

# Political Lobbying Project: Wider regulatory issues

## Overview of common themes from meetings to discuss issues with political lobbying

August-September 2023

In August and September 2023 the Ministry of Justice held 10 online meetings with over 100 stakeholders to discuss political lobbying issues that may need to be addressed in New Zealand.

This is an overview of common themes heard at these meetings. You can also find full summaries of all meetings on the Ministry of Justice [political lobbying webpage](#).

## General themes

### **Focus on lobbying activities rather than trying to define lobbyists**

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1. Defining who qualifies as a political lobbyist is challenging, almost anyone could be considered one.
2. There are ways to narrow the definition (e.g. to those who are paid, represent others, or have vested interests), but each approach has its challenges.
3. Instead, it may be better to identify and address harmful lobbying activities.

### **Is the problem perception or reality?**

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4. Limited data exists on harm caused by political lobbying in New Zealand, making it unclear how big a problem it really is.
5. The negative perception of lobbying could erode trust in democracy.
6. New Zealanders are complacent, problems seen internationally may occur here.

### **Consider the role of decision makers**

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7. Misbehaviour of, or poor processes by, people who are lobbied, including ministers, members of Parliament, ministerial advisors, local politicians, or public service officials is a big part of the problem and should be included in the scope of this work.

### **Incorporate Te Ao Māori**

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8. Māori conduct relationships based on Kawa (protocol and etiquette) and Tikanga (values and practices). The political lobbying work could be informed by te ao Māori.
9. Iwi-Crown relationships should not be considered political lobbying, and the Crown must fulfill its Treaty obligations and ensure equity, access, consultation and partnership.

## Themes from guiding principles

Other themes are ordered under the four principles that the OECD suggested should guide work on political lobbying. These are access, transparency, integrity and accountability.

### **Fair access**

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10. New Zealand's direct public access to decision makers is a special part of our democratic culture and should not be eroded.
11. There is a general view that larger or better resourced organisations get better access to decision-makers. In contrast, poorly resourced civil society groups may have less access, creating an uneven playing field.
12. People don't feel that the government's public consultation and other processes are ensuring fair access.

### **Transparency**

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13. While the Official Information Act and release of Ministers' diaries are effective transparency mechanisms, some things are not transparent. Examples given include who lobbyists are speaking on behalf of, what about, who funds some lobbying campaigns and who members of parliament are speaking with.
14. Direct relationships are key to doing business in New Zealand, but a 'mates calling mates' culture lacks transparency and may be affecting public trust.
15. The impacts of some indirect lobbying techniques are not well understood. Examples include "astro-turfing" (pretending to be a flax-roots organisation), using opinion pieces in the media or research without clearly stating who is behind it, or the use of artificial intelligence to generate multiple fake submissions to democratic processes. This issue goes beyond political lobbying and is significant in scope.

### **Integrity**

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16. There is no common understanding of expected ethical practices in lobbying.
17. The revolving door between political and lobbying roles creates distrust in the integrity of the system.

### **Accountability**

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18. There is limited monitoring of lobbying activities, with no designated watchdogs, compounded by a low-funded media sector.

## Next steps

19. The points raised in the meetings are complex and diverse, and understanding and addressing them poses challenging questions. The Ministry of Justice is working on an issues paper drawing on the issues raised at the meetings that will serve as a foundation for future policy development.