

7 February 2024

Senate Finance and Public Administration Reference Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

## Senate Inquiry into access to Australian Parliament House by lobbyists

Dear Senate Committee,

We welcome the opportunity to provide a submission to the Senate Inquiry into access to Australian Parliament House by lobbyists. Our submission focuses on the urgent need to strengthen regulation of lobbying activities at the Federal level in Australia to help prevent and reduce alcohol-related harm.

### About Alcohol Change Australia

Alcohol Change Australia is a group of health and community organisations working together to improve the health and wellbeing of the Australian community. Alcohol Change Australia encourages policy change to prevent and reduce alcohol harm in Australia. Further information on Alcohol Change Australia, including our members and policy priorities, can be found on our website at [www.alcoholchangeaus.org.au](http://www.alcoholchangeaus.org.au).

### Alcohol causes significant levels of harm to the Australian community

Alcohol products take a significant toll on our communities, fuelling violence, injuries, and deaths. Every day, 15 people die from alcohol-related harm in Australia.<sup>1</sup> Alcohol was responsible for 4.5% of the total burden of disease and 15% of the overall burden of injury in 2018.<sup>2</sup> Alcohol-induced deaths are at their highest rate in a decade,<sup>3</sup> and hospitalisations from alcohol are increasing.<sup>4</sup>

### Alcohol companies and their lobbyists remain a significant barrier to effective action

Governments have a responsibility to prevent and reduce harms experienced by individuals, families, and communities. When developing health policies, the objective should always be to improve the health and wellbeing of the community. In Australia, many commercial groups are invested in the

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<sup>1</sup> Lensvelt, E et al. Estimated alcohol-attributable deaths and hospitalisations in Australia 2004 to 2015. National Alcohol Indicators, Bulletin 16. 2018. Perth: National Drug Research Institute, Curtin University.

<sup>2</sup> Australian Institute of Health and Welfare. Alcohol, tobacco & other drugs in Australia, Health impacts - Australian Institute of Health and Welfare. December 2022. Available from: <https://www.aihw.gov.au/reports/phe/221/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>

<sup>3</sup> Australian Bureau of Statistics. Causes of Death, Australia. 2022. Available from: <https://www.abs.gov.au/statistics/health/causes-death/causes-death-australia/2021#2021-covid-19-mortality>

<sup>4</sup> Australian Institute of Health and Welfare. Alcohol, tobacco & other drugs in Australia. June 2023. Available from: <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/drug-types/alcohol#Hospitalisations>

development of alcohol policy, including alcohol companies, sporting codes, the advertising sector, broadcasters, and digital platforms. As businesses, these groups are motivated to put profits before health.

The evidence demonstrates that alcohol companies and their lobbyists use the same tactics as the tobacco industry to ward off government regulation and undermine effective alcohol policies, such as:

- casting doubt on legitimate science,
- attacking and intimidating scientists,
- creating front organisations to conduct research,
- manufacturing false debate,
- framing issues in ways that misrepresent the problem,
- funding disinformation campaigns, and
- lobbying to influence the political agenda.<sup>5</sup>

As just one example, alcohol industry lobbying delayed the implementation of mandatory pregnancy warning labels on alcohol products for more than a decade in Australia.<sup>6</sup>

In the 2022–23 financial year, alcohol companies and their lobby groups paid at least \$1.325 million in political donations to the major Australian political parties.<sup>7</sup> Key employees often move between government and the alcohol industry, creating an imbalance between the influence of industry and that of public health interests.<sup>8</sup>

Public policy decisions should be made in the public good, and in the interests of the public's health. If improving health and wellbeing of the community is the objective, then the development of health policies must be protected from distortion by commercial or vested interests. There are a range of measures the Australian Government can introduce to do this, including increasing transparency of interactions between the Government and alcohol industry.

### There are significant limitations with government disclosures of political activity in Australia

There are significant limitations in the existing data sources on commercial political activities. As recently outlined by Lacy-Nichols and colleagues,<sup>9</sup> when it comes to lobbying registers, these limitations include:

- The registers only apply to consultant lobbyists – in-house lobbyists directly employed by companies are exempt, even though they represent the majority of active lobbyists;
- Not-for-profit organisations, which include a number of industry associations, are exempt;

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<sup>5</sup> Moodie R. What public health practitioners need to know about unhealthy industry tactics. *Am J Public Health*. 217;107(7):1047-1049.

<sup>6</sup> Heenan M, Shanthosh J, Cullerton K, Jan S. Influencing and implementing mandatory alcohol pregnancy warning labels in Australia and New Zealand. *Health Promot Int*. 2023; 38.

<sup>7</sup> Alcohol lobby ploughs \$1.3m into political parties. Foundation for Alcohol Research and Education; 2024. <https://fare.org.au/alcohol-lobby-ploughs-1-3m-into-political-parties/>

<sup>8</sup> Robertson N, Sacks G, Miller P. The revolving door between government and the alcohol, food and gambling industries in Australia. *Public Health Research and Practice*. 2019;29(3).

<sup>9</sup> Lacy-Nichols J and Cullerton K, *Baby steps in lobbying reform: opportunities and challenges in Queensland*, Medical Journal of Australia December 2023, <https://onlinelibrary.wiley.com/doi/10.5694/mja2.52187>

- Very little data are provided about the parliamentarians and their staff moving between the public and private sectors; and
- There is no information provided about lobbyists meetings occurring in Parliament House Australia (e.g., timing, frequency, content).

The very narrow definition of lobbyists means that the Australian Government lobbying code of conduct only applies to those working for third-party firms. The code of conduct stipulates that former members of government are not allowed to work as lobbyists for a “cooling off period” of 12 or 18 months; but as lobbyist is only understood as consultant lobbyists, there are currently no restrictions on ministers or government officials taking jobs as in-house lobbyists at companies they used to regulate.<sup>10</sup>

When it comes to the current sponsored parliamentary pass system, there isn’t even a public register of who has a pass. The Australian community is in the dark about who is regularly visiting our elected members in Parliament House Australia, or what organisation or interests they represent. We recognise that a range of individuals and organisations can have a sponsored parliamentary pass, including both commercial entities and not-for-profit civil society organisations, and communication with Members of Parliament and Senators are an important part of an open society. However, there is an urgent need for improvements to the clarity and transparency of what is taking place in Parliament House Australia.

We acknowledge that political donations and ministerial diaries may be outside the specific terms of reference of this inquiry, but note that when it comes to lobbying the lobbyists register and the current sponsored parliamentary pass system do not exist in isolation. There are a range of limitations when it comes to transparency of political donations, including that the data is only released once a year, resulting in delayed information; donations below \$15,200 are not required to be disclosed; and information about the purpose of the donation is rarely disclosed. This current inquiry into lobbying is an opportunity to complement proposed reforms to donation disclosures identified in the Inquiry into the 2022 federal election by the Joint Standing Committee on Electoral Matters, including lowering the donation disclosure threshold to \$1,000 and introducing ‘real time’ disclosure requirements for donations.<sup>11</sup> For ministerial diaries, they are currently only provided by three jurisdictions; information about the purpose of the meeting is vague; and reports aren’t disclosed in real time, making it difficult to follow issues.

## Recommendations

We submit that greater transparency of lobbying activities and the sponsored pass system is essential to support the development of healthy public policy in Australia. The implementation of robust systems that provide transparency to corporate political activities would help put people before profits.

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<sup>10</sup> Lacy-Nicols J, Christie S, Cullerton K. Lobbying by omission: what is known and unknown about harmful industry lobbyists in Australia. *Health Promotion International*. 2023;38(5).

<sup>11</sup> Joint Standing Committee on Electoral Matters. Conduct of the 2022 federal election and other matters – Final report. Commonwealth of Australia. 2023. Available from: [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/~/link.aspx?id=B0EB44BCE6544D4488F8F90E44E0AA37&z=z](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/~/link.aspx?id=B0EB44BCE6544D4488F8F90E44E0AA37&z=z)

We make the following recommendations:

- 1) The definition of a 'lobbyist' should be expanded to include:
  - a) In-house lobbyists, not only those working for third-parties; and
  - b) Non-government organisations with not-for-profit status, including industry associations.

The expansion of the definition of a 'lobbyist' would mean "cooling off periods" within the lobbyist code of conduct would have a larger and more complete remit.

- 2) The lobbyist register should include clear contact logs, i.e. a complete record of meetings with members of Parliament and their staff. These logs should include the substance and timing of the meeting, and who the attendees were.
- 3) There should be a public register of all individuals with sponsored parliamentary access passes, identifying their employer as well as any other interests they represent. This register should include details of who has a pass, which parliamentarian sponsored the pass, and a contact log of who the individual has met with while using the pass.
- 4) Reforms to the lobbyist register should be part of broad reforms to corporate political activities, including addressing political donation laws and publishing details of ministerial diaries.

Thank you once again for the opportunity to make a submission to this inquiry. Any questions regarding our submission, please contact Hannah Pierce, Executive Officer – Alcohol Change Australia.