



ASLEF Response to the Lobbying Transparency Scotland Bill Consultation

1. The Associated Society of Locomotive Engineers and Firemen (ASLEF) is the UK's largest train driver's union representing approximately 18,000 members in train operating companies and freight companies as well as London Underground and light rail systems. ASLEF has over 1,500 members in Scotland
2. ASLEF agrees with the consultation document's assertion that those with the most money are able to buy power and influence in addition to increased access to ministers, special advisors and officials. Conversely the views of ordinary people such as workers or consumers are not heard in such spheres of the decision making process.
3. The union accepts that there will always be a role for professional lobbyists in engaging with a democratic political system. Organisations will often require assistance from experts in getting their message across correctly and to the right people. There is however a fine line between this and receiving superior access due to connections and contacts.
4. This delicate balance therefore leaves any democracy facing the question of how to stop those with the financial means from having an advantage over those without such means when making their arguments. A truly democratic system needs everybody to have the same opportunities to make their case to decision makers.
5. For this reason, ASLEF supports a greater degree of transparency with regard to the operation of lobbyists. However the idea that simply creating a creating a register will deal with this issue is simplistic.

6. We believe it will be too easy for certain organisations to circumvent the regulations. ASLEF therefore supports the idea of the onus being on decision makers to report those who have sought to influence them. Such a step could prevent lobbyists seeking loopholes in legislation.
7. ASLEF recognises that formal meetings of ministers and officials are covered by Freedom of Information requests yet private or social contacts are not. This is therefore another large loophole which could potentially be exploited to avoid new legislation and must be closed.
8. The proposals have the potential to help deal with professional lobbying companies yet very often public concerns over preferential access relate to campaign organisations or think-tanks. These groups would not be covered by the register and fall short of the regulation that covers trade unions and charities. Often the sources of their income are unknown while their operations can be secretive.
9. ASLEF believes that it would be inappropriate for trade unions to join such a register. Unions are already one of the most regulated types of organisation in Scotland whose activities open and clear. Defining at what point “lobbying” is taking place however is less clear and therefore the onus should be on the officials or ministers who receive representations.
10. Unions have to make annual returns to the Certification Officer as well as create a special political fund for campaigning work. This has to be agreed to by a ballot of members which is repeated every ten years. Members then have the option to opt out of this fund. This fund once again is returned to the Certification Officer. The activities of trade unions are therefore already heavily regulate and transparent. Similar provisions apply to for charities. It is therefore the campaign organisations and think-tanks whose political engagement is less regulated who should be subject to a greater degree of transparency. .

11. ASLEF would point out that these groups may not directly work for a client, but do often work on campaigns of benefit to their supporters. It would make sense to frame legislation to require them to publish details of any donors and to publish their accounts. This could potentially mirror the disclosure requirements imposed on political parties.
12. It's worth noting that while many of these campaign groups already exist, the creation of a statutory register could lead to even more being set up to act as third party groups representing the views of donors.
13. ASLEF is in favour of the declaration of income from clients and agree with doing this in bands as suggested.
14. ASLEF endorses any measures which seek to prevent those with financial means being able to gain greater access to decision makers. However the union would restate its view as to the near negligible effectiveness of registering professional lobbyists and the need for greater scrutiny of other bodies.
15. The union reaffirms its view that the regulation of unions is already extremely thorough. We believe it is time that the activities of many campaign groups and think tanks are similarly scrutinised.

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