

# Baby steps in lobbying reform: opportunities and challenges in Queensland

Australia is lacklustre in its political transparency. This makes it challenging to see if commercial actors have undue influence over policy decisions, which is a risk for public health.

Lobbying is an important public health strategy. It is defined as “any direct or indirect communication with a public official that is made, managed or directed with the purpose of influencing public decision-making”.<sup>1</sup> Although the term “lobbying” often has negative connotations, it is an activity that both health advocates and business sector actors undertake to influence policy making. The success of tobacco control in Australia, and, more recently, the progressive stance taken by the Commonwealth government on electronic cigarettes, is partly due to the concerted lobbying of health and medical professionals.<sup>2,3</sup>

Yet the extent of public health lobbying pales in comparison to the business sector. Many public health policies have stalled or been watered down due to commercial lobbying. The World Health Organization recommends taxing sugary drinks, but the soft drink industry has successfully lobbied to oppose such a tax in Australia.<sup>4</sup> Alcohol industry lobbying delayed the implementation of mandatory pregnancy warning labels on alcohol products for more than ten years in Australia.<sup>5</sup> Internationally, the food industry has used a wide range of political strategies to block and undermine front-of-pack nutrition labelling in multiple countries.<sup>6</sup>

Lobbying often occurs behind closed doors, which makes it crucial to have a clear public record so that governments can be held to account. This can also help to dispel concerns about corruption or undue influence from a particular sector. Although not a panacea, improved transparency for lobbying and other political practices (eg, campaign finance) is an important step towards strengthening government accountability to its citizens. Furthermore, for public health, understanding who is seeing which ministers or government officials is powerful information that can inform advocacy efforts, making sure that public health voices are not drowned out by industry opposition.

In Australia, there are three main data sources about commercial political activities: political donations returns, ministerial diaries, and lobbyist registers. We and others have written elsewhere about the limitations of these datasets.<sup>7-10</sup> Key limitations are highlighted in [Box 1](#).

Although ministerial diaries and political donations have been examined previously, limited research has occurred analysing lobbyists registers — mostly because they have been such a poor source of data.<sup>11-13</sup> Most lobbying registers are essentially an online phone directory. They list the lobby firms, the firms’ clients, and the firms’ lobbyists. Some also provide information about whether lobbyists had

previously worked in government. This information is important for understanding and protecting against potential conflicts of interest.<sup>14</sup> No registers provide data on in-house lobbyists directly employed by companies, meaning that most lobbying activities are undocumented.<sup>15,16</sup> In addition to the lack of information, the design and format of the websites make it very cumbersome to find information, view relationships between data, and analyse the data as a whole.

We have recently seen a striking step forward in Queensland, which has made its lobbyist register far more user-friendly, making it much easier for researchers, advocates, and not-for-profit organisations to see who is meeting whom and where influence is being exercised. Despite not being perfect, the example in Queensland demonstrates the possibility of improvement and sets a new standard to which other jurisdictions can aspire. From July to August 2023, we explored the information available on the new Queensland Lobbying Register.<sup>17</sup> Here, we set out some of the opportunities and limitations of the newest iteration of the Queensland Register.

## Opportunities and limitations with the Queensland Lobbying Register

For the first time, we can download the contact log of a lobby firm’s meetings. The Lobbyists Code of Conduct requires that lobbyists report contact with government and opposition representatives in the previous month no later than 15 days after the end of the month.<sup>18</sup> This includes the client on whose behalf a firm lobbied for as well as the government representative seen. The log not only includes ministers but also senior advisors and bureaucrats, going far beyond the more limited scope of ministerial diaries. By providing the data into a structured format, it makes it far easier to readily analyse than other registers. [Box 2](#) lists the top ten firms with the most meetings out of 4962 entries. The increase over time likely reflects the growth of the lobbying industry as well as better compliance with disclosure requirements.

The Queensland contact log gives us a sense of the volume of lobbying done on behalf of each client. This is immensely useful and one of the only empirical indicators we have of the extent of commercial lobbying in Australia. We note that there is still no standard for reporting the names of the clients. This means that clients are often listed multiple times using different spelling or names in the register (eg, Tabcorp, Tabcorp Holdings). We used the Excel Fuzzy Lookup function to match them with a cleaned list of clients we had created in a separate project and manually reviewed all matches.<sup>13</sup> This shortened the list from 1193 to 987 unique clients. We note that there are likely additional matches and if we continued reviewing the data, we would simplify the list further. However,

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### 1 Limitations with government disclosures of political activity in Australia

**Political donations:**

- Data released once a year on 1 February, resulting in delayed information
- Federally, donations of less than \$15 200 are not required to be disclosed (each state has different requirements)
- Information about the purpose of the donation is rarely disclosed

**Lobbying registers:**

- Only apply to consultant lobbyists (in-house lobbyists directly employed by companies are exempt)
- Not-for-profit organisations (including most industry associations) are exempt
- Very little data are provided about the “revolving door” (ie, the movement between public and private sector employment)
- Only Queensland provides information about lobbyist meetings, and details are vague

**Ministerial diaries:**

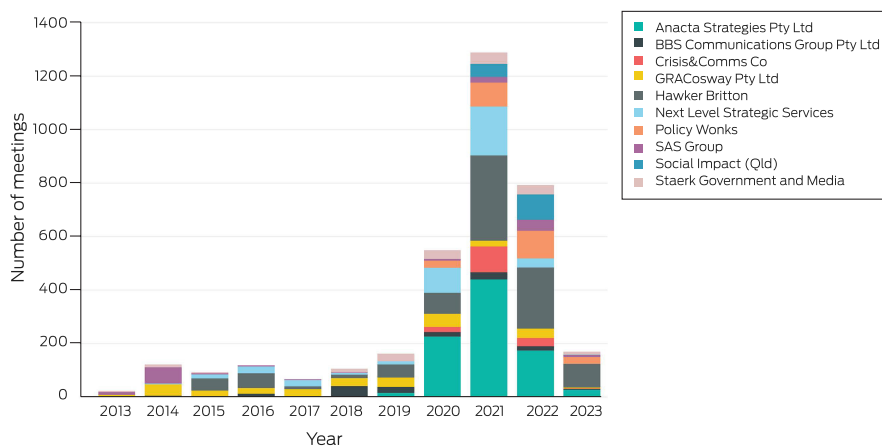
- Only provided by three jurisdictions (ACT, NSW, Queensland)
- Only apply to ministers (senior advisors, bureaucrats etc are exempt)
- Information about the purpose of the meeting is vague (eg, “introduction”)
- Reports are disclosed on a monthly (ACT, Queensland) or quarterly basis (NSW), making it difficult to follow issues in real time

**All sources:**

- Data lack unique identifiers (eg, identifications and/or registration numbers), making analysis challenging
- Data are rarely machine-readable and require time-consuming cleaning and transformation for analysis
- Data are not sufficiently timely
- Data are not sufficiently detailed about the purpose of political activity

ACT = Australian Capital Territory; NSW = New South Wales. ◆

### 2 The top ten firms with the most meetings over time, 2013–2023\*

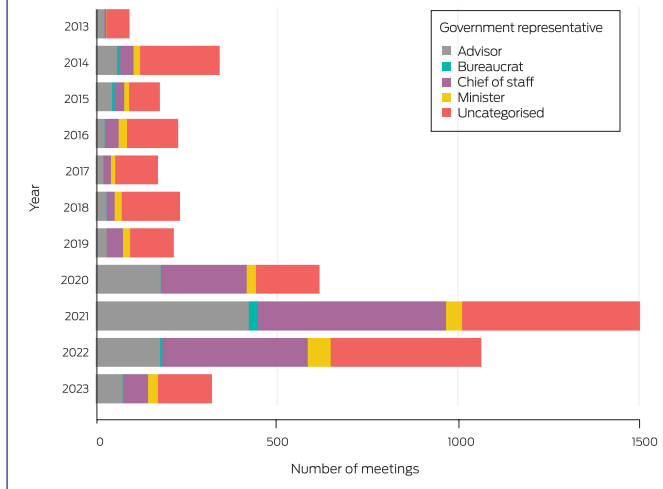


Qld = Queensland. \* Firms ranked from most to least meetings. ◆

### 3 The top 25 clients with the most meetings before (left) and after (right) data cleaning

Client name (uncleaned)	Count of meetings	Client name (cleaned)	Count of meetings
Qld Taxi Licence Owners' Association	68	The Pharmacy Guild of Australia Queensland Branch	150
Diatreme Resources	66	Qld Taxi Licence Owners' Association	70
Neuron Mobility	61	Diatreme Resources	66
The Pharmacy Guild of Australia Queensland Branch	57	Neuron Mobility	61
McDonalds Australia	48	McDonalds Australia	59
Tabcorp Holdings	44	Urannah Water Scheme	55
Pandana Capital Pty Ltd	41	Panada Capital	48
Fluent Property Pty Ltd	40	Tabcorp Holdings	48
Visy	39	Fluent Property Pty Ltd	46
Avid Property Group	38	Visy	45
Lendlease	37	Avid Property Group	42
Consolidated Properties	36	Idemitsu Australia Resources	42
Pharmacy Guild	36	Adani	39
Environmental Defense Fund	35	Consolidated Properties	39
Assetlink	34	Lendlease	37
BRP	34	Environmental Defense Fund	35
Urannah Water Scheme	34	Assetlink	34
Adani Mining Pty Ltd	33	BRP	34
Queensland Motorways Pty Ltd	31	Aspen Medical Pty Ltd	31
Watpac Construction (Qld) Pty Ltd	31	Queensland Motorways Pty Ltd	31
Unitywater	29	Watpac Construction (Qld) Pty Ltd	31
Aspen Medical Pty Ltd	28	Unitywater	29
Griffith University	28	Genex Power	28
Dexus Funds Management Ltd	27	Griffith University	28
Pharmacy Guild of Queensland	27	AJ Hackett	27
<b>Total</b>	<b>4962</b>	<b>Total</b>	<b>4962</b>

#### 4 Types of government representatives targeted by lobbyists



for this perspective article, our aim is to highlight the limitations within an unclean dataset and the benefits of a clean dataset, which standardised reporting or unique identifiers would facilitate.<sup>19</sup> Box 3 shows the top 25 clients with the most meetings before and after we had performed the above data cleaning steps — noting that these counts are likely an underestimation and may miss other key clients.

The Queensland contact log often provided detailed information about the government or political representative with whom the lobbyist was meeting, including their name, position and/or portfolio.

However, in the absence of specific reporting standards, we found a variety of terms were used to refer to the same position, making it difficult to easily classify or search the data. The original list included 4963 unique entries for government representatives. Developing a set of prescribed categories (eg, minister, advisor, chief of staff) for lobbyist reporting forms would address this challenge and make the register more searchable. Box 4 presents our preliminary efforts at classifying the government actors and highlights that many meetings were not with ministers — noting that some of the uncategorised actors could be ministers.

Perhaps most importantly, the purpose of the meeting was disclosed, although these were often very general. The most frequent purpose was “commercial in confidence” ( $n = 1428$ ), followed by “other” ( $n = 1203$ ) and “introduction” ( $n = 1176$ ). These labels provide

little meaningful information about the purpose of the meeting or the interest of the commercial actor. In contrast, the Chilean and Canadian registers require this information to be provided in much greater detail (Box 5).<sup>19,20</sup>

Although it is possible to gain more detailed information about lobbyist meetings, these data are only accessible by clicking on individual links in the meeting or lobbyist tabs in the online register and not in the downloadable spreadsheets. For instance, the alcohol industry-funded charity DrinkWise has eight meetings recorded in the contact log. Three are

#### 5 Illustrative examples from Canada and Chile

##### Canada\*

- In-house corporation name: Imperial Tobacco Canada Limited
- Communication date: 24 April 2023
- Subject matter of the communication: Justice and law enforcement

##### Subject matter details:

- Legislative proposal, bill or resolution:
  - ▶ Monitor all developments regarding Bill S-5 An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other acts.
- Policies or program:
  - ▶ Finance/public safety/health Canada: lobby the federal government to raise the awareness of illegal tobacco trade activities in Canada; to dedicate more enforcement resources to combat this illegal industry; and to bring the illicit trade of cigarettes in line with the taxation and regulation regimes that the tobacco industry is submitted to.
  - ▶ Finance: continue to demonstrate the unintended consequences of a high taxation regime on the illicit trade of cigarettes in Canada.
  - ▶ Health Canada: advocate for reasonable tobacco control policies and regulations.
  - ▶ Small business and tourism: lobby in favour of the implementation of the federal government's Red Tape Reduction Commission and advocate for the inclusion of principles that are specific to the tobacco industry.

##### Chile†

- Person or entity represented: Coca-Cola Chile SA
- Public body that reports: Undersecretariat of the Environment
- Hearing date: 18 May 2017, 10:30 am
- Observations: To inform about the responsible beverage consumption plan. Minutes summary: The meeting started at 10:30 am. The conflicts of interest of the attendees were verified. The meeting discussed how Coca-Cola Chile has been working in conjunction with the government in two areas: in health and the environment. From an environmental point of view, the effort made in matters of returnability and eco-design stands out. In addition, there is a discussion about the complications encountered in the process and how we can work together to overcome them while ensuring availability and environmentally friendly designs. Regarding health, we talk about the innovation introduced by Coca-Cola Chile to provide its consumers with healthy options. This focuses on changing consumer trends by promoting the low sugar varieties in the market and by reducing the sugar content in their drinks. Furthermore, there is a discussion about the challenges and possibilities for working together to maintain and enhance these trends. The following people accompanied the Minister at the meeting: Ms Barbara Salas, Journalist from the Office of Waste and Environmental Risk, and Mr Diego Yañez, Advisor to the Minister's Cabinet.

\* <https://lobbycanada.gc.ca/app/secure/oc/lrs/do/vwRg?cno=5116&regId=928033&blnk=1>. † <https://www.infolobby.cl/Ficha/Audiencia/aw0021685721>; article in Spanish (translation from Google and edited by a native Spanish speaker). ◆

classified as “introduction” (August 2015) and five as “other” (February 2014). On the website, each meeting can be selected, and for the “other” meetings, the additional details “provide information regarding public education campaign” can be seen. No further information is provided in the register.

Based on our knowledge of alcohol industry activities, we speculate that these meetings were about their “Drinking — do it properly” campaign that launched in 2014. However, this conclusion can only be inferred, as it is not explicitly disclosed in the register. Public health research has found that alcohol industry responsible drinking campaigns, like tobacco industry messaging, have been shown to confuse consumers, undermine public health messages and shift responsibility away from manufacturers and onto individuals.<sup>21,22</sup> Requiring more detailed disclosures about the intention and purpose of lobbying, such as required by Chilean and Canadian lobbying regulations, would make it much easier to understand and challenge the political strategies of harmful industries. In turn, public health advocates could be more easily alerted to lobbying tactics and could provide counterevidence. We note that public health organisations would be held to similar disclosure standards. Although there is a risk that this could provide intelligence to harmful industries, we anticipate that any attempts to exclude certain health promoting groups from requirements could be gamed by organisations that purport to support public health but are in fact aligned with the interests of commercial actors.

## Conclusions

The new Queensland Lobbying Register demonstrates that it is possible to make data about commercial political activities more accessible and user-friendly. This approach could be applied elsewhere (eg, to lobbyist registers or ministerial diaries). There are also opportunities to look at good practice internationally. The Global Data Barometer project highlights opportunities to improve both the content of information disclosed and the design of lobbyist registers to make them more accessible.<sup>19</sup> Effective enforcement and sanctions are likewise important to ensure compliance with transparency regulations.<sup>23,24</sup>

Making information about commercial political activities more transparent is a first step in challenging undue influence and making government more accountable. Transparency also enables greater scrutiny of how governments make decisions that have an impact on the health and wellbeing of populations.

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