



**Friends of
the Earth
Scotland**

Friends of the Earth Scotland response to consultation on Neil Findlay MSP's Proposed Lobbying Transparency (Scotland) Bill

26 October 2012

About Friends of the Earth Scotland

Friends of the Earth Scotland is an independent Scottish charity with a network of thousands of supporters, and active local groups across Scotland. We are part of Friends of the Earth International, the largest grassroots environmental network in the world, uniting over 2 million supporters, 77 national member groups, and some 5,000 local activist groups - covering every continent. We campaign for environmental justice: no less than a decent environment for all; no more than a fair share of the Earth's resources.

Introduction

1. Friends of the Earth Scotland welcome the opportunity to respond to this consultation on the Proposed Lobbying Transparency (Scotland) Bill. We note that we are members of the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), Europe's campaign for lobbying transparency, through the Friends of the Earth Europe network.
2. We heartily agree with the purpose of the Bill as outlined in Mr Findlay's foreword, that is, 'to promote greater transparency, openness and accountability in relation to lobbying' and applaud the desire to 'enhance and re-build trust in politics and the political process'.
3. However, we feel that the Bill does not go far enough and could be a missed opportunity to introduce more comprehensive lobbying transparency. Specifically, we feel that in addition to introducing a register of lobbyists, the Bill should require greater openness and transparency on the part of Government and Parliament.

Comments

4. Introducing a *mandatory* register of lobbyists is one crucial step towards more open and transparent politics. We note the limited success of the existing voluntary European Parliament and European Commission register. ALTER-EU has called for this register to be improved by introducing:

- Mandatory registration;
- Full transparency regarding the financial value of lobbying consultancies' clients;
- Safeguards against under-reporting, including: regular checks on registrations and meaningful enforcement of the rules to prevent under-reporting;
- Clearer guidance on disclosure requirements is needed to ensure greater transparency on registrants' funding sources;

- Publication of the names of lobbyists found to be in breach of the rules.¹

5. Careful thought must be given to the definition of lobbying in order to ensure both that lobbyists don't try to get around the rules, and that lobbyists in the third sector are neither excluded from joining the register nor forced to take part in too costly or burdensome a process.

6. Part of the solution to this could be to require that the register is only updated annually, but that this disclosure is enhanced by a requirement on Ministers, MSPs and key public officials to publish their diaries on a regular (perhaps quarterly) basis. If lobbyists should have nothing to hide, nor should those elected and paid to represent and serve the people of Scotland!

7. Information in the register then could focus on key areas of lobbying interest (subject areas, specific Bills etc) but the regularity of lobbying meetings would be better exposed – easier to enforce and easier for people to look up due to sheer numbers of potential lobbyists – by the publication of diaries.

8. ALTER-EU supports this dual approach: "All MEPs should periodically list all meetings with interest groups. These lists should be easily available via a central transparency portal page on the EP website. MEPs must publish a legislative footprint for reports and amendments tabled."²

Contact

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¹ <http://www.alter-eu.org/taxonomy/term/23>

² http://www.alter-eu.org/sites/default/files/documents/statement_alter_eu_on_conflict_of_interest_mep.pdf