CONTENTS

Policymaking behind closed doors ............... 4
Step 1: Get some ‘evidence’ ..................... 5
Step 2: Generate ‘support’ ....................... 6
Step 3: Get talking but stay in the shadows ... 10
How do we solve the problem? ................. 14

Research and written by: Jessica Sargeant

Layout: Philip Murphy Design

Director: Alexandra Runswick
Policymaking behind closed doors

Is government policy getting in the way of your profit making? Are you looking to land a government contract? Do you think politicians should be listening to you rather than those irritating campaign groups? Then you need to learn how to lobby the government! The good news is that when you’ve got money you’ve also got the upper hand over those under-resourced pressure groups. You can drown out their voices and play them at their own game.

Follow our easy three step process, where we will walk you through the tricks of the trade that will help you to navigate the loopholes in transparency legislation.

Step 1: Get some ‘evidence’

Evidence for hire
Independent research may not exactly support your case, but donate to a think tank and they might just produce a report that just so happens to be favourable to your cause. Take the think tank Reform, whose research on the benefits of privatising the NHS must certainly have been welcomed by their financial backers, private healthcare firm General Healthcare Group and private health insurers PruHealth.1 The Institute of Economic Affairs’ ‘independent’ research on the problems with plain cigarette packaging must have also been very helpful indeed for their big tobacco funders.2 Even left wing think tanks like Demos won’t turn their nose up at corporate donations, although this would never influence their research - wink wink.

Journalists with too much time on their hands might try and insinuate there’s a link between a think tank’s research conclusions and the interests of their funders. So if you really don’t want to be caught, simply donate to a think tank that is completely opaque. Neither the Adam Smith Institute nor the Taxpayer’s Alliance disclose any of their funders3 and their low tax and small government stance is likely to fit in perfectly with your corporation’s objectives!

---

2 [https://www.theguardian.com/society/2013/jun/01/thinktanks-big-tobacco-funds-smoking](https://www.theguardian.com/society/2013/jun/01/thinktanks-big-tobacco-funds-smoking)
3 [http://whofundsyou.org](http://whofundsyou.org)
Step 2: Generate ‘Support’

Nowadays it’s not enough for a company to unilaterally call for the government to change a policy or position. Apparently, policymakers and the public don’t like it when it looks like a company is using its corporate power and platform to advance its own profit-making interests by sidestepping democratic processes. Sadly, nobody trusts a corporation anymore, so you’ll need to demonstrate you have wider support. Don’t have wider support? No problem! It’s easily bought - or fabricated!

Astroturf

Campaigning isn’t what it used to be. Gone are the days of hippies sitting around singing kumbaya - now the hippies have the internet. And suddenly everyone has a platform for their opinion. You’re going to need some Twitter warriors fighting your corner and countering the complaints of the great unwashed. The good news is that they needn’t be real people! You can create thousands of fake accounts to comment on articles, Tweet positive comments in favour of your projects - or negative comments about your opposition - and even write blogs supporting your ideas. You can even buy ‘persona management’ software which will do the hard work for you. Make enough noise and you can drown out your detractors, all while making it seem like the public is on your side. Why bother convincing the grassroots when you can just astroturf?!

Make a mouthpiece

For some reason the public doesn’t seem to have much sympathy for us poor corporations. But they might shed a tear for a humble newsagent whose life savings are at risk because the ‘sugar tax’ means he will sell less fizzy drinks. The public might also be inclined to listen to the expertise of a humble doctor, who thinks the only way to save his beloved NHS is to privatize it. They might in turn accept an argument from a lifelong smoker, who thinks his human rights are being infringed upon by the government’s attempts restrict smoking in public places, or increase taxes on cigarettes. With your resources behind these spokespeople, they can make the case on your behalf - then it’s not big bad corporation X opposing a policy or proposal, it’s poor old Joe Public from down the road who is a victim of government overreach.


5 Lobbying firm Portland have used small independent newsagents to make the case against the sugar tax for the ‘Face the facts, can the tax’ campaign http://canthetax.org.uk/latest-news

6 ‘Doctors for Reform’ was set up by lobbying firm Westbourne Communications and is funded by ‘private donations’ http://powerbase.info/index.php/Doctors_for_Reform

7 Smoker’s rights group Forest receives nearly all of it’s funding from big tobacco companies http://tobaccotactics.org/index.php/Forest
The ‘Can the Tax’ campaign proclaims to harness the collective power of newsagents, pubs, shops, and producers, to fight against the detrimental effects of the sugar tax. ‘It will cost jobs’, they cry! ‘It won’t stop obesity!’ ‘It will create an illegal sugar trade!’ Leave out concerns about company profits, like they do, and your message will be more friendly. Of course, the campaign does get a helping hand courtesy of corporate lobbying firm Portland Communications. I’m sure the fact that Portland lists global soft drink giants Coca-Cola and the British Soft Drink Association as their clients is merely coincidental.

When the bosses of weight loss firm Lighterlife wanted a slice of the obesity strategy pie, they secretly founded The Obesity Awareness and Solution Trust (TOAST). Barbara Hewlett, founder of TOAST - and, coincidentally, also the founder of weight loss company LighterLife Ltd - claimed TOAST was the “voice for the obese person”. The charity also claimed to derive all its funding from individual donations and membership fees. They received tens of thousands of pounds of government grants and even got high profile MPs to do their lobbying for them. That was until they were exposed as a front group, funded almost entirely by Lighterlife. Ha, politicians are so gullible!

---

8 http://canthetax.org.uk/contact-us
9 http://www.appc.org.uk/register/profile/?company=Portland
10 http://www.independent.co.uk/news/uk/politics/mps-conned-over-obesity-charity-that-was-front-for-diet-firm-771266.html

---

**Make friends with the media**

The media can be your best friend or your worst enemy. Journalists are under a huge amount of pressure to churn out plenty of content, with the focus of their editors increasingly on driving up the number of website hits and social media shares, over and above high quality analytical or investigative pieces. If journalists lean on you to provide facts and figures, you can get away with massaging the truth. The Daily Mail published an article on women’s health care that lifted 98 per cent of its text from a press release issued by Benenden Healthcare Society. Churnalism at its finest. It’s not just landing stories in the papers that matters, you’ll also want to keep things out. Tim Bell of lobbying firm Bell Pottinger has carved out an extremely lucrative career, from playing down small mishaps like human rights abuses by the Sri Lankan government and apartheid South African politicians. The trick is to have a few scandals up your sleeve to swap in exchange for a journalist pulling an unflattering exposé.

11 https://www.theguardian.com/media/2011/feb/23/churnalism-pr-media-trust
12 https://www.theguardian.com/media/2013/dec/09/bell-pottinger-tim-bell-pr-interview
Step 3: 
Get talking but stay in the shadows

There’s no point putting in all that effort to create a fake media and public campaign if you can’t win the policymakers round to your way of thinking. A quiet word with a politician or one of their advisers, or even senior civil servants, can often do the trick - but you will want to make sure that no one overhears. Any suggestion that ‘big bad business’ has influenced one tiny piece of burdensome tax legislation or watered down some ghastly workers’ rights policy, and the press will have a field day. Luckily, the government’s transparency legislation is so full of loopholes you could use it as a sieve. Simply follow our handy guide and you’ll be able to slip under the radar.

Lobby the people behind the minister
If you have a chat with a minister then it will be recorded in ministerial meetings data. If you want a meeting to go completely undetected then simply talk to their Special Adviser (SpAd) instead. Often referred to as ‘gatekeepers’, SpAds influence what information gets to ministers and what policy options are put forward. Get one of these guys on your side and the minister won’t even know the policy came from you - genius! My old pal Rupert (Murdoch of course) made a good go of this tactic when he was bidding to take over BSkyB. During the process his chief lobbyist exchanged 800 texts, 150 emails and 200 phone calls with the then culture minister’s SpAd.13 And we would be none the wiser if it wasn’t for the pesky Leveson inquiry.

Hire your lobbyists directly
In 2014 the government passed legislation introducing a statutory lobbying register. ‘Lobbying register!? I hear you ask with alarm. Yes I’m afraid so, but not to worry my friend, it excludes the vast majority of the industry. Only consultant lobbyists are required to register - these are firms that lobby on behalf of multiple clients. But, if you employ your lobbyists directly within your company - these guys are referred to as ‘in-house’ lobbyists - they won’t have to sign up! There’s not a trace of superlobbyist Google’s in-house lobbying team on the register, and yet in 2014 they spent $17 million in the US and $4.5 million in the EU14 on lobbying! If you’re wondering why I haven’t told you how much they spent in the UK, the answer is no one knows. There’s no requirement to disclose lobbying spending anywhere in UK legislation, so feel free to throw all the money you want at your lobbying efforts! No one will be able to judge.

Utilise your contacts
Do you have an old school pal now working in the Department of Health, or a chum from your days in the City in the Department for Transport? Now’s the time to take them out for lunch and make up for those 30 odd years since you last saw them. Maybe over a few bottles of wine you could just mention that little multi-million pound contract you’re bidding for. Or that minor policy that’s really getting in the way of business. Social events don’t make it into ministerial meetings diaries so no one can snoop on your conversation. The media got all up in arms when they found out Theresa Villiers had met an old university friend who just so happened to be a lobbyist, and they just so happened to wander onto the topic of the £400 million rail project one of his clients was planning.15 But she was cleared of any wrongdoing - see, it’s all above board! Speaking of friends in high places...

13 http://www.unlockdemocracy.org/lobbying-and-the-media/
14 http://money.cnn.com/2015/09/29/technology/google-europe-lobbying
15 http://www.mirror.co.uk/news/uk-news/cabinet-minister-cleared-lobbyist-lunch-2941567
Keep the revolving door spinning
If it’s friends in high places you want, the best way to get access to the movers and shakers of government is to hire them once they are out of government and free to do as they please - including using their insider knowledge and contacts book to bump up your bottom line. Who’s more likely to have a direct line to the minister you want to speak to than his or her predecessor? Until 2014 William Hague was trying to protect the UK’s interests as foreign secretary, now he’s protecting the interests of lobbying firm Teneo’s clients. It will cost you - Hague gets a salary of £250,000 - but I assure you it’s worth it. Ministers and senior civil servants joining the private sector within two years of leaving office do have to go through the revolving door watchdog first. But don’t worry, this watchdog is utterly toothless. The Advisory Committee on Business Appointments (ACoBA) has never said no, and the most forceful tool at their disposal is merely the ability to advise a two year ban on lobbying or using sensitive information, or suggesting a waiting period.

In any case it doesn’t monitor compliance, so as long as you don’t shout about your new hire from the roof tops, you can flout the rules - who’s going to know? Most importantly, ACoBA’s advice is just that - advisory! So if your new hire is worried they may not get approval, they can just ignore whatever advice ACoBA hands out. The worst case scenario is that ACoBA will send your new hire a strongly worded letter - ooohh, how terrifying.

It’s also worth encouraging your own lobbyists to move through the revolving door. This way, you could get yourself some friends in the most important offices in government. Lobbying firm Portland Communications has had three of it’s former lobbyists step through the revolving doors, straight into Theresa May’s office. I’m sure their former colleagues wouldn’t mind having a word with the PM on their behalf. After all, these high powered connections must help to bring in the big bucks from fee-paying clients who like the idea of having the ear of the Prime Minister. You might even be able to get some of your own sitting on the government benches - 15 per cent of the new MP intake in 2010 were former lobbyists. Getting a man or woman on the inside has never been easier!

Or, just don’t tell them what you’re talking about
Even if you’re one of the unlucky few who are required to sign up to the lobbying register, there’s no need to disclose the subject matter of your conversation. If you’re meeting a minister, who will need to record the meeting’s details in their public diary, I’m sure you can count on them to keep the people guessing by making details of the subject matter discussed vague. The health secretary logged a quarter of his meeting with external organisations as ‘catch up discussions’. Rest safe and sound in the knowledge that your meeting will never be linked to that policy proposal or government u-turn months down the line!

17 http://www.unlockdemocracy.org/blog/2016/10/13/5-lobbying-firms-with-more-influence-over-the-brexit-process-than-you
18 https://www.theguardian.com/politics/2010/jun/03/mps-links-lobbyists-spin
**How do we solve the problem?**

While this is all satirical, these are real tactics used by lobbyists to influence the government, helping them to evade detection and public scrutiny. Lobbying is part of a healthy democracy - after all, we are lobbyists ourselves. But problems arise when lobbying is kept secret and the public aren’t able to scrutinise and hold to account those who are seeking to bypass democratic processes to influence policymakers.

Lobbying is an important part of a healthy pluralist democracy, but it becomes problematic when it happens behind closed doors. However, without transparency the public cannot judge the appropriateness of our politician’s meetings and scrutinise their policy decisions.

A comprehensive lobbying register
We need a comprehensive lobbying register that goes far beyond what we have now. Unlock Democracy is calling for a statutory register that requires lobbyists to disclose information about any contact they have had with ministers, MPs or Special Advisers. It should contain the following information:

- The name of the organisation lobbying – this should include both consultant and in-house lobbying teams
- The name(s) of individual lobbyists and any elected office they have held in the last 10 years
- The public official with whom the lobbyist communicated
- The subject matter of lobbying
- Any particular policy and government positions they are seeking to influence
- The amount spent on lobbying

The lobbying registrar should have the power to impose fines and civil sanctions on those who fail to comply. The US, Canada, the EU, Scotland, and Ireland already have comprehensive lobbying registers in place.

The UK is lagging behind when it comes to transparency – it’s time to get lobbying out in the open.
The lobbying registrar should have the power to impose fines and civil sanctions on those who fail to comply. The US, Canada, the EU, Scotland, and Ireland already have comprehensive lobbying registers in place.

The UK is lagging behind when it comes to transparency – it’s time to get lobbying out in the open.

Join Unlock Democracy

☐ I’m waged / in full time employment
☐ I’m unwaged / a student / an OAP / low paid

Name: ________________________________
Address: ________________________________
_________________________ Postcode: ________________
Phone: ________________ Email: ________________

Annual subscription rates are £24 (waged) and £12 (unwaged). Please give what you can afford.

Total contribution: £ _____ (including optional donation)

☐ Tick here if you would like to also join the local group in your area, if one exists, at no extra charge.

Payment Options (tick one):
☐ I would like to pay by credit card (please fill in the form overleaf)
☐ I will be paying by cheque (please make payable to “Unlock Democracy”)

Return this form to: Unlock Democracy, Fifth Floor, 9 King Street, London EC2V 8EA or go to unlockdemocracy.org

Credit Card Payments
Card Number

Security Code Start Date Expiry Date Issue No.

Signed: ________________________________
Date: ___/___/____