

Hawker Britton

Government Relations Strategy

Access to Australian Parliament House by lobbyists

To the Committee,

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

Hawker Britton supports a strongly regulated government relations sector that prioritises transparency, accountability, and enforcement to drive better public policy outcomes for the country.

In preparing this submission we have considered the policy principles that underlie the existing regulation of the government relations consulting sector, where reform opportunities exist and where function can be completed more efficiently and effectively.

Our recommendations are consistent with those made by Hawker Britton to inquiries in other Australian jurisdictions.

We welcome any opportunity to work with the government to make the sector more transparent and fit for purpose.

Kind Regards,

Simon Banks
Managing Director
Hawker Britton



Current transparency arrangements relating to the lobbyist register

Hawker Britton believes that the current definition of 'lobbying' within the existing Lobbying Code of Conduct is narrow and fails to accurately reflect the complexities of the lobbying industry.

The current definition places undue emphasis on the business model of individuals engaged in lobbying rather than focusing on the actual activities undertaken. We recommend that definitions related to lobbying should be centred on the activities themselves not only the business model of those involved. Existing lobbyist regulatory regimes fall short of achieving the desired outcomes if they exclusively encompass third-party lobbyist firms.

The limitation of public disclosure exclusively to third-party representatives results in a substantial engagement system involving in-house government relations specialists, unregistered consultants, and a more ambiguous category of government-contracted consultants retaining external clients. Currently, individuals working "in-house" for an organisation are not required to adhere to the same disclosure or ethical standards, leading to oversight in capturing employees of accounting or consulting firms seeking information for a broader suite of clients without proper disclosure. The existing lobbyist register does not disclose many commercial interactions with the government, counter to the government's commitment to transparent policymaking.

While acknowledging the existence of legitimate reasons for exclusion from disclosure on the lobbyist register, such as national security or cases where revealing proprietary information could directly harm an industry, these exceptions should be rare and subject to consideration by those administering the Register.

Hawker Britton believes in the necessity of ensuring that individuals engaging in lobbying activities, irrespective of the business model of their organisation, are bound by the proposed Code of Conduct and transparency measures.

Furthermore, we advocate for the codification and legislative establishment of the existing regulation of lobbyists.

The current sponsored pass system for lobbyists to access the Australian Parliament House with particular regard to transparency and publication of lobbyists who are pass holders and their sponsors.

Hawker Britton supports the proposal put forth by Jackie Lambie in 2019.

"All lobbyists in Canada and the US have to disclose information about their lobbying activities, whether they work for an employer or they work as a client. Those jurisdictions also have strong penalties for breaching the regulations, including fines and jail time for deterrence.

Rewrite the rules so that everyone with a sponsored orange pass is considered a lobbyist, everyone who is a lobbyist is required to sign up to the register and everybody on it is required to abide by the Lobbying Code of Conduct.



If you're a lobbyist and you break the rules, you lose your special access to parliament. If you still need to get in to see someone, sign the visitors' book, like everybody else has to."
Australia, Senate 2019, 12 November, pp. 3595–3596.

Access to Parliament House enables industry stakeholders to further engage directly with decision-makers and thus, is beneficial for both the government and industry. Hawker Britton endorses transparent guidelines regarding conduct within Parliament House for pass holders and any violation of these guidelines should be addressed appropriately.

Publicly accessible information of Australian Parliament House pass holders who are lobbyists and their sponsors.

Hawker Britton has consistently maintained that more transparency, not less, is essential for the maintenance of a healthy democracy and public service. Thus, Hawker Britton supports a public register of the Parliament House pass holders and their sponsors.

We recognise that there are individuals who possess a Parliament pass either as relatives of Parliamentarians or for personal access requirements. In such instances, specific criteria should be established, taking into account that the majority of pass holders utilise it for professional purposes.

Ultimately, the decision of what information is publicly available should be a decision made by both houses of Parliament. Legislating these requirements enables the Parliament to establish a deliberate framework of regulations applicable to all pass holders, ensuring both confidentiality and a uniform set of rules.

About Us

Hawker Britton is a leading government relations firm in Australia, with operations in all Australian jurisdictions and New Zealand.

Since our establishment in 1997, the company has been providing expert advice on federal, state, and territory government engagement, as well as issues, policies, and commercial matters related to Australian governments.

Although our democratic system is based on openness and accessibility, few professionals have the capacity, time, or training to follow the public policy cycle in all its stages and engage appropriately. As a result, businesses and organisations focused on their operations naturally seek to build internal capacity to track and engage with the government or look to engage third-party consultants to perform that task.

The role of government relations specialists is to bring broader perspectives and debate to the policy-making process, and to ensure diverse voices are heard, an essential aspect of a modern democracy. Through their engagement with the government on behalf of clients and pro bono organisations, government relations professionals provide valuable information to inform decision-making processes while ensuring that diverse voices are heard.

In recent years, the government relations industry has faced increased scrutiny across Australia, Hawker Britton welcomes these developments. We believe that professional government relations



experts should operate in a transparent environment governed by appropriate regulations, which can help build public confidence in public policy processes.

Conclusion

In conclusion, Hawker Britton endorses the expansion of the definitions of 'lobbying' and 'lobbyist' to encompass individuals currently overlooked by the Lobbying Code of Conduct, shifting the focus from the business model of lobbying to the activities undertaken by lobbyists.

We support transparent guidelines governing the conduct of pass holders within Parliament House, coupled with a commitment to address any violations promptly. The call for a public register detailing Parliament House pass holders and their sponsors underscores the commitment to transparency, providing the public with vital information to enhance awareness and uphold democratic values.