



24 June 2022

To the Chief Executive Officer- Integrity Commission
PO BOX 822,
HOBART TAS 7001

Dear Mr Easton,

I refer to the Integrity Commission's consultation paper on reforming the oversight of lobbying in Tasmania. Thank you for your opportunity to make a submission.

Lobbying politicians is a double-edged sword. On the one hand it reflects the working of the healthy democracy, in that individuals must be able to have access to politicians to advocate to them, to talk to them and to petition them to progress legislation or for certain decisions of the executive to be made in a certain way.

On the other hand, there is a darker side to lobbying because certain individuals get priority access to the members of the executive and represent powerful forces. Lobbyists exercise considerable influence. It is not a level playing field.

I do not agree that corporate entities ought be allowed unbridled access to the executive, through lobbyists, to lobby for major projects and for governmental decisions that favour corporate interests. Under the guise of lobbying for projects that are meant to generate jobs, the real motivation for lobbying by corporate entities is generating profits for those organizations. It is even more unsatisfactory when the corporate entities are not even based in Tasmania.

Accordingly, I would urge that representatives of corporate entities are not able to lobby politicians. This would dovetail into good practice in the area of control of electoral donations, where in New South Wales, for example, property developers, gaming, tobacco and alcohol interests are prohibited from making donations to political parties. If lobbying is to be undertaken in the name of jobs, let individuals in the community undertake that lobbying. Unions can do that.

There needs to be significant transparency in the operations of lobbyists. The occurrence of meetings between bureaucrats and ministers, on the one hand and with lobbyists on the other, needs to be accessible to members of the public. This kind of information can be made available in real time, and it should be so available.

Whilst we have a register of lobbyists, that register does not include staff, in particular, directors, of the main political parties in Tasmania. The party of Government is in a

position where the employed directors of the party have the cabinet members on speed dial and exert extraordinary influence over decisions made by the executive.

In respect of communications between employees of political parties, and lobbyists, the fact of such communication needs to be made transparent.

Interactions between members of the government and bureaucracy and people who are required to be on the register of lobbyists should be completely transparent.

Other matters:

The code of conduct is highly likely to be ineffective.

What is effective in ensuring best behavior by those people who qualify as registered lobbyists is for maximum transparency. The fact of meetings and telephone calls should be disclosed, as should the topic of the lobbying.

There should be bans on elected officials and the like from roles in lobbying groups. The ban should be for a minimum of five years.

Success fees should not be permitted. They just encourage poor behavior in an area that is extremely difficult to supervise and regulate.

The fact that TIC is embarking on a consultation process to consider a review of the regulation of lobbyists in itself indicates that the system is not ideal in terms of how it operates and what it delivers. This means that the consultation will to some extent happen in the dark. Lobbying by its very nature goes on behind closed doors. Reform in this area needs to be well informed so that TIC can deliver the best practice recommendations.

This can only usefully occur after a public examination of the roles and functions of lobbyists and after evidence has been gathered in a public setting of the shortcomings and benefits of the way the current system operates. I urge TIC to engage in a public investigation to gather evidence about how lobbyists operate and the effects of their activities on politicians and public servants.

Thank you again for the opportunity to contribute my views.

Yours sincerely,



Roland Browne

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