



Committee Secretary
Finance and Administration References Committee
Department of the Senate
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CANBERRA ACT 2600
AUSTRALIA

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GB Senate Inquiry Submission .docx

ACCESS TO AUSTRALIAN PARLIAMENT HOUSE BY LOBBYISTS

Public submission for publishing (with my name) on the internet

Thank you for the opportunity to provide a submission to this inquiry.

ABOUT GRAEME BOOTH

I am a semi-retired Company Director and executive coach. I have worked for 20 years in State Government and 26 years in engineering consulting firms.

I am dedicating my remaining years to support and defence of our democracy as a dedication to my family and my community. I am an active member of Transparency International, the Australian Democracy Network and The Accountability Roundtable.

As an engaged member of our community, I accept that I cannot have the same access to decision-makers as professional lobbyists, but I do want to see that there are sound controls and transparency in their work.

Secrecy in its various guises is generally bad for our democracy. It places an active community, that healthily seeks to be informed and have the opportunity to also influence, at a disadvantage. That degrades our democracy. It cannot be left un-checked. It's not what my forebears bequeathed to me and it's not what I want to pass on to future generations.

TERM OF REFERENCE (A)- CURRENT TRANSPARENCY ARRANGEMENTS RELATING TO THE LOBBYIST REGISTER

I accept that lobbying is a valid form of advocacy in and of itself. It is a legitimate contribution to the democratic process. It can bring diverse perspectives to government representatives to inform policy.

It must however occur within a framework that will reduce a growing level of public concern that our Government and its representatives lack honesty and integrity. Without transparency settings we can too easily form a view that the political system has no interest in being open because it operates for politicians and those with vested interests.

Perceptions have worsened in recent years about the pervasive influence that lobbyists have over political decision-making. Some examples that are obvious to me and most thinking Australians:

- fossil fuels industry (known with Parliament House as the ‘Greenhouse Mafia’)
- tobacco interests
- gambling interests, and
- the alcohol industry.

In these examples elements of the truth have emerged and the community has become aware largely after the event. They are a clear demonstration that the current transparency mechanisms are not working. The current Federal Code of Conduct for lobbyists is severely limited:

- it only applies to registered professional lobbyists acting on behalf of third-party clients, and
- it does not apply to most lobbying activity including in-house lobbyists.

While the identities of registered (not all lobbyists are required to be registered) lobbyists and their clients are published, there is a lack of transparency regarding all lobbying activity and access to government. Community concerns and suspicions are aroused when it becomes clear that many of the lobbying entities are also large donors to one or multiple political parties.

There are no meaningful consequences for breaching the Federal Code of Conduct.

It is now clear that ‘lobbyists’ of all colours use cosy networks and vital insider-information largely gathered behind closed doors. We do not get to see who they are meeting with, how often and on what matters.

Ministers’ Diaries. Having Ministers publish their diaries in a timely manner allows journalists and members of the public to scrutinise who key decision-makers are and aren’t meeting with and how this might influence key policy outcomes. For example, in 2016 the NSW government overturned a ban on greyhound racing. Because of NSW’s stronger transparency laws, the public could see that senior ministers met with the racing industry many times, but no animal rights groups or supporters. We are largely in the dark about similar decisions made at federal level.

The Revolving Door. Commentators have found that more than half of federal lobbyists in Australia have previously worked for government or major political parties. Without proper checks in place, the revolving door between government and lobbying jobs leads to a culture that:

- places disproportionate value on the role of networking;
- incentivises politicians, public servants and ministerial advisors to act in the interest of their future job prospects, rather than making decisions in the public interest, and
- creates a web of relationships where powerful industries are afforded greater access to decision-makers than voters.

The Lobbying Code of Conduct, requires that Ministers and parliamentary secretaries not lobby, advocate or have business meetings with members of the government, parliament, public service or defence force on any matters on which they have had official dealings as Minister in their last 18-months in office. It appears these rules are not enforced in practice. The time period and provisions around political staff moving into lobbying roles should be extended and properly enforced by the National Anti-Corruption Commission.

In Summary. Transparency is now a major issue for federal Governments of all colours and community trust is at a low ebb.

That is why normal citizens such as myself are increasingly paying attention and using whatever means we can find to try and 'stop the rot'. We feel as if we are being taken for fools by big money.

What I seek under this Term of Reference:

1. *The current register's requirements should be expanded to include all types of lobbyists so that in-house lobbyists have to register alongside third-party lobbyists.*
2. *The register should show who is meeting whom, when, how often and why.*
3. *In particular Ministers should be required to publish the diaries of who they're meeting with.*
4. *The 'cooling-off' period for former politicians and governments moving into lobbying roles should be increased to 3 years will help address the risk of undue influence*

TERM OF REFERENCE (B) THE CURRENT SPONSORED PASS SYSTEM FOR LOBBYISTS TO ACCESS AUSTRALIAN PARLIAMENT HOUSE WITH PARTICULAR REGARD TO TRANSPARENCY AND PUBLICATION OF LOBBYISTS WHO ARE PASS HOLDERS AND THEIR SPONSORS

I have noted that my member Dr Monique Ryan has recently claimed that there are 15 lobbyists for every politician in Parliament — lobbyists who are often former politicians themselves, and who walk around Parliament freely.

Professional lobbyists are paid for their work trying to influence decision-makers and normally have access to sponsored (orange) passes that allow them to walk the halls of Parliament House in Canberra and use private access doors.

This same level of access is not afforded to regular voters.

The pure extent of influence that is being exercised on elected representatives is way above what most Australians would accept if they actually knew!

Lobbying in our federal parliament is an industry that is out of control. The pass system is just one element.

What I seek under this Term of Reference:

No lobbying group or class be given carte blanche (of the kind provided by the current pass system) anymore.

TERM OF REFERENCE (C) PUBLICLY ACCESSIBLE INFORMATION OF AUSTRALIAN PARLIAMENT HOUSE PASS HOLDERS WHO ARE LOBBYISTS AND THEIR SPONSORS.

There simply is not a public list of sponsored pass holders. Ostensibly the passes are for those with 'significant and regular business' in parliament house.

It is obvious to thinking Australians that a lot of the passes are for lobbyists but until the list is made publicly available.

Senate Finance and Administration Committee
Inquiry into Lobbying
Submission

What we can see is that there is secrecy and it is protected with vigour. What do ordinary people like me conclude? There must be something to hide.

Given practice in comparable countries such as USA and NZ, one wonders why cannot Australia join with best practice on such a simple transparency measure.

What I seek under this Term of Reference:

Make the list of Pass Holders public.

Yours sincerely

Graeme Booth