

Monday, April 19, 2021

The Australian Professional Government Relations Association (APGRA) makes this submission to the Draft National Preventive Health Strategy (the Draft) specifically to address assertions made in Section 7 of the Draft about the nature of corporate political activities.

We submit that:

1. The list of 'adverse' effects of corporate political activities contains two items - lobbying and political donations - which are in fact sub-elements of corporate political activity, and not effects at all;
2. Regardless, the single categorisation of these two items as 'adverse' is myopic and ignores completely the potential for positive effects to arise from these activities;
3. In general, the section fails to recognise the broader potential for political activities undertaken by corporate actors to deliver positive outcomes, in line with both the stated corporate and social responsibility priorities of these actors and shared interest with the community; and
4. The 'protective' effect attributed to corporate political activities is more appropriately attributed to corporate social responsibility strategies (and adequately covered there by the current wording relating to that element).

The combined effect of the above errors is to produce a shallow and overly negative picture of the role that corporate political activity plays in public affairs. This is in keeping with the tone of the primary source used in this section (de Lacy-Vawdon & Livingstone, 2020) and indeed with the general thrust of many of those who have chosen to engage in public health discussion using the frame of Commercial Determinants of Health.

We believe that this depiction ignores the reality of how the majority of corporations engage with government, and the fact that government relations professionals (lobbyists) play an important part in our representative system of government and make a positive contribution to the development of good policy outcomes.

ABOUT APGRA

APGRA was established in 2014 by a number of longstanding public affairs consulting firms and senior practitioners to promote ethical standards, greater transparency and a binding Code of Conduct applicable to all members conducting government relations activity.

The formation of APGRA was a direct response by our member businesses, all of which have a long track record assisting clients in navigating government and regulatory issues, to a recognised need for greater accountability and transparency around lobbying and the provision of regulatory advice. We believe public affairs practitioners need to be leaders in establishing higher standards, just as we believe public affairs practitioners provide an essential service helping corporate and non-government organisations to interact with the public sector.

The aims of APGRA are to:

- Promote the highest standards of government relations practice in Australia through the establishment and maintenance of a robust industry Code of Conduct;
- Complement existing regulation of government relations activity in Australia and provide a basis for regular dialogue between government and the profession; and

- Contribute to greater understanding of professional government relations in Australia, and the legitimate and important role the sector plays.

We do this through direct advocacy on behalf of the members, industry professional development and broader promotion of the nature and value of our Code of Conduct.

THE APGRA CODE OF CONDUCT

Amongst the provisions of the APGRA's Code of Conduct are the following:

- practitioners will act with honesty and decency at all times towards government representatives;
- practitioners will not engage in any conduct that is corrupt, dishonest or illegal;
- practitioners will use reasonable endeavours to satisfy themselves of the truth or accuracy of all statements made or information provided to government representatives and will exercise proper care to avoid giving false or misleading information; and
- where the proposed or actual activities of a client may be illegal, unethical or otherwise contrary to a Lobbying Rule or this Code of Conduct, practitioners will advise the client accordingly and refuse to act in relation to the relevant activity.

The provisions of the Code of Conduct set strong boundaries around the way in which practitioners advance arguments on behalf of their client, and notably, in their insistence on honesty, require full consideration of the evidence base around preventative health issues.

ISSUES WITH THE DRAFT STRATEGY

- 1. The list of 'adverse' effects of corporate political activities contains two items - lobbying and political donations - which are in fact sub-categories of corporate political activity, and not effects at all.**

This should be self-evident, but an equivalent mistake would have been for the strategy to list television advertising or telemarketing as adverse effects under the Marketing and Advertising element. Lobbying and political donations are two important activities that are sometimes carried out as part of corporate political activity, not the effects of such.

- 2. Regardless, the single categorisation of these two items as 'adverse' is myopic and ignores completely the potential for positive effects to arise from these activities.**

The right of corporations to engage with and donate to politicians and political parties is a well-established and protected element of political communication in Australia. There are extensive benefits to be realised from these activities, ranging from the elevated capacity of politicians to communicate with the electorate through to better informed policy, efficient government engagement with the private sector and even public pressure on politicians to better align with community sentiment.

- 3. In general, the section fails to recognise the broader potential for political activities undertaken by corporate actors to deliver positive outcomes, in line with both the stated corporate and social responsibility priorities (CSR) of these actors and shared interest with the community; and**

The remainder of the copy in this section, as well as both sources cited, acknowledge the potential for corporate activity to contribute positively to positive policy outcomes. There is no justification for this potential not to be extended to corporate political activity. Indeed “lobbying” is a fundamental activity in providing Government and political parties with policy alternatives, through meetings, briefings, submissions, etc.

This also applies to CSR priorities – some of which run counter to explicit commercial interests – are pursued by corporations as part of their government relations activity. It may be a case of ethical standards prevailing at cost to the company, or it may be that the reputational benefits are judged to exceed those costs.

Of course, on many occasions commercial interest actually aligns with optimal public policy outcomes.

In all of these cases corporate political activity has the potential to amplify benefits to the community.

The ‘protective’ and ‘adverse’ effects should be modified to reflect that corporate political activity can facilitate good public health policy, as well as acting as a barrier, and that corporates can shape the social environment in positive ways as well as negative.

4. The ‘protective’ effect attributed to corporate political activities is more appropriately attributed to corporate social responsibility strategies (and adequately covered there by the current wording relating to that element).

It is not immediately clear whether *‘The provision of goods and services such as health facilities, schools or other collective goods, especially in political environments where these goods are underprovided’* is intended to mean the private provision of public goods for profit or as a charitable offering. If charitable, this arguably falls into the element of Corporate social responsibility strategies and is already dealt in this section. If for profit, we still fail to see how this falls into the realm of political activity.


Instead, we suggest that this part of the section detail (as outlined above) the potential of corporate political activity to contribute to positive outcomes.

We thank you in advance for the opportunity to respond to the Draft’s assertions about the role of lobbying and in finalising our National Preventive Health Strategy.

Further information on the APGRA and its Code of Conduct can be found at www.apgra.com.au.

Should you have any questions in relation to our concerns about how the Draft characterises our profession, please do not hesitate to contact me on + 61 403540912.

Yours sincerely



Feyi Akindoyeni, President APGRA

PO Box 224, Engadine NSW 2233

info@apgra.org.au