

Friend or Foe?

Lobbying in British Democracy

A discussion paper

by

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Foreword

A lobbyist I recently interviewed disclosed to me how, when she goes to a dinner party she dreads being asked "what do you do for a living?" She should be so lucky; I recruit public affairs professionals for a living!

Some may be surprised that the lobbying industry has grown so large that it has developed a dedicated recruitment service, but every month the team and I at Ellwood and Atfield help the world's largest multi-national corporations, FTSE 100, professional bodies, NGOs and charities to recruit public affairs experts. Because of this relatively unique position I believe we have a vantage point from which to view the developments within what the author of this report, Dr Phil Parvin, calls the "Public Affairs industry".

We are very pleased to be supporting and to have contributed to this excellent report produced by the Hansard Society. I believe *Friend or Foe? Lobbying in British Democracy* is an important and ground-breaking study in a number of ways: firstly it concludes that lobbying is a broad activity and not a narrow one. Secondly, although their objectives are very different, corporate and NGO lobbying today pursue very similar tactics and strategies to achieve them, although as the report indicates their target audiences (politicians and policy makers) view their effectiveness very differently. Finally, by examining the media, elected politicians and the public affairs industry in one study the report is able to look at the totality of what influences and shapes the political debate and ultimately today's government policy.

The recent report by the Power Commission argues that lobbyists should be forced to disclose their contact with politicians. If this is a good idea then a sympathetic reading of this report must surely lead one to believe that either this would be unworkable or that the media and everyone else should also be forced to as well, a situation that would surely undermine our democratic process.

It is surely the case that the power and access the media has to influence policy is vastly more than that of the whole lobbying industry. However, perhaps unfortunately for those who "lobby", they do not have the luxury of "owning the printing presses". Today's public affairs community mimics the strategies and activities practiced by both the media and elected politician. If this is correct they are no more and no less transparent than each other. Our industry is growing and there is no good reason why it should be defensive about it. Journalists' exposure of inappropriate lobbying and criticism of its excesses are important. But if this criticism is generalised the media will miss what is actually developing in our body politic. This report illuminates a lobbying industry, in its widest sense, that is filling the vacuum created by the decline of mass participatory democracy and the role it used to play in influencing the political classes.

Ben Atfield, Director, Ellwood and Atfield

Executive Summary

This paper on lobbying in British democracy is intended to raise some discussion points on the legitimacy and effectiveness of lobbying, and, in doing so, to explore the various ways in which different organisations might be said to be involved in influencing policy-makers.

The paper focuses on the many organisations who lobby MPs and the means by which they do this. Its central aim is to explore the extent to which different organisations might be said to be engaged in this activity. What it does not try to resolve are those complex and wide ranging ideological, practical, or economic arguments for which different groups lobby.

The discussion paper also includes findings drawn from exclusive polling of those at the heart of the lobbying process – MPs, journalists, and lobbyists themselves. These findings help to paint a more detailed picture of the size, shape, and effectiveness of the lobbying community in Britain, and gauge opinions among those who lobby, those who are lobbied, and those whose job is to represent the political process to the public.

The paper demonstrates that:

- Lobbying is more widespread than it is often assumed to be by its critics and supporters.
- Public affairs activity is becoming more professionalised.
- Ensuring that all those organisations who engage in lobbying do so transparently and ethically is crucial to the future health of our democratic system. Organisations not only have an ethical reason to be transparent and open in their dealings, but also a commercial one.
- Although lobbying organisations are, on the whole, becoming much more professional in their approach to engaging with policy-makers and MPs, they have varying degrees of success in doing so. Those which have the greatest success are not necessarily from the sectors that many people expect.
- As a result of wider social and political change, as well as government policy, lobbying organisations across different sectors are occupying an increasingly central role not only in the development of policy, but also in its delivery.

It is hoped that this paper might represent a foundation for further debate on the issues it raises, and the way in which we might understand lobbying in the context of a complex and evolving democratic system.

Introduction

It is the right of any citizen to lobby his Member of Parliament, and if he considers that his case can be better advanced with professional assistance he has every right to avail himself of that assistance

– First Report of Members Interests Committee, 1984-85¹

The role and legitimacy of lobbying in British politics is an important and controversial issue. In the US, the Abramoff scandal has exposed corruption at the highest levels of politics, and recent investigations by *The Times* and others into the involvement of public relations and public affairs companies in the administration and financial support of All Party Parliamentary Groups have reawakened memories of recent lobbying scandals in the UK. Scepticism about the role of lobbying in the British political process has continued to grow.

Lobbyists emphasise the important role that they play as providers of information and facilitators of debate. They argue that British parliamentary democracy entrusts elected politicians with the huge responsibility of legislating across a wide range of often very technical and complex issues and that it is important for MPs and government to have access to all the information necessary to make decisions and develop policy responsibly. Lobbyists say that they offer a beneficial source of information, improve debate, strengthen the law-making process, and help over-worked, over-stretched parliamentarians, officials, and civil servants to grasp what is at stake in a range of political debates.

Some MPs would appear to agree. The House of Commons Select Committee on Modernisation has recently stated that Parliament should 'revise its procedures so that it is easier for . . . lobby groups, representative organisations and other stakeholders to influence Parliament's consideration of Bills.'² Policy-makers in the EU have made the widening of 'opportunities for stakeholders to participate actively in EU policy shaping' one of the European Commission's 2005–2009 Strategic Objectives.³

Opinions about the legitimacy and usefulness of lobbying are not however, unanimous. Many see lobbying as antithetical to democracy; a corruption of the basic democratic principle that government should be in the public interest, not in the interests of those with the money to buy influence and power. This sentiment would appear to run deep among many activists and campaigners who have suggested that some of our most basic freedoms and liberties are in jeopardy as a result of big businesses seeking to maximise their profits.⁴

¹ First Report of Members Interests Committee, (1984-85), HC 408 para 3.

² Modernisation Committee session 2005 – 2006, The Legislative Process, HC 1097 p.3.

³ EU Green Paper, *European Transparency Initiative* (2006), European Commission, p. 1.

⁴ There are many examples of such claims being made. The most obvious examples might include campaigns by trade unions such as Unison in favour of improving UK minimum wage provision, and the wider campaign for better working conditions for overseas workers working for multinational companies by organisations such as Oxfam. Further details are available from the Unison website (www.unison.org.uk) and the Oxfam website (www.oxfam.org.uk). The clash between corporate interests and the rights of workers have also been popularised in books such as B. Ehrenreich *Nickle & Dimed* (London: Granta, 2002), P. Toynbee, *Hard Work: Life in Low Pay Britain* (London: Bloomsbury, 2003).

It is also common among the public at large. The 2006 State of the Nation survey conducted by the Joseph Rowntree Reform Trust found that while 67 per cent of respondents stated that they felt large corporations had a great deal or a fair amount of influence over government policies, only 27 per cent felt they *ought* to enjoy such influence a great deal or a fair amount.⁵ Individual citizens quoted in the Power Inquiry expressed concerns about 'the extraordinary power afforded to corporations and their lobbying groups'; the common view seemed to be that 'governments are on the side of big business' and that this represented a threat to democracy.⁶ Recent work by the Hansard Society suggests that these worries among the public may be exacerbated by wider concerns about their inability as individuals to influence the political process.⁷

So who are 'lobbyists' and what role do they play in the democratic process? This discussion paper attempts to shine a light on some aspects of lobbying in order that the process by which businesses and other organisations influence policy-makers might be more fully understood.

Definitions and Terms

This paper uses both the terms 'lobbying' and 'public affairs'. This is not because they are assumed to be the same, but because effectively influencing policy-makers requires a wide range of diverse techniques and practices. Lobbyists are keen to emphasise that 'lobbying' is only one part of what they do. Effective political communication involves not merely direct contact with MPs, ministers, and civil servants, but a range of other related activities including building partnerships with other organisations, raising issues with the press, engaging with user-groups, mobilising grassroots support, managing reputations, monitoring and predicting political, legal, economic, and social developments, market research, providing political intelligence and strategic advice, and so on. Put another way, lobbying and public affairs activity involves not merely the development of vertical relations between organisations and government, but the fostering of horizontal relationships among all those different groups involved in policy development (including government). The term 'public affairs' has emerged to capture all these different activities under one profession or label.

Public and Private Interests

This discussion paper draws a distinction between the means by which organisations lobby and the ends they pursue. This paper focuses on the former – it is about the practice and spread of lobbying in Britain and, as such, its central aim is to explore the extent to which different organisations might be said to be engaged in this activity. It looks at the overlapping lobbying techniques which different organisations use to try to influence the political process. What it does not try to resolve are those complex and wide ranging ideological, practical, or economic arguments for which different groups lobby.

The Democratic Context

Recent research has suggested that the rise of single-issue politics has meant that formal political engagement (through the traditional channels of joining associations like political

⁵ State of the Nation Poll (2006), Joseph Rowntree Reform Trust Ltd: London. www.jrrt.org.uk/FINDINGS.pdf

⁶ The Power Inquiry, *Power to the People: An Independent Inquiry into Britain's Democracy* (London, 2005), p. 163 – 164.

⁷ See for example, Hansard Society/Electoral Commission *Audit of Engagement 3*, (London, 2006) – only 23 per cent of the public feel they have a say in the way the country is run.

parties and trade unions, and voting in elections) has declined and has been supplanted by newer forms of political activity.⁸ While such indicators suggest that people seem less willing to engage in the formal mechanisms of representative politics, it seems that they are willing to look to non-governmental organisations (NGOs) and interest groups to represent their views on certain issues within the democratic system.

Political parties and single issue pressure groups are very different types of organisation which make different demands of their membership and we should be wary of direct comparisons. Nevertheless, the general upward trend in interest group membership in Britain and the apparent decline in many traditional forms of political association would appear to have had the result that many organisations external to the formal representative system (i.e. not standing for election) are now in the business of influencing and shaping the development of policy in Britain with widespread public support. This is not new for a pluralist democracy. What is new is that our political institutions are now changing to accommodate this fact.

Consultation

The Westminster Parliament is strengthening the routes through which external organisations and the public can take part in shaping policy, for example by enhancing pre-legislative scrutiny of bills, and encouraging the involvement of the public in select committee inquiries, which has widened the sorts of groups and individuals likely to be involved in the political process. The Scottish Parliament welcomes the formal consideration of outside views via its Petitions Committee and its many cross-party groups, which comprise MSPs alongside spokespeople for a range of organisations and groups. The Government is often required to consult with outside groups when developing policies and positions on issues.

The policy-making process is therefore more fragmented than it used to be. Policy proposals come from a diverse range of sources, including think tanks, NGOs, interest groups, academic departments, professional bodies, quangos, non-departmental public bodies (NDPBs) and charities. The arenas in which policies are debated are diffuse and multiplying: both within the parliamentary process and external to it in the many policy forums, consultative exercises, conferences, and seminars held in Westminster and elsewhere.

In addition, new technologies have helped to distribute information and facilitate debates to the public at an unprecedented level, and experiments in deliberative democracy such as citizens' juries are making it easier for previously excluded or ignored voices to be heard in the democratic and policy-making process.

These developments raise a number of questions which will be discussed in this paper. Importantly, it would seem that the process of raising particular agendas or policy issues among decision-makers, or seeking reforms to existing laws, is increasingly about plugging into a diffuse web of organisations and institutions, rather than merely establishing contacts among particular government departments or MPs. It is increasingly about building bridges not only with government but with likeminded

⁸ For more lengthy and detailed discussions of political engagement and democratic change see D. McHugh & P. Parvin, *Neglecting Democracy: Participation and Representation in 21st Century Britain* (Hansard Society, 2005) and Hansard Society & Electoral Commission, *Audit of Political Engagement 3* (London, 2006).

partner organisations and groups. This has resulted in an increased willingness among different groups and organisations (whose views and motives may be very different from one another) to engage in what Covey and Brown have termed 'critical cooperation' with one another on individual issues.⁹

This discussion paper explores the many and varied organisations that are involved in lobbying government and Parliament and examines how they are perceived by MPs, journalists and lobbyists themselves. The intention is to look at lobbying in a changing political landscape and, therefore, to provide a foundation for further discussion about the role and future of lobbying in British democracy.

⁹ J. Covey & L. D. Brown, 'Critical Cooperation: An Alternative Form of Civil Society-Business Engagement' *IDR Reports 17(1)* (Cambridge, Mass: 2001). Quoted in G. Jordan & L. Stevenson, 'Beyond Win-Lose Processes?' in S. John & S. Thompson, *New Activism and the Corporate Response* (Palgrave, 2003), pp. 31–47, p. 32.

Chapter 1

Who are the lobbyists?

No other business organisation has such an extensive network of contacts with government ministers, MPs, civil servants, opinion formers, and the media.

– CBI website membership page, December 2006

Lobbying is often seen as the means by which big businesses seek to influence politicians in order to increase their profits. There is some truth in this, of course: businesses do indeed lobby politicians in order to increase their profits. But lobbying and big business are not synonymous. Films such as *The Corporation*, *Supersize Me*, and *Thank You For Smoking*, books like *Fast Food Nation* by Eric Schlosser and *No Logo* by Naomi Klein, and popular polemics raging at government corruption and financial scandal by the likes of Michael Moore encourage a view of nefarious big business and dodgy-dealing which plays directly upon rising and widespread fears among the public about the power and influence of big business, and the craven attitudes of governments throughout the world toward multinational corporations. High profile business scandals like the collapse of Enron and Arthur Andersen only serve to add fuel to the fire. However, many other groups and individuals engage in a range of different activities aimed at influencing politicians, building relationships with the media and other stakeholders, and raising political issues with policy-makers.

The British policy-making process is dynamic, fragmented, and subject to a great many influences from a diverse range of organisations hoping to shape policy decisions by communicating with Parliament, government, and one another in the interests of promoting (or resisting) change. This direct or indirect lobbying of policy-makers and other stakeholders is widespread and deeply ingrained in our democratic system. Indeed it is symbolic of a healthy pluralist democracy.

The size and shape of the contemporary lobbying community (and its techniques) have been influenced by wider social and political change, changes within government and Parliament, and the growth of supranational institutions which have affected the locus of decision-making. Consequently, the effective communication of political issues and agendas to policy-makers has come to involve a great many disparate and diverse activities which are not about directly approaching government or Parliament at all – activities as varied as government relations, grassroots campaigning, stakeholder management, partnership building, branding, reputation management, strategic planning, legal advice, media strategy, and corporate social responsibility initiatives.

So, which kinds of organisations are in the business of influencing and shaping policy in Britain?

Companies

Corporate lobbying in the UK is big business, although public affairs professionals working in the consultancy or corporate in-house sector have long worked under a shadow of mistrust and scepticism. There are several reasons for this.

(a) The Size of Private Sector Lobbying

It is very difficult to get a clear idea of the number of people involved in private sector lobbying and how big the industry is, giving the impression that it is secretive and, therefore, unsavoury. Part of the problem in finding out exact numbers is that there is no official register or list. However, the main obstacle is the fact that the precise forms of activity which constitute 'public affairs' are ambiguous and diverse, and hence, the number of people engaged in it is blurred and difficult to ascertain.

The Chartered Institute for Public Relations (CIPR) recently estimated that around 48,000 people are currently involved in PR – broadly defined – in the UK, and that around 30 per cent (14,000) of those are directly involved in those activities of government relations, brand management, reputation management, and stakeholder engagement which fall under the term public affairs. Given that they also believe that the UK PR industry is worth around £6.5 billion, this would mean that the worth of the UK public affairs industry stands at around £1.9 billion. It is perhaps the scale of this expenditure and the number of people employed that leads some to question – or even disparage – the motive of public affairs. If lobbying, in its widest sense, did not produce commercial results and consequently improve profits, then it is reasonable to assume that it would not be carried out at all. Businesses make their investment in the expectation that they will see a worthwhile return and it is this interaction between the political process and profit that fuels scepticism about the role and influence of lobbying.

However, public affairs consultants are not the only people in the private sector who provide public affairs advice and lobbying services. As Kevin Maloney has pointed out, 'employment figures underestimate the actual number of people doing PR, for they only measure specific job titles or people who self-declare.'¹⁰ Of no industry is this more true than public affairs. The figures above do not take into account the enormous number of other consultants, advisers, and experts in other professions and sectors who provide public affairs support in one way or another. Many PR agencies which specialise in the corporate and financial sectors, for example, offer strategic advice to companies on a range of issues such as brand reputation and crisis management, which involve many of the kinds of activities commonly associated with public affairs, but which are not always labelled as such. Management consultants also offer advice in areas and on issues which often overlap with those dealt with by public affairs specialists. Investment banks, in offering advice to clients on mergers and acquisitions and such like, often provide advice on how to deal with the complex legal and political issues which surround financial markets, crisis management, perceptions management and corporate relations – all of which is either entirely or peripherally covered by the term 'public affairs'. Law firms regularly provide counsel to companies and individuals on a range of issues to do with

legislation and the changing nature of UK and EU regulatory frameworks, which again fit directly within the ambit of public affairs.

The picture is complicated even further by the fact that on top of all these consultants there is also a huge and thriving community of in-house public affairs practitioners, legal advisers, corporate communications specialists, financial advisers, public relations experts, and strategic planners who work throughout the private sector in an enormous and diverse range of companies on issues which can in one way or another be termed 'public affairs'. Finding out the number of people employed in these positions poses an even greater challenge than working out the size of the consultancy sector. The common consensus within the industry is that the in-house sector is growing and becoming more professional. Recruitment firms working in the sector, such as Ellwood and Atfield, have reported a noticeable expansion in the number of in-house positions at all levels. A large proportion of those lobbyists consulted in the Hansard Society survey used in this report point not only to the steady expansion of the sector in terms of size and numbers, but its increased 'maturity' and 'professionalism'. One prominent lobbyist who responded to our survey cites the development of in-house expertise among the corporate sector as 'the most important development in public affairs in the last 10 years'.

Nevertheless, the lack of concrete information on this subject (and, more importantly, the lack of any real way of getting any definitive information on it), coupled with the sprawling, shifting nature of the industry spread across so many different sectors and companies, can lead to confusion about the number of people involved and where they are located.

(b) Globalisation and Corporate Corruption

The second reason why lobbying and public affairs activity within the corporate sector remains controversial stems from a wider scepticism about the role and influence of business in public life more generally. Lobbying on behalf of big businesses who want to increase profits for their company shareholders and expand their market share seems, for many, qualitatively different from lobbying on behalf of, say, endangered animals, and feeds easily into widespread worries about the power of business to usurp government and dictate policy for its own ends.

The increased globalisation of international markets and the increased fragmentation of the policy-making process have led to a growing fear that it is becoming easier and easier for corporations to find their way into the policy-making and decision-making process and use their commercial might to influence global political decisions away from the public interest and toward their own interests and the interests of their shareholders. Many critics have felt that the growing dominance of big business on the national and supra-national stage has meant that conventional democratic institutions are being squeezed out. George Monbiot, a vocal critic of what has been called the 'corporate takeover' of Britain, sums up this view in his claim that companies are:

...seizing powers previously invested in government and using them to distort public life to suit their own needs. The provision of hospitals, roads, and prisons

*in Britain has been deliberately tailored to meet corporate demands rather than public need. Urban regeneration programmes have been subverted to serve the interests of private companies, and planning permission is offered for sale to the highest bidder.*¹¹

This is not so much a critique of lobbying in general, of course, but more a concern that the business lobby is too powerful. This may or may not be true. But the problem for Monbiot and others is not so much that businesses put their views forward, but that the government and MPs are too keen to listen to, and act upon, them. Some of the findings outlined in chapter 2 suggest that this sympathy toward the business lobby may be overstated, at least in the case of MPs.

(c) Lack of Transparency

A third reason why corporate lobbying in particular remains controversial is due to the fact that people are sceptical not only of the issues for which they argue, but the methods they use to do so. The reputation of the lobbying industry in Britain has been adversely affected by a number of high profile scandals which have led many to assume that underhand tactics and nefarious practices are endemic among lobbyists. Two stand out. The first was the famous 'cash for questions' scandal in which an established lobbyist (Ian Greer, of Ian Greer Associates) was accused of paying MPs to table parliamentary questions. The second was Derek Draper's all too public claim that he was on intimate terms with the most important people in the Government and that he could – for a fee – approach them on behalf of clients. Together, the scandals that surrounded these two events brought those who worked in public affairs under the intense and hostile glare of the UK's media. Despite occurring around a decade ago, the after effects of these events continue to be felt.

The industry responded by setting up the Association of Professional Political Consultants (APPC) – a self regulatory body for public affairs professionals. Members of the APPC are required to publish the names of their clients, the names of any paid staff who were involved in the provision of public affairs services, and be bound by a statutory code of conduct aimed at improving transparency. The APPC currently has 38 member firms on its books and estimates that it represents around 80 per cent of professional public affairs companies. While representing a high profile and obvious attempt to secure greater accountability and transparency, however, the APPC has attracted criticism from some people inside and outside the industry. A number of the lobbyists consulted during the writing of this discussion paper suggested that, being a voluntary body, the APPC lacks teeth. They suggested that the principal motivation behind belonging to such an organisation is a commercial, not a specifically ethical one. Firms are not legally required to join and so they need only sign up if they think it will be in their commercial interest to do so. Consequently, there is a concern among some lobbyists and others that any code of conduct which seeks to genuinely restrict the activities of member firms in the interests of transparency will result in those firms opting out and pursuing their commercial interests more effectively outside the code. Indeed, this is exactly what some big public affairs agencies have done.

¹¹ G. Monbiot, 'The Corporate Takeover' in S. John & S. Thompson, *New Activism and the Corporate Response* (Palgrave, 2003), p. 169. This is a theme developed in more detail in his book *Captive State: The Corporate Takeover of Britain* (London: Pan, 2001).

Other critics have suggested that the APPC is wrong in not allowing its membership to employ elected politicians or members of the House of Lords. There are a number of firms who are led by active politicians and many former civil servants who, after their statutory leave, join the boards of charities, NGOs and businesses with the purpose of using their background and contacts to influence and effect change.

However, it is clear that the APPC and other bodies have gone to great lengths to improve the standing of lobbying in Britain. Many in the lobbying industry have genuinely looked inward at their own practices and activities and attempted to improve public perceptions of the profession. The APPC has been – and remains – important in this, as do the various other trade bodies and sectoral groups like the Public Relations Consultants Association (PRCA), the Chartered Institute of Public Relations (CIPR), and the Government Affairs Group. However, given the continued low esteem in which lobbying and lobbyists are often held, it would appear that more needs to be done in order to improve transparency across all those organisations and companies which lobby Parliament and government. A number of lobbyists – together with the CPRA – have suggested that one of the main obstacles to internal transparency across the public affairs industry is the understandable unwillingness of public affairs consultants to sign up to a code of conduct which does not include all those other companies, groups and organisations which are in the business of public affairs – both across the private sector, and further afield among the other organisations that we discuss below. If this is true, then wider, cross-sector measures may be needed to ensure increased accountability and transparency among lobbyists. Such a move has been suggested, and the APPC, CPRE, and CIPR's Government Affairs Group are currently drafting guidance and principles designed to be applicable to all those bodies and companies which engage with decision-makers. Whether these principles gain the support of the huge and diverse range of organisations who seek to influence policy-makers is another matter.

Charities and Interest Groups

The charity, interest group, and wider NGO sector represents an important and growing locus of lobbying and public affairs activity. 190,000 charities are currently registered with the UK Charity Commission, with a combined annual income of £38 billion – equivalent to 3.4 per cent of total GDP. The UK charity sector employs around 600,000 paid staff.

Interest groups, associations, charities and NGOs fulfil an important role in democratic states. The fundamental democratic right to free association protects the right of all citizens to get together to discuss political issues and, as far as they can, press for political change. Associations and political groups represent important forums in which groups can form their own opinions about political matters, and join with others to campaign for change, or represent an issue or viewpoint which is not represented elsewhere. Interest groups and charities take their role as influencers very seriously, and now often sell themselves to members as professional, effective lobbyists, capable of changing government policy and shaping the development of new laws. For example, in a recent membership recruitment flyer, Friends of the Earth state that among their recent achievements they successfully 'helped secure the Kyoto protocol . . . [and] succeeded in getting eight Acts of Parliament

passed in eight years' through an effective programme of 'persuading' MPs, 'convincing' Parliament, and 'influencing' decisions.

The NSPCC state that, through their 'Tighten the Net' campaign they have 'influenced the Home Office to spend £1.5 million on educating young people about the dangers of the internet', and that their 'lobbying and influencing activities have contributed to changes' in eight pieces of legislation aimed at protecting young people passed between 1994 and 2004, including the Protection of Children Act (1999), the Sexual Offences Act (2000), the Education Act (2002), and the Criminal Justice Act (2003).

Hundreds of other charities and groups as diverse as the RSPCA, Liberty, the Electoral Reform Society, Stonewall, Oxfam, and Cancer Research UK all explicitly state that one of their key activities is to lobby local, national and/or EU institutions, and are keen to point out their relative success in doing so.

One of the ways in which some of these charities and interest groups have sought to increase their effectiveness is to move away from direct action and grassroots activism toward those more conventional lobbying activities previously found in the private sector. A recent public opinion poll commissioned by NfpSynergy found that 58 per cent of the public thought that charities should directly lobby government, and half of those asked actually ranked lobbying as the 'most economical' and cost effective activity it was possible for charities to engage in.¹² One of the reasons for this support – and for the wider move towards direct lobbying among charities – would appear to be political disengagement among the public. As interest groups have come to rely less on their membership to get involved in campaigns, it would appear that they have altered the way in which they seek to influence policy-makers, and adopted more direct lobbying methods. This approach, common to all the sectors involved in lobbying, accurately recognises that influencing those with power to make decisions can be much more effective than the traditional approach of the mass movement.

Two further issues concerning NGOs with regard to their role as lobbyists are those of funding, and the apparent unwillingness among some to understand the campaigning activities of interest groups as lobbying activities at all. On the funding issue, a recent letter in *The Financial Times* from Silvana Koch-Merlin MEP, Head of the German Liberals in the European Parliament, commented that many NGOs and charities now lobby for change with the government's help.¹³ EU Commissioner Siim Kallas made a similar point recently, arguing that we have now reached a point at which lobbying is so ubiquitous that many NGOs lobby with the help of taxpayers' money. 'Many NGOs rely on public funding,' he says, 'some from the [European] Commission. Annually the Commission channels over €2 billion to developing countries through Non Government Organisations. The word "non" is quite fictitious.'¹⁴ There is evidence of this going on in the UK too. Cancer Research UK, for example, stated that they have been given £2.5 million by the Department of Health in 2003 'to develop anti-tobacco campaigns' following the government's 'radical decision to commit £15 million over three years to fund tobacco control campaigns from charities.'¹⁵

¹² http://www.charitytimes.com/pages/ct_news/July_06_news/120706a_public_campaign_support.htm

¹³ Quoted in N. Quigley, 'Viewpoint: Should NGOs Lobby Their Paymasters?', *Public Affairs News*, Dods Parliamentary Communications, April 2006.

¹⁴ S. Kallas, 'The Need for a European Transparency Initiative', Speech to the European Foundation for Management, Nottingham Business School, 3 March, 2005. Full text available at: <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/130&format=HTML&aged=0&language=EN&guiLanguage=en>

¹⁵ <http://engage.comms.gov.uk/webfiles/Case%20studies/Case%20Study%20%20DH%20Tobacco%20control.pdf>

The second issue concerning NGOs as lobbyists is perhaps best illustrated by the recent investigation by *The Times* into All Party Parliamentary Groups (APPGs) which found that of the 442 All Party Parliamentary Groups currently in existence in Westminster, 36 'receive administrative and financial assistance directly from lobbyists'.¹⁶ On the basis of this, the newspaper published a number of stories and editorials criticising the inappropriate role of PR and public affairs companies within Parliament. However, there are a great many other 'lobbyists' involved in the administration of APPGs who did not receive the same level of criticism. In addition to those APPGs supported by private sector organisations, there are around 170 others which receive administrative or financial support from named individuals, trade organisations, charities, or not-for-profit organisations. The House of Commons Standards and Privileges Committee, in its report on *Lobbying and All Party Groups* undertaken in response to *The Times* articles, pointed out that the provision of assistance to APPGs is not merely the preserve of consultants or big business, but rather 'is attractive to a wide range of organisations or individuals who want to maintain links with Members likely to be sympathetic to their aims and, if they can, thereby to advance a particular cause. So the discussion of lobbying in relation to such Groups should not simply embrace the activities of those who provide professional public affairs or public relations services in return for reward, but needs to range more widely.'¹⁷

Trade Unions

As a result of social, political, and economic change, a sustained hostile period of Conservative government throughout the 1980s and early 1990s, and changing attitudes toward the labour movement within the Labour Party, the role and impact of trade unions in British politics is much diminished when compared to what it used to be. Internal changes to the structure of the Labour Party have meant that the unions have not regained the ground that they lost under Margaret Thatcher in quite the way they would have hoped. However, they are still an important source of influence in UK politics. 67 trade unions currently make up the Trade Union Congress, together representing almost 6.5 million people. They still exert a significant influence within the current party of government, both constitutionally and financially. Labour Party records show that the trade unions still contribute the majority of the party's funding (around 75 per cent) and that its reliance on this union funding is increasing (although it is possible that changes to the rules on party funding may alter this situation).

APPC records show that 20 separate trade union organisations used registered lobbying firms between 2000 and 2005, and that unions have campaigned on a range of issues including the General Agreement on Trade in Services (GATS), pensions, minimum wage, and public procurement.¹⁸ Evidence also seems to suggest that trade unions have sought greater influence through a change in tactics: dropping their more 'militant' activities and adopting a more 'insider' approach to their relations with government and industry. As a result, trade unions find 'that they are being increasingly "co-opted" by government into

¹⁶ S. Coates, 'How Business Pays for a Say in Parliament', *The Times*, 13 January 2006; Editorial section, 'Dirty Little Secret', 13 January 2006.

¹⁷ House of Commons Committee on Standards and Privileges, *Lobbying and All Party Groups*, May 2006, p. 10.

¹⁸ K. Milner, 'Why the Public Sector Needs to Hire Lobbyists', paper presented at the PR Week & Bournemouth Governance and Communication Conference, 2006, p.11.

consultations about policy development or legislation.¹⁹ This is on top of the more formal influence that the unions exert within the Labour Party's policy development process typified in such documents as the Warwick Agreement, in which the Labour Government and the unions agreed on a range of measures and policies concerning workers' rights and pay which would be taken forward by the Government; measures including pensions protection and corporate manslaughter.

Trade Associations

Trade associations, too, occupy an important place in the policy-making process. Stuart Bean of the Trade Association Forum claims that there are around 3000 bodies in the UK which might be described as trade associations. Around 600 of these lobby in a 'meaningful way', and around 100 have 'major full-time staff and government affairs teams'. The CBI, for example, has around 2,000 individual company members employing around four million people, plus a further six million employed by companies whose trade associations are members. The CBI calls itself the Voice of Business and claims that its networks among 'government ministers, MPs, civil servants, opinion formers and the media' are so formidable that the organisation is 'second to none at achieving [lobbying] wins for business . . .'²⁰

The Federation of Small Businesses (FSB) represents 195,000 members employed across a range of sectors, which together employ 1.3 million people and have an annual turnover of over £10 billion. The ABPI – Association for the Pharmaceutical Industry – represents almost 150 full or affiliated members who together produce 80 per cent of the medicines prescribed through the NHS and have an annual UK trade surplus of around £3.5 billion. It is thus able to wield significant power in its efforts to represent the 'views of the pharmaceutical industry to the Government, politicians, academia, the media, and the general public'.²¹

Although it is difficult to measure the success of these bodies in getting their point across, it is clear that trade associations are often credited with effectively influencing government – especially by their critics. Friends of the Earth, for example, have attributed a great many lobbying successes to the CBI, including persuading government to adopt a deregulatory agenda, encouraging the Government to break previously agreed EU limits on greenhouse gas emission by UK industry, and persuading the DTI to 'water down anti-corruption and bribery guidelines to be used by their Exports Credit Guarantee Department because of concerns over how these guidelines might jeopardise UK arms sales.'²² Corporate Watch has claimed that the ABPI is one of the most powerful industry bodies in the UK and has successfully lobbied against such measures as the lowering of drug prices, the relaxation of patent laws and laws supporting 'corporate secrecy', and for a relaxation of the rules governing the promotion and advertising of prescription medicine.²³

¹⁹ S. Daly, *For the Common Good? The Changing Role of Civil Society in the UK and Ireland*, Carnegie UK Trust (London, 2006), p. 38.

²⁰ <http://www.cbi.org.uk/ndbs/content.nsf/802737aed3e3420580256706005390ae/324c1ff6df552c9a802570450038a33b?OpenDocument>

²¹ ABPI Annual Report 2005, chapter 21.

²² Friends of the Earth, *Hidden Voices: The CBI, Corporate Lobbying, and Sustainability* (London, 2005), p. 10.

²³ Corporate Watch website. <http://www.corporatewatch.org.uk/?lid=397>

Not everyone is convinced of the general effectiveness of trade associations, however, including those who are lobbied by them. Of the MPs who responded to our survey, less than half (47 per cent) said that they thought trade associations were 'effective' at communicating with them and this view appears to exist in government too. Wyn Grant points out that the 'DTI takes the view that only a handful of trade associations are really effective and that they form part of the problem rather than part of the solution as far as government–business relations are concerned'.²⁴

Nevertheless, there does seem to be a continued desire by the Government to incorporate trade associations in policy consultations. In 2000, the Government produced a code of practice regulating the conduct of written consultations which stated that to avoid placing extra burdens on groups with limited resources, e.g. voluntary or community organisations, 'it may be better to target consultation through umbrella bodies, including trade associations'.²⁵ In 2001, departments undertook 396 consultations covered by the code. Grant goes on to point out that the revised code of conduct 'singles out trade associations as a category of organisations that should be engaged with in a proactive fashion'.²⁶

Professional Bodies

Professional bodies also have a role to play in representing the interests of their members to government and other decision-makers. The Law Society, for example, represents around 116,000 professional solicitors in England and Wales, lobbies on 'several Government Bills each year . . . and [provides] support for MPs and Peers in Westminster'.²⁷ The Royal Institute of British Architects (RIBA) has a 30,000 strong membership in the UK and states that: 'As a membership organisation it is important that we work with government – as well as other parties – to ensure the most favourable conditions for our members in terms of legislation, regulation and government guidance'.²⁸ In addition, 'RIBA's public affairs work also harnesses the broad and hugely experienced knowledge of RIBA members to put well-targeted proposals to government, officials and others on sustainability, planning and environmental issues'.²⁹ The British Medical Association represents doctors from all branches of medicine all over the UK. It has a total membership of over 138,000, rising steadily, including more than 2,500 members overseas and over 19,000 medical student members. It has a Parliamentary Affairs team which 'acts as the liaison between the BMA and the Westminster Parliament, promoting and defending its members' interests in both Houses. The team keeps politicians of all parties informed of BMA policy developments, provides briefing material for politicians' use, advises BMA members on contacting their local MPs, and co-ordinates the BMA's activities with the various Parliamentary committees'.³⁰

Think Tanks

Over the past 20 years, the number of think tanks has grown from a cluster of small organisations dedicated to pushing particular policy agendas to a burgeoning, thriving

²⁴ W. Grant, 'Pressure Politics: A Politics of Collective Consumption?', *Parliamentary Affairs* 58(2), 2005, pp. 366 – 379, p. 377.

²⁵ W. Grant, 'Pressure Groups: The Changing World of Pressure Groups', *Parliamentary Affairs* 57(2), 2004, pp. 408 – 419, p. 411. Internal quote taken from the Code of Practice on Written Consultations, Cabinet Office, November 2000, p. 13.

²⁶ *Ibid.* p. 412.

²⁷ <http://www.lawsociety.org.uk/influencinglaw/role.law>

²⁸ http://www.riba.org/go/RIBA/News/Policy_2696.html (RIBA website Public Affairs page)

²⁹ http://www.riba.org/go/RIBA/News/Policy_2696.html (RIBA website Public Affairs page)

³⁰ <http://www.bma.org.uk/ap.nsf/Content/PUaboutus> (BMA website Parliamentary Unit page)

industry of over 100 organisations, policy institutes, and research centres committed to strengthening political debate and forging new policy solutions. While not explicitly 'lobbying' organisations, they are widely held to have a significant impact upon policy development and often provide an effective bridge between policy-makers, academics, the media, and other organisations. Think tanks also help to set the wider social and political agenda in which many of the more detailed policy discussions take place. The Institute for Economic Affairs, for example, was famously credited with introducing Margaret Thatcher to monetarism. The Fabian Society provided much of the intellectual foundation of the Labour Party in its early years, and remains influential within the party. The IPPR has established itself as a 'critical friend' of Blairism, supporting a wide range of government policies including – most controversially, perhaps – increased private sector involvement in public services. While not specifically 'lobbying' government to do certain things, therefore, think tanks nevertheless present their ideas to the policy-making community and to government in the hope that they will be adopted, and they do so without the adverse baggage that they would bring if they were corporations or businesses. Indeed, the Hansard Society itself could be considered to come within this category.

Unlike corporations, think tanks are largely seen as beneficial to the policy-making process. They are seen as enriching political debates and providing an important philosophical and theoretical dimension to political discourse which many feel has been lacking from traditional politics in the wake of what they see as the death of ideology and the rise of managerial politics. Consequently, other organisations – including businesses – have been keen to work with think tanks as a way of contributing to debates and political discussions in ways that they may not be able to do on their own. One way in which they have done this, of course, is to fund research which they hope will influence government's thinking and feed into policy further down the line. In this way, much think tank activity is indirectly part of the lobbying process. Think tanks boast not only policy expertise, but often the requisite contacts and networks within government and Parliament to get this research noticed. This can be very useful for companies and other organisations who are seeking to influence policy debates or publicise certain issues.

The movement and sharing of staff among government and think tanks – made easier by the relatively short-term nature of research projects and the use of secondments – has meant that the larger think tanks have become important insider groups, with the ability to push for policy reforms at the highest levels of government. This makes them very important to the policy-making process, and very effective advocates for controversial policies and proposals.

However, their effectiveness at formulating policy, their networks in government, and their willingness to work with – and seek funding from – businesses and other organisations have led to concerns that their activities can sometimes overlap a little too much with those of commercial lobbyists, principally in their ability to provide funders with access to politicians. Defenders have argued that in bringing legislators together with key stakeholders from different sectors in the interests of radical thinking and the development of fresh policy ideas, think tanks might be said to be strengthening political debate and, thereby, the effectiveness of those policies which arise from them.

Government

Government does not, of course, lobby government – at least, not in the way in which we are concerned in this discussion paper.³¹ However, it is often wrongly assumed that public affairs activities are only engaged in by those non-government or non-parliamentary organisations which seek to influence the decisions of those in power. Lobbying and public affairs activity involves not merely the development of ‘vertical’ relations between organisations and government, but the fostering of ‘horizontal’ relationships between all those groups and organisations involved in policy development. And these include government. It is an often overlooked fact that government itself invests a considerable amount of time, effort, and resources engaging in those kinds of activities labelled ‘public affairs’.

Firstly, the Government has developed and widened its ‘stakeholder engagement’ through regular policy consultation exercises. Secondly, it invests considerable resources in publicising its activities through a range of media. Indeed, the extent to which the current Government does so is a continuing source of controversy. Since their election in 1997, New Labour has become associated with increased centralised control of media messages and ‘spin’. The widespread effects that this centralisation and professionalisation of communications activity has had upon the policy-making process and the wider political culture is a contentious and obvious debate which continues to rage among commentators, journalists, and within government. What is less obviously debated – and hence, less widely known – is the fact that ‘government departments have quietly hired lobbying/public affairs firms to engage in activities which go far beyond information or publicity work.’³²

In his study of APPC members registered between 2001 and 2005, Karl Milner claims that ‘[o]ver the four year period of the study, government institutions have been second only to private companies as the most frequent user of commercial lobbyists, recording over 830 separate relationships’ between government and APPC registered public affairs companies.³³ And this is ignoring those contracts described as ‘monitoring only’ or recorded as pro-bono, and ignores too the wider ‘intergovernmental infrastructure’ of hospitals, education establishments, the BBC, and other publicly funded institutions which would dramatically increase the number of government bodies which have used the services of commercial lobbyists over this time. When these wider institutions were added in a report conducted a year later, Milner found that ‘six of the top twenty [public sector employers of lobbyists] are regulators . . . [with] 176 appearances on APPC lists.’³⁴ However, the highest ranked single organisation was the BBC, with 21 separate appearances. He also points out that between 1999 and 2005, ‘eleven separate Government departments have used lobbyists.’

The hiring of external public affairs expertise by government is not new and neither, in many ways, is the centralised control of media messages within government. Government ‘spin’ has arguably become more obvious and professionalised since 1997, but governments have always had a keen interest in managing their perceptions among

³¹ Some would argue that a great deal of lobbying goes on between government departments and the Treasury regarding funding and budgets.

³² D. Miller, *Submission to the Government Communications Review Group: Commercialisation of Government Communications*, May 2003, p. 6.

³³ K. Milner, ‘The Growth of Lobbying Consultancy Firms in the UK’, draft report, p. 15.

³⁴ K. Milner, ‘Why the Public Sector Needs to Hire Lobbyists’, paper presented at the PR Week & Bournemouth Governance and Communication Conference, 2006, p.11.

stakeholder groups and the wider public. The point here is that government is involved in public affairs activities both through its internal, in-house network of publicists, media relations experts and communications specialists, and its use of externally sourced public affairs consultants, and that the extent of this activity should not be underestimated.

The Media

The media cannot be left out of any analysis of lobbying in the UK. They often take up causes and use their considerable influence to persuade public opinion on a variety of issues from Sarah's Law to dangerous dogs. Pressure applied by newspapers and their readerships can have considerable sway over policy-makers – for example, the 1991 Dangerous Dogs Act came into force after a significant increase in newspaper reports of attacks on children by dogs and subsequent editorials pressing for legislation. Media relations have become a pivotal activity in any wider public affairs strategy, especially those on those social issues which are seen to be close to the public's heart. In December 2006, for example, the NSPCC and *The Sun* newspaper joined forces on a campaign to convince the Government to devote public funds to their children's abuse hotlines. It is as yet unclear as to how successful this campaign will be, but it is indicative of a wider trend among lobbying organisations of using the media to communicate their messages widely and favourably. The communication of issues through different media, and hence, the importance placed on developing long-term, productive relationships with journalists has grown in importance, especially given the more diffuse nature of the contemporary policy-making process.

The media is free to act without any significant regulation or the need for accountability and, moreover, it is able to claim that this untrammelled freedom is not a laissez-faire vice but instead is a democratic virtue.

Conclusions

This chapter has provided an outline sketch of some of the many and varied ways in which different political organisations (including government) communicate with one another and the wider public, and some of the key issues at stake regarding the ways in which they do so. The aim has been to provide a picture of some of those groups, organisations, and institutions which – in one way or another – input into policy development, influence decision-makers, and seek to raise issues and special interests among those who are in a position to bring about social, political, and economic change. It is important to do so, because it is only through such a discussion that we can begin to piece together the complex and diverse community of lobbyists who are active in British policy-making. A number of themes have become apparent:

Lobbying is more widespread than it is often assumed to be by its critics and supporters. The policy-making process is replete with groups and individuals influencing and lobbying for change on all sides of the debate. Therefore, when discussing the legitimacy or illegitimacy of 'lobbying' in British politics, it is crucial to consider the practices of all those involved. It is also likely to remain a major element within the wider political and governmental process.

Public affairs activity among the groups that we have mentioned above is becoming more professionalised. Interest groups, NGOs, and charities have increasingly adopted lobbying and public affairs techniques previously found predominantly in the private sector. Indeed, these are often practised by the very same people who practised them in the private sector, as a result of the increased movement of public affairs personnel and knowledge between the public, private, and third sectors.

'Lobbying' is only one part – and a relatively small part – of what public affairs practitioners (whether consultants, or working for companies, trade associations, interest groups, NGOs, think tanks, or trade unions) do in the name of raising agendas and issues with decision-makers and other key stakeholders. Public affairs represents a wide and diverse range of activities, many of which do not involve direct lobbying of government or parliamentarians at all. Consequently, when viewed in this broader way, the 'lobbying' process must be viewed not as a top down or 'vertical' relationship between external organisations and government, but a 'horizontal' relationship between a range of organisations, including government.

Chapter 2

Perceptions of the Lobbying Community

The previous chapter outlined the size, shape, and internal diversity of the lobbying industry. In order to further understand lobbying in Britain, the Hansard Society surveyed three groups involved at the heart of the process: MPs, lobbyists, and journalists. We asked each group an overlapping set of questions in order to gauge the extent to which their opinions about lobbying – its frequency, its effectiveness and its legitimacy – converged or departed from one another. In particular, we wanted to examine whether the perceptions of the industry among those who practise it (lobbyists) are consistent with those who are on the receiving end of it (MPs) and with those who report on it (journalists). We surveyed 31 lobbyists, 25 political journalists and 160 MPs. More details on these samples can be found in the Appendix.

Who do lobbyists lobby?

Before we begin to look at the three areas mentioned above, it is necessary to say a few words about who lobbyists lobby. It is sometimes believed that lobbying principally describes a relationship between organisations and government, and that lobbyists do not communicate as systematically with individual MPs because of a perception that they are controlled by their party whips. Our survey shows opinions on this to be fairly equally balanced among lobbyists: 14 agreed that 'lobbying Parliament is less important than lobbying Government' while 15 disagreed. Journalists were far more inclined to think that lobbying Parliament was less important: 12 agreed, six disagreed.

When asked about lobbying the EU, only four lobbyists thought it more important than lobbying either the British Parliament or Government while 25 disagreed. Only two journalists thought lobbying the EU more important; 15 were of the opinion that lobbying the British Parliament or Government was more important.

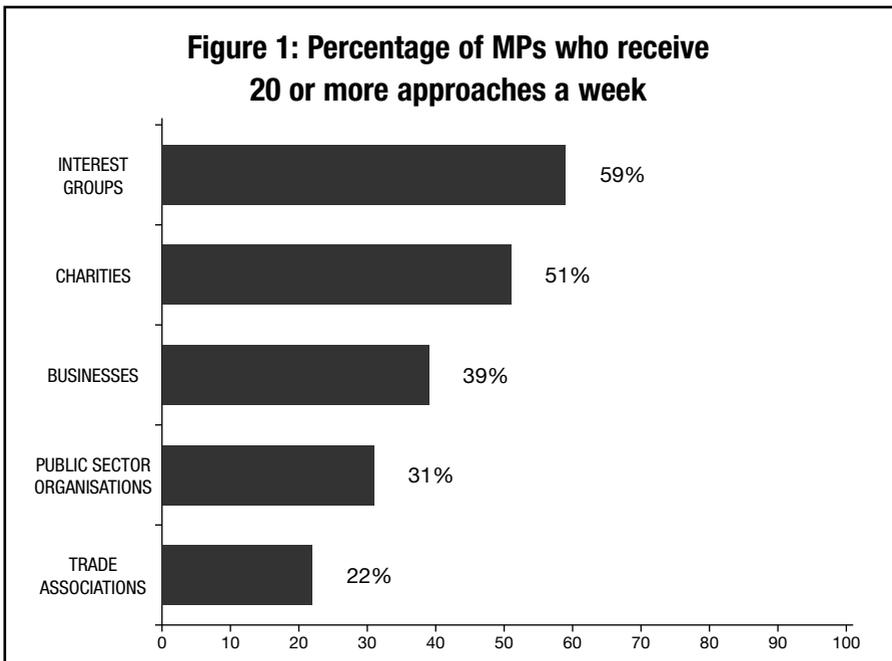
Policies and proposals will be subject to a great many pressures and influences before they are accepted, dropped, or take their final shape. Seeking to shape these policies through lobbying will therefore involve activity in a number of arenas at once – from directly contacting MPs and government, to strengthening networks with partner organisations and developing relations with the media. It is nevertheless interesting to note that a majority of those lobbyists sampled felt that lobbying Parliament was more important than lobbying government, and that a majority also thought that lobbying the UK Parliament and government was more important than lobbying EU institutions. The survey below concentrates on parliamentary lobbying, rather than the lobbying of government.

1. Frequency

In order to understand a little more clearly how much lobbying of Parliament actually goes on, we asked MPs how often they are approached by different organisations (interest groups, charities, businesses, public sector organisations and trade associations) in a week (by email, letter, and telephone) – **see Figure 1**.

These responses would appear to suggest that the lobbying of individual MPs is considered important by a range of different organisations. Interest groups do so the most: 22 per cent of MPs claim that they are contacted over 50 times a week by these groups. When added together, the figures suggest that many MPs are receiving over 100 separate approaches from different organisations of one kind or another every week. The frequency and nature of these approaches differ between issues but not, interestingly, in any significant way between parties. Labour, Conservative, and Liberal Democrat MPs all claim to receive roughly (proportionately) equal attention from lobby groups campaigning on national or constituency issues.

These figures also seem to suggest that while lobby organisations are becoming more professional in general, different groups approach MPs differently. Interest groups appear to see the persuasion of individual MPs as a more effective strategy than other kinds of organisation – in particular, trade associations and businesses. This is partly to do with the fact that different organisations not only have different agendas, but different strengths and weaknesses. Our survey shows that interest groups and charities are able to call upon at least some of their members to contact their MPs directly.



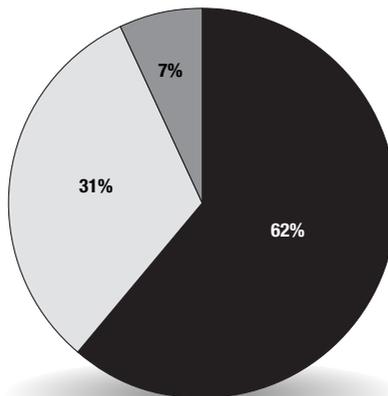
2. Effectiveness

'Frequency' does not equal 'effectiveness'. Just because an organisation is very active in contacting lots of MPs, it does not mean that they are necessarily doing so effectively. We asked our sample of MPs about the relative effectiveness of those different organisations which approach them. As is shown by **Figure 2**, well over half (62 per cent) of MPs claimed that they were more persuaded by arguments put forward by charities than businesses.

Lobbyists in the private sector are clearly aware of this, as 24 of our sample of 31 lobbyists surveyed agreed that 'MPs are "more persuaded by arguments put forward by charities than businesses"'. Many lobbyists complained of a bias toward charities and against business.

Although a majority of MPs (62 per cent) agree that they are more persuaded by arguments put forward by charities than businesses, lobbyists in the private sector were convinced that there was a far more overwhelming bias towards charities and against business. Several lobbyists working in the private sector complained about having to 'go the extra mile' or engage in an 'uphill struggle' to persuade MPs of their case. Several expressed an exasperation with MPs, who they feel do not give businesses the 'benefit of the doubt' in the way that they might to NGOs or charities working in same policy area.³⁵ In a recent study of new MPs conducted by the Hansard Society, evidence showed that there was a willingness among these MPs to meet with charitable organisations but sometimes wariness about business interests.³⁶

Figure 2: Percentage of MPs who are 'more persuaded by arguments put forward by charities than businesses'



Agree ■

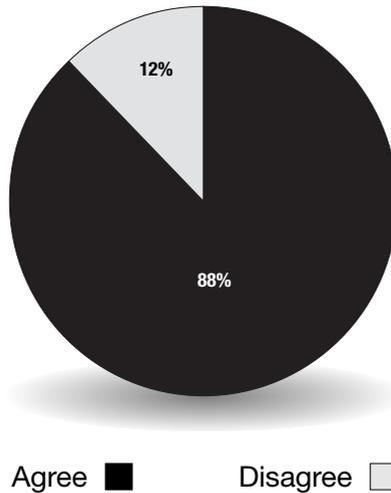
Disagree □

No comment ■

³⁵ Interestingly, many lobbyists working for interest groups and charities said the same thing, claiming that they always had to work much harder than the corporate lobbyists because the politicians are so ready to cave in to the demands of business.

³⁶ Rosenblatt G. (2006), *A Year in the Life: From member of public to Member of Parliament* (Hansard Society: London), p. 40.

Figure 3: Percentage of MPs who believe interest groups are 'fairly effective' or 'very effective' at communicating with them



However, while some MPs are wary of the idea of 'big business' in the abstract, many are also very concerned about the continued success of those 'big' businesses with offices or plants located in their constituencies, for all the obvious reasons concerning local jobs and the wider economy in that area. Nevertheless, there would appear to be some degree of scepticism among MPs about the business lobby in particular.

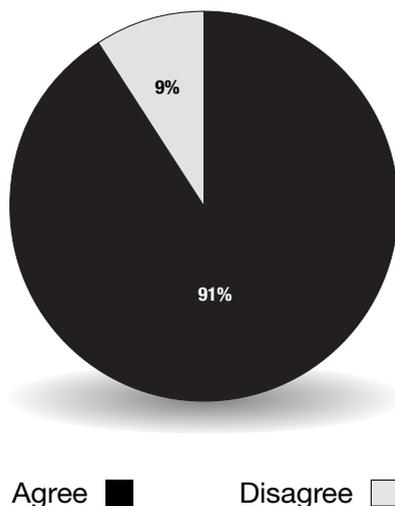
These figures also suggest something about the relative effectiveness of the techniques used by the private and charity/NGO sectors. Many corporate lobbyists have (in the past, at least) criticised the techniques used by interest groups and charities to get their point across (such as mailshots or letter writing campaigns) as unsophisticated.

If some MPs are receiving over 50 approaches each week from interest groups alone, it would suggest that these techniques are still used and that they are more effective than their critics believe. It is important to note, however, that the most successful NGOs, interest groups, and charities would appear to be those which adopt an integrated approach to public affairs (i.e. grassroots campaigning structured and organised by a wider, centralised, professionalised public affairs strategy).

Our survey shows that, as a result of increased professionalisation, lobbyists and opinion formers are changing their views about the effectiveness of interest groups and charities. An overwhelming majority of lobbyists and journalists felt that interest groups were 'very effective' or 'fairly effective' at communicating with MPs.

A clear majority of MPs agreed – *see Figure 3*.

Figure 4: Percentage of MPs who believe charities are 'fairly effective' or 'very effective' at communicating with them



Charities are also regarded as successful communicators. Again, a large majority of lobbyists (29 out of 31) and journalists (17 out of 25) felt that charities were effective at communicating with MPs. MPs overwhelmingly agreed – *see Figure 4*.

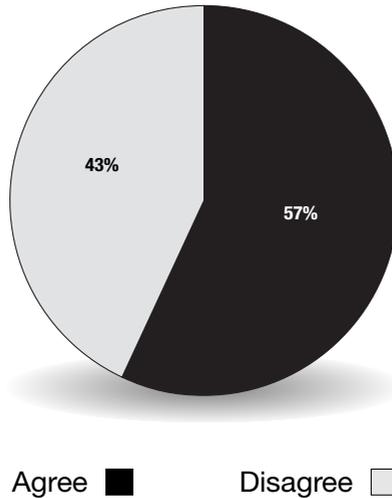
This again reflects a wider understanding among lobbyists and policy-makers that interest groups, charities, and NGOs are becoming much more professional in their approach to political communications and campaigning. Many are either learning from techniques more commonly found in the corporate sector, or benefiting directly from this sector through the use of public affairs consultants. As a result, 84 per cent of lobbyists in our survey and 83 per cent of journalists in our survey believe that single issue groups are 'more important in British politics than they were 20 years ago.'

A majority of lobbyists (21 out of 31) and journalists (17 out of 25) believe that businesses are effective at communicating with MPs. However, as we see in *Figure 5*, a much lower proportion of MPs agree.

On the face of it, this would suggest that lobbyists working in the corporate sector are not as good at communicating with MPs as they think they are. This would appear to be supported by the results of the survey, which found that only 20 per cent of MPs believed that 'companies are generally more adept at lobbying than charities/pressure groups'.

The techniques and arguments used by lobby organisations are important to MPs, but so are other factors. We asked the MPs, journalists, and lobbyists which factors they thought

Figure 5: Percentage of MPs who believe business is ‘fairly effective’ or ‘very effective’ at communicating with them



were the most important to parliamentarians when dealing with lobby organisations. The results are as follows (*see Figure 6*):

Figure 6: Which factors are most important to parliamentarians when dealing with lobby organisations?

	MPs	Lobbyists	Journalists
<i>The transparency of the organisation, ie to whom it is accountable</i>	93% important (51% very)	78% important	65% important (35% very)
<i>The impact of the issue on the MP's constituents</i>	95% important (76% very)	96% important (77% very)	100% important (47% very)
<i>The MP's past experience of the individuals seeking to persuade them of their case</i>	85% important (35% very)	97% important (53% very)	100% important (35% very)
<i>The overall aim of the organisation, ie whether it is profit making or exists for some other purpose</i>	69% important (21% very)	66% important	74% important (13% very)
<i>Whether the MP's party has a strong line on that particular issue</i>	46% important (5% very)	78% important	78% important (17% very)

Figure 6 suggests four points of particular interest. Firstly, it suggests that the internal transparency of an organisation is very important indeed to MPs, and that lobbyists generally understand this. Secondly, it shows that the impact of the issue at hand on their constituents is very important. This is backed up by the recent Hansard Society study of new MPs where one MP summed up the priority that constituents' interests take: 'Being lobbied by a pressure group does not have a huge impact; being lobbied by a constituent on behalf of a pressure group has more of an impact.'³⁷

Thirdly, it confirms the importance of developing strong and enduring relationships with MPs in getting one's point across: becoming a trusted and reliable 'insider' is crucial. Fourthly, and perhaps most interestingly, it suggests that the overall aim of the organisation is slightly less important to MPs than these other factors. The fact that an organisation is working on behalf of public rather than private interests, for example, seems to figure less in the minds of MPs than we might otherwise have thought.

Taken together with earlier findings, our survey reveals something quite important: that transparency and accountability are not the only keys to the legitimacy of an organisation but also to the effectiveness of that organisation. To be effective, MPs seem to be saying, an organisation (whether from the public, private, or voluntary sector) must be open in its aims, considered trustworthy, and accountable in some way for its actions.

The survey also suggests that different groups lobby MPs at different rates (and over different issues) but that successful lobbying requires the adoption of certain practices which stretch across sectors. The increased professionalisation of in-house public affairs teams in businesses, interest groups, NGOs, charities, and trade associations has resulted in a kind of shared 'best practice' among these organisations. The techniques they use to communicate with Parliament and government are largely the same – those techniques that work tend to work for all organisations.

It is important to note a paradox here. On the one hand, many NGOs and other non-corporate organisations claim that politicians are sympathetic to business, and all too susceptible to the pressure that the business community can bring to bear on MPs and government.³⁸ On the other hand, however, lobbyists working for businesses seem to be saying that non-corporate organisations will often get their own way because they are able to provide arguments more appealing to hearts and minds. Businesses can often make quite powerful economic arguments about job losses or slowed growth. NGOs can appeal to other arguments which invoke specific sympathies or moral concerns. Both sides, it seems, claim that their efforts will be largely wasted because the other side has a monopoly on the kind of arguments most favoured by politicians, government, and the wider public. However, both sides feel that it is crucial to engage in this process.

3. Legitimacy

Lobbyists overwhelmingly perceive themselves as fulfilling a legitimate and important role in British politics, but just as overwhelmingly admit that they are not seen as legitimate by others. All of the lobbyists and – interestingly – 22 out of 25 of the journalists who took part in our survey believe that 'lobbying is a legitimate part of the

³⁷ Rosenblatt G. (2006), *A Year in the Life: From member of public to Member of Parliament* (Hansard Society: London), p. 40.

³⁸ See, for example, S. McRae, *Hidden Voices: The CBI, Corporate Lobbying, and Sustainability* (Friends of the Earth, 2005).

political process'. This latter result is interesting given the high degree of scepticism toward lobbying and lobbyists in the media. Several journalists who took part in our survey claimed that lobbyists represented an important source of information. For example, one prominent political journalist claimed that he is often in contact with lobby groups. Others speak of the 'general acceptance of the lobbying industry as legitimate' by journalists and politicians, and the increased professionalism of those involved. Several suggest that the increased willingness of businesses and interest groups to work together indicates that partnerships and alliances are now more common than they once were. Some express a reluctance to work with lobbyists who – they say – often provide biased or partial information, but on the whole, those journalists who took part in our survey claimed either support for, or a disinterest in, lobbyists. Only three of those asked actively said that they thought lobbying was 'illegitimate'.

23 out of 31 lobbyists thought that 'the public do not trust lobbyists' and 16 out of 25 of journalists thought the same. Less than half of the lobbyists surveyed (14 out of 31) believed that *MPs* trust lobbyists, and 18 out of 25 of journalists believed that lobbyists are not trusted by *MPs*. These figures suggest that lobbyists could do more to lobby on their own behalf!

We should probably expect the relationship between public affairs practitioners or lobbyists and journalists to be better than it is as they are only too aware of the importance of establishing strong relations with the media. So much of public affairs is concerned with the management and protection of reputation, grassroots campaigning, opinion formation, and the indirect lobbying of government and Parliament through 'the court of public opinion' that effective media relations are often crucial to the success of any wider public affairs strategy – as vital, in many ways, as the direct lobbying of *MPs* and government. Effective lobby organisations strive to develop strong and cordial links with journalists. Consequently, if lobby groups have the ability to change or influence policy, then journalists have a key role in policy development too, through the way in which they respond to and interact with these lobby organisations. This is a crucial point and a complex topic on which more research needs to be done. For the purposes of this discussion paper, it is important to state that the relationship between journalists and public affairs practitioners is a complex and ambiguous one: one which public affairs practitioners work hard to improve and maintain, and journalists – on the whole – tend to play down or deny. Whether this is because they do not grasp that they are being 'lobbied' or whether they do but would (with the odd exception) rather not mention it, is an open and difficult question to answer. But the answer is important, as journalists – through their ability to raise agendas with a huge section of the public, opinion formers, and politicians – often hold the key not only to the success of lobbying strategies (and hence, the form in which particular policies might be implemented or adopted) but to the way in which the public and other key stakeholders understand the role, status, and legitimacy of lobbyists.

Conclusion

When the findings of this survey are evaluated in the light of the claims made in the previous chapter, it is possible to see a number of important developing themes. Most

obviously, the findings suggest that lobbying is far from an exact science, and that while all organisations are becoming more professional in their dealings with politicians, different strategies are used by different kinds of organisations, depending upon the ends sought. However, they also suggest that if there is a split between how different organisations lobby decision-makers, it is not a split between businesses and other kinds of organisations. Increasingly, NGOs, interest groups and charities are using similar techniques to those used by lobbyists for commercial and business interests, and, as mentioned in the previous section, these techniques are often used by the very same people in the NGO or public sector as used them in the private sector given the regular movement of staff between organisations, and the resultant cross-skilling that this encourages.

The findings also suggest, however, that these techniques appear to have varying outcomes dependant on a range of factors including how transparent the organisation in question is, and how legitimate their aims are seen to be. The survey suggests that there are strong commercial arguments in favour of increased transparency among companies, in that public affairs activities engaged in by transparent, accountable companies are more likely to be successful than those developed by secretive, closed organisations.

Commercial lobbyists seem to feel that the odds are stacked against them when lobbying MPs and our survey shows that they feel that they are not trusted by MPs or the public. This may be a strong reason why lobbyists are split as to the efficacy of lobbying Parliament in addition to, or instead of, government. Whether this is true or not, the fact that many MPs are sceptical about business (and, hence, less likely to meet with or be persuaded by representatives from the business community) raises a question about the wider perception of business lobbying. We stated at the beginning of this discussion paper that business and lobbying are often seen as synonymous, and that businesses are seen to be more able to persuade MPs and government of their point of view as a result of the comparatively large amounts of money and resources they have available to do so. However, the survey findings would appear to suggest that MPs are less willing to listen to private sector lobbyists than many might initially think and that, as a consequence, it is more difficult for business interests to dominate the policy-making agenda in the way that many believe.

Chapter 3

Lobbying and British Democracy

When we talk about public affairs, we shouldn't only think in terms of public affairs consultants . . . We ought also to be talking about public affairs professionals in large corporations. I would like to see the development of a professional ethic which encompasses all branches of the industry – not just the consultancy side.

– Sir Philip Mawer, Commissioner for Parliamentary Standards³⁹

The previous chapters have examined what kind of organisations are actively lobbying within the political process and how lobbying is perceived by those involved. This chapter draws some conclusions as to what all this might mean for the future of democracy and policy-making in Britain.

The Changing Role of Lobby Groups

Lobbying largely represents the process by which organisations seek 'insider' status in the policy-making system, in order that their views might input as directly as possible into the process of policy development and decision-making. Wyn Grant has defined 'Insider' groups as those groups which are '[firstly] recognised by government as legitimate spokespersons for particular interests or causes . . . [proven partly through their ability to] talk the language of the government and civil servants, [secondly] allowed to engage in a dialogue on issues of concern to them . . . [through] formal [and informal] consultation processes . . . [and thirdly] those that agreed to abide by certain rules of the game.'⁴⁰ Outsider groups, meanwhile, composed that 'disparate and heterogeneous category' of organisations 'not subject to the disciplines imposed by acceptance of the informal rules of the game . . . [either because] they lacked the necessary skills or resources to gain recognition [or because they were] ideological protest groups that did not want to be drawn into the embrace of government.'⁴¹

On the whole, lobby groups (including companies) want to be insiders – they want to be consulted regularly by government rather than one of those organisations which merely shout from the sidelines; they want to be so embedded within the policy-making process that, as far as possible, it would be unthinkable that they would not be consulted on issues of policy in their area.

There are clear advantages to being an insider group, which is why 'most groups tend to veer toward an insider strategy.'⁴² To have the government come to you, rather than wait for you to approach it, is a powerful position for an organisation to be in. However, there are potential disadvantages to being an insider. Insider status often comes at the expense of radicalism. To become an insider – and remain an insider – an organisation or company

³⁹ *Public Affairs News*, September 2006

⁴⁰ W. Grant, 'Pressure Groups: The Changing World of Pressure Groups', *Parliamentary Affairs* 57(2), 2004, p. 408 – 409.

⁴¹ *Ibid.*

⁴² W. Grant, *Pressure Groups, Politics, and Democracy in Britain* (Phillip Allan, 1989), p. 20.

must play by the rules of the game. They must speak to government in its own language and approach Parliament using the approved channels. In a sense, insider groups are required to divest themselves of their more radical and controversial aspects and communicate in a more measured way. When interest groups and charities like Greenpeace and the NSPCC claim that they are toning down their direct, grassroots campaigning in favour of more 'conventional' lobbying tactics they are doing so partly as a pragmatic response to increasing disengagement, but also as a deliberate strategy to communicate with Parliament and government more effectively. But such moves may sometimes prove controversial among a group's supporters. For example, as Wyn Grant points out, Greenpeace's change in tactics along these lines 'annoyed some of the direct action traditionalists [among its membership] who fear[ed] loss of purity and effectiveness' at influencing policy and the practices of corporations.⁴³

Furthermore, in controlling the terms on which policy discussions take place (and also who can take part), critics have suggested that the Government has 'captured' troublesome organisations and forced them to 'play by the rules'. Critics have argued that the Government's increased use of consultations and 'stakeholder engagement' has effectively stifled radical opposition to its policies by rewarding less troublesome groups with a seat at the table. Isaac-Henry put this memorably when he said (as far back as 1984) that the quest on the part of lobby organisations to become insiders in the policy-making process has the effect of them becoming 'inexorably drawn into an all-embracing web of consultation which in essence makes them prisoners of the centre.'⁴⁴

This is crucial because the role and status of lobby groups in Britain continues to change. This paper has sometimes used the term 'external organisations' to describe those non-government, non-parliamentary organisations who are involved in the policy-making process in one way or another. Many of these groups have – through a process of sustained public affairs activity, lobbying, and communications initiatives across a range of media – moved to the front and centre of the policy-making process, from a position which is 'external' to the process to one which is 'internal' to it. However, it is becoming clear that the journey that these organisations are on has not yet ended. As they have become increasingly absorbed within the political 'establishment', they have begun to take a more central role not only in the development of policy, but in its implementation and delivery. Increasingly, businesses do not want to merely influence or shape policy, they want to deliver it. The rise in private sector involvement in the delivery of public services, for example, through Private Finance Initiative (PFI) schemes and public private partnerships is perhaps the most obvious example of this. Government services have been contracted out to the private sector in many other areas too – from the cleaning of hospitals, to the management of prisons, and the running of 'Trust' schools.

It is not just business that is getting involved in the delivery of policy. Charities and voluntary sector organisations are also assuming a more central role in the delivery of services (sometimes, it must be said, against their will). Both the Conservative and Labour parties are currently exploring ways in which the third sector might take a more active role in the delivery of key services. The increased movement of groups from outsider to insider

⁴³ Ibid.

⁴⁴ Quoted in W. Grant, *Pressure Groups, Politics, and Democracy in Britain*, p. 145.

status (and back again) looks set to continue, and raises profound questions not merely about the role of lobbying in Britain, but the role of non-governmental and non-parliamentary organisations in British politics more widely.

The Need for Greater Transparency

The increased involvement of these groups in the shaping and delivery of policy makes it all the more important that these groups are seen to be transparent and accountable. The more important they become in the democratic process, the more important it is that they are accountable, and subscribe to common codes of practice, disclosure, and ethical conduct.

Lobbying is widespread in British politics, with different groups and organisations seeking to influence decision-makers and policy-makers through a range of similar methods. Our survey has shown that MPs feel that transparency is key to this process. It is therefore important that measures are taken in order to ensure that the activities of lobbyists (from all organisations and sectors) are transparent, accountable, and ethical. Ensuring that all those organisations who engage in the development and delivery of policy do so transparently and ethically is crucial to the future health of our democratic system.

Taken together, these developments have placed lobby groups and businesses at the centre of our democratic system, and at the heart of our system of policy-making and governance. The more 'insider' these groups become, the more imperative it becomes that they are open and subject to the kind of checks and balances that any other institution charged with the development and delivery of policy would be subject to.

Lobbying and Democratic Change

This paper has discussed lobbying in the context of wider social and political changes occurring in Britain. It has suggested that as a result of social, economic, and political change, changes in the ways citizens are acting politically, and specific policies pursued by the Government – a great many organisations are now in the process of shaping and influencing policy through a range of methods and techniques. The figures appear to support these claims.

This report thus far reveals two important paradoxes.

- On the one hand, the public is changing the way it acts in ways which afford greater power and influence to a range of lobby organisations. On the other hand, however, these same citizens who support these lobby organisations and look to them to represent their views often express scepticism of the practice of 'lobbying'.
- The popular perception among the public and others is that companies are more successful at communicating with MPs and policy-makers due to the amount of money and resources they can invest in it, and the fact that the techniques they use are slicker and more professional than those used by NGOs and charities. However, MPs claim that they are more sympathetic to – and persuaded by – the arguments put forward by charities and NGOs, and less likely to be persuaded by business.

There is a substantial perceptions gap between the public affairs industry (in its broadest sense) and the public which needs to be acknowledged and addressed. They are also fundamentally connected. This discussion paper's findings suggest that lobbying (about which the public is generally sceptical⁴⁵) is on the increase and that this increase is at least partly a result of changes in political behaviour *among the public*. The current state of lobbying and policy-making in Britain is intimately linked with wider changes in the way citizens understand themselves and their political identities. It is bound up with the way in which people choose to get their voices heard, which is in turn rooted in their attitudes toward the relevance and effectiveness of traditional representative institutions and mechanisms.⁴⁶

Political institutions at a local, national and EU level eager to include the views of the wider public have sought new ways of incorporating these views into the policy-making and development process. Lobbying groups of all kinds are employing professional lobbying techniques to influence policy and political decisions. As citizens continue to change the way in which they engage with the democratic process, and lobby organisations continue to become more central to policy development and delivery, the exact nature of the relationship between citizens, Parliament, the Government, and political organisations will continue to develop and evolve.

It is hoped that this discussion paper has gone some way in showing that in order to move forward in debates about the future of our political system and the nature of policy-making, it is necessary to move beyond debates about the relative legitimacy or illegitimacy of lobbying in itself. Instead, it is important to focus more directly on the issues raised in debates between NGOs, charities, interest groups, think tanks, trade associations, and businesses, and whether the organisations the public increasingly look to in order to represent their views in the political process are transparent and accountable and bound by common standards of good practice and ethical conduct. When conducted in such a way, lobbying may enrich our parliamentary democracy by providing new and diverse channels through which different groups and the wider public might feed into the democratic system.

⁴⁵ As was indicated earlier by the findings of the Power Inquiry into public attitudes toward the role of 'corporations' in British public life, and the research conducted by the Joseph Rowntree Trust. See the Introduction of this report.

⁴⁶ For a fuller discussion of this issue, refer to D. McHugh & P. Parvin, *Neglecting Democracy: Participation and Representation in 21st Century Britain*, Hansard Society, 2005. See also G. Stoker, *Why Politics Matters: Making Democracy Work* (Palgrave, 2006).

Appendix

Research Methodology

The empirical data used in the writing of this discussion paper was collected through a combination of interviews and surveys. The polling data discussed (primarily in Chapter 2) is based upon samples of three groups: MPs, lobbyists, and lobby journalists. The survey questions are outlined below.

Name:

Position:

Organisation/Company:

1. In your experience, how effective or otherwise do you think that each of the following types of organisation are at communicating with MPs?

	Very effective	Fairly effective	Fairly ineffective	Very ineffective	%
<i>Companies/businesses</i>					
<i>Charities</i>					
<i>Pressure/interest groups</i>					
<i>Trade associations</i>					
<i>Public sector bodies</i>					

2. Do you agree or disagree with each of these statements?

	Agree	Disagree	Don't Know	%
<i>MPs tend to pay more attention to the arguments of charities than those of companies</i>				
<i>Companies are generally more adept at lobbying than charities/pressure groups</i>				
<i>Lobbying Parliament is less important than lobbying Government</i>				
<i>Lobbying the EU is now more important than lobbying the British Parliament or Government</i>				
<i>The public do not trust lobbyists</i>				
<i>MPs do not trust lobbyists</i>				
<i>Single issue groups are more important in British politics than they were 20 years ago</i>				
<i>Lobbying is a legitimate part of the democratic process</i>				

3. How important or otherwise do you think each of the following factors are in determining whether MPs will be persuaded of an argument by an external body such as a company, charity or pressure/interest group?

	Very important	Fairly important	Fairly unimportant	Very unimportant	%
<i>The transparency of the organisation, ie to whom it is accountable</i>					
<i>The impact of the issue on the MP's constituents</i>					
<i>The MP's past experience of the individuals seeking to persuade them of their case</i>					
<i>The overall aim of the organisation, ie whether it is profit making or exists for some other purpose</i>					
<i>Whether the MP's party has a strong line on that particular issue</i>					

4. How important do you think the following groups are in the development of policy/legislation? (Please rank in order of importance with '1' as the most important).

	Importance
<i>MPs</i>	
<i>Junior Ministers</i>	
<i>Cabinet Ministers</i>	
<i>No. 10</i>	
<i>No. 11</i>	
<i>Junior Civil Servants</i>	
<i>Senior Civil Servants</i>	
<i>Special Advisers</i>	
<i>NGOs/Interest Groups</i>	
<i>Business</i>	
<i>Journalists</i>	

5. What do you think are the most significant changes in public affairs/lobbying to have taken place in the past 15 years? Please give examples.

160 MPs were polled in July 2006, by Communicate Research on behalf of the Hansard Society. An even distribution of party alignment and other factors were ensured. Of the 160 MPs, 55 were Conservative, 81 Labour, 19 Liberal Democrat, and five from other parties. 132 represented constituencies in England, 19 in Scotland, and nine in Wales. Relative ages and lengths of service were proportionally spread. 21 MPs had been serving since 1986 or before, 20 became MPs between 1987 and 1991, 24 between 1992 and 1996, 53 between 1997 and 2000, 18 between 2001 and 2004, and 24 since 2005. Of the sample, 140 respondents were male, and 20 were female.

31 lobbyists from private sector consultancies, in-house teams, charities, trade associations, and campaign groups were polled by the Hansard Society and Ellwood & Atfield by questionnaire during July and August 2006.

25 political journalists from national and regional newspapers and the broadcast media were polled by the Hansard Society and Boni Sones.