

Response

## Over-regulation or legitimate control?

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Between us we have twenty years' experience of contract research for government in the field of alcohol and drugs (AOD), and we recognise much of the world described by Miller, Moore, and Strang (2006). Contract research for government, in the UK, can sometimes be maddening and sometimes rewarding. Our sense is that over the last decade the balance has shifted, and that academic researchers are treated by government departments with a heavier hand now than in 1997, for example, when New Labour was demonstrating a genuine enthusiasm for new, research-based ideas. However, it is important to recognise that there are legitimate forms of control by commissioning departments over research contractors. A better accommodation between government and academic research will be achieved more readily if academics recognise the legitimacy of *some* of the controls that government funders impose on research.

We can certainly provide examples from our own experience of all the forms of regulation described in the paper. Naked censorship of drafts submitted to funders is, in our experience, rare. However, we have certainly argued with government departments about the proscription of various terms. For example in the first draft of one report, we referred throughout to the neutral term "illicit drug use"; the preferred governmental term in the mid 1990s was "drug abuse" and we were asked to use this. Eventually we compromised on "drug misuse". The censorship that happens over drafting is typically more oblique, and supported by reasonable or at least reasoned arguments that mask the political intent. Often, small trades with the censor can be justified; for example, if an otherwise receptive government minister refuses to read reports that refer to sex work rather than prostitution, the greater good may be served if the researchers follow officials' advice and use the 19th century term rather than the 21st century one.

We have also been threatened with the suspension of contracts and with the curtailing of further funding, in response to criticisms that we have made of government policy. These pressures are likely to grow in future in those departments such as the Home Office that have fragmented their research departments by bedding them out in policy directorates. The risk of inappropriate pressure on researchers has grown as the occupational sub-culture of the Civil Service has shifted. Over the last ten years, the 'can-do' programme director has become one of the stereotypes of the Civil Service. In many ways, this is a breath of fresh air. However, one of the first rules of being a 'can-do' official is to ensure that failure is not an option. Increasingly research budgets get devolved to directorates controlled by those tasked with delivery, who can then exert more or less explicit control over researchers. We have experience of directors who get very cross indeed when presented with evidence of more limited success than they feel is due.

Undoubtedly, too, there are the pressures on research centres who wish to see continuity of funding to ensure that they retain funders' trust and goodwill. There is a line to draw between proper responsiveness to funders and a craven desire to please. It is more tempting to cross this line the greater the financial rewards involved. This risk is often associated with the – potentially lucrative – work of private sector consultancies but continuity of funding is also a preoccupation for academic research.

Certainly, too, government departments set research agendas – and specify research methodologies to suit their own interests, rather than to contribute in a disinterested way to the body of knowledge that relates to policy issues. Government departments do not intentionally commission research that will embarrass their ministers.

Once research is completed, publication is often an issue. Blocking publication, or – more accurately – very lengthy delays to publication have been a feature of our government work relating to AOD. It is always hard to judge precisely

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how purposive the delays are. Certainly, when a ‘difficult’ report hits the desk of an official, it will require more time to reach a decision, and risks lying at the bottom of the pending tray. It probably also requires more consultation – even before the issues are exposed to ministers. When this happens, officials have to devise plausible ways of presenting unwelcome research findings to ministers who may hold them to account for giving rise to the problem. The worst delays arise when staff changes interact with the routine problems that officials face of steering a politically sensitive report through their colleagues and their ministers. Such delays also cause difficulties for researchers wishing to submit their work to peer scrutiny through publication in academic journals.

Thus, there are plenty of reasons for academics to get cross with government, and it is easy to slip into a mindset which translates frustration into hostility. Matters are made worse by the experience of competitive tendering to which many academic research centres are now exposed. In our experience, this is a bruising process. The proposal review and contract award processes of government policy research funding are often shrouded in secrecy, and sometimes very protracted. Selection processes historically have not been transparent, and they often leave the unsuccessful bidders frustrated because they have no idea how a decision has been arrived at. There are exceptions, including the procedures of a funder new to the field, the Department for Constitutional Affairs, whose debriefing in a recent tendering exercise was a model of openness. However, the general tendency to lack of transparency is corrosive of trust between commissioner and provider, and reduces researchers’ preparedness to take at face value the ethical standards of commissioning departments.

Despite all these problems, we think it essential that there should be close working partnerships between government and academic research in this field. It would be very damaging if the mutual distrust reached such a pitch that academics withdrew from this particular marketplace, leaving it to in-house research and to private sector consultancies. So let us play Devil’s Advocate, and set out the case for government departments to exercise tight control over commissioned research:

- Spending departments are responsible for implementing government policy, and research is a tool to support policy implementation.
- Departments have to be able to demonstrate value for money in their research expenditure as much as any other form of spending.
- They have a legitimate interest in ensuring that their research is focussed on departmental priorities, and advances departmental priorities effectively.
- They can thus be expected to exercise tight contractual control over the research that they commission.

This scrutiny – or regulation – is likely to embrace the proposed research methodology, the execution of the research, its analysis and its presentation.

If and when control is exercised, its intent will often be opaque. It is not so much that research managers will consciously ‘dress up’ political concerns as methodological ones, for example. Rather, findings (or research procedures) that are politically contentious will receive much closer methodological scrutiny than those that are not, and will be criticised in terms of the methodological rather than political issues they pose. What the researcher may experience as unethical political control may genuinely be regarded by the governmental research manager as reasonable methodological scrutiny.

This is not intended as a justification of political interference in the research process. Rather, the issues are complex and multifaceted: government has a legitimate interest in protecting its investment in research. In persuading government to take an ethical stance towards research regulation, academics need to appreciate the world as it looks from the stance of a government research manager.

In terms of steps needed to minimize illegitimate regulation of research, the principle of open access to knowledge is of critical importance. It remains to be seen how creatively the Freedom of Information legislation in the UK can be used to stop government departments sitting on research reports that are politically problematic. In terms of maintaining the quality of research conducted for government, an independent peer-review process is important. When well-managed, the peer-review processes that some government funders operate are of value. However, it should be remembered that the peer reviewers are operating under contract to the funding department, assessing the research against criteria specified by the funder.

Perhaps the most difficult convention to institutionalise within the contract research community is that researchers have an obligation to “speak truth to power” regardless of the consequences. In our institute, our strategy for doing this is to achieve a varied funding mix, and a flexibility of structure, that will allow us to cope with the sudden withdrawal of government funding. We continue to be surprised not only by government hostility to challenging research, but its receptiveness to it. One of our recently published books was a critique of the government’s plans for the National Offender Management Service (related only at the margins to AOD). It was with a little anxiety that we published our minor onslaught (Hough, Allen, & Padel, 2006). Sales show that the biggest single purchaser to date has been the headquarters of NOMS itself. It is surprises like this that allow us to retain our enthusiasm for carrying out policy research for government.

## References

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