Summary

- Lobbying activity is opaque and there are large gaps in the data.
- Rather than being the ‘next big scandal’, lobbying is continually monitored with regular low level stories on interests or connections, punctuated by high profile scandals.
- Lobbying stories and sanctions probably act to reinforce pre-existing public views of lobbying and what it means for democracy.

1. The Evidence

1.1 This evidence comes from a Leverhulme Trust funded study, looking at how new data and platforms are allowing groups to monitor what politicians do. As part of this, we have examined lobbying in the UK Parliament. It focuses on two of the questions:

- How should lobbying activity be regulated? How far does the Lobbying Act provide an effective statutory basis for the regulation of lobbying?
- Are sanctions for those who breach the current rules sufficient?

2. Lobbying and Missing Data

2.1 When looking into lobbying, one of the fundamental problems is that the data doesn’t exist. We simply don’t know the scale of the problem or what is happening. Repeat attempts to open up lobbying have had limited impact. David Cameron’s Register of Lobbyists committed to make available details of who was lobbying but there are, as many noted at the time, very significant gaps. The register does not cover Parliament at all and does not cover ‘in-house’ lobbying.

2.2. What is covered by the Register is only a very small part of the overall activity. According to one study

…only about 29% of clients listed in the lobby register appear in the published record of ministerial meetings with outside groups, and less than 4% of groups disclosed in ministerial meetings records appear in the lobby register.

2.3. Other potential sources of data about lobbying are problematic. The Register of Members’ Financial Interests, as another example, is not searchable, despite recommendations from the CSPL that it should be. Data on meetings, gifts and hospitality

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1 Ben Worthy, Birkbeck College, University of London. Stefani Langehenning, Birkbeck College, University of London
3 Though others have created platforms where they can be searched. See this platform here
are incomplete or late\textsuperscript{4}. The difficulties compare unfavourably with sites like EU Integrity Watch, a platform that allows users to easily search meetings and links.\textsuperscript{5}

2.4 But it’s also a problem with exactly how lobbying works. As David Cameron put it ‘we all know how it works. The lunches, the hospitality, the quiet word in your ear, the ex-ministers and ex-advisers for hire’. Many lobbying modes are tacit or informal and can be done in ways that avoid official recording.

2.5 The public are also aware of what is not known or hidden. In 2021 a survey found that ‘two-thirds (67\%) of UK adults feel the public should know more about lobbyists seeking to influence MPs and Ministers new CIPR research can reveal…Only 15\% believe the public currently has enough information about who is lobbying’\textsuperscript{6}.

3. Patterns of Monitoring Lobbying

3.1. Although David Cameron said it was the ‘next big scandal’, it is better seen as a continual scandal bubbling away in various forms and with different degrees of intensity. Transparency International counted 14 lobbying and interests scandals in one year alone\textsuperscript{7}. In-between the high-profile scandals there are a continual stream of stories based around the Register of Interests, passes or donations, which are directly or indirectly linked to lobbying.

3.2. Lobbying in Parliament is monitored by a mixed group of journalists, campaigners, and activists. The lack of data means they must rely on indirect methods. Many of the high-profile revelations come via undercover exposure by the media, but monitoring can also be done indirectly by making FOI requests for meetings or room bookings, or by carefully following the money and connections. Sophie Hill’s piecing together of links and networks on the My Little Crony site is a good example of what can be achieved\textsuperscript{8}.

3.3 The lack of data, and nature of the revelations, creates problems for both the public and politicians. For the public, the secrecy and data gaps are filled with doubt and scepticism. The public believe politicians are self-interested, corporations have too much influence and Parliament is probably corrupt. A survey by Transparency International showed that 76\% of the British public strongly believe that wealthy individuals exert undue influence on governments, and the apparent secrecy and drip of revelations acts to confirm it.\textsuperscript{9} The continual revelations, pieced together by investigation or revelation, act to reinforce pre-existing perception and views of politicians and lobbying. This builds a particularly negative view of lobbying and what its influence on democracy is.

\textsuperscript{4} See IFG (2020) Whitehall Monitor p 88
\textsuperscript{5} See the Integrity Watch site here https://www.integritywatch.eu/organizations
\textsuperscript{6} See this CIPR poll https://www.publicaffairsnetworking.com/news/cipr-research-reveals-the-public-want-to-know-more-about-lobbying-activity
\textsuperscript{8} See Sophie Hill’s visualisations here https://www.sophie-e-hill.com/post/my-little-crony/
3.4 For politicians, the ‘revelatory’ nature of the exposes and links lead to further investigations and questions, which further damage the system and probably act to reinforce negative public perceptions.

4. Sanctions and Lobbying

4.1. Any sanctions need to be carefully balanced with the need for members to remain flexible in their work. Our ongoing research has found that sanctions relating to lobbying and interest issues are often invoked and mentioned in the media. These sanctions sit on a continuum from minor to major. Errors on declarations can lead, in some cases, to an apology\textsuperscript{10} . Some articles mention the PCS, pointing to ongoing investigations or calls for one in the future. Many ‘interest’ stories, scandals or exposes are accompanied with general calls for change, though calls for change rarely translate into actual reforms\textsuperscript{11}.

4.2. One unknown is what impact the sanctions have on those watching. If, for example, an MP apologises, do voters see the apology or notice the wrongdoing? Do certain sanctions act to reinforce perceptions rather than show resolution?

4.3. Despite the argument that elections act as the ultimate sanction, they may not always be reliable means of removing politicians engaged in questionable behaviour. Research from the MPs’ expenses scandal points to accountability being blunted by partisan bias.\textsuperscript{12}.

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\textsuperscript{10} See this House of Commons Briefing https://commonslibrary.parliament.uk/research-briefings/sn03169/