

## **Submission Response: Hume Brophy Communications**

Name (Organisation name or name of individual)	Hume Brophy Communications
Address	14 Herbert Street, Dublin 2
Phone	+353 (0)1 662 4712
Email Address	dublin@humbrophy.com

Ms Bernie Orr,

Hume Brophy Communications welcomes the opportunity to respond to the Department of Public Expenditure & Reform's public consultation on the First Review of the operation of the Regulation of Lobbying Act 2015.

Hume Brophy is an Irish-HQ'd international communications firm specialising in Government Affairs and Media Relations, with operations in Brussels, Dublin, London, Paris, Singapore and New York, and an established network of agency partnerships across Asia, local Asian markets and Europe.

In Ireland, we are a member of the Public Relations Institute of Ireland, while at a European level, Hume Brophy is a member of the European Public Affairs Consultancy Association and abide by both associations' codes of conduct to its highest standards.

Hume Brophy supports the regulation of lobbying in Ireland and is committed to both upholding the best standards and practices in the lobbying profession and support all efforts to ensure excellence in the practice of public affairs in Ireland.

Beyond the suggested amendment to the Regulation of Lobbying Act detailed below, Hume Brophy has found the requirements set out under the Act fair and appropriate.

The views outlined in this response are drawn from both our Irish and European experience in public affairs.

Yours Sincerely,

**Conall McDevitt**

**CEO**

## Do you think the Act can be improved in any way and, if so, how?

Hume Brophy believes Section 6 of the Regulation of Lobbying Act 2015 should be amended to remove Members of the European Parliament as Designated Public Officials.

It is the interpretation of the Act by the Standards in Public Office Commission that lobbyists must register contact with Irish MEPs, whether or not they are in Ireland when they are contacted or whether the relevant matter concerned Irish legislation and policy or broader, European policy.

In Hume Brophy's significant experience of engaging with the European Institutions, the vast majority of engagement with Irish MEPs concerns European-wide policy matters, not national issues. At some point in each reporting period, it is likely most, if not all, of the c. 10,000 public affairs practitioners in Brussels will engage with an Irish MEP, although few, if any, of these interactions will have bearing on Irish public policy or its development. As such, we estimate mass non-compliance has arisen in Brussels and across Europe to date, whereby consultants, activists and private companies engage all MEPs, failing to realise that 11 of the 751 Members are Irish and carry domestic reporting requirements.

Unintentional non-compliance aside, MEPs are mostly contacted in their capacity as members of various Parliamentary Committees, that are tasked with considering policy matters in the interest of the European Union as a whole. We do not believe it is the intention of the Regulation of Lobbying Act to include non-Irish activity or indeed, enforce its sanction when overlooked by other European actors.

From a practical perspective, as there are close to 100 full or substitute members on some Committees, we understand that interested parties are now simply omitting the 1-2 Irish MEPs on each Committee to avoid breaching the policy – intentionally or otherwise. As the formal sanctions procedure commences in 2017, we expect this trend to increase significantly, as stakeholders actively seek to avoid contravening Irish regulation or to simply avoid the administrative conditionality that is exclusively attached to Irish MEPs.

Hume Brophy believes that the inclusion of Irish MEPs as Designated Public Officials is both unworkable and counterintuitive to the principle that "*extensive communication is the essence of good policy making*", as outlined by then Minister Brendan Howlin on the commencement of the Lobbying Act, considering it is resulting in Irish MEPs' exclusion from dialogue that intends to enhance policy.

In light of this disadvantage placed on Irish MEPs, as well as recent proposals by the European Commission to enhance the EU's transparency rules (28 September) by creating a mandatory lobbying disclosure system of all three of its main institutions, we therefore suggest removing MEPs from the list of DPOs.