

**association of professional  
political consultants**

**INQUIRY INTO LOBBYING BY  
NATIONAL ASSEMBLY OF WALES' STANDARDS OF CONDUCT COMMITTEE**

**RESPONSE BY THE ASSOCIATION OF PROFESSIONAL POLITICAL CONSULTANTS (APPC)**

**INTRODUCTION**

1. The APPC, which has over 75 public affairs organisations in membership, welcomes the Committee's inquiry into the current arrangements relating to lobbying at the National Assembly of Wales and specifically whether those arrangements remain fit for purpose.
2. A number of APPC's members are based in Wales and those that are not may well act on behalf of clients in respect of the National Assembly of Wales.
2. The APPC believes that lobbying serves an important function in politics – by putting forward the views of stakeholders to policy makers, it helps in the development of better legislation provided that it is open and transparent. This is why, for over 20 years, the APPC has provided a public register of our members' clients and consultants. APPC's register is publicly available at [www.appc.org.uk](http://www.appc.org.uk).
3. Noting the Committee's reference to the introduction of lobbying legislation in Westminster and Scotland, the APPC would like to reiterate its support in principle for those statutory registers, providing that they apply equally to all those who engage in lobbying on a professional basis. We welcome the fact that this will be the case in the Scottish Parliament's register, but continue to criticise the Westminster register for its failure to do so.
4. Our response seeks to reflect the views expressed by our members following the publication of the consultation paper. Inevitably, with such a large number of consultancies in membership, it is not possible to write a response which reflects the views of all members on every point. Where there is a divergence of views on significant issues, our response seeks to reflect that.

**EXECUTIVE SUMMARY**

- **The APPC welcomes the proposed publication of the diaries of Welsh Government Ministers.**

- The APPC believes that such publication will be sufficient to ensure transparency in respect of the National Assembly of Wales, possibly accompanied by the publication of Assembly Members' diaries.
- The APPC believes that, following such publication, there is little or no need for any further regulation and that the case for a separate register has certainly not been made.
- Should the National Assembly of Wales wish to consider a separate register of lobbying, the APPC would recommend that it should apply equally to all lobbyists, and that it should not be bureaucratic or costly. The APPC would also recommend strongly that the National Assembly of Wales should certainly wait until the effectiveness of the Scottish Parliamentary Register has been evaluated.

## THE COMMITTEE'S QUESTIONS

### 1, Is there a need for change?

The First Minister, in response to a question in the Senedd in December 2016, announced the proposal for Welsh Ministers to publish their Ministerial diaries on a quarterly basis in arrears so that people scrutinising the Welsh Government can know who has met whom. Alongside the publication of how decisions have been made, this will give a strong degree of transparency.

APPC welcomes the proposed publication of Ministerial diaries, and notes the further proposal that AMs should also publish their diaries.

If any further action is required, it needs to provide a level playing field of lobbyists, making similar demands on both in-house as well as consultant lobbyists. This means that, as well covering lobbyists who work for multi-client agencies, the far larger number of lobbyists who work for law firms, management consultancies, planning consultancies, think tanks, trade associations, trade unions, charities, NGOs and in-house for businesses, should also be covered by any regulation or register. To exclude such lobbyists would mean any regulation or register would fail to improve transparency and build public confidence.

Any further actions or regulations need to be proportionate and not overly burdensome in terms of bureaucracy and in terms of cost.

Any regulation or register should exclude lobbying by individuals, so there should be an exemption for "the normal activity between constituents and MPs"

### 2. What do you understand by the term lobbying?

The APPC has adopted the following definition:

*Lobbying means in a professional capacity making any oral or written communication (including an electronic communication) to any member of the Government, advisers or officials or member of either House of Parliament or their staff or advisers with regard to the formulation, modification, or adoption of legislation; the formulation, modification, or adoption of any rule, regulation, order, policy, or position; the administration of any Government programme or policy,*

*including the negotiation, award, or administration of a contract, grant, loan, permit, or license; or any other official act or decision.*

In brief, lobbying activities are undertaken with a view to influencing public policy, Government decisions or legislation. Lobbying serves an important function in politics – by putting forward the views of stakeholders to policy makers, it helps in the development of better legislation, provided that it is open and transparent.

The APPC considers a lobbyist to be anyone who undertakes lobbying [by reference to the definition above] or anyone who advises others on lobbying or lobbying campaigns and strategies, or who plans and prepares those campaigns and strategies.

### **How is lobbying regulated at the moment?**

Lobbying is self-regulated by public affairs organisations choosing to join the APPC or a similar organisation.

The APPC's rigorous self-regulatory regime requires members to adhere to its Code of Conduct, to carry out an annual Code compliance procedure, and to provide an updated entry to the APPC Register every quarter, listing the names of clients and consultants. Any complaint of an alleged breach of the Code of Conduct is dealt with by the independent Centre for Effective Dispute Resolution under the terms of APPC's Complaints & Disciplinary Rules & Procedures.

### **3. Do you consider yourself a lobbyist?**

The APPC is the self-regulatory and representative body for professional political organisations, most of which are consultancies. These organisations carry out a full range of public affairs services for clients or members, which may well include lobbying.

### **4. Have you encountered any problems?**

Whilst this does not apply to the APPC itself, we should like to point out that none of the "lobbying scandals" of the last few years have involved "lobbyists", but rather journalists and politicians. Again, this would support our view that there is no immediate need for regulation.

### **5. Are there any areas you consider to be unregulated which pose a risk to the accountability and reputation of governance in Wales?**

There are none of which we are aware.

### **6. What would you consider to be the impact of introducing a new regime to deal with lobbying?**

This would depend on the nature of the regime and whether the impact would be assessed from the point of view of the Welsh Government, the National Assembly of Wales, citizens or practitioners.