

Committee on Standards in Public Life

Summary Note of Transparency around Lobbying Evidence Gathering Seminar 19 September 2013

The Committee invited people involved in standards issues and those who had responded to the Committee's call for evidence on lobbying to an evidence gathering seminar. The aim of the seminar was to collect evidence, discuss and explore what more can be done to bring greater integrity to existing lobbying arrangements by ensuring that lobbying is carried out transparently and ethically. It will inform the Committee's consideration of possible recommendations intended to complement any legislative provision.

Areas of discussion included:

- Who are the lobbied? - not all lobbying is executive lobbying, individuals had the power of influence even if not, in every case, the power of decision making. There was a wide range of decision makers beyond Westminster and a spectrum of people who are lobbied and a spectrum of behaviour. Any response has to be proportionate.
- Whether principles are more effective than rules of conduct and the evolving nature of codes of conduct.
- The importance of the professionalisation of the lobbying industry and the need for education around the role lobbying has in a functioning democracy.
- The relationship between a statutory register of lobbyists and independently enforced codes of conduct with a means of securing redress.
- Whether compliance was affected by the costs of impropriety particularly if there is a low level of effective sanction.
- Compliance with codes of conduct as part of employment contracts – requiring an annual accountability statement.
- The role of the media and reputational impact; and the electoral box and power of recall in securing compliance.
- The importance of induction and ethics scenario training in raising awareness of ethical and standards issues and an organisational culture of compliance based on ethical principles.

Transparency

- The use of the Freedom of Information Act as a tool which can play an important role in relation to lobbying both through the making individual requests or via a public authority publication scheme. The case law on disclosure of information supported the

strong public interest in disclosing information around lobbying with no reasonable expectation of privacy.

- Whether a culture of compliance required as a starting point openness. Proactive disclosure was one way to build trust and improve transparency and accountability.
- The possible deleterious consequences of information overload and high level of rules. Whilst the onus on transparency was for the lobbied there was a danger of over regulation and over complication of democracy.
- Level of information required to be disclosed, such as details of meetings, and the extent to which it should be available, readily accessible, searchable and reusable. Whether there are practical issues around who should report such information e.g. legislators, special advisors, civil servants; the level of detail; and timings. What can be learnt from best practice information handling.

Other opportunities for influence

- The arrangements for vetting post employment opportunities for public office holders and the interchange between public and private sectors. It was acknowledged there was a need to balance the need for expertise against vested interest in influence/ information acquired – a seamless movement could create public distrust of decisions whilst in office but there were questions around the scale of the problem and harm caused.
- The role of the Advisory Committee on Business Appointments. The different application of conditions imposed and whether a risk based assessment for particular types of public office holders and roles was required, with differing rules depending on the risk was required in order to be proportionate and the most effective use of resources.
- Transparency of secondments, unpaid interns and the differing approaches in Government departments.

Attendees

Committee on Standards in Public Life

1. David Prince
2. Lord Paul Bew
3. Richard Thomas
4. Patricia Moberly
5. Sheila Drew-Smith
6. Dame Denise Platt
7. Dame Margaret Beckett

Speakers

1. Peter Wilby
2. Lord Clement Jones

Participants

1. ACOBA – Ekpe Attah
2. APPC - Michael Burrell
3. ASH – Phil Rimmer
4. Bar Standards Board - Dr Vanessa Davies
5. Cabinet Office – Helen Ewen
6. Cabinet Office – Katy Budge
7. Chartered Institute of Journalists – Dominic Cooper
8. CIPR - Phil Morgan
9. CPRE – Erica Popplewell
10. Daily Mirror – James Lyons
11. Dublin Institute of Technology – Dr John Hogan
12. Electoral Commission – Kate Engles
13. G4S – Tijs Broeke
14. Green Party – David Murray
15. IBE - Philippa Foster Back
16. IEA – Christopher Snowdon
17. Imperial Tobacco - Richard Ross
18. Information Commissioner’s Office – Steve Wood
19. Israel Empowerment Lobby – Albert Veksler
20. LZ Consulting - Lionel Zetter
21. MHP Communications – Jennifer Hall
22. MP – Tom Brake
23. NCVO – Elizabeth Chamberlain
24. Oxford University - Dr David Hine
25. Oxford University - Gillian Peele
26. Oxford University - Liz David-Barrett
27. PLMR – Elin Twigge
28. Political Intelligence – Philip Reid
29. PRCA – Tom Hawkins
30. Ranelagh International – Fiona Graham
31. Rowan Public Affairs - Craig Carey-Clinch
32. Spin Watch/ Alliance for Lobbying Transparency - Tamasin Cave
33. Taxpayer’s Alliance - Jonathan Isaby
34. Transparency Intl UK - Rachel Davies
35. UKPAC – Sir Roger Sands
36. University of Bath – David Miller
37. University of West Scotland – William Dinan
38. Unlock Democracy - Alexandra Runswick