

Mon 6/06/2022

I'm pleased that responsibility for administering the existing Tasmanian Lobbyist Register and the Lobbying Code of Conduct is being transferred to the Tasmanian Integrity Commission in July this year.

Ever since I became aware of retired or unseated MP's and ex-ministerial advisors seemingly moving from government seats or appointed positions after elections and virtually the next day becoming lobbyists, seemingly to the highest bidder, leaving the public in the dark as to their motives, intentions or, even who they are lobbying for.

It's long been a concern to me that this secretive and in-house lobbying of elected and appointed officials could easily be corrupted by unscrupulous operatives, be they lobbyists, public servants, ex-advisors or even politicians and the only oversight of their practices being the government of the day.

Even the OECD survey demonstrated that lobbyists and indeed, legislators, agreed that lobbying transparency would " help alleviate actual or perceived problems of inappropriate influence by lobbyists".

Another point I'd make on the issue at hand is that I was completely unaware the Integrity Commission was becoming responsible for oversight of the Lobbyist Register and the Code of Conduct until my local free newspaper, the Kingborough Chronicle, printed an article on public submissions being called for. Perhaps more coverage of such important matters could be more widely disseminated to the general public in future.

I have chosen to respond to the submission prompts that I believe are relevant to my concerns in the same order the prompts are presented in the discussion paper:

1. Yes. All MPs should be included under the lobbying Code of Conduct. As elected representatives of the voting public they should all be responsible and accountable.
2. Yes. It's my view that all public servants and bureaucrats should be held accountable no matter what their status.
3. At the minimum the Code should include an adequate degree of transparency to ensure that public officials, citizens and businesses can promptly obtain sufficient information on lobbying activities. This should also include the media and civil society organisations. It's not unreasonable to suggest that both lobbyists, politicians and public officials should be made to comply with standards of professionalism and transparency, they share responsibility for fostering a culture of transparency and integrity in lobbying.
4. Yes. No ifs or buts. No gifts.
5. Yes. It would appear to be pointless if the Code did not apply to both parties.
6. Firstly the definition of lobbying needs to be broadened so that after the word, communications, it should include the words, "all elected MPs and any" Government representative in an effort

On the point of exemptions I don't see why any of the current exemptions should be allowed if transparency and accountability are built into the Code.

7. Yes. It only takes one unscrupulous communication to damage accountability and transparency.
8. I believe all contacts and communications in any form should be open to scrutiny by the Integrity Commission in order to safeguard against the risk of illegal or unethical activities by lobbyists or those being lobbied.
9. The current definition as presented is adequate but should also encompass all of the currently excluded categories set out in the prompt. If they are acting as lobbyists in the interests of clients and all is above board what do they have to hide from scrutiny?
10. It should be extended to include in-house, other and 3rd party lobbyists.
11. Yes.
12. Yes.

13. No.
14. The information required to register as a lobbyist on the current register I believe is sufficient.
15. A quick browse through the current Lobbyists Register, overseen by the office of The Premier and Cabinet, shows several registered lobbyists without owner's names supplied?

Several other registered lobbyists do not have clients listed on their registrations? One particular lobbyist is registered to lobby on behalf of the same client while being registered with two different companies? Finally, one registered lobbyist company is also listed as a client of another registered lobbyist company? I'm not suggesting there is any impropriety in any of the aforementioned comments but they leave me with a sense of incredulity.

I hope that there will be improved scrutiny when the Register transfers over to the Integrity Commission oversight regimen because the way the current register is being policed does not fill me with confidence.

The information being supplied by currently registered lobbyists is sufficient for the online register as long as it is properly scrutinised and documented when registration occurs.

16. No. This may be privileged information.
17. On a quarterly basis would be appropriate. There is always the possibility, if left too long, memories, documents, electronic messages and other communications could be forgotten, mislaid, misappropriated, deleted etc.
18. I don't believe so.

Disclosures should be made separately and concurrently by both government representatives and lobbyists.

19. If there is no current specific legislation allowing the Integrity Commission to provide compliance measures then yes this should be enacted before the transfer occurs.
20. What's the point in having a toothless tiger? If the only sanction available is being struck off the Register then stronger sanctions need to be enabled into law so the Commission can police the registrants more effectively. Potential fraud and corruption needs to be identified and dealt with appropriately.
21. I believe they are but they could be broadened to make for better supervision and transparency.
22. It's not so much them becoming lobbyists it's what they stand to gain once out of office by becoming lobbyists armed with the sensitive information they may have acquired while in office. 2 years minimum.
23. Yes. 2 years minimum.
24. Yes. Tasmania should concur with all other Australian states in banning success fees.

Thank you for allowing me to make this submission in the lead up to the transfer of the Tasmanian Lobbyist Register and the provisions of the Code of Conduct to the Integrity Commission in July.

Kind Regards

