

Response ID ANON-489S-Y8TU-J

Submitted to Political lobbying - code of conduct options survey
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Introduction

1 What is your name?

Name:
Emma Shields

2 What is your email address?

Email:
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3 What is your organisation?

Organisation:
Cancer Society of New Zealand

4 Do you think there should be a code of conduct developed for political lobbyists?

Yes - The code should be mandated by Government

Add any comment on your answer here:

Lobbying – direct engagement with politicians and government representatives – is a legitimate activity that can have a positive impact on our democracy. It can help parliamentarians and public officials make better decisions by allowing them to hear different viewpoints on matters of public interest. However Aotearoa is considered an “outlier” as compared to many democratic countries, as lobbying is largely unregulated and there is little public scrutiny of those who are paid to lobby politicians, their staff or public servants. Our current system of unregulated lobbying carries with it a real risk of corruption and disproportionate influence. There is a highly uneven playing field where the odds are stacked against the interests of ordinary people and communities.

That’s why we must introduce stronger measures to regulate lobbying in Aotearoa, including a Government mandated code of conduct. The code must not be a voluntary code where there is no incentive to subscribe and no identified penalties for non-adherence (ie “self-monitoring”).

In addition to a mandatory code of conduct for political lobbying, we support further regulations to protect public policy-making, including a code of conduct for officials dealing with lobbyists that includes mandatory reporting of the identities of all political party funders and the amounts donated.

5 If there is to be a code of conduct for lobbyists, what kind of code should be developed?

Rules-based code - It should include ethical principles, rules that should be complied with, a registration process and sanctions for failure to comply

If you answered something else describe what kind of code you think it should be:

The mandatory code of practice (made under specific legislation) should include:

- Definitions of lobbyists, clients, lobbying targets or lobbying;
- The creation of an oversight agent/agency (eg Integrity Commissioner and Registration Board) to set and maintain standards of “lobbyists”;
- Ethical principles;
- Reporting requirements;
- A register that would identify who is a lobbyist and disclosing their clients, and funders;
- Enforcement mechanisms and penalties for non-compliance; and
- A mandatory stand-down period for former office holders who become lobbyists (or move into industry) and lobbyists who become office holders (e.g. 5 years as in Canada or 18 months as in Australia).

6 Who should the code apply to? (Select those you think relevant)

Consultants paid by clients for lobbying services (including government relations consultants and lawyers), Industry peak bodies and associations, Professional peak bodies and associations, Union peak bodies and associations, Company government relations employees and contractors, Foreign agents (e.g. other governments, foreign industry and interest groups, trade delegations), Interest groups, charities and NGOs, Think tanks and academics commissioned to use research data to sway perspectives, Op-ed writers and media commissioned to write influence pieces or social media posts

Explain your answers:

Foreign agents must be captured, to cover harmful commodity (such as alcohol, unhealthy foods) trade networks

The mandatory code should also apply to “influencers” and specialist influencer marketing, public relations and social media agencies and should align to other Codes and Standards.

7 What activities should be covered by the code? (Select those you think relevant)

Direct advocacy and representation to office holders, 'Grassroots' lobbying – that aims to influence public engagement in decision making processes, Provision of information/data/research to office holders, Contribution to public processes such as making submissions, attending hearings and public meetings, petitioning, Campaigns including use of media, data or research to influence decision making, Donations/gifts/hospitality, Bribery and other corrupt behaviour

Explain your answers:

8 Who is best to develop and administer the code?

Someone else

Explain your answer:

We support the idea of an independent agent (i.e. a newly-created Integrity Commissioner) who reports to the Speaker of the House (similar to the Parliamentary Commissioner for the Environment or Ombudsman's reporting). The Office of the Auditor-General should be a key agency in the process of establishing an Integrity Commissioner. Other agencies who should be consulted are the Ombudsmen's Office and the Public Service Commission