

Ms Sherry Perreault
Head of Ethics and Lobbying Regulation
Standards in Public Office Commission
By email

27 July 2018

**Re. Response to Consultation paper and draft Code of Conduct for persons carrying on
lobbying activities**

Dear Ms Perrault,

We welcome the opportunity to offer observations on the draft Code of Conduct for persons carrying on lobbying activities. It seems however that there are few amendments that could be made to the draft Code that would not require an amendment to the Regulation of Lobbying Act. We would be pleased therefore, if or when the opportunity arises, to share and discuss any observations on the application of the law to date.

The draft Code appears to address many of the principles informing proper conduct of lobbyists. Nonetheless, and while we understand that a prohibition on the making or offer any payments, gifts or donations to public officials would require legislative amendment, the Code should make it clear it is desirable that lobbyists avoid the offer of any gifts or entertainment to any official who they are directly or indirectly lobbying. This would be irrespective of whether such a payment poses is lawful or poses a real or perceived conflict of interest.

In addition, the draft Code only requires that lobbyists should satisfy themselves that the information they are providing is accurate and factual. Lobbyists should be expected to satisfy all relevant stakeholders of the accuracy of information they use to influence public policy.

For this reason, the Code should encourage lobbyists to publish any information shared with public officials with their clients' consent. The regulation of lobbying website could facilitate the publication of such information by providing a text field that allows registered lobbyists to insert hyperlinks to the published information.

There are examples of good practice in this regard from the EU and US summarised in our overview of voluntary lobbying standards and best practice, titled Responsible Lobbying in Europe which might be informative.

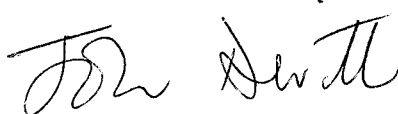
Irish lobbyists and their clients might also find worthwhile to reference our free Guide to Responsible Lobbying which includes ethical scenarios that can be used in training and awareness raising for lobbyists in both the private and not-for-profit sectors.

Our Guide and overview are available in hard copy and on our website at <https://www.transparency.ie/resources/lobbying/responsible-lobbying>.

Our colleagues at Transparency International UK have also published 'Wise Counsel or Dark Arts? Principles and guidance for responsible corporate political engagement' which provides practical advice on addressing the challenges of managing political engagement. This guidance is available at <http://www.transparency.org.uk/publications/wise-counsel-or-dark-arts-principles-and-guidance-for-responsible-corporate-political-engagement/#.W1tNodJKiUk>

Please let us know if you should like any further information.

Yours sincerely,



John Devitt