"RENEWING DEFRA": EXPLORING THE EMERGENCE OF RISK-BASED POLICYMAKING IN UK CENTRAL GOVERNMENT

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Risk-based policymaking is a form of reflexive policymaking that uses risk analysis to address both the primary objects of policy interventions and their secondary adverse consequences. As such, it has become central to debates about efficiency, control and accountability in UK government. To better understand the factors shaping its emergence, this article studies the UK Department for Environment, Food and Rural Affairs’ (Defra) adoption of risk-based policymaking. In-depth interviews with Defra staff suggest that risk-based policymaking serves conflicting objectives and struggles to perform its ostensive functions. The article concludes, first, that risk understandings can be organizationally filtered in ways that reinforce rather than challenge entrenched policy practices. Second, that using risk-based policymaking for audit purposes can undermine policymaking reflexivity. Third, that the value of risk ideas in reconciling competing accountability and blame-avoidance pressures leads to risk ‘colonizing’ increasing dimensions of policymaking.

INTRODUCTION

Over the past decade, ‘risk’ became a central organizing concept of decision-making across the UK government, and, as Prime Minister Blair (2002) put it: ‘central to the business of good government’. The centrality of risk to ‘Government’ has mirrored its emergence as a tenet of corporate governance, and has been driven by a series of reviews advocating the adoption of ‘risk-based’ approaches to decision-making across policy domains (for example, Cabinet Office 2002; Hampton 2005; see also Hood and Rothstein 2000; Power 2007; Black and Baldwin 2010). The concept of ‘risk’ being advocated here far exceeds the word’s long association with harms to the environment and health and safety. Rather, it offers a formal language for framing a diverse set of potential adverse consequences from policy interventions; be it to individuals, organizations, the environment or even government itself.

It is easy to understand the superficial appeal of risk-based policymaking, in so far as it purports to improve the ‘targeting’ and ‘proportionality’ of policy interventions by taking into account both the likelihood and consequence of adverse outcomes (UK Cabinet Office 1999; Hampton 2005; Black 2005). Conceived in this way, risk-based approaches offer the promise of an economically rational decision-making instrument that can check bureaucratic creep, increase efficiency, enhance legitimacy and accountability, and mitigate risk-adverse tendencies within government (BRC 2006). For these reasons, policy risk assessment has become a fashionable tool of the ‘better regulation movement’: playing an increasingly formal role in regulatory impact assessment processes, which have become central to regulatory reform programmes around the world (for example, Radaelli 2010).

The idea that risks associated with policy interventions need managing is nothing new. Understanding and managing the potential adverse consequences of policymaking is a core competency of civil servants and politicians. What is new, however, is the idea of risk-based policymaking as a discipline with its own concepts, tools and methods for...
explicitly assessing and managing those adverse consequences. In particular, the use of ‘probability-consequence’ frameworks that present policy risks as the product of potential policy ‘harms’ and their likelihood of occurring (often plotted against each other on risk-matrices to calculate ‘high’, ‘medium’ or ‘low’ risk), are increasingly used by government departments to frame the future as both calculable and more amenable to control.

Whilst there is great enthusiasm for the promised benefits of risk-based approaches, it is hard not to be struck by the notable failures of organizations in both the private and public sectors – from banks to probation services – that have attempted to operationalize them. The aim of this article, therefore, is to examine the introduction of risk-based approaches to policymaking and their impacts on decision-making in practice. In particular, the article examines the extent to which explicit risk management processes transform decision-making, and the extent to which organizational understandings and practices blunt the impacts of such approaches. To this end, the article examines the introduction and implementation of risk-based policymaking in one policymaking setting: the UK Department for the Environment, Farming and Rural Affairs (Defra).

UNDERSTANDING RESPONSES TO RISK-BASED POLICYMAKING

The way that organizations adapt to manage the risks (both to others and themselves) associated with their activities has long been discussed in a range of literatures. These literatures have commonly construed risk as a source of organizational change: requiring the development and application of new expertises, techniques and infrastructures, often under conditions of considerable uncertainty. Theorists of high reliability organizations, for example, point to the way that some organizations, such as aircraft carriers, have developed risk-resilient systems and cultures (LaPorte 1982; Rochlin et al. 1987; Roberts 1993). Similarly, in policy contexts, some commentators have suggested that risk analysis is a necessary component of any regulatory reform intended to help policymakers anticipate and evaluate the potential adverse consequences of their choices (Breyer 1993; Sunstein 2004).

Organizational studies, however, have also examined ways in which organizations either actively or passively ‘resist’ the management of risk. Research suggests that risk-management can conflict with pre-existing organizational practices, beliefs and worldviews, in a manner that leads to unintended consequences. In particular, attempts to forensically examine and respond to potential failure can conflict with engrained organizational practices and cultures in a way that heightens the salience of blame. In such contexts, organizations can respond to such conflicts in ways that attempt to preserve their core ways of working (Laughlin 1991). Meyer and Rowan (1977), for example, argue that attempts to rationalize organizational behaviour can result in the creation of formal control structures that have symbolic legitimatory value, but which are ‘decoupled’ from actual organizational practice.

Indeed, many studies have identified ways in which organizations undermine risk-management initiatives by filtering and reinterpreting their strictures to fit with pre-existing values, beliefs and ways of working. For example, Sagan (1993) and Vaughan (1996), in their respective studies of nuclear weapons safety and the Challenger disaster, show how organizational cultures and pressures shape understandings of, and compliance with, safety-critical rules at the expense of outcomes. In policy contexts, the Science and Technology Studies (STS) literature has long pointed-out how nominally ‘objective’ assessments of human and environmental risks are shaped by pre-existing social, political
and institutional commitments and understandings (for example, Jasanoff 1990). Indeed, just as public perceptions of risk are held to be shaped by socio-psychological and institutional mechanisms (Fischhoff et al. 1978; Kasper\textit{son et al.} 1988), so policymakers' perceptions of risk can be modulated by analogous factors, such as the 'dread' of making the front page, or of having to answer to a parliamentary committee (for example, Rothstein 2003).

Such arguments are consistent with studies of 'regulatory impact analysis', which have found that institutionalising procedural checks on the evidential basis of decision-making is as much, if not more, about exerting control over bureaucracy and gaining political legitimacy than about making substantive impacts on policy (Radaelli 2010). The most extreme reading of such processes suggests that risk management may amount to little more than what Clarke (1999) has termed, 'fantasy documents': offering an illusion of control that bears little relation to actual organizational practice (see also: Downer 2010). From that perspective, attempts to assess policy risks may bear closer resemblance to 'policy-based evidence' than 'evidence-based policy' (see Davies \textit{et al.} 2000; Nutley \textit{et al.} 2003; Pawson 2006).

Power (2007) has suggested in a similar vein that the tendency towards the 'risk management of everything' is little more than a fashionable 'ritual of verification'. He argues, from a neo-institutional perspective, that the adoption of risk-management practices in response to pressures on organizations from regulatory and competitive environments can have, in practice, little or dysfunctional impacts on practice. The concept of risk may convey a core set of commonly recognized ideas, but it is what is known in sociological terms as a 'boundary object' (Star and Griesemer 1989); its vagueness and ambiguity allow it to be deployed as a tool of management and principle of policymaking in diverse and even mutually contradictory ways. From this perspective, 'risk' may be little more than an interchangeable trope: important for symbolically framing and rhetorically justifying organizational reforms necessitated by wider institutional pressures, but not, necessarily, for giving them specific direction.

Another perspective suggests that risk management has 'colonized' the way that organizations think about and frame problems, due, in part, to its perceived ability to reconcile organizational conflicts that emerge from the identification of potential failures (Rothstein \textit{et al.} 2006). As Luhmann (1993) argued, framing decision-problems in terms of a probabilistic calculus of success and failure (that is, risk) can be a way to accommodate the inherent uncertainties of 'rational' decision-making. At the organizational level, the need to manage these uncertainties has become increasingly salient, as organizations, in both the public and private sectors, have increasingly faced greater demands for transparency and accountability, forcing them to 'make visible' – and, thus, create new metrics for – organizational success and failure (Power 1997).

By this view, risk management has emerged to provide an \textit{ex ante} rationalization of the limits of organizational action: mitigating 'blame' by translating predetermined degrees of organizational failure into the language of 'acceptable risk'. Moreover, the language and logic of risk management extends beyond simply framing primary management objectives, such as threats to health and safety or the environment, to frame a wide range of 'institutional risks' – such as 'legal-', 'reputational-' or 'political-' risk – that threaten organizations themselves. By so doing, the language of risk can be used to identify and manage numerous kinds of limits and failures of organizational activity, while limiting the culpability for those limits and failures.
In the context of UK government, for example, risk-based policymaking could be hypothesized to be, at least in part, a response to a changing distribution of responsibilities and blame amongst, and between, civil servants and ministers. The tradition of Ministers simply accepting responsibility for their own and their civil servants’ actions has long gone. Instead, the respective responsibilities of Ministers and civil servants for policy outcomes has attracted greater attention as managerialist approaches to the rational control of public services, exemplified by New Public Management, and enhanced transparency and accountability mechanisms have encouraged the forensic examination of decision-making (for example, Wright 1977; Hood et al. 1999; Foster 2001; Hood and Lodge 2006a, b). In such a context, risk-based policymaking may serve as a bureaucratic means for limiting the enhanced ‘culpability’ of individuals in the face of accountability pressures.

Although reformers have invested heavily in risk-based policymaking, there have been few studies of how it is understood and operationalized in practice. Existing studies have largely been conducted on regulatory agencies, where risk-based decision-making has been used to justify regulators’ actions in the absence of an electoral mandate (for example, Black 2005; Rothstein et al. 2006; Black and Baldwin 2010). The emergence of risk-based decision-making within central government ministries, however, is a newer phenomenon, and there is a need to understand the factors that are shaping the emergence and impact of such practices in this context.

This article attempts to address this gap by analysing the implementation of risk-based policymaking inside Defra in 2007–8. It draws on research from an eight-month fellowship sponsored by Defra’s Better Regulation Directorate, during which one of the authors was embedded within the unit three days a week, on average, to investigate through observation, conversation and interviews, how policy risks were conceived, assessed and managed. Broad comparative insights across Defra were gained by holding a one-day workshop that brought together approximately twenty staff from across Divisions, and various ‘delivery-agents’ (i.e. public organizations that implement policy or deliver services), to discuss the meaning and challenges of risk-based policymaking.1 The insights of that workshop were then combined with over twenty semi-structured qualitative interviews with Defra staff from the same pool. At Defra’s request, we also conducted a case study of policy risks in relation to heather and grass burning regulations, combining documentary analysis and interviews with Defra personnel, as well as telephone interviews with delivery-agents. That case study formed a separate report to Defra (Downer and Rothstein 2008); the insights of which contribute to this article. Interviewees have been anonymised for confidentiality.

DEFRA AND RISK-BASED POLICYMAKING

Defra is no stranger to risk. With its policy portfolio encompassing a wide range of threats to, and from, the environment – such as avian influenza, food safety, flooding,
pollution and global warming – it has considerable expertise in risk analysis. In recent years, however, Defra has become increasingly concerned about its ability to account for a wide range of potential adverse consequences associated with achieving its policy objectives. In part, there has been concern about the organizational complexity of Defra and its extensive network of delivery agents, which sustain a portfolio of risk practices so diverse that coherent policymaking is extremely difficult. There has also been a concern that, under the cloak of administrative procedures, Defra policy has been driven by influential lobby groups and short-sighted responses to public crises, without sufficient attention to the wider contexts of policy implementation, impacts and success. As one official from the department’s Better Regulation Directorate put it: Defra was sometimes afflicted by ‘tunnel vision’.

At the time of our investigation, Defra, in conjunction with a major consultancy company, was introducing a new policy process: ‘Renew Defra’. Renew Defra was an attempt to build greater rationality into decision-making to ensure that policy was ‘outcome focused’, by which Defra meant ‘delivering [its] strategic objectives, living within [its] budgets and seeing the department’s reputation enhanced’ (Defra 2007). The new policy process was built on a systems-based logic of control, in which policy was conceived as a ‘cycle’ in which attention needed to be paid not just to goal-setting, but also to achieving goals in practice and monitoring goal attainment (see Hood et al. 2001). It became increasingly clear, however, that as Defra attempted to make their policy process increasingly ‘outcome focused’, it needed to think more about the wider impacts associated with achieving those outcomes (for example, DEFRA SAC 2007).

A key idea of the Renew Defra policy cycle was the creation of a series of policy ‘gates’ through which policymakers could only pass on demonstrating that they had adequately considered potential adverse outcomes. The Better Regulation Directorate envisaged the recording of every policy risk on an Impact Assessment and Ministerial Submission as central to good policymaking. As the Directorate’s head explained to us: ‘In principle, if you’ve got an observable risk that is of sufficient weight, you capture it […] There are no exceptions’. The Directorate hoped that risk-based policymaking would help the Minister and Management Board (comprising the department’s most senior civil servants, and responsible for its corporate leadership and day-to-day operation) make informed decisions by aiding reflection on how to achieve policy goals; improving policy continuity in the context of organizational change and staff rotation; and providing an audit trail in the event of policy failure (see Defra 2002; Capability Review Team 2007). In so doing, it was hoped that risk based policymaking would help build what was described as a ‘no surprises culture’.

There was, therefore, considerable interest within some Defra circles in developing a risk ‘toolkit’ that could help policymakers identify, assess, communicate and manage ‘policy risks’. This necessitated a broad endeavour to frame common definitions, terminology and categories of ‘risk’, as well as to create procedures, tables, metrics and matrices for calculating, codifying and communicating them. These took a wide variety of forms, from checklists to elaborate $4 \times 4$ colour-coded risk matrices that mapped ‘likelihood’ against ‘impact’ for easy risk-codification. Our study of policymakers in action, however, highlighted a number of important challenges to the introduction of such tools. For simplicity, we have broadly grouped these challenges within five broad categories below. The first addresses the inherently ambiguous nature of risk itself.
Conceptual obstacles
The first set of factors that shaped the implementation of risk-based policymaking broadly related to the conceptualization and identification of policy risks. Policy risks, just like the policy objectives they threatened, were ambiguous because they reflected a diverse and contested set of desired outcomes that could not be easily defined, measured or compared. Rather than simply relating to one definable ‘harm’, Defra’s policy risks were associated with plural and hard to gauge goals, such as protecting the environment without disproportionately imposing a burden on business, losing public approval, creating unfunded mandates for other arms of government, or breaching statutory duties (see Hood and Rothstein 2000).

Defining ‘policy risks’, therefore, meant identifying and balancing a diverse, and constantly changing, range of potential adverse outcomes for any policy for which Defra could be called to account. The Impact Assessment, meanwhile, simply required an assessment of ‘risk’ without specifying in detail what risks should be assessed. Existing rules and guidance on the way Defra expected policy risks to be managed only went some way towards identifying what should be taken into account. Like other government departments and agencies, Defra was explicitly required to account for the direct impacts of policy on the environment, human health and safety, and business, following a range of rubrics such as the UK governments’ principles of Better Regulation (see, for example, HM Treasury 2005; BIS 2010). There was no guidance, however, on the wider impacts of public policy interventions that policymakers should consider.

There were, for example, no explicit rules on the extent to which policymakers should account for institutional risks to the department itself, such as risks to its reputation. Traditionally, such risks had been regarded (in a formal, if not a practical sense) as the responsibility of the Minister alone, but policymakers were now being actively encouraged to explicitly take these wider policy risks into account. Equally, there were no rules on how far policymakers should consider outcomes that fell beyond their immediate policy domain (or that of the Department), even though a central dilemma of risk governance is that actions taken in one domain may have unintended and perverse impacts in others (such as restrictions placed on railways following rail accidents that result in increased road traffic accidents). Nor was there much guidance on how the probability of adverse policy impacts should be taken into account. Policymakers’ attention to such things had traditionally been simply implicit in principles of good policymaking. In recent years, however, guidance, such as HM Treasury’s Orange Book (HM Treasury 2004) and internal Defra corollaries, had sought to inculcate the need to probabilistically account for alternative or contingent outcomes of policy options. The handling of probability, however, remained a matter of policy craft and political judgement.

For Defra’s Risk Officer, this ad hoc approach was important for encouraging reflection and ‘innovation’, without imposing a ‘straightjacket’ on the policy process. Risk, he explained, was something that ‘…should flow through the whole [policy process] as people talk of a problem and the pros and cons’. Yet we found that uncertainties amongst policymakers led to inconsistent practices. Some, for instance, simply focused on policy impacts on the environment, health and safety, and business, maintaining the traditional view that any wider impacts were beyond their remit. Even here, however, there was uncertainty about whether to include obstacles to those primary policy aims, such as operational failure on the part of an inspectorate or non-compliance by a regulatee. Others we spoke to were more disposed to assessing the wider impacts of policy but varied in their assessments of the kinds of risk they should be assessing (and to whom or to
what). One official with wildlife related responsibilities, for example, who was perplexed by the Impact Assessment’s requirement to assess ‘risk’, chose to conceptualize risk in relation to Defra’s one-paragraph sustainable development ‘mission statement’ from a public outreach document but struggled to achieve this in the absence of guidance.

These uncertainties about what constituted ‘risk’ inevitably created considerable confusion about the meaning and purpose of ‘risk-based policymaking’. Asking Defra officials to define the term elicited a wide variety of responses that reflected different ways that risk was being operationalized across the department. For some it was about communication: one official, for instance, told us risk-based policymaking was about communicating ‘pros and cons’ to the minister. Another said that it was about ‘having intelligent conversations’. For others, it was about the way that risks were managed: having either the connotation of risk-aversion, or risk-taking: as one commented to us, ‘my fear is that a risk-based approach will lead you to conclude that, oh, this is just all about not being ambitious enough’. Some, meanwhile, saw risk-based approaches as an opportunity to change the way policy was made. Many were simply baffled, finding the language and terminology unhelpful, particularly in policy domains that were far removed from traditional threats to the environment and human health and safety: one felt risk was a ‘red herring’, for example, adding little value to policy analysis.

One ramification of these varied understandings and practices was that policymakers were forced to make subjective choices about how risks were factored into policy calculations, although the calculations obscured those choices and made the process look mechanical and objective. Policymakers, therefore, were sometimes in danger of shaping risk definitions that justified their decisions without it being clear that they were doing so. In this fashion, risk analysis – intended as a tool for challenging institutional orthodoxies – had the potential to simply reframe, reify and reinforce organizationally entrenched approaches to making policy judgements.

Methodological obstacles
A second set of factors shaping risk-based policymaking broadly concerned the assessment of those risks that had been identified as ‘policy risks’. Even for those working with a clear definition of such risks this was far from a precise science, often involving heterogeneous and hybrid combinations of scientific expertise, policy analysis and professional judgement in ways that went beyond the predictive abilities of natural and social science, as is inevitable in policymaking (for example, Collingridge and Reeve 1986). ‘Hard’ risks, such as physical hazards, were often judged by scientific advisory committees, who might commission scientific research or draw on several hundred in-house scientists. ‘Softer’ risks, such as legal risks, meanwhile, were increasingly framed within formal ‘probability/consequence’ matrices based on accumulated case law; while the (even ‘softer’) reputational risks tended to be assessed by officials on the basis of accumulated experience, ‘gut feelings’ and ‘listening to stake-holders’.

Some interviewees felt there was scope for improving the assessment of policy risks. One, for example, felt that risk assessment ‘could be done on a more scientific basis… rather than, “oh, I’ve got this feeling that if we don’t do it, this will happen”’. Equally, however, we often met officials who felt that formal predictive risk tools would involve disproportionate effort and resources, and would fail to adequately codify their own expertise and tacit understandings into a risk assessment. As one Defra official put it to us: ‘Policymaking isn’t a kind of linear join-the-dots [where you] move towards a perfect
outcome. It’s almost never like that, it’s always tricky, never quite known, you’re always guessing at the past, [and questioning] your evidence base’.

Uncertainty was, of course, a key feature of these risk assessments, and was recognized to extend deep even into the most ‘objective’, scientific and quantifiable areas of risk. In our study of Heather and Grass Burning, for example, an expert scientific panel was convened to consider the potential damage of wild fires but its findings were limited by contested and uncertain data about factors such as climate change and nesting periods. As a consequence, both the assessment of ‘hard’ and ‘soft’ risks often involved judgements that entailed considerable uncertainties.

One of the biggest problems faced by policymakers was understanding the complex ways that disparate risks were interrelated, and the ways that uncertainties cascaded through those relationships. In particular, we were told that Defra was often weak at evaluating the impacts of policy on regulatee behaviour, making it difficult to assess the ramifications of different policy options. In reforming the regulations for burning heather and grassland, for example, policymakers were uncertain whether the imposition of tough new rules would result in better controlled burns, or impose such high compliance costs on landowners that they would leave land unmanaged, leading to more wildfires. There was no precise science that could help predict those complex interactions, nor any actuarial data, given the often unique nature of such policy interventions.

One common approach to dealing with such problems in other settings is to bring complementary knowledges together to expand and refine mutual understandings. HAZOP (hazard and operability study) processes, for example, were developed by the chemicals industry to bring together multidisciplinary teams to undertake structured analyses of complex risk problems. Likewise, in policy settings, it is common to involve a diverse range of state and non-state stakeholders, such as scientists and other regulatory professionals, interest groups and even lay publics to improve policy intelligence (Majone 1989; Irwin 1995; Funtowitz and Ravetz 1996; Jones 2005). In that vein, we came across attempts to gather varied perspectives on policy risks and to use soft modelling tools such as scenario analysis to explore different policy options. Groups involved in emergency planning, animal health and waste management, for example, went to great effort to bring together officials, experts and stake-holders to identify and deliberate over, potential problems.

Despite such efforts, however, the organizational complexity and incentive structures of Defra and its wider delivery network sometimes inhibited the flow of information and understandings about the potential adverse consequences of policy options. For example, some specialists within Defra, including lawyers, economists and communications experts expressed frustration that there was inadequate internal consultation, with their roles often poorly integrated into policy development. Likewise, several interviewees indicated that there was often only tokenistic or inadequate external consultation with delivery agents, stake-holders and the public. As a consequence, information – such as gathered through delivery agents’ stakeholder consultations – was sometimes lost, and insufficient attention was sometimes paid to the concerns of those implementing, or affected by, policy. Indeed, one official told us that senior management sometimes actively discouraged discussions with delivery agents, observing how the traditional separation of duties between policymaking and implementation stood in the way of understanding ‘what will work’. One consequence of this was a tendency to ‘throw policy problems over the fence’, as an official from the Better Regulation Directorate put it, where policies were made to
suit Defra’s institutional interests without sufficient consideration of the problems posed for those implementing policy.

Collectively, such difficulties meant that policy risk-assessments were sometimes little more than codifications of pre-existing beliefs, rather than opportunities to gather new information that could challenge prior knowledges and understandings. Recording such organizational knowledge was potentially valuable, insofar as it forced decision-makers to consider potential policy impacts, but the methodological and organizational constraints on information gathering meant the process could simply reinforce established organizational prejudices and commitments instead of challenging them in the manner that many intended.

**Obstacles to codifying and communicating risks**

A third challenge faced by policymakers was translating understandings of the various potential impacts of policy options into the language of risk. Recording such information was seen as vital for the continuity and effective operation of policy, as well as for creating a ‘currency’ with which to trade and compare harmful societal and institutional impacts of policy options. As many interviewees pointed-out, however, there were fundamental difficulties even with establishing a common unit by which to measure traditional policy impacts on the environment, human health and business, not to mention the broader impacts on Defra and its extended delivery network.

The need for clear definitions to ensure common understandings of such terms is a widely recognized problem within the discipline of risk analysis, and there have been a number of attempts to address it (for example, IPCC 2005). One common approach to this problem across government has been to monetize risks. Hence, in transport safety, specific monetary values are attached to injuries and fatalities. Defra, accordingly, had made some attempt to measure legal risks in terms of the costs to the department of successful legal challenge. Monetizing all policy risks would have been profoundly difficult, however, given the qualitative and contentious nature of Defra’s portfolio. Even if it were possible, moreover, such a metric would have provided only a very narrow and controversial metric for comparison.

In the absence of objective, quantitative metrics, policymakers were encouraged to ascribe the broad qualitative values: ‘high’, ‘medium’ and ‘low’ to different risks. Yet the contextual nature of these terms made them difficult to apply and understandings of these terms varied widely. For example, one policymaker was unclear whether company bankruptcy should be considered a ‘high’ risk in relation to its specific sector, or a ‘low’ risk in relation to the UK economy. Likewise, the heather-and-grass-burning team were aware that all their risks were ‘low’, compared to, say, flooding or avian influenza, but knew that they could not simply list every option as ‘low risk’ without defeating the purpose of the exercise. Even the Animal Health group, possessed of a relatively homogenous professional culture, found they did not have common understandings of ‘high’, ‘medium’ and ‘low’ probability. In response, they had adopted the European Food Safety Agency’s qualitative benchmarks for probability in an effort to develop common understandings. The government legal service had tried to develop a similar framework for systematizing what was known about the likelihood and impact (financial and policy) of successful legal challenges. However, while the lawyers thought that the framework helped, they were, as one put it to us, yet to see it reflected in ‘the average policy submissions coming through’.
The absence of common metrics and definitions undermined attempts to use risk matrices to calculate an overall policy risk for a specific option by aggregating its potential harms. Such problems were inevitably compounded by uncertainties about how to combine judgements of impacts and probability, and how to preserve important policy distinctions between ‘frequent but low impact’ risks, and ‘rare but high impact’ risks. For example, attempts to average-out a ‘high’ reputational risk and ‘low’ environmental risk as a ‘medium’ overall risk, without recognition of the diverse units in which they were measured, would have been to combine proverbial apples with oranges, potentially leading to serious miscommunication.

Despite some extensive efforts, therefore, risk analyses across the department were permeated with uncertainty and judgement, and an unintended consequence of the formal tools was that much of this uncertainty was hidden from decision-makers. Most of the Impact Assessments we saw and discussed with Defra staff instead tended to communicate only what were perceived to be the most likely impacts associated with the stated policy options. There were some exceptions to this but more often than not, they communicated greater certainty about policy outcomes and gave less attention to contingencies than some considered optimal. The formalized risk matrices for heather and grass burning, for instance, were structurally unable to convey uncertainties about the impact of climate change on nesting seasons, or the weighting given informally to different contingencies. In fear of overloading ministers with too much information, the Impact Assessments tended to emphasize the virtues of ‘clarity’ and ‘conciseness’ at the expense of the competing virtues of ‘nuance’ and ‘completeness’.

Any desires for nuance and completeness were further marginalized by the institutional politics of transparency and accountability, which exacerbated a tendency to be economical with the risks recognized on public documents. As one of our interviewees observed: one cannot ‘publicly [catalogue] all the things that ministers are likely to weigh up and worry about in making a decision’. It would be self-defeating, for instance, if potential legal vulnerabilities were made clear in a publicly available document (as well as contrary to the principles of legal privilege), or to publicly identify the stakeholders to whom Defra feels most beholden.

The vagueness of risk codification and communication across the department worried many people we spoke to. As one argued: there was a ‘danger of giving out lots of mixed messages on our various fronts if we go along with potentially quite different concepts of what we mean’. There was concern that pressures to codify risks on the Impact Assessment could lead to serious miscommunication, that could distort rather than help decision-making. Indeed, it was apparent that formal ‘risk registers’ that used subjective and relative concepts such as ‘high’, ‘medium’ and ‘low’ risk only had operational value in organizational contexts where their meanings could be well-established and, more importantly, culturally embedded. As a consequence, attempts to calculate and communicate risk were seen by many as resource-intensive exercises that served more to obfuscate and mislead the processes of policymaking than to illuminate them.

It is worth noting, however, that this belief was far from universal across Defra. Several members of the Better Regulation Directorate and Defra’s Risk Officer contested the difficulties of recording policy risks. As the latter argued: ‘if [Defra staff] really can’t articulate the probabilities and size of the problem [...] then they haven’t got their space sorted, they haven’t thought enough about what the problem is, or how that problem’s going to change, or the boundary around the problem and its connection with other
things...’. Nevertheless, such diverse views of the value of policy risk-assessment posed significant challenges for making the Impact Assessment a ‘living tool’.

Organizational politics
A fourth challenge for risk-based policymaking related to a number of ways in which risk tools became expressions of organizational politics within Defra. For example, the methodological difficulties and uncertainties of policy risk-assessments gave considerable scope for those assessments to be used instrumentally in the advancement of preferred policy options. Strategic gaming is a common feature of risk management anecdotes in a wide range of organizational settings, from healthcare to local government, and Defra was no exception. For example, a senior official told us of a tendency for officials to amplify risks when they wanted to attract resources to a problem: there being obvious institutional incentives for decision-makers to pay close attention to issues that had been formally identified as ‘high-risk’. Likewise, there were incentives for officials to attenuate risks and associated uncertainties that could obscure the overall message or even undermine the case for their preferred policy options. As one senior civil servant candidly put it to us: ‘The art of the civil-servant is “retro-fit”’.

Moreover, formal ‘policy-risk registers’ had the potential to become sites of organizational conflict over the distribution of decision-making responsibilities. Efforts to use risk-based policymaking to more fully communicate detailed contingencies and uncertainties risked undermining a long-established (if unofficial and inconstant) culture of ‘managing’ the minister by presenting a preferred option alongside two ‘unrealistic’ outliers. Enthusiasm for the consequently enhanced decision-making responsibilities amongst ministers, however, was perceived to be variable. One of our interviewees pointed out to us, for example, that if Ministers wanted certainty then it was unproductive to offer policy advice that set-out various credible options and made too many ambiguities explicit. As he put it: it was ‘difficult to stand up and say “I don’t know”’.

At the same time, there was concern that policy-risk registers would undermine a sense that Defra staff were being trusted to use their skill and judgement to make the best recommendation, and reduced their influence over decision making. Indeed, the value of risk-based policymaking in rationalizing expert judgements was felt by some officials we interviewed to be patronising and undermining of their tacit experience, judgements, and accumulated knowledges (an issue long discussed in the STS literature [for example, Wynne 1988; Downer 2010]). As one official put it: ‘We know it feels right because that’s what our experience and the regulator’s experience is telling us, but in terms of hard evidence in a way that would be fairly unequivocal to anybody who cares to examine it, I think is difficult’. Many pointed out to us that simply because they did not use the formal language of risk analysis did not mean that they did not assess policy risks. One commented: ‘I don’t suddenly at 10:21 say I am now going to employ risk analysis for the next 5 minutes. I just run my job the whole way that way’.

Several interviewees expressed a more purposeful rationale for rejecting formal risk tools. Whilst many believed that there were valid reasons to embrace the conceptual tools of risk-based policymaking, there was concern that some of those reasons, such as the need to provide an audit-trail in the face of accountability pressures, were not in keeping with its intended goals. For example, enthusiasm for the adoption of policy-risk registers was dampened by a perception that, at least in part, they were intended to compensate for the loss of expertise in the face of organizational change. Such concerns fed into a broader resistance against what was sometimes referred to as the ‘tools culture’.
The Impact Assessment, for instance, was seen by some more as a bureaucratic hurdle than as a decision-aid, with the need to input a number being more important than the number itself. As one official remarked to us, the ‘civil service…has got change fatigue, [it is] sick of new initiatives…we feel people are now trying to deliver more, so if risk is yet another area which…gets grafted onto people’s jobs with a whole new set of guidance and forms to fill in and processing to do, then it won’t work’.

As Power (2007) has observed, risk-based practices are ways of turning organizations ‘inside out’, but in doing so they can both reflect, and contribute to, a loss of trust that may have dysfunctional consequences. In the context of Defra, such concerns threatened to undermine the implementation of risk-based policymaking as an anticipatory and institutionally reflexive process. As one official graphically suggested, there was danger of it becoming like a ‘Christmas tree’; where risk was regarded as nothing more than a ‘decoration’ of policy analysis: a ‘bauble’ serving symbolic rather than substantive purposes.

**Accountability, blame and risk appetite**

A final set of factors shaping risk-based policymaking relates to Defra’s varying cultures of accountability, blame, and what was often referred to as ‘risk-appetite’. At the time of research, there was recognition inside the department that it was increasingly being monitored, measured and held to account for policy outcomes. This put considerable pressure on decision-making processes inside Defra, and on its relationships with its delivery agents. At the same time, and perhaps unsurprisingly, the department was also trying to create a ‘no-blame culture’ in an effort to improve ‘learning’ and reduce ‘risk-aversion’ (for example, Defra 2002, p. 2). As outlined above, risk-based policymaking offered a way of reconciling the competing demands of enhanced accountability and blame limitation, by effectively setting levels of ‘acceptable failure’. This idea was manifest in the often expressed need to challenge the possibility of ‘zero risk-tolerance’, so that failures that fell within proscribed limits would not demand overly reactive policy responses. Thus risk-based policymaking was central to the department’s desire to build a ‘no surprises culture’, in which the adverse consequences of policy could be anticipated, and ways found to take managed policy risks without increasing the attendant institutional risks associated with blame (for example, Defra 2002, p. 5).

In this context, risk-based approaches were seen as important mechanisms of accountability, which could help shape the distribution and limits of blame amongst officials and ministers in Defra. At their most basic, risk-based approaches potentially provided a procedural ‘due diligence’ defence by creating a record of risks that had been assessed and communicated to the Minister and Management Board. As one policy official from the animal health division put it to us: ‘we’re making sure that if there is an emerging issue [then] the right people know about it…if it’s dismissed, we’ve got an audit trail…so that helps manage our reputational risks’.

At the same time, risk-based policymaking provided an opportunity for the subtle negotiation of conflicts and deadlocks that Hood and Lodge (2006, p. 183) argue arise from the institutional incentives for politicians and officials to claim credit for policy success while avoiding blame for policy failures. For example, the probabilistic framing of impact assessments was seen as having the potential to absorb the delegation of blame amongst and between officials and Ministers and, indeed, between Defra and its delivery agents. We might say that risk, in this guise, offered a bureaucratic means of ‘laundering’ blame.
Risk-based approaches could only offer so much in this regard, however, as despite their widely-recognized value for mitigating blame, policymakers still maintained that, in practice, it was difficult to take a managed risk. As Defra’s risk officer commented: ‘If something goes wrong, very rarely do your managers say to you: ‘That was OK, you took a calculated risk’’. A number of officials echoed the idea that ‘calculated risks’ were seen as politically difficult to sell. As one interviewee commented: ‘The number of times I’ve woken up in the morning and heard [a minister] say we must not let this happen again’.

In particular, many people we spoke to felt that institutional incentives were aligned in ways that made it harder to get credit for success than blame for failure. The difficulty, in essence, was that public and stakeholder perceptions of the acceptability of a given risk often differed from expert/bureaucratic perceptions, which made it difficult to balance societal against institutional concerns. Many interviewees, for example, were worried about ‘making the front page’ or having to justify a decision in the event of failure. One official from the Communications Division illustrated the problem in relation to Avian Flu, when he pointed out to us that: ‘one dead swan in Scotland and [there were] cameras camped [outside] for day after day…’.

The importance of such ‘negativity bias’ in shaping policy decisions has been noted in a number of policy contexts (for example, Weaver 1986; Hood 2002). In Defra, it tended to amplify the perception of highly-visible ‘short-term/high-frequency’ risks, and attenuate the perception of ‘long-term/low-frequency’ risks, which were inevitably less visible. There were organizational and institutional reasons for this, which, in many ways, were unsurprising. One contributory factor was job rotation, which meant risks likely to manifest themselves after officials had moved-on received less attention than those that were more immediate. As an interviewee from Defra’s Management Board put it: ‘A lot of [risk management] is about how much you’re willing to pay to avoid the likelihood of it happening on your watch…’. Relatedly, officials were necessarily judged more on their success in managing the reputation of Defra than by their longer-term impacts on the environment, which were much less visible. It was no surprise, therefore, that Defra’s emergency planning was widely regarded as exemplary, since, in this context, the adverse consequences of decisions quickly became manifest and provided strong institutional incentives for action.

There was good evidence that the importance attached to different risks reflected the structure of responsibilities within the department, with many officials assuming that certain policy risks were solely the responsibility of specialist divisions. The Communications Division, for example, complained that policy colleagues sometimes assumed that it alone was responsible for managing reputational risks, leading to a typical refrain of, as one official put it: ‘You’re actually doing policy development… You should be thinking about the risks to reputation’. Specialist divisions also differed in their perceptions of certain risks. We were told that policymakers tended to have different perceptions of legal risks to those of Defra’s lawyers, for instance. As one lawyer observed, there was a need for ‘training our policy colleagues so that if we say something has a high level of legal risk, they don’t necessarily take that as saying it is therefore unlawful and therefore vetoed’.

Such problems were even more pronounced between different organizations in the fragmented ‘Defra network’, the size, complexity and fragmentation of which lent itself to the persistence of heterogeneous micro-cultures that sustained diverse risk attitudes and perceptions. One senior official we interviewed observed that issues such as flooding, where responsibilities were dispersed and shared amongst a range of public and private
organizations, were understood through a ‘different mindset’ to issues such as animal health, where the department bore sole responsibility. Unequal power relationships within this network, moreover, created scope for passing risks around the system until they rested with those least able to resist.

In sum, risk management was seen as having great potential value for providing a bureaucratic justification for the limits of policy interventions. Yet this value was limited by the extent to which the limits of ‘acceptable risk’ were contested or uncertain within Defra, and by the extent to which decision-makers doubted their capacity to invoke the idea of ‘managed risk’ to avoid censure. Indeed, such difficulties led policymakers to have amplified or attenuated perceptions of public or environmental risks for which they were formally responsible, depending on the associated institutional risks facing Defra that could arise from the appearance of failure.

DISCUSSION AND CONCLUSION

Risk-based decision-making processes have expanded rapidly in the public sector in recent years, and our study of the challenges facing their emergence in Defra is only one window into this trend. It will take further research to determine its generalizability across government departments. That said, however, there are at least three reasons why Defra’s approaches to risk-based policymaking might be echoed more widely across UK government. First, Defra’s efforts were both prompted and framed by broader cross-departmental guidance and advice from both the Cabinet Office (for example, 2002) and the Treasury (for example, 2004, 2005). Second, with its remit covering such areas as animal disease, floods and pollution, Defra (nicknamed the ‘Ministry of Biblical Disasters’ by the civil servants who work there) often finds itself at the centre of discussions about risk and governance. As such, the department might be expected to be at the vanguard of practices involving risk and looked to as an exemplar by its peers. Third, many of the factors shaping the emergence and operationalization of risk-based policymaking that we have identified above, are generic problems to do with its meaning and practice, rather than problems specific to environmental policymaking.

At the very least, our study of the factors shaping the introduction and implementation of risk-based policymaking in Defra offers an opportunity to reflect on the emergence of this practice in wider policy contexts. In the following discussion, we examine our findings in relation to three broad and potentially conflicting objectives of risk-based policymaking that we introduced above. We first consider the extent to which risk-based approaches to policymaking provide a ‘rational’ framework for priority-setting and risk-taking in the face of uncertainties about future policy impacts. We then consider the extent to which risk-based approaches to policymaking perform an instrumental role in gaining control over bureaucracy and garnering support for organizational reforms. And finally we consider the extent to which risk-based decision-making is a response to competing pressures in modern government, which simultaneously encourage policymakers to be accountable for policy outcomes and to avoid blame.

The promise of ‘rational’ policy

It is widely hoped that risk-based approaches will improve policy decisions by conceptualising, and making explicit, potential adverse outcomes of policy interventions. In this sense, risk-based policymaking could be regarded as an extension of the ‘better regulation
movement’s’ promotion of Impact Analysis in so far as it both broadens the range of impacts under consideration, and emphasizes the need to qualify those assessments of impact with assessments of likelihood.

Our study suggests, however, that in many respects risk is a problematic tool. Risk-assessment, we found, could provide an opportunity to aggregate knowledge about potential adverse impacts of policy options, but the process of aggregation was unavoidably subjective, such that risk often served more as a means of codifying pre-existing beliefs than of objectifying and rationalizing them. This subjectivity, we found, had many sources. These included: (a) conceptual ambiguities in the meaning of risk-based policymaking and the practices it entailed; (b) methodological difficulties in predicting adverse impacts of policy interventions, arising from uncertain data and from organizational constraints on identifying and communicating risks; and (c) the incomensurability of different risk metrics, which undermined the viability and value of common ‘risk registers’.

We found that these conceptual ambiguities offered policymakers wide scope for selectively identifying hazards and assessing probabilities, so as to align (seemingly objective) calculations with policymakers’ preferences. Such alignments were sometimes deliberate, but more often reflected the institutional ‘modulation’ of preconceptions and perceptions by organizational understandings, commitments and ways of working. In both cases we found there was the potential for unanticipated, and possibly adverse, consequences. These included: (1) purposeful manipulation by ‘local organizational interests’, with policy risks being instrumentally attenuated or amplified to advance preferred policy options; (2) the potential to confuse decision-makers with unrealistic comparisons and subjective judgments, both couched in an idiom of scientific objectivity; and (3) the potential for official understandings of risks to the environment, and human health and safety to be overly shaped by perceptions of ‘institutional’ risks facing the department and its officials.

Such factors are familiar within the organizational studies literature, which, as discussed above, has shown how attempts to rationalize the management of risk are filtered and reinterpreted in ways that fit with organizational practices, cultures and beliefs. Likewise, these findings are consistent with studies of ‘regulatory impact analysis’ that have found that procedural checks on the evidential basis of decision-making may have little effect on policy understandings and decision making. We draw the conclusion, therefore, that attempts to make policymaking more ‘rational’ and less prone to ‘surprises’ through the simple requirement to assess ‘policy risks’ are likely to be unrealistically optimistic, especially if thought is not given to the way in which understandings and meanings are built through local organizational cultures and contexts.

Coherence, control and reform
The second set of themes relates to the idea of risk-based policymaking as a way of gaining control over bureaucracy and of building legitimacy for organizational reforms. Internally, Defra’s efforts to recast its policy process in the language of risk could be construed as both an opportunity to challenge conventional perspectives and practices, and an attempt to gain traction over the highly variable ‘risk cultures’ across the department. ‘Risk’, as one official put it, was: ‘...a vehicle for engaging everybody [...] from the minister to the administrative assistant’. Likewise, in terms of external pressures on Defra, the need to be ‘risk-based’ conformed with contemporary expectations of good governance: an image reified and promulgated by a wealth of government-wide guidance, and
an ever-growing army of risk-management consultancies. From a neo-institutionalist perspective, to gainsay the need to be ‘risk-based’ in the face of such pressures on the legitimacy of decision-making processes, would be like advocating ‘flying blind’. Perhaps unsurprisingly, therefore, we found that the value of thinking about risk was almost universally accepted by our interviewees, not least, because it was generally seen to be unexceptional for civil servants to think about both the likelihood and impact of policy outcomes.

From this perspective, risk could be seen as being as much about the ‘journey’ as the ‘destination’; as ‘medium’ rather than ‘message’. It served as a ‘moral philosophy’ of governance: shaping working practices obliquely, in much the way that parables shape morals and stories shape imaginations. By making civil servants explicitly frame their work around risk, the department hoped to kindle dialogue and shape institutional introspection about the policy process itself. Power has described a similar phenomenon in investment banks, where ‘risk officers’ were – from one point of view at least – ‘merchants of norms’: reminding and educating traders about the organization’s particular ‘moral economy’ of responsibilities and garnering commitment to a common ‘mission’ (in Hutter and Power, 2005, p. 142). Indeed, from a Foucauldian perspective, risk could be seen as structuring the way that policy problems were understood and responded to, extending an economically rational decision-making calculus into policy domains that had been previously been far removed from the language and ideas of risk (for example, O’Malley 2004).

The value of risk-based practices, however, was limited in this regard. The inherent ambiguity and ‘interpretive flexibility’ of risk assessments meant that they potentially served to reinforce, rather than challenge, pre-existing understandings and differences: replicating rather than reducing cultural divergence across Defra, and fostering organizational conflicts over the distribution of decision-making responsibilities. Our findings, for example, pointed towards tensions between the potential value of risk tools in illuminating plural policy options and ministerial desires for certainty. Likewise, risk tools had the potential to generate resistance and reduce trust amongst officials who perceived it as an audit tool and, by extension, a morale-sapping challenge to their professional skill and judgement. From that point of view, we might conclude that a focus on risk that is born out of a desire for audit and control can work against attempts to create more reflexive policymaking processes. By casting subjective judgements in the idiom of objectivity, moreover, risk-based practices could even create an unjustified illusion of coherence and consistency in predicting future adverse policy outcomes: an outcome that may be worse than allowing local heterogeneity if there was at least awareness of the character of those differences.

Accountability and blame
The third set of themes relates to the extent to which risk-based decision-making is a response to two important competing pressures in modern government: to enhance accountability for policy outcomes, on one side, but to avoid blame, on the other. As already noted, changes within UK government, not least the advance of demanding performance and audit cultures, have enhanced the salience of policy failure and changed the distribution of responsibilities and blame amongst, and between, civil servants and ministers (for example, Hood and Lodge 2006a, b). In this context, risk-based policymaking had the potential to serve as a bureaucratic means of
managing conflicts between ministers, departmental officials and the wider administrative apparatus: limiting the enhanced ‘culpability’ of individuals, (and, indeed, the department), by reframing and making explicit the expectations and limitations of decision making.

Our findings suggest that, for Defra, risk performed a potentially valuable role in rationalising the limits of decision-making within the language of ‘acceptable risk’ and ‘risk appetite’. Examples of the liability-limiting value of risk-management were evident across policy divisions, such as in the expressed desire of policymakers to challenge the idea of ‘zero risk’ (be it in predicting in the next animal health problem, or in the failure to enforce import controls on exotic species). Lawyers seeking to remind policymakers of the uncertainties of future legal judgments could point to probabilistic risk assessments, for instance, as could officials seeking to avoid ministerial sanction in the event of policy failure. From this perspective, risk can be seen as acting both as an instrument of, and reflexive solution to, the kind of ‘decoupling’ that Meyer and Rowan (1977) argue results from attempts to rationalize organizational behaviour and actual organizational practice. Indeed, the appeal of risk is that it has the potential to displace the concept of ‘failure’ itself from governance.

Of course, as many of our interviewees recognized, the ‘real politik’ of risk is such that *ex ante* bureaucratic rationalizations of the limits of policy interventions may not always align with *ex post* judgements of failure made by the public, interest groups or the media. Intriguingly, the calculus of risk-based policymaking copes with this problem by reframing institutional threats to government such as legal challenge, political legitimacy and reputation as ‘legal risk’, ‘political risk’ or ‘reputational risk’ so that policy can still be rationalized as ‘risk-based’. This emergence of formal institutional risk management – where actors have sought to defend the legitimacy of decision-making procedures through risk-based rationales – represents a key characteristic of risk-based policymaking. In such contexts risk-based decision making starts to elide important distinctions between societal and institutional risks and suggests that the colonisation of policymaking by risk ideas is less connected to the idea of challenging policy assumptions than the need to manage the logics of accountability and blame.

To conclude, the above analysis identifies a set of diverse, and sometimes competing, ideas and logics of contemporary governance that underlie the emergence of risk-based policymaking. At the most general level, it seems that the malleability of risk ideas and practices has enabled them to become pervasive and resilient in a wide variety of contexts; their vagueness and imprecision allowing them to be employed in diverse ways by different people while maintaining a core set of commonly recognized ideas, much like the closely allied terms of ‘trust’ and ‘precaution’ (for example, Sandin 1999). Inherent ambiguities have created scope for risk ideas to be introduced in ways that, at best, may challenge policymaking, but, at worst, may simply reframe current practices in ways that are modulated by pre-existing values, beliefs and ways of working. Indeed, risk-based decision-making may even make practice more confused if care is not taken to determine fundamental questions about meanings, methods and practices. This suggests new approaches to thinking about the emergence of risk as a dominant organizing concept for policymaking and its relationship with changing institutional patterns of transparency, accountability and blame. It raises questions that go beyond anxieties about the capability or willingness of government to assess and respond to policy risks, towards the ways in which the concept of risk is itself implicated in important but conflicting tensions at the heart of modern governance.
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