



The Church of Scotland

Church and Society Council

Lobbying (Scotland) Bill Stage 2 Briefing

Summary

1. We ask members of the Standards, Procedures and Public Appointments Committee to consider the Lobbying (Scotland) Bill and proposed amendments in the context of how they will affect relationships and the process of building trust between the Parliament and civil society.
2. We ask the Committee to work with the Church of Scotland, and other civil society organisations, to explore how we can proactively revitalise democratic engagement. We know that one of the simplest ways to increase transparency and accountability is to increase public engagement with the Parliament.

The Scottish Parliament is right to pride itself on its openness and accessibility. Citizens are able to meet their MSPs and to engage with those responsible for policy and legislation. Organisations have access to politicians and civil servants. The Church of Scotland believes that we have a better Parliament and a more effective democracy because of these links.

It is vital for a healthy democracy that individuals and organisations are able to have a free flowing dialogue with MSPs and civil servants. At the same time, it is necessary that there is transparency around who is able to influence Government decisions and how that influence is created. Where engagement could be seen to influence legislation, policy and financial decisions, it is vital that this process is transparent.

It is also necessary that MSPs are able to meet with people who can talk frankly about their experiences, their hopes and their ideas without holding back for fear of what an observer might think. Good government needs relationships between elected representatives and the people they serve.

There is not always a stark divide between individual citizens (who are free to exert whatever influence they can) and people who lobby in the course of their employment (whose engagement and influence ought to be transparently regulated).

Any lobbying legislation rightly includes the Third Sector, including churches and other faith communities. In many third sector organisations, staff and volunteers share a passion for an issue or piece of work as well as responsibility for campaigns and awareness raising. It is the Church of Scotland's experience of conversations with MSPs that they are very often as passionate about the issues as we are, irrespective of whether we agree about the best way forward. We hope that such meetings build trust and help our law-makers to be better

informed and more effective in making the decisions that they are responsible for. It is important to us that any proposed legislation does not hinder this vital task.

The Church is acutely aware that for many ordinary people there is a deep seated dissatisfaction with the current political system and the perceived behaviour of some politicians. In 2013 the Church and Society Council spoke to over 900 people during 32 events exploring what people wanted for the future of Scotland. The challenges drawn from this report included an acknowledgement that many people wanted a political system with increased levels of integrity, accountability and transparency. Late last year, through *Speak Out*, we heard from over 10,000 people in every part of Scotland. This consultation reinforced what we had heard in 2013. People want democratic models which are, at the same time, more accessible and more trustworthy. Our own work, along with lots of other research such as the recent poll showing public support for recommendations made by the Scottish Alliance for Lobbying Transparency, supports the need for visible processes for increasing transparency.

Transparency, however, is not the whole story; people demand transparency because they do not trust the system. The current proposals for regulation of lobbying are simply a new system which will only improve transparency if they prove worthy of people's trust. If they do not work then they may actually have the opposite impact. As a result we believe that considerable care must be taken in the drafting of legislation and a high level of cross-party consensus sought.

We are aware of strong feelings within many parts of the Third Sector that the current proposals to extend the scope of the Bill to other forms of communication than meetings could disadvantage small organisations who lack the capacity to take on the proposed extra administrative tasks which such legislation would create if the reporting onus was on them. There is, therefore, a risk that broadening the proposals to cover additional forms of communication and financial information will reduce engagement between politicians and the people who elected them. This is a vicious circle which could lead, ironically, to more distrust and calls for even greater regulation.

For further information please contact:

Chloe Clemmons
Scottish Churches Parliamentary Officer
chloe@actsparl.org
0131 240 2276 or 07912 759 831