

14 July 2022

Chief Executive Officer
Integrity Commission Tasmania
GPO Box 822 Hobart TAS 7000

To the Chief Executive Officer

Lobbying Oversight : Stakeholder Access Equity Transparency System

Thank you for the opportunity to make a submission to this important review. I am an academic from the University of New South Wales and I have done extensive research on political donations, lobbying and undue influence in the federal political system. I have also previously worked as a bureaucrat in the Department of Prime Minister and Cabinet, as a political staffer and as a journalist for the Sydney Morning Herald in the federal Press Gallery and bring my practical experience to this question.

Lobbying is not in itself an inherently problematic activity, as it can provide important information and input into the political decision making process. Lobbying becomes a problem when there is inequity in the access and the voice of different groups in the community to the policy making process. As a result, I propose that an effective regulatory regime should seek to:

- 1) Make visible what the balance of access is to different groups in the decision making process, and to provide an incentive for politicians to be mindful of ensuring that balance remains equitable.
- 2) Prohibit behaviours that increase the 'voice' of some groups due to the development of reciprocal obligations or personal ties that mean some stakeholders voices are privileged.

In terms of how you make visible what the disparities of access are, and generate incentives to address imbalances, there are insights to be drawn from attempts to improve equity in other areas such as in addressing gender and racial equity. Work on gender equity has found one of the most effective ways to improve gender equity in organisations is to record and report what the level of equity is and to then have leaders have to announce it publicly, preferably in person. The focus on the issue and the desire meet social expectations of equity, particularly in public, is an effective motivator to correct inequities.

The equivalent in lobbying would be if when the Minister makes a decision or presents legislation, they have to disclose the balance of time spent with the different stakeholder groups in making the decision. I propose that when a stakeholder meets with an MP or their staff, they should need to register for unique lobbying number using an app, on which they can also record the issue being discussed and the time spent. Both the lobbyist and the MP should need to record the meeting on the app, so that there is a veracity check on reporting.

When decisions are made or announced the data should be used to create simple pie graphs of stakeholder groups and the time spent with the Minister, staffers, MPs from different parties, and senior public servants. I suggest that in person meetings and phone calls should be recorded as they tend to be the most influential. There should also be a pie graph that reflects the political donations received from the different stakeholder groups over the last 3 years.

The lobbyists code of conduct should then focus upon:

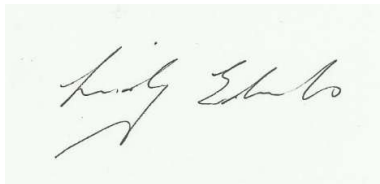
- 1) Meeting the requirements necessary to make the Stakeholder Access Equity Transparency System work effectively.
 - a. Everyone that is meeting decision makers to discuss issues should register
 - b. Both the stakeholder and the decision maker should register and record the meeting, to improve accurate recording.
 - c. Recording should focus on 'in person' activities such as meetings, phone calls and video calls.
- 2) Representing their case honestly and fairly.
- 3) Not engaging in behaviour that seeks to generate social obligations and ties that may result in favourable treatment and undue 'voice'.
 - a. There should be no exchanging of gifts.
 - b. There should be an obligation on both parties to avoid situations where a personal obligations might ensue. This should be stated as a broad principle, as a wide range of circumstances may arise where this occurs.
 - c. Political donations from stakeholder groups should be recorded as part of the stakeholder equity transparency report

The Integrity Commission should be responsible for the creation and monitoring of the Access Equity APP.

Some lobbyists and public officials will undoubtedly be concerned by the administrative burden of such a system. However after two years of Australians being asked to do Covid check ins using QR codes to protect the community, it has demonstrated it is entirely manageable and quite reasonable for those meeting government decision makers to do the same to protect our democracy.

I would welcome the opportunity to discuss this proposal with you further if required.

Yours sincerely



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