspiring to be journalists.

The other issue that masks bias is lack of transparency in Councils in Tasmania.

Often Hobart metro Councils make decisions that are quite high cost and/or high impact on stakeholders without proper consultation and incredibly to me, without an Officer report to Council. I've had two occasions where projects affecting the amenity of our property did not have reports sent to Council. So, there was no transparency showing the problem being addressed, the alternatives considered with pros/cons, stakeholders impacted, and who had been consulted.

I'm not sure what the consultation process in this Integrity Commission study is. There are outstanding examples of community engagement that I've seen in recent times where every single contributor can see their comments, other's comments, an analysis of the issues raised, and then a draft report and recommendations AND a further chance to make comment on the draft before a final report with recommendations.

The poorly performing organisations keep doing their consultation like this. Put out a glitzy brochure etc on the topic with a biased set of recommendations that sway contributors who tend towards agreement unless they are directly impacted by the proposal. The Council thus conveniently divides the community with the majority in favour of the Council's proposal and the minority 'nimbies' written off as such and powerless to have a proper say.

Anyway, this is the poor state of things in local government. I don't know what happens at State and Federal levels but I'd wager it is similar. Policies made up on the basis of popularity always with a mind to reaction from social media and from lobbyists.

I recall Paul Barry's biography of Kerry Packer, one of the most powerful figures in Australian life, where he wrote that Packer had no need of employing lobbyists because politicians were so shit scared of him that they framed policy and decisions around what they knew would be acceptable to him. That is true power.

The only way to overcome this is transparency. A clear methodology of problem definition, evidence, analysis of policy options including pros/cons and all within inclusiveness particularly for directly affected stakeholders.

A lot of the comments above are a local government viewpoint. Because most of Council projects are minor, Councils get away with biased, incompetent processes.

How one overcomes this I don't know. I doubt if your study can improve it.

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