

Institution: University of Stirling		
Unit of Assessment: 34. Communication, Cultural and Media Studies, Library and Information Management		
Title of case study: Promoting Lobbying Transparency in the Scottish Parliament		
Period when the underpinning research was undertaken: 2000 - 2020		
Details of staff conducting the underpinning research from the submitting unit:		
Name(s): Dr William Dinan	Role(s) (e.g. job title): Senior Lecturer	Period(s) employed by submitting HEI: 1996 - 2003; 2014 - Present
Period when the claimed impact occurred: 2014 - Dec 31 st 2020		
Is this case study continued from a case study submitted in 2014? No		
1. Summary of the impact <p>The introduction, nature and scope of lobbying regulation – the Lobbying (Scotland) Act 2016 – in Scotland has been shaped by Dinan's research on lobbying and political communication.</p> <p>Ethnographic research and knowledge exchange work helped build the case for statutory regulation, responding to calls for a more transparent politics following devolution. Research established a framework for regulation that both informed the demands of transparency campaigners and highlighted the need to avoid loopholes.</p> <p>Nearly a third of registrants under the recently introduced disclosure system reflect categories recommended through Dinan's research. This accounts for a significant proportion of lobbying activity now disclosed, leading to a substantial improvement in lobbying transparency in Scotland.</p>		
2. Underpinning research <p>A key finding of the research was that devolved Scotland was not as 'open' and transparent as the rhetoric surrounding Scottish politics suggested, and that in particular there was a need for lobbying transparency to enhance democratic accountability (R1, R2, R3). The research also evidenced the profound problems with lobbying self-regulation, and informed subsequent knowledge exchange work on statutory approaches to this issue. The work also highlighted the difficulty that many voluntary and third sector organisations experienced in relation to lobbying disclosure and the challenges that demands for transparency placed on civil society groups. This is important because the legislative proposals for a Scottish lobbying register had to be designed to cater proportionately for a wide variety of lobbying organisations and seek to meet public accountability concerns.</p> <p>The research underpinning impact in the current REF cycle comprises an ongoing programme of research and knowledge exchange dating from 2000 to the present. Dinan's work on lobbying transparency has involved extensive and sustained research and knowledge exchange activities with policy makers and civil society groups (in Scotland, UK, and EU). This research informed deliberation on lobbying disclosure in Scotland. Dinan's ethnographic research on lobbying organisations and lobbying regulation in Scotland was designed and conducted at Stirling (R1, R2), with impacts occurring and further underpinned by research produced (R4) after he re-joined Stirling in the current REF period.</p> <p>The initial fieldwork (2000-2003) on Scottish political communication comprised extended fieldwork and observation of the developing lobbying industry around the new Scottish Parliament, up until 2003. It involved 73 interviews with various corporate and voluntary sector lobbyists, public servants, and elected representatives. It also drew upon participant observation at more than 70 official, public, and private meetings for those involved in public affairs in Scotland. This research was supplemented by extensive media monitoring and analysis of lobbying in popular and trade press (R1, R3). During this fieldwork the Scottish Parliament Standards Committee started an investigation of lobbying. Initial research findings were submitted as written evidence to the Holyrood inquiry, and the research team were called to give evidence before the Committee (R3).</p>		

The research team were the only academics then advocating a register based around full disclosure by *all* lobbyists, including commercial consultants, in-house corporate lobbyists as well as charities and civil society organisations. This policy engagement was built upon extensive fieldwork and led to the research team developing recommendations to underpin a lobbying disclosure system for the Scottish polity. This had not been part of the original research design, but was developed in response to the unanticipated opportunity to engage with policy makers and stakeholders on the question of how best the Scottish Parliament as a political institution should handle relations with outside interests.

The second phase of the research on lobbying in Scotland (2014-2018) has focused on examining lessons to be drawn from other legislatures with lobbying disclosure systems, and the quality and utility of lobbying disclosures for enhancing democratic accountability (R4). This work also considers the opportunities afforded by new media and communication technologies to make information on lobbying available in a timely manner to help inform media and civil society groups to play a watchdog role in relation to efforts to influence public policy. Dinan organised and convened an expert policy seminar in Stirling in November 2015 to disseminate the latest research and practice evidence, bringing together regulators and academics from the EU and US with the bill team designing the Scottish legislation, as well as members of the Scottish Parliament committee scrutinising the legislation.

3. References to the research

R1. Schlesinger P, Miller D & Dinan W (2001) *Open Scotland? Journalists, Spin Doctors and Lobbyists*. Edinburgh: Polygon. <https://www.jstor.org/stable/10.3366/j.ctvxcrdb1>

R2. Schlesinger P, Dinan W & Miller D (2002) Closed Scotland? Lobbying at Holyrood. In: Hassan G, Warhurst C (ed.). *Anatomy of the New Scotland: Power, Influence and Change*, Edinburgh: Mainstream Publishers, pp. 65-74.

R3. Dinan, W, Miller D & Schlesinger P (2001) 'Submission to Standards Committee Consultation on Lobbying the Scottish Parliament'. February. (University of Stirling) <https://archive.parliament.scot/business/committees/historic/standards/papers-01/stp01-03.pdf>

R4. Miller D & Dinan W (2016) Digging Deeper: big data, elites and investigative research. In: McKie L & Ryan L (eds.) *An End to the Crisis of Empirical Sociology? Trends and challenges in social research*. Sociological Futures (BSA). London: Routledge, pp. 49-64. <https://www.routledge.com/products/9781138828674>

Funding: 'Political Communication and the Scottish Parliament', Award No. L 327 25 3003 (1999-2000).

4. Details of the impact

The impact here relates to both policy development and legislation in regard to the regulation of lobbying in Scotland, and impact on the submissions and advocacy strategies of civil society organisations in relation to lobbying transparency. ESRC funded research on lobbying and Public Relations was popularised in the media and in policy circles including via official consultations into lobbying (R3 & E1, E3a & b) with identifiable effects on all of the bodies noted.

Impact: The Lobbying (Scotland) Act 2016

Dinan (and colleagues then at Stirling) were the only academics to argue for a statutory lobbying register in Scotland in 2001 (R3 & E1) and amongst a small group in the EU. The effect of this work is acknowledged to be significant by policy actors.

Initiating the legislation

The pathway to legislation – the Lobbying (Scotland) Act 2016 – that created a statutory lobbying register was through a Private Members Bill introduced by Neil Findlay MSP at the Scottish Parliament on 6 July 2012. **Findlay's Bill was heavily influenced by the findings of the**

research noted above (R1, R2) as well as the insights from subsequent knowledge exchange work with civil society groups interested in transparency promotion (E2). As Findlay states, his Bill was directly influenced by this research:

'I am certain that had Dinan and his colleagues at Stirling not carried out their initial work on lobbying in Scotland my private members Bill... may well have never been introduced. Their academic work created the space and provided some of the evidence that underlines the need for such a Bill' (E4a., Neil Findlay MSP testimonial)

Findlay's bill went on to lead directly to and inform the Lobbying (Scotland) Bill, now Act. As a Scottish Government briefing explains:

'Mr Findlay's Bill received broad support in the Parliament (31 MSPs) and, in May 2013, he lodged a final proposal for his Bill. Subsequently, in June 2013, the Scottish Government announced, under Rule 9.14.13 of the Parliament's Standing Orders, that it would introduce legislation of its own to give effect to the proposal in Mr Findlay's Member's Bill.' (E3a, p.9)

Therefore, the research had a direct impact on the case for introducing such legislation. Furthermore, the research underpinned key provisions of the proposed legislative framework.

Informing the legislation

Following the Scottish Government's decision to introduce legislation, **Dinan played a prominent role in the deliberations among civil society groups in Scotland**, scrutinising this issue, as well as submitting evidence to both Scottish Parliamentary (2014) (E3a) and Scottish Government (2015) (E3b) inquiries. Based on his research in this area, he was then appointed to the official Holyrood Lobbying Register Working group in 2017 to advise on aspects of implementation (see section below) of the Lobbying (Scotland) Act 2016 (E5) and continues to work with Scottish civil society groups interested in monitoring lobbying disclosure.

Dinan participated in the official Standards, Procedures and Public Appointments Committee round-table discussing key elements of the Scottish Government's proposals for lobbying regulation, 12 November 2015 (E6a). In late November 2015, he convened an expert policy seminar at the University of Stirling focused on regulatory design and the mechanics of realising transparency in relation to lobbying and political communication. The seminar involved participants from Scottish Government, Scottish Parliament (including chair and clerks of Standards Procedures and Public Appointments Committee, and Corporate Body), Westminster and Irish regulators, public servants working on lobbying and related ethics issues from EU and Scotland, and a number of invited academics. The seminar was held to ensure that decision makers in Scottish Government were appraised of best available research and practice insights while deliberating on the provisions of the Lobbying (Scotland) Bill that would eventually become the basis for legislation in 2016 (E6b).

In his capacity as a founding member of the Scottish Alliance for Lobbying Transparency (SALT), Dinan also briefed the responsible Minister for Parliamentary Business (Joe Fitzpatrick) in January 2016 (E8, p.54, 85) and also met with the civil servants drafting the stage 1 and 3 legislative proposals (June 2015 and March 2016). As the Electoral Reform Society, Scotland, state on the influence of Dinan and his research's contribution to this process:

'Dinan's research added legitimacy to the campaign and helped develop our asks. His attendance at various meetings with Civil Servants and politicians where he was able to explain his research were vital in ensuring the lobbying register became law.' (E4b., Electoral Reform Society, Scotland testimonial)

The Minister for Parliamentary Business subsequently acknowledged the impact of SALT: 'The vibrancy of such debate and that campaign are important to Parliament and to Scottish democracy.' (E6c, p.85)

The research directly informed the advocacy of pro-transparency civil society groups in Scotland, which attracted widespread popular support during parliamentary deliberation on the provision of the Lobbying Bill (E7). Dinan used his role in SALT and his research and policy expertise to shape key campaigning demands that were eventually included in legislation.

Research highlighted the need to avoid loopholes and bring transparency to lobbying activities targeted at the civil service and special advisors in government. These recommendations were reflected in stage 3 amendments to the legislation accepted by the Scottish Government, and approved by the Scottish Parliament:

‘[I]t is very clear the impact the research had and it is easy to trace the way it impacted on crucial legislation which now governs the operation of Parliament in Scotland. There was no alternative source of this research and I doubt it would have been possible to win the changes we won without it’. (E4d., Common Weal testimonial)

Dinan’s expertise and engagement with policy makers to explain the research and evidence from different regulatory systems has been a common thread running through the phases of policy activism and deliberation at Holyrood on the topic of lobbying transparency.

‘Thanks to his support and research, parliamentary and stakeholder debates that input to the development process of the Lobbying (Scotland) Bill were considerably more informed than would otherwise have been the case, which served to make the Bill a more successful piece of legislation.’ (E4d., Transparency International testimonial)

Dinan is the only academic who has participated in all of these policy processes and this has ensured that the Stirling research is well known to politicians and officials charged with developing and running the lobbying register.

Implementing the legislation

The research (R1 to R4) and knowledge exchange activity with stakeholders in Scotland (E2, E6c, p.54) informed Dinan’s contributions as the only academic member of the Lobbying Register Working Group (E5), which was tasked with advising civil servants at the Scottish Parliament on the implementation of the Lobbying (Scotland) Act and developing detailed draft Parliamentary Guidance and a Code of Conduct for people lobbying MSPs. Dinan was used as an expert source for the stakeholder and scoping research undertaken on behalf of the Holyrood Lobbying Registrar’s office (E9).

The Impact of the Lobbying (Scotland) Act 2016

The Chief Executive of the Scottish Parliament has recently described the lobbying register as ‘a very valuable source of transparency about public life in Scotland’ (E10). The legislation has directly impacted on some 1,189 registrants across Scotland who have disclosed lobbying activity since March 2018. Nearly 30% of those registrants are within the categories of lobbyists that the Stirling research (R1) recommended should be included in any disclosure system, but which were initially excluded in legislative proposals. These groups also account for a significant proportion of the substantive information returns of lobbyists disclosing their lobbying activities under the legislation (2,736 returns, representing 40% of disclosures) (E10).

5. Sources to corroborate the impact

E1. Dinan W & Schlesinger P (2001) *Oral evidence on behalf of the Stirling Media Research Institute to the Standards Committee of the Scottish Parliament*. Edinburgh: Scottish Parliament Official Report: <http://stir.ac.uk/5e6> and William Dinan, David Miller, Philip Schlesinger, (Feb 2001) ‘Submission to Standards Committee Consultation on Lobbying the Scottish Parliament’ (University of Stirling): <http://stir.ac.uk/5e9>

E2. Alter-EU Steering Committee - Dinan a co-founder and steering committee member of the this leading NGO network focused on lobbying transparency in Europe: <http://stir.ac.uk/5ec> & <http://stir.ac.uk/5ef>

E3. Enquiries:

E3a. Scottish Parliament (SPICe Briefing 15/79, 8 December 2015): <http://stir.ac.uk/5ei> see pp. 22, 23, 24, 27 for excerpts of Dinan's evidence used in Scottish Parliament Information Centre summary of prior consultation on Lobbying (Scotland) Bill. See also Scottish Parliament plenary debate November 2014: <http://stir.ac.uk/5el> and summary of responses on Twitter <http://stir.ac.uk/5eo>

and Selected summary of evidence (including Dinan): <http://stir.ac.uk/5eo>

E3b. Scottish Government Consultation 'Proposals for a Lobbying Transparency Bill – Consultation Responses': <http://stir.ac.uk/5er>, see submission by Spinwatch (Dinan founding member, see <http://stir.ac.uk/5eu>).

E4. Testimonials in support of the impact:

E4a. Neil Findlay, Member of the Scottish Parliament.

E4b. Electoral Reform Society, Scotland.

E4c. Common Weal.

E4d. Transparency International.

E5. Dinan member of Scottish Parliament Lobbying Register working group (2017):

<http://stir.ac.uk/5ex>

E6. Scottish Parliament Official Reports:

E6a. Standards, Procedures and Public Appointments Committee, 12 November 2015: <http://stir.ac.uk/5f0>.

E6b. Meeting of the Parliament, 10 March 2016: <http://stir.ac.uk/5f3>, p.119 refers to Stirling policy seminar in Stage 3 of Lobbying (Scotland) Bill debate.

E6c. Meeting of the Parliament, 7 January 2016: <http://stir.ac.uk/5f6> p.54 & p. 85 stage 1 official report refers to the January 2016 briefing.

E7. Report on widespread public support for greater lobbying transparency: <http://stir.ac.uk/5f9>, based on YouGov poll 17-21 December 2016

E8. Minister for Parliamentary Business acknowledges impact of SALT advocacy on provisions of Bill, 10 March 2016: <http://stir.ac.uk/5f3> See pp. 91, 92.

E9. The Scottish Lobbying Register: Engaging with Stakeholders, November 2017: <http://stir.ac.uk/5fc> See pp. 6, 18, 23, 60.

E10. First report on the operation of The Lobbying (Scotland) Act 2016: <http://stir.ac.uk/5ff> See p.3.