

# **STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**

## **INQUIRY INTO LOBBYING**

### **SUBMISSION RECEIVED FROM OXFAM SCOTLAND**

Oxfam Scotland welcomes the opportunity to input into this inquiry into Lobbying. Oxfam works to overcome poverty all over the world. Our vision is a world where women and men who experience poverty are enabled to exercise their rights to a decent and secure standard of living. Oxfam is now working in nearly 60 countries on a diverse range of projects, from providing emergency water sources to supporting community health projects.

We also work to tackle poverty in Scotland. Our domestic programme seeks to overcome poverty through supporting our community partners to develop projects with people living in poverty to improve their lives and show how things can change. Our programme partners include: Tea In The Pot, Gal Gael Trust, Sunny Govan Community Radio, Amina Muslim Women's Resource Centre, Eadha Enterprises, Clydebank Independent Resource Centre, Karibu, Lochboisdale Amenity Trust, Linwood Community Development Trust, Beith Community Development Trust, and Romano Lav.

Across both our international and domestic work we raise public awareness of issues to create pressure for change and we work with policy makers to tackle the causes of poverty.

Oxfam is a registered charity in England and Wales (no 202918) and Scotland (SC039042). Oxfam GB is a member of the international confederation Oxfam. Our funding comes from a range of sources including shops, donations and legacies, public authorities, trusts and grants, and corporate partnerships.<sup>i</sup>

#### **Views on Lobbying Register**

Fundamentally, Oxfam believes transparency within the democratic process is integral to the maintenance and growth of public confidence in our politicians and public officials. Efforts to enhance transparency are therefore to be welcomed, whilst fully recognising the importance of carefully assessing the practical impact of any proposals put in place.

Oxfam is committed to transparency throughout our work, and a key element of this transparency is accountability. We share information with people living in poverty, partner organisations, and the general public. This commitment to transparency also extends to lobbying.

As well as humanitarian response and development work, Oxfam is a campaigning organisation. As such, we regularly inform our supporters that we are talking directly to decision makers about our charitable objectives. Indeed, we often seek to involve supporters directly through petition hand-ins and mass lobbies as well as by encouraging them to engage decision makers independently. We also make very

clear what we are lobbying about since we use media and public campaigning to enhance those messages.

We support formal requirements for further transparency such as a register of lobbyists, and would favourably contrast the proposals contained in Neil Findlay's private member's bill with those contained in the UK Government's 'Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Bill'. Oxfam believes the UK proposals threaten to stifle public debate in the run-up to an election. Having said this, we do have some questions relating to some of the practical implications of the Scottish proposals, particularly in an organisation where many people are employed to help achieve policy change.

### **Need for change**

While the Scottish Parliament has not had the same problems with lobbying as that seen at a UK level, there is a perception in some quarters that certain interest groups have better access than others.<sup>ii</sup> Whether this is the case or not, is not the issue. The issue is that transparency of lobbying by large organised groups would make these interactions public.

As the Scottish Parliament gains more tax or economic powers (either through the Scotland Act, further devolution or independence) it is also possible that more lobbying will be undertaken by business interests. While campaigning groups, in the main, are likely to use public forums to articulate their demands, this is less likely to be the case for commercial interests. The introduction of a register at this relatively early stage could help prevent future concerns about commercial lobbying, thereby protecting public confidence in the Scottish Parliament.

### **Benefits of a Register**

As well as influencing parliamentarians and civil servants, Oxfam seeks to influence the private sector. An example of this can be seen in our recent Behind the Brands campaign<sup>iii</sup> where we rate the world's largest ten food and beverage companies on their agricultural sourcing policies, utilising publicly available information. The reason for this is that these corporations have huge impact on people and the environment all over the world. More publicly available information on their activities – including lobbying activities – could assist campaigning groups in holding corporations to account in a similar fashion.

We would also hope that, as suggested in Neil Findlay's consultation, the register would cover lobbying at a local level. Local authorities have important powers on planning which impact on the type of economic development undertaken in specific areas. The experience of an Oxfam partner, the Linwood Community Development Trust, with the development of a new Tesco superstore is important in this regard.<sup>iv</sup> While we do not know what, if any, lobbying of local councillors was undertaken by Tesco, a Lobbying Register may have helped make this process more transparent and enhanced public confidence.

## **Elected members publishing their diaries**

As well as a Lobbying Register we support calls for elected members to publish their diaries to act as a double-check safeguard against a lobbying register.<sup>v</sup>

## **Thresholds and issues for consideration**

Oxfam believes thresholds at which organisations and individuals would be required to register their lobbying activities, are important in order to ensure a Lobbying Register only covers appropriate interests. We would not, for example, wish to see any of Oxfam's partners covered by a Lobbying Register given their size and local grassroots nature.

Yet how thresholds operate needs careful consideration. Oxfam employs a number of people, and utilises a number of volunteers, in campaigning for policy change. Careful thought therefore needs to be given as to how thresholds operate across individual staff time and organisational spend. We would note that 20% of a Chief Executive's time is likely to cost significantly more than 20% of a Policy Officer's time.

Moreover, Oxfam sometimes uses email actions and social media to enable our supporters to contact MSPs, Ministers or non-parliamentary targets. While we would not expect social media or emails sent by supporters to constituency and regional list MSPs to be covered by a lobbying register, we are not clear whether the cost to Oxfam of supporting individuals send emails to Ministers would be covered or not. While these issues need careful consideration, so that impractical burdens are not placed on charities robustly and energetically engaging with political processes, we do not believe these issues are insurmountable. Oxfam's existing reporting requirements, both for internal efficacy purposes and in order to report to funders, are substantial. At GB and international levels we already provide breakdowns on the total spend going on advocacy and campaigning.<sup>vi</sup> Additional obligations are likely to be relatively minor.

## **Cost of a register**

Another important consideration is the administrative cost of a register. Oxfam would be opposed to any cost, beyond compliance, being placed on voluntary organisations. Democracy is a public good and these costs, as the costs of a functioning democracy, should be borne by the public purse.<sup>vii</sup>

## **Voluntary versus Compulsory Register**

Voluntary or light-touch regulation has failed in many areas, including the financial sector. Our understanding of the EU voluntary register is that it too is poorly adhered to and makes little telling contribution to transparency. A compulsory register would seem to be an appropriate way forward.

**FRANCIS STUART  
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14 JANUARY 2014**

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<sup>i</sup> For a breakdown of Oxfam GB's income see page 5 of our annual report: [bit.ly/KkDbUF](http://bit.ly/KkDbUF)

<sup>ii</sup> See for example Hassan, G (2012): <http://www.gerryhassan.com/uncategorized/the-self-preservation-society-of-civic-scotland/> and Reid Foundation (2013) <http://reidfoundation.org/portfolio/not-by-the-people/>

<sup>iii</sup> <http://www.behindthebrands.org/en-gb/brands>

<sup>iv</sup> For background to this, see p.35 of Trebeck and Stuart (2013) 'Our Economy': <http://policy-practice.oxfam.org.uk/publications/our-economy-towards-a-new-prosperity-294239>

<sup>v</sup> Of course due to confidentiality requirements, constituents would be excluded from what is published.

<sup>vi</sup> For a breakdown of Oxfam GB's expenditure see page 5 of our annual report: [bit.ly/KkDbUF](http://bit.ly/KkDbUF)

<sup>vii</sup> Consideration could be given to charging commercial interests, although this may risk a two-tier system and businesses setting up non-profit organisations to act on their behalf.