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15 April 2008

The Secretary  
Department of Prime Minister and Cabinet  
PO Box 6500  
CANBERRA ACT 2600

Dear Secretary

**Re: Register for lobbyists**

I am writing to provide you with several comments on the exposure draft of the Lobbying Code of Conduct that was released early this month for public comment. By way of background, Socom is a public relations company that specialises in issues management and stakeholder relations. We employ 22 staff across three offices in Melbourne, Sydney and Darwin. We are members of the Public Relations Institute of Australia and abide by the industry's code of ethics.

In general, we support the Federal Government's initiative to ensure lobbyists meet public expectations regarding ethical and transparent behaviour. A strong and robust democracy, with open and accessible executive government, is vital to Australia's future.

In relation to the detail of the draft code of conduct, we would make the following points:

- s3 – Definitions. The impression that the register excludes professional services firms such as accountants, lawyers and engineers could place uncompetitive pressures on firms such as ours who find themselves competing more and more with these large firms. These firms should be subject to the same regulatory requirements.
- s3 – Definitions. We are concerned that the proposed definition of "lobbyist" will create the potential for the ethically and morally unacceptable practice of "astro-turfing" (creating fake community organisations in order to influence decision-makers and the public)

- s4 – No contact. It is difficult to see how this section can be applied to the full range of situations in which lobbying takes place and how it can be enforced. The social networking activities undertaken by political parties are prime opportunities for lobbying activities yet the code seems to ignore this important area.
- s5 – Register of lobbyists. It is unclear if registration is required for all staff who may have contact with Government representatives. In addition, the frequency of submissions to the Secretary places undue burden on small business and should be streamlined to a twice yearly update.
- s6 – Access to the register. We are concerned that the public listing of any of our clients raises issues with competition policy and privacy. Given the way “lobbyist” is defined, it would seem the legal profession would have an unfair advantage over businesses such as ours. It is not clear if the code’s requirements supercede established notions of client confidentiality and legal privilege.
- s8 – c) misleading claims. We support this statement and refer the Secretary to the PRIA’s code of ethics.
- s8 – e) initial contact. We support the principle that lobbyists should always identify who they are working for and the nature of the matters they wish to raise with Government representatives.
- s10 – Registration. We believe the inability to appeal a discretionary decision of the Secretary is unfair and represents a very damaging blow to any professional that works in the area of government relations. It is vital that the process of registration is fair, transparent and has appropriate appeal rights.

I hope these comments are of some value to the Government in revising and refining the code of conduct.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Troy Edwards', with a stylized flourish at the end.

Troy Edwards  
Managing director