AUSTRALIAN DEMOCRACY NETWORK

28 May 2026

ACT Integrity Commissioner

The Hon Michael Adams KC

GPO Box 1949
Canberra City
Australian Capital Territory 2601

Submission to the Inquiry into Arrangements for Lobbying and Influence

Dear Commissioner,

On behalf of Australian Democracy Network, Canberra Alliance for Participatory Democracy and 90 members of the public from the Australian Capital Territory (ACT), we write to contribute to your inquiry into lobbying and influence rules in the ACT.

We welcome this inquiry. It is our shared view that this is a unique opportunity to strengthen the transparency, accountability, and rigour of the ACT's lobbying rules, and to safeguard its people, environment, and democratic institutions.

Lobbying is a normal and legitimate part of our democracy.[1] At its best, it provides experts and stakeholders a pathway to provide elected representatives and government decision-makers with important information and advice. However, when lobbying is conducted by well-resourced corporate actors motivated by their narrow commercial interests, there are significant risks of undue influence, regulatory capture, and corruption. It is for this reason that strong transparency and accountability safeguards are required to regulate lobbying activities, and protect the integrity of our democracy.

While trust in democracy as a system of government has remained consistently high, satisfaction with its outcomes has been eroding, and faith in political actors is low.[2] In particular, there is a sense that vested interests have too much power over politics in Australia.[3] While lobbying reform may not be top of mind for many Territorians, improving the integrity of these rules is likely to have ripple effects across government decisions, ultimately bolstering public faith in democracy.

---

[1] The OECD defines lobbying and influence activities as "actions, conducted directly or through any other natural or legal person, targeted at public officials carrying out the decision-making process, its stakeholders, the media or a wider audience, and aimed at promoting the interests of lobbying and influence actors with reference to public decision-making and electoral processes." Organisation for Economic Co-operation and Development (OECD), Recommendation of the Council on Transparency and Integrity in Lobbying and Influence (May 2024).

[2] Grattan Institute, For the People (April 2026) p 5.

[3] McKinnon Institute, 2025 McKinnon Index (November 2025) p 18.

This submission makes the following recommendations in response to the key issues and questions raised in the discussion paper:

Recommendation 1: The Scheme should transition to a statutory-based model to strengthen democratic accountability, and an independent, adequately resourced regulator should be appointed to administer it.

Adopting a statutory scheme for lobbying regulation would align the ACT with New South Wales, Queensland, South Australia, and Western Australia. Research by Transparency International indicates that the lobbying laws in these jurisdictions are significantly more robust than those currently in place in the ACT.[4]

A statutory scheme offers several key advantages, most notably the ability to appoint an independent administrator and regulator to oversee the rules, and the power to attach civil and criminal penalties for breaches — an option unavailable under the current administrative framework.

We recommend appointing an independent regulator, such as the ACT Integrity Commission or the ACT Electoral Commission, to administer these rules. This regulator must be sufficiently funded and resourced to perform a comprehensive range of functions, including:

- **Administration:** Managing the rules, including registering lobbyists, publishing activity logs, and regular public reporting.
- **Education and Guidance:** Providing training, education, and ethics guidance to lobbyists and public officials to ensure they fully understand and comply with their obligations.
- **Enforcement:** Exercising investigative and enforcement powers necessary to ensure compliance with the rules.

Recommendation 2: The definition of lobbying must be expanded to mandate registration for all political actors seeking to influence government decisions, including in-house lobbyists.

The fundamental purpose of lobbying rules is to ensure public transparency over attempts to influence government decisions. A scheme that narrowly focuses on third-party lobbyists while excluding other significant actors, such as corporate in-house government relations staff, is fundamentally flawed and fails the basic test of public transparency and accountability.

It is well-established that many major corporations employ dedicated in-house government relations staff whose sole function is to lobby for their firm's commercial interests. Sometimes, senior executives and other staff may support this lobbying. These activities are often conducted behind closed doors and frequently prioritise corporate profit over the public interest, underscoring the critical need for their inclusion in any robust transparency regime.

Genuine transparency requires that lobbying rules be applied uniformly and strictly to all political actors, without exception or privilege. We support the following conclusion by the Victorian Independent Broad-based Anti-corruption Commission (IBAC), in relation to the corruption risks associated with donations and lobbying in that state:

> *"The definition of lobbying activity is critical as it triggers the entire regulatory regime. The current definition is wholly inadequate as it fails to capture activity clearly calculated to influence government decision-making. The definition must reflect the full, complex gamut of modern lobbying activity to act as an effective trigger for regulatory controls. In doing so, it is imperative to capture all relevant activity, and strictly ignore titles used or the extent to which lobbying activity is regularly part of an individual's work or job description. This ensures that all lobbying activities undertaken by government affairs directors, consultants,*

[4] Transparency International Australia, Behind Closed Doors (August 2025) p 2.

and even occasional lobbying are regulated in a consistent, mandatory, and transparent manner."[5]

Recommendation 3: Public disclosure logs should be maintained that require lobbyists and public officials to describe the purpose of any lobbying activities.

The disclosure of ministerial diaries would increase transparency around lobbying by providing insight into the people and organisations meeting with decision-makers. However, there is a strong case that the publication of these diaries should extend beyond the individual holding the ministerial role and include their chief of staff and advisors (i.e., representatives of the minister's office).

This is because it is rare for lobbyists to meet directly with a minister, who often has significant public duties to attend and significant demands on their time. In most ministerial offices, responsibility for various portfolio areas will be divided between advisors.

In Queensland, diaries are published for ministers and chiefs of staff. This is good practice, but it is ultimately insufficient. Given that much lobbying occurs at the advisor level, many lobbying activities remain unlikely to be caught by the Queensland disclosure requirements. Indeed, failing to capture all advisors in this disclosure list creates a loophole that lobbyists who wish to remain undetected can easily exploit.

While it may be administratively burdensome to publish the diaries of all ministerial advisors, it would be practicable to publish a log of ministerial advisor-level contact with lobbyists. As per the Queensland and Tasmanian models, this contact log should record details including:

- The date of the activity.
- The mode of communication (e.g. phone, email, in-person meeting).
- The lobbyist and client (if the lobbying occurred on behalf of a third party).
- The name and title of the public official.
- The portfolio/policy area.
- A brief description of the purpose of the lobbying communication.

A similar disclosure log should apply to public servants to record their interactions with lobbyists. These types of records are not uncommon in the public sector. Most government departments and authorities will have internal registers in place to record gifts and conflicts of interest. A lobbying register could operate in much the same way, but should be publicly available.

Recommendation 4: Ministerial and advisor diaries should be published, and consideration should also be given to non-executive members of the ACT parliament.

Publication of ministerial (and advisor) diaries is our minimum expectation of the level of transparency required by stronger laws. However, consideration should also be given to publishing the diaries of other political representatives.

The justification for publishing ministerial diaries is that, as members of the executive branch of government, ministers are ultimately responsible for government decision-making, including policy and funding decisions. However, ministers are far from the only elected officials subjected to lobbying by vested interests.

All members of parliament are subjected to lobbying. Typically, members of the governing party will be subjected to the most lobbying, but in circumstances where a minority government is elected (something that is increasingly common as the two-party system declines), other members may experience more lobbying.

---

[5] Victorian Independent Broad-Based Anti-Corruption Commission (IBAC), Corruption Risks Associated with Donations and Lobbying (October 2022) p 38.

At a minimum, we recommend that Shadow Ministers should also be required to disclose their diaries. However, we recognise that extending this requirement to other members of parliament may be administratively burdensome. A solution to this challenge is to place greater responsibility for disclosure on the lobbyists themselves. As per Recommendation 3, lobbyists should be required to log their interactions with all members of parliament and their staff, not just ministers and ministerial advisors. This would increase transparency, without creating an administrative burden on the smaller offices of ordinary members of parliament.

Recommendation 5: Lobbying bans should be extended and strengthened to protect the integrity of government decision-making, including adopting a five-year ban on lobbying for former Ministers.

The purpose of lobbying bans (or cooling-off periods) is to reduce corruption and integrity risks associated with the inside information and relationships gained from parliamentary or public service. These risks increase the more senior the role of the public official, but ordinary members of parliament are not immune from the risk that the information and networks they have built from their time in public office can be used to advantage private interests.

Time-limited lobbying bans are one way to manage these risks, with the view that the value of a former official's insider knowledge and networks declines over time. In Australian jurisdictions, the maximum cooling-off period for former ministers is two years (Queensland and Tasmania). Some other states set an 18-month period, the ACT currently sets a 12-month period, while others have none. In all jurisdictions with these restrictions, the scope is limited to matters with which a minister had official dealings during their time in office.

Australia's lobbying bans are weak by international standards. In Canada, the *Lobbying Act 1985* bans "designated public office holders" from being paid to lobby for a period of five years. The definition of these public officials includes ministers, ministerial advisors, and heads of government agencies/departments.[6] In the United States, a lifetime ban applies to all employees in the executive branch of government lobbying on matters they worked on "personally and substantially" while in government, and a two-year ban applies to a broader range of matters.[7]

The exploitation of inside knowledge and networks by former Ministers for private gain poses an acute threat to public trust and the integrity of government. The potential for Ministers to make decisions in office that secure lucrative future employment, or to immediately leverage privileged information upon leaving office, creates an inherent conflict of interest. Even where they may be lobbying on a matter not directly relevant to their ministerial portfolio, their established networks and knowledge of government processes provide a unique and unfair advantage to their clients.

Given the power and responsibility held by Ministers, strong protections are justified to protect the public interest. This is necessary to guard against both actual and perceived conflicts of interest. We therefore recommend a five-year ban on former ministers engaging in all lobbying in the ACT.

Ministers serve the public. Upon leaving office, private interests should not benefit from their privileged networks and inside information. This strong measure is necessary to eliminate both the reality and the perception of regulatory capture and corruption at the highest levels of government.

In terms of other public officials, we believe three-year prohibition periods are appropriate, recognising that the integrity risks diminish with lower levels of seniority. For all roles listed below, we believe it is appropriate that the scope of the ban applies to all lobbying activities, extending beyond only the matters a former official had "official dealings" with, as this scope is practically almost impossible to enforce and creates an unnecessary loophole.

---

[6] Lobbying Act 1985 (Canada) s 10.11.

[7] 18 US Code (United States) s 207.

Public Official	Lobbying Ban Period
Ministers & Assistant Ministers	5 Years
Legislative Assembly Members	3 Years
Ministerial Advisors	3 Years
Senior Public Servants (Executive-Level)	3 Years

Recommendation 6: Lobbying success fees should be banned.

Success fees are inimical to the promotion of ethical lobbying conduct and should be banned. Per the Victorian IBAC:

> *"Success fees give lobbyists an incentive to engage in potentially unethical or corrupt behaviour to secure that fee."*[8]

The ACT should adopt the NSW model, which broadly defines success fees as:

> *"[An] amount of money or other valuable consideration the giving or receipt of which is contingent on the outcome of the lobbying of the Government official by or on behalf of a lobbyist or on the outcome of a matter about which such lobbying is carried out."*[9]

The ban on success fees should be accompanied by a financial penalty. In NSW this is set at 500 penalty units for corporations and 200 penalty units for individuals, in addition to the forfeiture of the success fee.[10]

Conclusion

Thank you for the opportunity to contribute to this inquiry. We would welcome the opportunity to elaborate on these points at a public hearing.

Sincerely,

Christian Slattery
Senior Campaigner
Australian Democracy Network

+61 402 457 895
christian.slattery@australiandemocracy.org.au

[8] Victorian Independent Broad-Based Anti-Corruption Commission (IBAC), Corruption Risks Associated with Donations and Lobbying (October 2022) p 46.

[9] *Lobbying of Government Officials Act 2011* (NSW) s 14.

[10] *Lobbying of Government Officials Act 2011* (NSW) ss 15-16.

Australian Democracy Network, and on behalf of the following organisations and individuals:

Canberra Alliance for Participatory Democracy

Adrienne Gault	2605	Helen Tongway	2614	Patricia Roberts	2612
Alexander Hood	2602	Ian Wood	2600	Paul & Betty Meyer	2605
Amalia Milman	2602	Jacki Joester	2606	Penelope Lockwood	2614
Amy Blain	2602	Jennifer Logan	2615	Peter Browne	2905
Andre Vatarescu	2612	Jo Holmes	2614	Peter Enge	2905
Ann Hare	2602	Joanne Maples	2607	Peter Fock	2617
Anna Molan	2611	Judith Toller	2600	Peter Lindenmayer	2611
Anne Yuille	2602	Julie Nimmo	2600	Petra Cram	2611
Barbara O'Dwyer	2604	Kate Pamphilon	2611	Remo Ostini	2612
Barbara Pamphilon	2611	Kate Seselja	2618	Richard Heffernan	2614
Barbara Sutherland	2615	Kathry Kelly	2606	Robert Henderson	2619
Brenden Hayes	2913	Kathy Onstenk	2615	Rosemary Blemings	2913
Bucky Toller	2600	Kevin Cox	2913	Ross Kingsland	2605
Chery Gladman	2902	Kirsten Anker	2602	Rowena Parkes	2914
Chris Campbell	2614	Laurel Arthur	2614	Samuel Burns	2614
Christine Rafter	2600	Linda Shaw	2602	Scott Turner	2614
Christopher White	2617	Luisa De Conti	2903	Scott Wombey	2615
Courtney Jacyshyn	2607	Margaret Sharp	2603	Shaun Stephens	2905
Danny Jowers Blain	2602	Marie Ryan	2913	Sonja Davie	2913
David Turnbull	2905	Mark Spain	2617	Steve Hyde	2913
Des Alfreds	2607	Michael Field	2903	Sue Edmondson	2902
Dierk von Behrens	2614	Michael Gardiner	2604	Susan Tregeagle	2600
Dr Kristine Klugman OAM	2611	Michael Pavlich	2902	Terry Jacyshyn	2697
Eric Wainwright	2603	Michael Smith	2603	Tony Shields	2602
Evan Hart	2906	Michael Stenning	2602	Victoria Batten	2614
Fergus McCowan	2602	Mick Foy	2615	Vivien Holmes	2612
Geoff Thompson	2604	Natalie Raffenot	2904	Vivienne Jacyshyn	2607
Gillian King	2604	Neil Churches	2604	William Coombes	2614
Gregory Lawrence	2602	Oliver Raymond	2607	Willie Senanayake	2913
Helen Cotter	2605	Patricia O'Neil	2600		