



House of Commons  
Science and Technology  
Committee

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**The Government's  
review of the  
principles applying to  
the treatment of  
independent scientific  
advice provided to  
government**

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**Third Report of Session 2009–10**

***Volume II***

*Written evidence*

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## The Science and Technology Committee

The Science and Technology Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Government Office for Science. Under arrangements agreed by the House on 25 June 2009 the Science and Technology Committee was established on 1 October 2009 with the same membership and Chairman as the former Innovation, Universities, Science and Skills Committee and its proceedings were deemed to have been in respect of the Science and Technology Committee.

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The Committee is one of the departmental Select Committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No.152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk)

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at <http://www.parliament.uk/science>

### Committee staff

The current staff of the Committee are: Glenn McKee (Clerk); Richard Ward (Second Clerk); Dr Christopher Tyler (Committee Specialist); Xameerah Malik (Committee Specialist); Andy Boyd (Senior Committee Assistant); Camilla Brace (Committee Assistant); Dilys Tonge (Committee Assistant); Jim Hudson (Committee Support Assistant); and Becky Jones (Media Officer).

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## Letter from Professor David Nutt to the Chairman of the Committee, 11 November 2009

### RESPONSE TO THE REQUEST FROM THE SCIENCE AND TECHNOLOGY SELECT COMMITTEE FOR INFORMATION ABOUT THE BACKGROUND TO THE SACKING OF PROF NUTT FROM THE ACMD ON THE 30th OCTOBER 2009

David Nutt MB BChir MA DM FRCP FRCPSych FMedSci

Edmond J Safra Chair in Neuropsychopharmacology  
Head of Department of Neuropsychopharmacology and Molecular Imaging  
Imperial College London

#### BACKGROUND

I am a psychiatrist with a higher degree in pharmacology who has researched the field of drugs of abuse for thirty years. I have published over 700 papers and 26 books, many in this field.

In addition to my work for the ACMD I have served on other government bodies.

- 1995-1999 Parliamentary Office of Science and Technology “Soft” Drugs Steering Committee
- 2003–2005 Lead, DTI Foresight Programme “Brain Science Addiction and Drugs”
- 1992–2005—science consultant to the Ministry of Defence
- 2005–2007—member of the Defence Sciences Advisory Council (DSAC), during which time I helped conduct a major review of the medical aspects of defence research
- 1995–2000—member of the Advisory Committee on NHS Drugs
- 2000 to 2005—I served as one of the two psychiatrists on the Committee on Safety of Medicines (CSM), the body that determines the risk-benefit ratio of medicines and awards licences for them to be marketed.
- 2000—adviser on psychopharmacology to the British National Formulary (BNF) Adviser
- 2000–present—reviewer for NICE on psychotropic drugs including benzodiazepines, antidepressants and hypnotics
- I have also given evidence to Parliamentary committees
  - 2000—House of Lords committee on cannabis
  - 2004—Home Affairs committee on drugs
  - 2005—All-party drugs interest group
  - 2006—Science and Technology Select Committee; Scientific Advice, Risk and Evidence: How the Government Handles them. This meeting resulted in the ACMD being requested to review MDMA (ecstasy), a brief that the Council accepted. The Select committee also commissioned a report from the Rand corporation on drug classification which came to essentially similar conclusions to the ACMD (see below)
- I have also served professional societies: notably, I was president of the British Association of Psychopharmacology 2000–2002 and am currently president of the European College of Neuropsychopharmacology. Since 2007 I have been a member of the European Brain Council and am president-elect of the British Neuroscience Association
- 1993–1997 served as a member of the MRC project grants committee and from 2007 I have been a member of the MRC Neuroscience and Mental Health Board. In this role I have successfully promoted addiction research, which has gained a significant increase in funding as a result
- 1997–2000 Member of the Independent Inquiry into the Misuse of Drugs Act 1971, Drugs and the Law, led by Viscountess Runciman. Report published in 2000.

#### ACMD

In 1999 I joined the Technical committee of the ACMD and the next year I became chair of this committee, and thus a member of the ACMD.

In October 2008 I succeeded Sir Michael Rawlins as chair of the ACMD after a competitive interview.

In the ten years I have worked for the ACMD I have made significant contributions in a number of areas:

- On harm assessment processes, working with the Technical Committee members over several years, I developed the first systematic method of assessing drug harms. The data generated from this work was eventually published in the 2007 Lancet paper.

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- Contributed to the reviews of various drugs of concern including cannabis [x3], methylamphetamine, ketamine, buprenorphine, GHB, MDMA, khat, MDMA (ecstasy), BZP, spice and other “legal high”s and potential date-rape drugs. As a result of this work, ketamine and GHB were brought under the control of the Misuse of Drugs Act 1971, as class C drugs. Buprenorphine was kept as class C, Methylamphetamine was moved from class B to class A and BZP, spice and other “legal high”s will become class C in due course. Khat was considered not to be sufficiently harmful to require control at present. Ongoing reviews include anabolic steroids, cognition enhancers, polydrug use, early warning mechanisms, and the evidence base for the various forms of drug addiction treatment.
  - The story of cannabis is material to the current episode. In 2000 the ACMD were asked to review the classification of cannabis by the then Home Sec, David Blunkett. At that time cannabis products were either class A or class B. The ACMD recommended regrading all cannabis preparations to C. This recommendation was widely supported in and came into law in early 2002. However there were some who believed that the increased strength of the skunk form of cannabis was of concern. There were also some new data emerging on cannabis and psychosis, so the next Home Secretary, Charles Clarke, asked us to review again the evidence on cannabis harms. We did so and again concluded that it was still a class C drug. Although the Home Secretary was concerned about this conclusion he accepted our advice (as had all previous Home Secretaries) and it was kept as class C. Soon after Mr Brown became Prime Minister he publically stated that he thought cannabis should be a class B drug as the new form skunk was “lethal”. This statement is scientifically incorrect and was made without consulting the ACMD. The chair explained to him the statutory requirement for him to consult us on such matters and he agreed we could review cannabis again. During this third review there were repeated briefings from the Cabinet Office to the effect that whatever the ACMD decided the PM had determined it would be class B. This interference with the due process caused considerable frustration to the ACMD and the then chair Sir Michael Rawlins wrote to the PM to say that if this discourteous behaviour did not stop, the ACMD would cease its review. This was agreed and the prejudicial comments from Number 10 stopped. However, despite the ACMD concluding that cannabis was still a class C drug, the government went against this advice, the first time that a government had ignored ACMD advice on drug classification since the inception of the MDA in 1971. The argument put forward were that the harms of skunk could be greater than we had concluded and that its use was “unacceptable”.
  - The MDMA (ecstasy) issue is also of relevance. The ACMD began to review its harms of this drug because of the apparent anomaly of its being class A that emerged after the harm assessment process. Impetus to this review was given by the Science and Technology Select Committee’s 2006 report, which criticised us for not having reviewed MDMA in over 20 years. At that committee hearing the Home Office minister Vernon Coaker stated that the Home Office would not change the classification of MDMA as they believed there was no safe dose and it could kill unpredictably. During the MDMA review it became clear that the Home Office was not engaged in the spirit of the process as the then Home Secretary Ms Jacqui Smith publicly stated that the review was “unwelcome”. The ACMD report concluded that MDMA should be a class B drug. However before our report had been published, the Home Office made a public statement that it would not accept this recommendation invoking the “precautionary principle”.
  - I have led a major new approach to assessing drug harms using the new technique of Multi Criteria Decision Making. This work was a joint project between the Home Office and the MRC conducted by Prof Larry Phillips of the LSE. Starting from basic principles we derived a new set of parameters of personal and social harm against which to rate individual drugs. Our findings revealed that most of the conclusions of the earlier harm assessment process were secure and the significant harms of alcohol and tobacco were confirmed. The process and the new set of harm parameters derived offer improved insights into the process of assessing relative harms that is more amenable to modelling changes in weightings and new harms. The success of this process is such that I believe it now needs to be taken into public consultation.

#### TIMING OF RELEVANT RECENT EVENTS

In 2007 I [with 3 other authors] published a paper in the Health Policy section of the *Lancet*, reporting the results of an 8-year process of assessing drug harms using a new 9 point scale that I had developed for this process. Much of the data in the paper was generated by work that the Technical Committee had performed over the previous 4 years. The paper received a lot of media attention including several front page articles. The basic results had already been cited positively in the government Foresight report on Brain Science, Addiction and Drugs, by the Science & Technology Committee’s report on the use of evidence by government, and a report on drug policy from the Royal Society of Arts. This study was subsequently the subject of a BBC Horizon documentary.

October 2008 I wrote a paper based on an insight I obtained from a patient of mine who had been permanently brain damaged from falling off her horse. I coined the term equasy [equine addiction syndrome] and compared the harms of horse riding with those of MDMA [ecstasy]. This paper was designed to provoke

thoughtful discussion about the relative harms of two relatively common activities. I shared the contents of the paper with the ACMD secretariat and received useful feedback from them and the Home Office Chief Scientist, which I incorporated into the final piece. This paper was submitted for publication to the *Journal of Psychopharmacology* in my capacity as an academic researcher. My address on the paper was my department in Bristol, where I then worked, and I did not list the fact that I was a member of the ACMD. The paper was peer-reviewed by two independent referees and accepted for publication.

6th Feb 2009—I received a call from the *Daily Telegraph* informing me that they had been given a copy of the paper, which had just been published on-line [at that time I was not aware it had been published]. They made considerable noise about it and it was picked up by other newspapers and electronic media.

9th Feb 2009—I received a phone call from the Home Sec in my out patient clinic, criticising the “equasy” paper and stating that her office had received multiple complaints about the article from parents whose children had been harmed by ecstasy. She claimed it was not logical to compare the harms of an illegal drug with those of a legal activity. I explained that for a drug to be controlled under the Misuse of Drugs Act 1971 there had to be some threshold of harms exceeded so it seemed reasonable to explore what this threshold might be by examining other harmful activities. She did not accept the value of this approach and demanded that I apologised to the parents. I explained that I had not intended to offend anyone and was simply trying to put some balance into the drug harms debate. However, under the pressure of a phone call from the Home Secretary in the middle of my clinical working time, I apologised, through her, to any families that were upset by the article. She also asked if I was a “legaliser” and I replied that I was not and had repeatedly made statements to this effect in public.

Mid Feb 2009—the Centre for Crime and Justice Studies at King’s College London invites me to give the Eve Saville lecture, a named annual academic lecture. I discussed this with the Home Office science secretariat and developed the content of my lecture and the slides with their assistance. The lecture was advertised amongst other places on the Home Office web site.

July 14th 2009 gave the lecture which was well received including by members of the Home Office science secretariat who attended. I received positive feedback from many attendees including several prison governors.

September 2009—I was sent the transcript of my talk Centre for Crime and Justice Studies and I then edited it to make it a (somewhat) more intelligible paper.

Mid October 2009—the transcript of the lecture was put on the Centre for Crime and Justice Studies web site.

Tuesday 27th Oct—in my role as chair of the ACMD, I gave evidence to the Home Affairs Select Committee on the cocaine trade. The discussion widened to encompass other aspects of the Misuse of Drugs Act, including thresholds of harm for inclusion in the Act and the class system. I mentioned my growing concerns about the harms of ketamine, especially bladder pathology, and said that I felt we needed to monitor the issue in case it might need to be moved up from class C. This statement attracted some press interest and I was later approached through the Home Office to do an interview for BBC radio 1 the following Monday.

Thursday 29th Oct—the transcript of the Eve Saville lecture was publicised by the Centre for Crime and Justice Studies with a press release. A shortened version of the lecture was published as an article by me in the *Guardian*, and I gave interviews for BBC radio and TV. I told the Home Office about these broadcasts in advance. Later that day other broadcasters approached me and I gave further interviews.

Thursday 29th—in the afternoon the secretary to the ACMD called me. He said certain elements in the Home Office were unhappy with my media activity that day and he asked if I could have an informal meeting with him and the Chief Scientist the next morning to discuss things. We also discussed a piece I was asked to write for the *Times* and which I was finishing off for the evening deadline. It was suggested that pursuing this publication might inflame the current situation; I accepted this analysis and did not submit the piece [although I submitted a modified version, updated to include details of my sacking, the following Saturday and it was published the following Monday].

About 1630hrs I had a phone call from the office of the Government Chief Scientist to ask how I was feeling and on what number Prof Beddington might call me? Later—about 18.30—the office rang back to say that Prof Beddington hadn’t had the time to call me as he was rushing to the airport. Prof Beddington’s secretary asked what the Home Office were doing for me and I explained that I was seeing the Home Office Chief Scientist the next morning. This appeared to reassure him that I was getting appropriate support from fellow government scientists.

I came to London that evening.

Friday 30th, over breakfast at a restaurant near the Home Office, I had an informal discussion with the Home Office Chief Scientist and the ACMD secretary about the events of the day. My view was that I thought the reporting had generally been positive and balanced, though some interviewers seemed not quite to grasp what I was saying. When asked about future plans I said that my next media interaction would be less contentious as I was going to giving an interview with BBC radio 1 the following Monday on my growing concerns about ketamine. This interview had been arranged through the Home Office, based on reports of

my comments to the Home Affairs Select Committee on Tuesday of that week [27th Oct]. It was suggested that this interview be cancelled to allow some of the heat engendered by the interviews of the day before to die down. I agreed to this plan of action and went to Imperial College at South Kensington for the start-up meeting of an MRC addiction research cluster, in which I am a collaborator.

12.00hrs—I received a phone call from the BBC saying they had been told by the Home Office that I couldn't give the Monday interview on ketamine as "my position is under review" and asking for my comment. I replied that this was the first I knew of this.

12.06hrs—I emailed the Home Office press office and ACMD secretary detailing the content of the phone call and ask for confirmation that this allegation was correct. The ACMD secretary replied he would look into it.

15.00hrs approx—I was phoned by the secretary of the ACMD asking if I had access to my emails and suggesting I open the one from the Home Secretary.

15.05—I opened the email from the Home Secretary and discovered that I had been sacked. I then gave my lecture at the meeting.

16.22—I emailed my letter to the Home Secretary expressing my disappointment in his decision. I then sent an email to the members of the ACMD [via the ACMD secretary] explaining I had been sacked from Council. I thanked them for their interactions with me over the years. I attached a copy of the Home Secretary's letter and my reply.

16.29—I emailed the Science Media Centre and the BBC to inform them of these events: I forwarded the letter from the Home Secretary and my reply.

*Relevant aspects of the code of practice defining my roles are*

*representing the ACMD to the public or the media as arranged by the secretariat and acting in the public interest*

*sharing in the general responsibility to consider the wider context in which their expertise is employed;*

*acting with a presumption of openness*

In my view my actions in relation to the Eve Saville lecture and the subsequent reactions of the media and the government have been fully within this remit. Indeed one could take the view, as I have, that many of them are required by it.

I also refer you to the Seven principles of public life one of which is:

*Openness*

*Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.*

*Professor David Nutt*

*11 November 2009*

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#### **Letter from Professor David Nutt to the Chairman of the Committee, 20 November 2009**

I have been reflecting on the statements regarding my sacking that were made available yesterday.

It seems to me that there is no evidence I breached any code of practice since even the Guardian article was in a personal professional capacity. I am surprised that the Home Office thought it required approval in advance since it was simply a précis of the lecture which the Home Office had assisted me in writing! It would be of interest to know what the Home Office would have done about its publication had I sent it to them in advance.

The gist of the Home Secretary's argument seems to be that he lost confidence in me. If speaking about evidence that challenges government policy is grounds for the loss of ministerial confidence then the academic integrity of any senior academic advisor to government must be in serious jeopardy. I would have hoped that given my previously good relationship with him when working to a common goal over "legal highs" he might have at least attempted to explore the reasons for his loss of confidence in our relationship before sacking me. Perhaps he misunderstood, or was misled, over my intentions? One would have reasonably expected that he [in his own words] would be "*big enough, strong enough and bold enough*" to debate the issues in an adult way rather than sack a long serving expert advisor in such a demeaning and petulant fashion.

There has been much talk about the need for trust between ministers and their scientific advisers, but what has been overlooked is that trust is a two-way process; the misuse of the ACMD culminating in my sacking clearly indicates that this concept of mutuality has not been acknowledged by the Home Office.

Unless some acknowledgement of the inappropriateness of his actions is forthcoming there can be no future for the ACMD chair to give advice that the public and other scientists can believe to be free from government interference.

*Professor David Nutt*

*20 November 2009*

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**Letter from Rt Hon Alan Johnson MP, Home Secretary to the Chairman of the Committee,  
11 November 2009**

ADVISORY COUNCIL ON THE MISUSE OF DRUGS

Thank you for your letter of 4 December requesting a memorandum on the matters you have set out in relation to the dismissal of Professor Nutt. No doubt you are aware that I have already responded to a letter from Dr Evan Harris MP, a member of your committee, on this matter.

I am also aware that you have written to my chief scientific officer, Professor Paul Wiles, who will be responding later this week.

I enclose a memorandum

*Rt Hon Alan Johnson*

This memorandum sets out responses to each of the matters raised by Phil Willis MP, Chairman of the Science and Technology Committee, in relation to the Advisory Council on the Misuse of Drugs and the dismissal of Professor Nutt, its Chair.

(a) *the sequence of events that led to your decision to sack Professor Nutt and clarifying the reason for your decision:*

In January 2009, Professor Nutt wrote an article for the Journal of Psychopharmacology, of which he is editor, titled *Equasy—An overlooked addiction with implications for the current debate of drug harms* (“Equasy”).

In early February 2009, over the weekend of 7–8 February, Professor Nutt undertook a series of media appearances about the “Equasy” article, after he had provided Ministers with the ACMD’s Report *MDMA (“ecstasy”): A Review of its Harms and Classification under the Misuse of Drugs Act 1971* but before the Report was published (on 11 February).

On 9 February, my predecessor, Jacqui Smith MP, spoke to Professor Nutt setting out that his behaviour was not what she expected from the chair of the ACMD. She followed this up with a statement in the House that day and a subsequent letter of 25 February, making clear her expectations.

On 14 July 2009, Professor Nutt gave the Eve Saville lecture at King’s College London. He had previously shared draft slides to be used in the presentation with officials in the Department. Officials did not approve or clear the draft slides for the presentation; and it is not the role of Home Office officials to do so. The website made clear that Professor David Nutt was Chair of the ACMD.

On 28 October 2009, my Department learned, via the Press Association, that Professor Nutt was to publish a briefing paper the following day via the Centre for Crime and Justice Studies at King’s College, London, based on his lecture. King’s College issued an embargoed press notice with direct quotes from Professor Nutt. The press release explicitly criticised the former Home Secretary in her justification of the decision to reclassify cannabis from a class C to a class B drug. The paper said that “by erring on the side of caution, Professor Nutt argues, politicians ‘distort’ and ‘devalue’ research evidence”. The paper, press release, newspaper article and accompanying media appearances the following day lobbied against government policy and criticised the basis upon which such decisions were made.

I reflected on Professor Nutt’s comments overnight on Wednesday and on Thursday. On Friday 30 October, I came to the conclusion that my loss of confidence in Professor Nutt was such that I needed to write asking him to step down. That letter was sent by email to Professor Nutt on Friday afternoon.

(b) *whether Professor Nutt has breached any parts of the ACMD’s Terms of Reference, ACMD’s Code of Practice or the Code of Practice for Scientific Advisory Committees:*

The Home Office were not made aware of the publication of Professor Nutt’s King’s College, London, briefing paper nor the article “*The cannabis conundrum*” Professor Nutt wrote in the *Guardian* on the same day, Thursday 29 October.

Paragraph 49 of the ACMD’s Code states: “Any media appearance that members have been asked to undertake on behalf of the ACMD, or which specifically cover the work of the ACMD should be reported beforehand to the Secretariat”. The ACMD’s Code is available at:

[http://drugs.homeoffice.gov.uk/09-09-22\\_CMDCCodeofPractice\\_1.pdf](http://drugs.homeoffice.gov.uk/09-09-22_CMDCCodeofPractice_1.pdf)

(c) *the consultation that took place with Professor Beddington, the Government Chief Scientific Adviser, since the summer and leading up to your decision to sack Professor Nutt:*

The Home Office Chief Scientific Adviser, Professor Paul Wiles, contacted Professor Beddington late on Thursday 29 October, prior to Professor Wiles' meeting with Professor Nutt the following morning.

(d) *more specifically, given Professor Beddington's intervention when your predecessor criticised Professor Nutt (described below), why you appear to have taken the decision to remove Professor Nutt without reference to the Government's Chief Scientific Adviser:*

The decision was mine alone. As I stated above, I had lost confidence in Professor Nutt as my principal drugs adviser.

(e) *with the resignation of Dr Les King and Marion Walker, the Royal Pharmaceutical Society's representative on the ACMD, whether the Council has sufficient expertise in pharmacology to carry out its functions:*

The resignations of Dr King and Marion Walker, together with the further three members that have also resigned or indicated that they will do so, is a cause for regret, particularly the loss of their expertise.

Recruitment of a new Chair and, where appropriate, new members will begin shortly. Pending recruitment in the new year, the ACMD has the ability to seek expert advice from non-members as well as co-opt members where specific expertise is required. This is a process the ACMD has applied successfully and one which the Committee are aware of and commended. In the Committee's Report: *Drug Classification: making a hash of it?* (2006), you recommended that the ACMD's current policy of co-opting experts onto working groups and sub-committees in order to expand access to specific areas of expertise seems eminently sensible.

In the meantime, the Government is acting on recent advice received from the ACMD in respect of a range of drugs that are currently being taken through Parliament now. There is no outstanding advice requested by Ministers in respect of classification and control issues that has not been actioned.

I would like to reiterate what I said in the House of Commons and now to the Advisory Council on the Misuse of Drugs, who I met yesterday. There is no doubt in my mind that advice of independent, scientific advisers is essential to many aspects of the government's work, including drug policy-making. SWe remain committed to the provision of scientific advice and evidence based policy making.

The Government's Chief Scientific Adviser, Professor John Beddington, is currently considering Lord Rees of the Royal Society's letter to the Prime Minister, enclosing the "Principles for the Treatment of Independent Scientific Advice". Professor Beddington will report on these by Christmas. I have agreed to put into practice the outcome of Professor Beddington's report with his dealing with the ACMD and all the other scientific committees that advise me in the Home Office.

*Rt Hon Alan Johnson*

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**Letter from Professor John Beddington, Chief Scientific Adviser to the Chairman of the Committee,  
11 November 2009**

The Committee asked for a memorandum outlining my involvement in, and views on, the Home Secretary's decision to ask Professor David Nutt to resign his chair of the Advisory Council on the Misuse of Drugs (ACMD).

First, I would like to say that I regret the breakdown in relationship between Home Secretary, Alan Johnson, and Professor Nutt. ACMD has done hugely valuable work over many years, and I believe that it will continue to provide expert advice to government. I also pay tribute to David Nutt's work as a leading academic and member of the Committee.

In responding to the Committee's *Putting science and engineering at the heart of government policy* report, the Government reiterated its commitment to the independence of science advisers. I would urge the Committee to bear in mind that the process of science advice to government in the huge majority of cases works very well. There are over 75 Scientific Advisory Committees across Government, and the circumstances which have arisen with the ACMD are extremely rare.

On the specific issue of the breakdown in relationship between Professor Nutt and Alan Johnson, I was not consulted prior to the Home Secretary writing to Professor Nutt asking that he resign the Chair of the ACMD. However, I have now discussed the matter with Alan Johnson. He made clear to me that his decision was not based on a disregard for scientific advice, but on his loss of confidence in Professor Nutt as a Committee Chair. Where a Secretary of State has lost confidence in a Chair (or any other senior advisor)—for whatever reason—it is very difficult for them to continue in the role. It is clear that this is what happened in this case.

With regard to the specific series of events leading up to the Home Secretary's decision, I was made aware of the issue late on Thursday 29 October and was able to discuss it in general terms with the Home Office Chief Adviser, Professor Paul Wiles, prior to his meeting with Professor Nutt the following morning. I left for Kazan, Russia, early on Friday morning where I was participating in the Carnegie meeting of the G8 science advisers.

Upon my return from Kazan, following Professor Nutt's departure from the ACMD, I have taken a number of steps. I wrote to ACMD on 3 November offering to meet them and hear their concerns on the role and function of the ACMD. Following this, I met with Professor Nutt on 4 November to understand matters from his perspective and met with the interim Chair of the Committee, Professor Les Iverson, to offer my support in ensuring the Council's continued effective working on 5 November. Together with Paul Wiles, I also met with the ACMD in closed session on 10 November. I have also spoken with, amongst others, Lord Rees to assure him of my commitment to, and support of, the provision of independent science advice to government, and have written to the Chairs of Scientific Advisory Committees (SAC) across Government offering to hear and discuss any concerns they might have. My officials are now taking steps to arrange a meeting of SAC chairs later this month to consider whether any changes need to be made to guidance or practice to ensure full confidence of Ministers, scientists and the public.

Finally, from my experience within Government, I would like to reassure the Committee that the Government values independent science advice and understands the importance of respecting the boundary between expert advice and policy-making. It would be a tragedy if the generally excellent relationship between scientists and policy makers, including Ministers, was undermined by this incident, and I will do what I can to ensure that does not happen.

*Professor John Beddington*

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**Letter from Professor Paul Wiles, Departmental Chief Scientific Officer at the Home Office to the Chairman of the Committee, 13 November 2009**

Thank you for your letter of 9 November requesting a memorandum clarifying my involvement with the sequence of events that led up to the Home Secretary's decision to dismiss Professor David Nutt as Chair of the ACMD.

I enclose a memorandum.

**MEMORANDUM: ADVISORY COUNCIL ON THE MISUSE OF DRUGS**

This memorandum responds in turn to each of the points raised in the letter, of 9 November, from Phil Willis MP, Chairman of the House of Commons Science and Technology Committee, in relation to the Advisory Council on the Misuse of Drugs and the events leading up to the dismissal of Professor David Nutt.

It is important that I document here that recent events have been highly regrettable. The ACMD membership has always represented a distinguished diversity of expertise in the drugs field. The recent dismissal of Professor Nutt and the subsequent resignations of several members is a significant loss of expertise from the ACMD. It is also important to recognise the significant loss of confidence in Government process that we urgently need to repair.

*(1) My involvement in the sequence of events leading up to the Home Secretary's decision to dismiss Professor Nutt, and an explanation of whether at any stage I was consulted during the events leading up to the dismissal.*

Professor Nutt published an editorial in the *Journal of Psychopharmacology* on "*Equasy: an overlooked addiction with implications for the current debate on drug harms*". Professor Nutt shared a draft of this paper with me and I alerted him to the danger that his choice of example for purposes of statistical comparison might be perceived as insensitive. However, it is not my role to clear or approve publications by members of advisory committees. I understand that the paper was published in January but that the Home Office was unaware of this until early February. The publication of Professor Nutt's article was shortly before the ACMD's publication of its report on MDMA.

On 9 February, the then Home Secretary set out, in a statement to Parliament, her consideration that Professor Nutt's actions were not commensurate with those she expected of the Chair of the ACMD. I understand that this was preceded by a telephone conversation between the Home Secretary and Professor Nutt and was subsequently followed by a private letter from her to Professor Nutt.

I was made aware that Professor Nutt would be giving the Eve Saville lecture at King's College London (14 July). At the very beginning of July, Professor Nutt shared a draft of the slides he intended to use in the presentation with the ACMD Secretariat and myself. At the time I explained to Professor Nutt that although he wished to present the lecture as an academic, observers would associate him with his role as Chair of the ACMD—and particularly in view of its contents it would be likely that he would be reported and perceived as such. I did not approve the draft slides, since that was not my role, nor was I made aware of the content of Professor Nutt's oral presentation.

Professor Nutt did not inform myself, nor the Secretariat, that a paper based on the lecture would be produced. This was published on 29 October 2009. I was first made aware of the paper the day before its publication (28) when I received a statement, under embargo, via the Press Association—I understand that this had been prepared by the Centre for Crime and Justice Studies at King’s College, London. I was made aware on the evening of 28 October 2009, through the ACMD Secretariat, that Professor Nutt would be doing a number of radio and on-camera media interviews the following morning. However, neither I nor the Secretariat was made aware of the *Guardian* article that Professor Nutt intended to publish on 29 October (published online afternoon of 28 October).

On 29 October, I was aware that the kind of publicity that the article had generated was leading to concerns amongst Home Office colleagues. Therefore, I contacted Professor Nutt and invited him to meet for breakfast the next day (30 October) to discuss recent events. The attendees at that informal meeting were Professor Nutt, the ACMD Secretary and myself.

I was made aware by officials that the Home Secretary was minded to dismiss Professor Nutt during the morning of 30 October 2009.

*(2) What advice and support I have provided to members of the ACMD on matters such as the publication of papers and speaking at conferences as well as interpretation of the codes of practices and guidance applicable to the ACMD and its Chairman.*

I have discussed with Professor Nutt, on several occasions, during his tenure as Chair of the ACMD some of his publications and presentations. In particular, I have sought to discuss the level of media attention that the Chair of such a high profile Council attracts and the possible way in which his comments might be interpreted and reported. At no time did I seek to influence the scientific content of his papers or presentations.

Then ACMD follow the guidance provided in the Code of Practice for Science Advisory Committees. I fully support the implementation of this guidance, through the Government Chief Scientific Advisor; providing guidelines to Advisory Committee members. In particular, concerning academic freedom (communication to the media), the Code says that:

“Committees should establish rules of conduct on whether confidential/personal briefings given by members to interested parties are permitted. Such rules of conduct need not affect a member’s freedom to represent his or her field of expertise in a personal capacity. The committee’s rules however should generally oblige members to make clear when they are not speaking in their capacity as committee members.”

In late 2007, the ACMD agreed its own Code of Practice. This document provides ACMD members with a point of reference for their actions and supports them in maintaining their academic freedom. With regard to recent events the relevant sections from the ACMD code of practice state that (paragraph numbers as set out in the ACMD code published on its website):

46. If a member is speaking or writing in a personal or professional capacity to the media (which they are entitled to do) and they are identified as a member of the ACMD, it should be made clear that the individual’s view is not necessarily that of the ACMD.
48. Any media appearances that members have been asked to undertake on behalf of the ACMD, or which specifically cover the work of the ACMD, should be reported beforehand to the Secretariat, who will liaise with its press office and the Chair.
49. Any requests for articles, letters or other comments relating to the work of the ACMD that are intended for publication should be referred to the Secretariat and a copy of the text made available to the Secretariat as early as possible prior to its publication.

It is clear from the code of Practice for Scientific Advisory bodies that members can and should be free to publish their own work, thus preserving academic freedom. In reference to the ACMD’s own code the Secretariat should be informed where such publications or presentations refer to the ACMD.

*(3) What force remains behind the assurances [made by the Government concerning independent scientific advice with reference to the appointment of CSAs] in light of the resignations at the ACMD and what representations I have made to the Home Secretary about his treatment of Professor Nutt.*

Maintaining the independence of advisors to Government is an imperative that I uphold. I can give firm assurances that I am committed to the Government embedding science and engineering in policy-making. To this end I have given my full support to working with Professor John Beddington (Government Chief Scientific Advisor) in any review of the Government Code of Practice for Scientific Advisory Committees.

I met with the ACMD on 10 November, at a closed meeting, to discuss recent events. For part of the session the Home Secretary attended, and subsequently Professor John Beddington, to jointly agree a way forward. I welcome and fully support the outcome of this meeting which is documented in a joint statement issued on 11 November by the Home Secretary and the ACMD. In particular, I wish to highlight the following ways of working and commitments that were given:

1. The Home Secretary emphasised that he would not pre-judge the ACMD's advice in advance of receiving a report.
2. The Home Secretary said he would like to meet with the ACMD Chair on a regular scheduled basis in the future and that he would meet with the full Council annually.
3. The Home Secretary and ACMD agreed that the Home Secretary would continue to give careful consideration to all ACMD reports. In doing so it was agreed:
  - (i) The ACMD would publish its advice concurrent with its presentation to the Home Secretary. The Home Office gave assurance that it would give appropriate consideration of the advice before issuing its response;
  - (ii) If government was minded not to accept the ACMD's advice, the Home Secretary suggested that he would, before making a final decision, meet with the Chair of the Council to discuss the issue;
  - (iii) If the advice is not to be accepted the Home Secretary will write to the full Council setting out his reasons for rejection. This will be ahead of any public comment by the Home Office on the matter.

*Professor Paul Wiles*

Departmental Chief Scientific Officer at the Home Office

13 November 2009

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**Memorandum submitted by Professor G R Evans (PR 01)**

1. RESPECTING CONFIDENTIALITY

Clarity is needed here in the context of this particular codification of principles. When is confidentiality "in the public interest"? What are the parameters of commercial confidentiality and confidentiality in the context of intellectual property ownership? These raise particular problems in this area.

2. POLITICAL INTERFERENCE/CRITICISM/DISMISSAL

Should there not be an avenue of recourse if political interference is attempted (behind the scenes, by telephone calls, by conversational hints?) and particularly if dismissal is threatened?

3. The Service of an Independent Press Office

Who would control the operations of such a press office and how would it be funded? How would its staff be protected from political interference and intimidation? Would its existence interfere in practice with the freedom of committee members who are academics to discuss topics currently under consideration by committees of which they are members?

4. "VALIDITY" OF REJECTED ADVICE

"Validity" is too vague. Political acceptability and scientific soundness need to be.

*Professor G R Evans*

Emeritus Professor of Medieval Theology and Intellectual History  
University of Cambridge and Project Leader, Improving Dispute  
Resolution, a HEFCE-funded Leadership, Governance and  
Management Fund project.

November 2009

**Memorandum submitted by The Physiological Society (PR 02)**

Thank you for the opportunity to comment. Our Society wholly supports the statement of principles. In particular we would like to emphasise:

Bullet 2—the right of experts to comment on government policy.

Bullet 3—government being required to explain publicly why expert advice is not taken.

The Physiological Society

November 2009

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**Memorandum submitted by Dr C Ian Ragan (PR 03)**

PRINCIPLES FOR THE TREATMENT OF INDEPENDENT SCIENTIFIC ADVICE

*Summary*

I support the attempts to gain government support for the Principles for the Treatment of Independent Scientific Advice, however, I am not confident that the government understands the problem or will agree to abide by the Principles. Restricting the Principles to scientific advice provides the government with a ready made excuse to ignore the advice because of “other factors”. I recommend that the Principles avoid the restriction to scientific advice to prevent this.

*Introduction*

1. I am Dr Ian Ragan, an ex-member of the Advisory Council on the Misuse of Drugs. I was appointed in 2008, just before the Council provided its advice on cannabis, and have therefore been involved in the investigations and government responses to both cannabis and ecstasy. I was a member of the recently formed working groups on Legal Highs and on Cognition Enhancers, the latter of which I chaired. I was one of the two Council members representing the pharmaceutical industry, both of whom have now resigned. Following the visit of the Home Secretary to the meeting of the Council on 10 November, I decided to resign along with two other members of the Council.

*Comments*

2. The Principles for the Treatment of Independent Scientific Advice state what I and probably most other members of these advisory bodies, thought was accepted practice. Certainly there was nothing in the existing Codes of Practice that would lead anyone to believe that their freedom of speech was at risk. Having to state the blindingly obvious in simple terms merely highlights this government’s total failure to comprehend the basics. Pronouncements by the opposition lead one to believe that they will be no better in this respect and therefore I do strongly support the effort to get governments to approve and adhere to these principles, even though I regret the necessity of having to do so.

3. Having said that, nothing I have heard so far encourages me to think that the government will agree to the Principles. At the meeting between Mr Johnson and the ACMD, he was asked directly whether his decision to sack David Nutt would have been any different had the Principles been in operation at the time. He answered no, and in subsequent questions I gained the impression that he did not believe that the public articulation of disagreement with the government was allowable for the Chairs of advisory committees. This contradicts the second bullet of section 2 on Independence of Operation. This is the key point by which the Principles hope to protect the freedom of members to express their opinions, and the rest, frankly, are of marginal importance compared with this. As a result, it seemed pointless to remain on a body where my actions could be arbitrarily judged after the event as appropriate or not on no rational grounds whatsoever.

4. One of the particularly irritating defences put forward by the Home Secretary and his predecessor of why they disagreed with the advice given by the ACMD, was the idea that scientific evidence is not the only factor that they have to take into consideration. If they had ever looked at the membership of the ACMD they would have realised that scientists do not dominate the membership of the ACMD, and that the social and ethical issues pertaining to drug harms, referred to by the Home Secretary, are extensively discussed, weighed and incorporated into the final decisions of the council. In fact, the government has no relevant information which is not known to the Council and if they had, it would have been disgracefully negligent of them not to provide it. However it is certainly true that the ACMD ignores some influences that are important to the government, but the views of the tabloids are not considered by the ACMD as constituting rational opinion.

5. In the light of this, I urge that in the section Proper Consideration of Advice, the word “scientific” be removed from bullet 1, and bullet 2 should read only “When expert advice is rejected the reasons should be described explicitly and publicly”. Labelling advice as scientific provides a figleaf behind which the government should not be allowed to hide its irrational decisions.

6. Likewise, the Principles themselves should be relabelled Principles for the Treatment of Independent Advice with no reference to science.

*Dr C Ian Ragan*

*November 2009*

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**Memorandum submitted by the Environment Research Funders' Forum (PR 04)**

**RESPONSE FROM ERFF TO THE HOUSE OF COMMONS SCIENCE AND TECHNOLOGY COMMITTEE'S CALL FOR VIEWS ON THE PRINCIPLES THAT SHOULD APPLY TO THE TREATMENT OF INDEPENDENT SCIENTIFIC ADVICE PROVIDED TO GOVERNMENT**

This response to the House of Commons Science and Technology Committee's call for views on the principles that should apply to the treatment of independent scientific advice provided to government is made by the Environment Research Funders Forum (ERFF: [www.erff.org.uk](http://www.erff.org.uk)), the body established by the main UK governmental funders of environmental research to enhance the coordination of environmental research in the UK. ERFF is keen to ensure that the results of its research are used effectively in informing governmental policy making: advisory committees are an important mechanism in this regard. We are therefore pleased to respond to the select committee's call for views.

The primary function of scientific advisory committees is to provide an authoritative, independent and objective overview of the scientific knowledge relating to a policy issue and of its implications for the policy decision. Care must be taken in the way requests for advice are made to committees so as not to draw them too far into the policy making process: policy making is for policy makers, and the function of advisory committees may be compromised if roles are not clearly distinguished. While it may sometimes be appropriate for advisory committees to identify policy options that the scientific evidence points to, science (with, typically, its inherent uncertainties) will rarely point unequivocally to a particular policy option. Policy makers must appropriately take account of a raft of other factors in coming to their decisions. The principles might usefully be extended to reflect these considerations.

Scientific advisory committees and their members act as "honest brokers" between the scientific and policy-making communities, and they must ensure that their actions maintain the public's confidence that their advice is not coloured by any adherence to a particular policy line or option. A key driver of the Government's initiatives to develop a more evidence-informed approach to policy making has been to rebuild public trust in the way scientific advice is used in policy making, as recommended by the Phillips inquiry into BSE.

The public may find it difficult to make a sufficiently clear distinction between statements made by scientists in their various roles as advisory committee member, academic researcher, private individual etc: a problem exacerbated by the media who tend not to dwell on such distinctions. If an advisory committee member comes to be seen as a strong advocate of a particular policy option, this may compromise the public's confidence in a committee's ability to take an unprejudiced view of the science and its implications. At some level there is a quid pro quo between Ministers respecting and responding to advice and the responsibility of scientific advisers to avoid being seen to be actively lobbying on particular issues on which Ministers have opined.

While not contradicting the thrust of the first principle on "academic freedom", the principles might usefully give some sense of advisory committee members' responsibilities to maintain the committee's perceived independence and objectivity. This may go beyond the declarations of interests provided for in the current code of practice.

Notwithstanding these two points, we believe that the principles are a welcome and timely addition to existing Government guidelines and codes of practice.

*Dr Mary Barkham*  
*Environment Research Funders' Forum*

*December 2009*

**Memorandum submitted by Professor David Albert Jones (PR 05)**

**A QUESTION OF BALANCE**

**RESPONSE TO THE SCIENCE AND TECHNOLOGY COMMITTEE INQUIRY INTO PRINCIPLES APPLYING TO THE TREATMENT OF INDEPENDENT SCIENTIFIC ADVICE PROVIDED TO GOVERNMENT**

**RESPONSE**

1. This response has been the work of Professor David Albert Jones independently and does not necessarily represent the views of St Mary's University College, the Centre for Bioethics and Emerging Technologies, the General Medical Council, the Ministry of Defence Research Ethics Committee or any other body for whom he has worked or to whom he has given advice. He has no financial or other interest to declare concerning this topic.

2. The question of the treatment of scientific advice by government is not itself a scientific question but is an ethical and political question. It is therefore of interest not only to scientists who give advice (and those who have not been called upon to give advice) but to all citizens. When the Science and Technology asks advice from "*all interested parties*" this should include the public.

3. The Government Code of Practice for Consultation sets seven consultation criteria for running effective public consultations <sup>[1]</sup>:

Criterion 1—When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2—Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3—Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4—Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5—The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6—Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7—Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

4. Criteria 2, that a robust consultation should have a 12 week minimum consultation process, seems well-justified on several grounds:

- It allows time for awareness of the consultation to spread to a greater number of people and allows time for the issues to be discussed publically, for example in the media, so that the public can engage with the consultation more effectively.
- It allows a great range of views to be represented and prevents the consultation process from being hijacked by just one point of view.
- It gives time to gather and weigh evidence so that responses can be more considered and more evidence-based.
- It creates some distance from immediate political events so that there is less danger of responses simply reflecting a reaction to some particular case and hence being one sided.
- It gives more credibility to the final report if more evidence has been gathered and more people have been engaged with the process.

5. The current Inquiry was announced on 25 November 2009 with a closing date of 2 December 2009. This is one twelfth of the minimum period recommended in the Code of Practice. Such a short consultation period has no chance of reaching the general public and presents great difficulties even for committed interested parties. It is an example of bad practice which undermines the value of any report finally published.

6. It is doubly to be regretted that the Science and Technology Committee have failed to follow best practice in this particular consultation, because the statement of Principles itself shows evidence of a being an immediate reaction to a particular case and would benefit from a period of reflection and wider consultation.

7. The first Principle set out in the document is of clear ethical and political merit. Academic freedom is an important political virtue and implies a moral right for an advisor to speak publically on an issue when he or she is not doing so as the advisor and when he or she is not breaking confidentiality.

8. The second Principle is much less clear and demands further reflection. The Principle begins with the need for an advisory body to be free of political interference, but ends with the call for all advisory bodies to have access to an independent press office. This call may be justified but it risks politicising the advisory body, in that the body then takes control of properly political decisions about how to respond to the public.

9. The second Principle also conflates “criticism” with “dismissal” when these are very different actions. Scientific advisors should not be beyond criticism, especially if they have made public statements about disputed questions of public policy. There is a difficult question of when criticism goes beyond reasonable bounds, but there will be reasonable as well as unreasonable criticism. The issue of dismissal is quite distinct and is, among other things, a question of human resources and justice. This will depend in part on the nature

of the position and the contract. It relates also to the process by which the advisor is appointed and the transparency of this process. The questions of appointment and dismissal of advisors should be dealt with together and should be separate from the other element of this Principle.

10. The third Principle is even more contentious and even more in need of reflection in a context not dominated by one particular case.

- In the first place the Principles do not differentiate between informal or private advice and the commissioning of official reports. Surely government will need immediate advice which it may not wish to make public immediately and may wish to seek an alternative scientific opinion.
- In the second place the Principle makes no reference to the possibility that there may be a difference of views among experts, either on the evidence or on the policy implications.
- Related to this the Principles contain no guidance on the responsibility of advisory bodies to consult when writing reports.
- The third Principle as stated also fails to distinguish scientific questions from questions of technology and both of these from matters of policy. The Principle states that “*some policy decisions are contingent on factors other than the scientific evidence*” whereas all policy decisions are contingent on matters other than scientific evidence for policy concerns what to do and this is always a political and ethical decision, even where it also requires a knowledge of the relevant science. Questions of technology should be considered separately from matter of science in that there may be more than one technological avenue to address a particular question and the application of technology will always be a practical and hence an ethical and political decision. This is seen clearly in relation, for example to energy policy.

11. The Principles as stated show an imbalance that seems to be due to a reaction to a particular case. They contain a defence of the academic freedom of scientific advisors, but they do contain anything about the responsibilities of advisors, or the place of the government or of the public. It is the public who will either enjoy or suffer from the effects of public policy, in a way analogous to the patient who will benefit from or suffer the effects of the treatment offered by the doctor. Patients not only have a right to a second opinion but also have a right to refuse treatment and should be given some latitude to choose between available options knowing that not everyone weighs burdens and benefits equally. The dialogue between doctor and patient is best understood as a dialogue between experts. In an analogous way it is the public that will have to bear the pain of any decision and so they should be involved both through genuine consultation and through their elected representatives and their elected government.

12. Other professions, for example the police and doctors are regulated by bodies that include lay members. The development of the idea of role of lay membership is an interesting phenomenon but one function is to counterbalance the professional *esprit du corps* which can distort good judgement, as well as representing the viewpoint of service users and adding diversity which may be less evident in the profession. For similar reasons the lay perspective is needed in relation to science and public policy. The Statement of Principles currently shows no sense of the importance of lay voices in policy-making in relation to science and technology.

13. In a previous Report this Committee has commented that: “Parliament does not need protecting and democracy is not served by unelected quangos taking decisions on behalf of Parliament.”<sup>[2]</sup> This description could as easily apply to committees of experts as to regulators.

14. In matters of policy the weight of an argument cannot be adequately assessed unless the discussion includes all the relevant competing goods. Similarly a set of principles that focus on protecting one value (academic freedom) without giving due weight to other relevant values (democracy, responsibility, diversity of view) is flawed as a guide to policy. The key issue of academic freedom and the protection of advisors against unfair dismissal is better protected if it is acknowledged that, in a democracy, policy should be set by elected representatives after consideration of a wide range of issues.

15. It would be useful to have a set of principles to govern the relationship between the Government and independent scientific advisers. However the Principles as suggested in the 6 November statement are not adequate to this task and this is closely related to the process of their generation. They could, nevertheless, form the basis of a more considered statement of principles if they were to be the basis of an open discussion involving scientific advisors, government and the public. This would seem to fall under the responsibility of the Department of Business, Innovation and Skills and hence I am submitting this response directly to that department as well as to the Science and Technology Committee.

*Professor David Albert Jones*

Director, Centre for Bioethics & Emerging Technologies St Mary's University College, Twickenham

2 December 2009

#### REFERENCES

[1] HM Government Code of Practice on Consultation Crown copyright 2008  
<http://www.berr.gov.uk/files/file47158.pdf>

[2] House of Commons Science and Technology Committee Fourth Report, Developments in Human Genetics and Embryology. Paragraph 18. 18 July 2002 HC 791.

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### **Memorandum submitted by the Wellcome Trust (PR 06)**

#### INDEPENDENT SCIENTIFIC ADVICE

1. The Wellcome Trust is the largest charity in the UK. It funds innovative biomedical research, in the UK and internationally, spending over £600 million each year to support the brightest scientists with the best ideas. The Wellcome Trust supports public debate about biomedical research and its impact on health and wellbeing.

2. Government policy must be informed by the best available evidence. It is therefore essential that scientific advice is effectively incorporated into policy making, and that policy makers and academics have productive working relationships. There must be confidence and trust on both sides.

3. A recent report by the Council for Science and Technology<sup>1</sup> found that engagement between academics and policy makers in the UK is “not as strong as it might be”. More importantly, the report concluded that “where incidents occur which damage the trust between academics and policy makers they have a disproportionate impact and risk badly impacting the longer-term relationship. Such incidents should therefore be taken very seriously.”

4. We therefore welcome the Committee's interest in this issue, and the desire to ensure that scientific advisers are free to give independent advice without government interference, following the unfortunate Nutt case.

5. However, it is essential to recognise that scientific advice is just one part of the policy making process. The Government's own Code of Practice<sup>2</sup> makes clear what the different roles of a scientific adviser and Government should be:

“A scientific adviser . . . is generally responsible for providing scientific input to assist policymaking or analysis. This should include highlighting issues likely to be of future concern that lie within their terms of reference. The task of policy making, which is essentially one for government, can be thought of as working up practical options for responses to the problem on which scientific advice has been sought, analysing those options and making decisions on them.”

6. The Council of Science and Technology also recognised that “policy decisions involve difficult choices that need to take account of a very wide range of factors. Academics must recognise that where a particular view does not prevail, or where decisions are taken for political reasons, this does not mean the academic input was not valued.”

7. These points must be kept in mind when considering the development of new guidance. The Committee must take care to ensure that any principles developed as a result of this one case are both enduring and applicable to a wide range of future cases. We suggest it may be more appropriate to build on the existing guidance, adding statements about academic freedom and independence of operation to the current Code of Practice rather than to introduce separate and free-standing principles.

8. We also make the following specific comments on the draft Statement of Principles:

#### 2.3: Advisory committees need the service of an independent press office

We question whether this is necessary, or an appropriate use of resource. The role of a scientific advisory committee is to advise Government. While we agree that scientific advisory committee reports, advice and minutes of meetings should be made publicly available, as set out in the Code of Practice, we do not see why this would require the services of an independent press office. The Code of Practice already makes reference to the need for scientific advisory committees to decide on who should represent them to the media.

#### 3.1: Reports will not be criticised or rejected prior to publication

This sentence needs clarification to specify that it refers to criticism or rejection by Government alone. Committee reports will often be subject to scrutiny by peer review before publication and benefit from any criticism received in such a process.

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<sup>1</sup> How academia and government can work together, Council for Science and Technology, October 2008.

<sup>2</sup> Code of Practice for Scientific Advisory Committees, Government Office for Science, December 2007.

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9. It is essential that scientific advice should be given and received in a transparent manner. We encourage the Committee to develop a response that ensures that robust scientific advice informs policy making in a transparent way, while at the same time recognising that scientific advice is not the only factor that needs to be taken into account when politicians make decisions.

The Wellcome Trust

*December 2009*

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**Memorandum submitted by the Society of Biology (PR 07)**

The Society of Biology has followed closely the current discussion regarding the right of scientists to remain independent and criticise Government where necessary.

1. The Society strongly supports the right of independent scientists to discuss and publicise sound evidence, even if it is at variance with the government's chosen policy.

2. We recognise that Ministers will also take account of factors outwith the scientific advice when reaching a decision. Clear and proactive communication of these factors to the relevant scientific advisory committee, and to the public, are essential to preserve an atmosphere of mutual respect and trust between the committees and those whom they advise.

3. We endorse the "Statement of Principles for the Treatment of Independent Scientific Advice" appended to the notice of this consultation. We recommend that it is incorporated into the existing guidelines and codes of practice for scientific advisory committees and those who seek independent scientific advice.

4. The induction process for new Ministers and new committee members should be reviewed, and should include discussion of these principles.

5. The Society of Biology is a single unified voice for biology: advising Government and influencing policy; advancing education and professional development; supporting our members, and engaging and encouraging public interest in the life sciences. The Society of Biology is a charity, created by the unification of the Biosciences Federation and the Institute of Biology, and is building on the heritage and reputation of these two organisations to champion the study and development of biology, and provide expert guidance and opinion. The Society represents a diverse membership of over 80,000—including students, practising scientists and interested non-professionals—as individuals, or through the learned societies and other organisations listed below.

6. The Society of Biology is pleased for this response to be publicly available and will place a version on [www.societyofbiology.org](http://www.societyofbiology.org) when the Committee allows.

Society of Biology

*December 2009*

## MEMBER ORGANISATIONS REPRESENTED BY THE SOCIETY OF BIOLOGY

Anatomical Society of Great Britain & Ireland	Heads of University Biological Sciences
Association for Radiation Research	Heads of University Centres of Biomedical Science
Association for the Study of Animal Behaviour	Institute of Animal Technology
Association of Applied Biologists	International Biometric Society
Association of Clinical Microbiologists	Laboratory Animal Science Association
Association of Veterinary Teacher & Research Work	Linnean Society
AstraZeneca	Marine Biological Association of UK
Biochemical Society	Nutrition Society
British Andrology Society	Physiological Society
British Association for Cancer Research	Royal Entomological Society of London
British Association for Lung Research	Royal Microscopical Society
British Association for Psychopharmacology	Royal Society of Chemistry
British Bariatric Medical Society	Scottish Association for Marine Science
British Biophysical Society	Society for Applied Microbiology
British Crop Production Council	Science and Plants in Schools
British Ecological Society	Society for Endocrinology
British Lichen Society	Society for Experimental Biology
British Microcirculation Society	Society for General Microbiology
British Mycological Society	Society for Reproduction and Fertility
British Neuroscience Association	Society for the Study of Human Biology
British Pharmacological Society	Society of Cosmetic Scientists
British Phycological Society	Society of Pharmaceutical Medicine
British Society for Allergy Environment & Nutritional Medicine	Syngenta
British Society for Immunology	The Fisheries Society of the British Isles
British Society for Matrix Biology	The Galton Institute
British Society for Medical Mycology	UK Environmental Mutagen Society
British Society for Neuroendocrinology	University Bioscience Managers' Association
British Society for Plant Pathology	Zoological Society of London
British Society for Proteome Research	
British Society for Research on Ageing	SUPPORTING MEMBER ORGANISATIONS
British Society for Soil Science	Association of Medical Research Charities
British Society of Animal Science	BBSRC
British Toxicology Society	GlaxoSmithKline
Experimental Psychology Society	Medical Research Council
Freshwater Biological Association	Pfizer UK
Genetics Society	Wellcome Trust

## Memorandum submitted by Professor Leslie Iversen (PR 08)

1. I strongly support the “Statement of Principles” document issued by the Royal Society. In my view these principles merely reaffirm more clearly what is already written in the Codes of Practice for expert advisory committees.

2. As a member of the ACMD I found that our relationship with the government had been seriously damaged in recent years by the failure of Home Secretaries to adhere to the key requirements of para 2 (Independence of Operation) and para 3 (Proper Consideration of Advice). For example, in the most recent of three reviews into the classification of cannabis conducted by ACMD in the past decade the government made clear its view that cannabis should be upgraded from Class C to Class B under the “Misuse of Drugs Act 1971” even before ACMD has started its review. The government decision to reject ACMD’s advice that cannabis remain in Class C was announced on the same day that our report was made public in 2008, hardly suggesting that it had been given careful consideration. A similar situation arose over the ACMD’s detailed review of ecstasy (MDMA) published in February 2009. Government spokesmen announced before the ACMD report was published that there was intention to alter the classification of this drug, and this decision was again announced on the day of the report’s publication.

3. During a meeting with the ACMD on November 10th 2009, the Home Secretary conceded that this behaviour was not conducive to the maintenance of good relation between himself and ACMD. He agreed to several important points, announced in a joint statement issued after the meeting. The Home Secretary emphasized that he would not in future pre-judge the ACMD’s advice in advance of receiving a report, and agreed that careful consideration would be given to all ACMD reports. This would be helped by the arrangement whereby ACMD would publish its advice concurrent with its presentation to the Home Secretary 1 and not several weeks in advance of publication as happens now. The Home Secretary also agreed to put into practice whatever recommendations Dr Beddington makes on the implementation of the “Statement of Principles” document. A copy of the joint statement issued by the Home Secretary and ACMD is appended for information.

Yours

*Professor Leslie Iversen, PhD, FRS—member of the Home Office Advisory Council on Misuse of Drugs (ACMD)*

*December 2009*

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**Appendix: Joint Statement from the Home Secretary and the Advisory Council on the Misuse of Drugs—Nov 12th 2009**

The Home Secretary and the ACMD met on 10 November to discuss working together collaboratively in the future.

The Home Secretary outlined the value he put on the ACMD's advice, and the important contribution the ACMD makes to government drug's policy. The ACMD summarised their concerns regarding how their advice is received by the Home Office and over the dismissal of Professor Nutt.

Both the ACMD and the Home Secretary agreed that it was important to concentrate efforts on ensuring the best advice is available to government on the important issue of drug misuse working together with the common purpose of reducing drug related harms in the UK.

The following ways of working were discussed:

1. The Home Secretary emphasised that he would not pre-judge the ACMD's advice in advance of receiving a report.
2. The Home Secretary said he would like to meet with the ACMD Chair on a regular scheduled basis in the future and that he would meet with the full Council annually.
3. The Home Secretary and ACMD agreed that the Home Secretary would continue give careful consideration to all ACMD reports. In doing so it was agreed:
  - (i) The ACMD would publish its advice concurrent with its presentation to the Home Secretary. The Home Office gave assurance that it would give appropriate consideration of the advice before issuing its response;
  - (ii) If government was minded not to accept the ACMD's advice, the Home Secretary suggested that he would, before making a final decision, meet with the Chair of the Council to discuss the issue;
  - (iii) If the advice is not to be accepted the Home Secretary will write to the full Council setting out his reasons for rejection. This will be ahead of any public comment by the Home Office on the matter.
4. The Government's Chief Scientific Advisor, Professor John Beddington is considering Lord Rees of the Royal Society's letter to the Prime Minister, enclosing the "Principles for the Treatment of Independent Scientific Advice". Professor Beddington will report on these by Christmas. The ACMD asked for clarification from the Home Secretary how their academic role was impacted by their membership of the Advisory Council. The Home Secretary agreed to put into practice the outcome of Professor Beddington's report with his dealings with the ACMD and all the other scientific committees that advise him in the Home Office.
5. The Home Secretary outlined the process for recruiting a new Chair of the ACMD following the guidelines of the Office of the Commissioner for Public Appointments. It was agreed that both the ACMD and the Home Secretary need to have the utmost confidence in the new Chair. As such the ACMD accepted the Home Secretary's offer that one of their members would be part of the interview panel during the recruitment process.

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**Memorandum submitted by the Institute of Food Science and Technology (PR 09)**

**TREATMENT OF SCIENTIFIC ADVICE PROVIDED TO GOVERNMENT**

1. The Institute of Food Science and Technology (IFST) ([www.ifst.org](http://www.ifst.org)), the UK-based professional qualifying body of food scientists and technologists, welcomes the opportunity to respond to the Science and Technology committee's consultation.
2. IFST supports strongly the principles set out in the 6th November statement.
3. IFST firmly believes that policy-making should be evidence-based and, therefore, if the issue is one which requires independent scientists to assess the scientific evidence in the light of current knowledge, and to provide advice based on such assessments, then it should usually be expected that the advice would be accepted after consultation with interested parties.
4. However, IFST also recognises that a scientific committee's evidence-based assessment may not be the only basis on which Government will make a decision. For example, there may be other aspects of the same issue, such as economic, political or conflicting scientific assessments provided during public consultations. In many areas, Government policy-making needs to take account of, and give relative weightings to, evidence and advice resulting from all of these. Ultimately, it is the politician who makes the management decision and therefore bears the responsibility for that decision. It is therefore essential that an appropriate consultation process is undertaken before any policy decisions are made.
5. Nevertheless, IFST considers that Government must be able to demonstrate valid reasons to ignore or over-ride scientific evidence-based advice. In such cases, it would need to fully interact with the advisory committee from which its principal advice had been received; to clearly state what this scientific (and other) advice had been; why the other considerations outweighed the science and a policy contrary to the scientific advice was to be followed.

6. It is noteworthy that this is the principle upon which the Food Standards Agency (FSA) was established to protect consumers' interests in relation to food safety and standards. The FSA was established at a time when considerable public concern existed about food safety and shows that the Government recognises the importance of open discussion and wide consultation if consumers are to have confidence in its policies on food safety and, by implication, other areas of public concern. It works at "arm's length" from Ministers and is entitled to publish the advice which it gives to Ministers, so that it could provide an independent voice if its advice were to be ignored. In some matters, however, the FSA is a policy decision-making Agency, and this principle must apply equally to the scientific advice given to it by its expert Advisory Committees and by scientific professional bodies.

7. Government must also to recognise and accept the principle of academic freedom. If scientists have given of their time and expertise, and their advice is not acted upon, they must remain free to express their views, based on their scientific expertise and assessment.

8. Where the scientist is a member of an Advisory Committee, and the views expressed are those of the Committee, the scientist must be allowed to express these views without fear of reprisal, even if they are counter to Government policy. However, any scientist using the Committee as a platform to express their own personal views should make clear that they are speaking as an individual. Where this is done, it is unacceptable that the scientist should be sacked from their advisory role; if they feel their position as an advisor is compromised, they should resign—then being free to express their full reasons for doing so, if necessary.

9. This is a fundamental issue which requires resolution; otherwise it could undermine the whole structure of Government advisory committees.

*Yours sincerely,*

*Neville Craddock*

Vice President

The Institute of Food Science and Technology

*December 2009*

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#### **Memorandum submitted by The Institute of Physics (PR 10)**

The Institute of Physics is a scientific charity devoted to increasing the practice, understanding and application of physics. It has a worldwide membership of over 36,000 and is a leading communicator of physics-related science to all audiences, from specialists through to government and the general public. Its publishing company, IOP Publishing, is a world leader in scientific publishing and the electronic dissemination of physics.

The Institute welcomes the opportunity to respond to the House of Commons Science and Technology Committee's inquiry into "Principles that should apply to the treatment of independent scientific advice provided to government".

Overall, we support the "Statement of Principles for the Treatment of Independent Scientific Advice" and hope that it will foster a stronger working relationship between the government and its network of scientific advisers where peer-reviewed expert advice can effectively influence policy-making processes.

The attached annex details our comments on the issues on which the Committee is seeking views.

If you need any further information on the points raised, please do not hesitate to contact me.

*Yours faithfully*

*Professor Peter Main*

Director, Education and Science

1. It is a sign of strength when the government appoints scientific advisers who are genuinely independent and authoritative and might give uncomfortable advice (which nonetheless must be well founded, relevant advice within the remit and scope of their role), rather than those who will simply "toe the line".

2. It is important to appoint scientific advisers who are strongly linked to networks of expert scientists. No adviser, no matter how well educated/versed in his/her specialised area of science, will be able to cover an entire field.

3. The role of scientific advisers is to advise on science-based issues whereas political decisions may require consideration of a wider range of issues and concerns. It is important for the reasons behind political decisions to be transparent. Therefore, any scientific advice provided needs to be in the public domain so that if it is rejected, then the reasons for this are made clear, unless it is deemed not to be in the public interest (in such instances, similar guidelines to those in force under the Freedom of Information Act could be applied).

4. The Academic Freedom Principle needs to be balanced by at least acknowledging that prior to speaking publicly against, for example, government policy, it would be prudent for a scientific adviser to alert the relevant government department.

5. The Statement of Principles could be further balanced by inclusion of the “duties” of a scientific adviser. A good example would be that an adviser must act impartially: this extends beyond technical “conflict of interest” to the requirement to give fair and balanced advice that is not restricted to a personal viewpoint.

6. On the most important scientific issues (e.g. climate change, energy security, pandemics), there will be a vocal minority of scientists who dissent from the majority opinion, with a variety of arguments, some reasonable, others less so. This is sometimes translated into meaning that there is no unanimity in the scientific community, which is then used to justify delaying/tackling important issues. Whilst in no way wishing to suppress minority views, it is important that scientific advice provided to the government is balanced and the reasons why such views are only held by the minority be fully explained.

*The Institute of Physics*

*December 2009*

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**Memorandum submitted by Professor Neville Moray (PR 11)**

I retired from the University of Surrey 8 years ago, and the following is my personal opinion and in no way necessarily reflects the view of the University or anyone on its Faculty.

Several years ago I was a member of the HSE Nuclear Safety Advisory Committee. When the Terms of Reference of the committee were under review, we had to fight hard to keep the right to report directly to the Minister if there were unusually strong disagreements with HSE. We were told that HSE did not want us to publish any documents or opinions without them going through HSE, and that our conclusions could only be issued by HSE. In an earlier set of terms of reference we had been able to go directly to the Minister if HSE disagreed with our opinion and would not publish the latter. We had a severe fight to keep our right to bypass HSE if they refused to act on, or pass on, our opinions expressed as a Committee. Several of us talked of resigning if we could not keep the ability to bypass HSE in exceptional circumstances, since without that ability we could not guarantee that our advice would even reach the Minister, let alone be acted on, or even that the opinion published as ours would be truly independent. In the end we obtained what we wanted, although it was made very clear that our attitude was regarded as undesirable.

I hope this example of the difficulty of giving independently assessed scientific advice will be of help to your deliberations. I accept that whether the advice is accepted and acted on is up to our political masters. But the expression of agreed scientific opinion should not depend on its being in accord with political will, but only whether it is based on sound science.

*Neville Moray*

Position: Emeritus Professor

Department: Psychology

Experience: Member of the HSE Nuclear Safety Advisory Committee

*December 2009*

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**Memorandum submitted by Dr Fiona Measham (PR 12)**

1. I am a member of the ACMD as of January this year, when I was appointed as the social scientist on the council and have endorsed the Principles for the Treatment of Independent Scientific Advice.

2. I am a criminologist rather than a chemist or pharmacologist. My specialist field is patterns of drug use, prevalence, motivations, consequences and policy implications. I would argue that in my field there is no neat division between science and politics. I cannot look at changing trends without looking at and providing a critique of changes in legislation, policing and enforcement. To give a specific example, I am currently conducting a British Academy funded study on the shift from GHB to GBL which directly relates to issues of displacement due to the criminalisation of GHB.

3. I think the position of a social scientist is particularly vulnerable to accusations of straying over the line from academia into politics. Indeed, it could be seen that I am already testing the boundaries with comments I made in the Times and elsewhere when I had an academic paper published a couple of weeks ago wearing my research “hat” rather than ACMD hat”:

[http://women.timesonline.co.uk/tol/life\\_and\\_style/women/the\\_way\\_we\\_live/article6879862.ece](http://women.timesonline.co.uk/tol/life_and_style/women/the_way_we_live/article6879862.ece)

4. Therefore in the Principles, the second point on independence of operations seems particularly important in the current situation and I would like to express my wholehearted support for this particular point:

“In the context of independent scientific advice, disagreement with Government policy and the public articulation and discussion of relevant evidence and issues by members of advisory committees can not be grounds for criticism or dismissal.”

*Dr Fiona Measham*

*December 2009*

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### **Memorandum submitted by the Royal Academy of Engineering (PR 13)**

#### INTRODUCTION

This memorandum has been prepared by the Royal Academy of Engineering and is endorsed by EngineeringUK, the IET, the Institution of Chemical Engineers, the Institution of Civil Engineers and the Institution of Mechanical Engineers, all working under the banner of Engineering the Future.

The Royal Academy of Engineering is one of the four UK national academies. It therefore has a significant role to play in both providing independent advice to Government and in nominating members of Scientific Advisory Committees as well as providing candidates to shortlists for roles such as Chief Scientific Advisors. As such, the Academy has a strong interest in the systems of scientific advice to Government and protection of principles such as independence within that system.

The Academy, along with a number of the major engineering institutions, is currently involved in responding to the Government Office for Science consultation on guidelines on scientific analysis in policy making, the results of which, will no doubt, be available to the committee in due course.

In general, we welcome the publication of the “Principles for the treatment of independent scientific advice” by Lord Rees FRS and others on 6th November. However, the issues which have come to light since the dismissal of Prof Nutt from the chairmanship of the Advisory Council on the Misuse of Drugs are only in part addressed by the principles set out in the 6 November statement.

The three sections of the 6 November statement are addressed below:

#### *1. Academic freedom*

The range of advice which feeds into policy making is incredibly diverse. There is a need for the assessment of evidence coming from many fields including science, engineering social sciences, statistics, economics and medicine to name a few.

As well as being important in the development of realisable policies, engineering advice is highly likely to be applicable to the implementation of policy and it is therefore critical that it is taken at the stage that policy is developed. That engineering advice is likely to be concerned with practice (by which we mean how to do something as well as what to do) and such advice is as likely to come from professionals working in industry as from academics.

While academic freedom is held very highly by academics and with good reason, this principle needs to be extended to include professional freedom for those advisors from outside of the academic community. Non academic advisors should not be restrained in what they do in their outside professional capacities either in the views they hold, the customers they work for or the projects they work on. Where the professional interests of an advisor potentially cause a conflict of interest, individuals would be bound by the Nolan Principles of Public Life and should take steps to resolve that conflict, as would be the case in any other public committee or position. It should be noted that the new Chief Construction Advisor, Paul Morrell, appointed on 24 November would fall into this category.

#### *2. Independence of operation*

The 6 November statement deals solely with independence from political interference. There are other levels of independence that are important to the operation of scientific advisors and advisory bodies.

Total independence is both impossible and undesirable. In the context of scientific advice there are various “types” of independence that are desirable:

- Firstly, independence of the political decision making process is an absolute requirement.
- Second, independence of systematic bias towards or against any particular vested interest in the committee. Vested interests can exist and are probably essential, but must be declared and balanced as a whole on a committee.

National Academies and other institutions (such as Research Councils, professional institutions and learned societies) have a role in identifying individuals for a pool of advisors and potential advisors but they should be selected through open competition and bound by Nolan principles. The rigorous Fellowship processes for academicians could be a suitable mechanism for ensuring suitability of potential advisors nominated by the national academies.

In a crisis, an “expert committee” needs to be convened which, in time, as a crisis develops this may become a “committee of experts” with more general interests and expertise across the board. At the height of a crisis, the level of independence can be relaxed as expert knowledge becomes more important. To take the example of BSE, at the inception of the crisis, it would have seemed odd not to use the knowledge and expertise of farmers and vets directly involved despite their vested interests to advise on immediate responses. Later, as the issues become clearer, a broader group of experts with fewer vested interests would be appropriate to advise on mitigation and recovery.

### 3. *Proper consideration of advice*

The principles should fully recognise that scientific advice is just one of many inputs to the political decision making processes at the centre of policy making. While it is important that those giving the advice understand the political environment into which their advice is going, it is also important that there are feedback mechanisms to ensure that advisors are fully aware of how and to what extent the advice was taken into account in the final policy making process.

The principles expressed in the 6 November statement recognise these competing demands in policy making, but making public the reasons for not fully reflecting scientific advice in policy decisions is not always possible or desirable and the principles should reflect this. Advice provided in areas that may impinge upon national security would naturally need to be treated in this manner.

## CONCLUSION

Notwithstanding the principles set out in the 6th November statement, the present work to update the guidelines on scientific analysis in policy making and Lord Drayson’s work to develop a set of principles before the end of 2009, the overarching requirement for smooth operation of the system for scientific advice to government is trust. History records the outcome of breakdowns in trust and, consequently, it may be useful for new guidelines and principles to recognise that trust is earned, needs to be constantly reinforced and is a two way process. Committees have an obligation not to ambush ministers when influences other than scientific evidence become the prime drivers for decisions, just as committees do not want to be ambushed by Government criticism of their advice.

Royal Academy of Engineering

*December 2009*

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### **Memorandum submitted by the Academy of Medical Sciences (PR 14)**

1. The Academy of Medical Sciences welcomes the opportunity to comment on the treatment of independent scientific advice by government. The Academy’s core mission is to promote advances in medical science and to ensure these are translated as quickly as possible into benefits for society. This mission incorporates many of the issues considered in the Select Committee’s call for views: the need for public policy-makers to use the best available scientific evidence; the role of scientists in advising Government; the independent nature of scientific advice; and the methods by which Government incorporates evidence into policy. Our 944 Fellows represent the UK’s best medical researchers, drawn from hospitals, academia, industry and the public sector. They make valuable contributions to connecting science, government, policy and society, both as individuals and as contributors to the Academy’s own policy activities.

2. We note the consultations by Professor John Beddington CMG FRS and by Lord Drayson on the same topic and hope that the Select Committee’s deliberations will contribute to these; there is value in a co-ordinated approach to this topic.

3. To source and make use of scientific evidence most effectively, Government must actively seek and encourage authoritative, independent scientific advice at the earliest stages of policy development. While scientific evidence is not necessarily the only factor that must be considered when making policy, scientists do have a vital role to play in providing and interpreting evidence.

4. There is now an increasing expectation upon scientists that they will take their work into public forums, as demonstrated by the inclusion of these activities in the “Impact” criteria of the Higher Education Funding Council for England’s recent Research Excellence Framework proposals for assessing the quality of UK academic research. It is vital that scientists do not feel that a government advisory role will compromise their freedom to continue active research and to communicate their work.

5. We are supportive of the underlying messages of the proposed principles, namely that: the academic freedom of scientists who provide advice to government should be safeguarded; the advice scientists give should be protected from political or other interference in their work; and that increased clarity and transparency in the processes behind Government’s consideration of scientific advice is required. However, we think the principles would have benefited from defining the expected conduct of both scientists and Government in developing well-informed policy; this could in turn contribute towards building trust and

demonstrating the two way relationship between Government and scientists. The National Academies<sup>3</sup> could play a more active and formal role in training and guidance for scientists (and Government officials) in developing evidence-based policy.

6. In appointing members to Government scientific advisory bodies, Departmental Ministers are consulted for approval of Chairs and members, but the process may benefit further from giving the Minister of State for Science a more primary role in making these appointments, particularly for committee Chairs. Identifying appropriate experts to serve on advisory committees is also an area where advice from Academies could be sought, while respecting the Nolan recommendations that guide such appointments. The lists of nominating organisations for all Advisory Committees should be reviewed to ensure that relevant organisations, such as the Academies, are given the opportunity to identify appropriate applicants.

7. The proposed principles refer specifically to independent advisory committees and, as the Select Committee is aware, Government also gets its scientific advice from other sources. As the Select Committee has highlighted over the years, there is an opportunity for Government to benefit more fully from the expertise, authority and independence of the National Academies, whose Fellows represent the elite of UK science and scholarship and are a national resource of expert advice. Particular strengths of the Academies, on which the Government can draw, include obtaining consensus views, particularly in scientific areas that are complex, emerging or not supported by large amounts of data.

8. Much progress has been made in embedding independent scientific advice into policy and we hope that the current debate does not discourage either scientists or policymakers from making further progress.

#### THE ACADEMY OF MEDICAL SCIENCES

The Academy of Medical Sciences promotes advances in medical science and campaigns to ensure these are converted into healthcare benefits for society. Our Fellows are the UK's leading medical scientists from hospitals and general practice, academia, industry and the public service.

The Academy seeks to play a pivotal role in determining the future of medical science in the UK, and the benefits that society will enjoy in years to come. We champion the UK's strengths in medical science, promote careers and capacity building, encourage the implementation of new ideas and solutions—often through novel partnerships—and help to remove barriers to progress.

*The Academy's Officers are:*

Professor Sir John Bell FRS HonFREng PMedSci (President); Professor Sir Michael Rutter CBE FRS FBA FMedSci (Vice-President); Professor Ronald Laskey FRS FMedSci (Vice-President); Professor Robert Souhami CBE FMedSci (Foreign Secretary), Professor Ian Lauder FMedSci (Treasurer) and Professor Patrick Maxwell FMedSci (Registrar).

The Academy of Medical Sciences

December 2009

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#### Memorandum submitted by Sense About Science (PR 15)

##### 1. BACKGROUND

Sense About Science is a UK registered charity that works to equip people to make sense of science and evidence. We work with over 4,000 scientists, from Nobel prize winners to our Voice of Young Science network of postdoctoral researchers, to help civic groups including community organisations, media and commentators to weigh up claims about evidence.

##### 2. THE TREATMENT OF INDEPENDENT SCIENTIFIC ADVICE

2.1 The Principles for the Treatment of Independent Scientific Advice were drawn up by leading scientists in response to the concerns raised by the sacking of Professor David Nutt, the Chairman of the Advisory Council on the Misuse of Drugs, and were sent to the Prime Minister by Lord Rees of Ludlow, the President of the Royal Society.

2.2 Sense About Science was involved in drawing together the Principles as the scientists proposed them, and currently hosts the Principles and the list of endorsers on its website: [www.senseaboutscience.org/scienceadvice](http://www.senseaboutscience.org/scienceadvice).

2.3 A list of endorsers can be found in Appendix 1.

2.4 The Principles reflect the recommendations made by the Science and Technology Select Committee (in its previous existence) in the 2006 report on the use of scientific advice in policy making and on drug policy, and also in your recent report, Putting Science and Engineering at the Heart of Government Policy 2009.

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<sup>3</sup> The Academy of Medical Sciences, the British Academy, the Royal Academy of Engineering and the Royal Society.

2.5 The responsibilities of SACs are already clearly laid out in the 110 point Code of Practice for Scientific Advisory Committees.

2.6 The Principles for the Treatment of Scientific Advice represents the counterpart to this, as a Code of Practice for ministers.

2.7 We have heard from scientists involved in Scientific Advisory Committees that they remain concerned about whether the Government will affirm its support for academic freedom and independence of operation and about the implications for future work of advisory committees, particularly in relation to any subject perceived to be politically contentious.

2.8 Specific concerns have been raised relating to publication of reports and minutes, the willingness of committees to look at contentious subjects, concern about the influence of media stories following committee reports on the Government's treatment of advisers, management of report releases through departmental press offices, the period of time given to consideration of reports, and the question of whether chairs can be "sacked" if the minister does not "trust" them. Some of these concerns relate to ACMD, some to other Home Office advisory committees and some to other Government Departments.

### 3. THE TREATMENT OF SCIENTIFIC ADVICE IN THE CONTEXT OF DEPARTMENTAL "MEDIA MANAGEMENT"

3.1 In the David Nutt affair, the Home Office complained that it was unhelpful to have mixed messages in wider society. This suggests two problems, which need to be addressed by the Chief Scientist and the Science Minister and which we hope the Committee will consider:

- that there is a lack of understanding of the implications for Government of a commitment to independent scientific advice; independence and academic freedom appear to be perceived as subordinate to a desire to control the information that the general public has access to regarding research and scientists' views.
- that the attempt to control discussions about evidence is heightened when there is negative or conflicting media coverage.

### 4. FURTHER INFORMATION

Within the short time frame for response we have been unable to prepare a fuller memo to the Committee on the examples and concerns raised with us across the scientific community, many of which have been raised as private correspondence and would require explicit permission for disclosure. We have encouraged some of these people to write to the Committee themselves and would hope ourselves to be in a position to share fuller information if required in coming weeks.

*Sense About Science*  
December 2009

### Appendix 1

The following people have endorsed the Principles for the Treatment of Independent Scientific Advice individually, not on behalf of their Institutions or Committees:

*Professor Peter J Aggett OBE FRCP FRCPCH*

Emeritus Professor Child Health and Nutrition, University of Central Lancashire  
Vice Chair Scientific Advisory Committee on Nutrition FSA/DH (2000–)  
Member Committee on Medical Aspects of Nutrition and Food Policy, DH (1993– 2000)  
Chairman of COMA Panel on Nutritional Assessment of Infant Formulas (1995–1996)  
Chairman of COMA Working Group on Nutritional Status of the Population (1995–1998)  
Vice Chairman Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment DH/FSA (1998–2003; Member 1993–2003)  
Chair of COT Working Group on Variability and Uncertainty in Toxicology Risk Assessment (2007)  
Chairman of COT Working Group on Food Intolerance in the Population (1997–2000)  
Vice Chair of COT Working Group on Risk Assessment of Mixtures of Pesticides and similar Substances (2000–2002)  
Member Advisory Committee on Novel Foods and Processes (1994–2000 & 2002–3)  
Member European Commission Scientific Committee on Food (1993–96)

*Professor Peter Atkins FRSC*

Emeritus Professor of Chemistry, University of Oxford  
Fellow, Lincoln College, Oxford  
Former chairman, IUPAC Committee on Chemistry Education

*Professor Jon Ayres FRCP FFOM*

Chair, Committee on Medical Effects of Air Pollutants (COMEAP)  
Chair, Advisory Committee on Pesticides (ACP)

*Professor Anthony T Barker*

Consultant Clinical Scientist, Royal Hallamshire Hospital  
Member of SAGE, government funded Stakeholder Advisory Group on ELF EMFs

*Professor David Barnett CBE MD FRCP*

Emeritus Professor of Clinical Pharmacology, University of Leicester  
Chair Appraisals Committee for the National Institute for Health and Clinical Excellence (1999–2009)

*Professor Sir Colin Berry*

Emeritus Professor of Pathology, Queen Mary London  
Chairman, Advisory Committee on Pesticides (1988–1999); Member (1981–1988)  
Chairman, Scientific Sub-Committee on Pesticides (1985–1988); Member (1977–1985)  
Chairman, Committee of Dental and Surgical Materials (1982–1992); Member (1978–1981)  
Member, Toxicology Group, Expanded Programme on Human Reproduction, World Health Organization (1979–1992)  
Member, Committee of Toxicity of Chemicals in Food, Consumer Products and the Environment (1984–1989)  
Member, Committee on Safety of Medicines (1990–1992)  
Member, Committee on Safety of Medicines Advisory Panel (1994–2002)  
Member, Scientific Committee for Pesticides of the Commission of the European Communities (1985–1989)

*Professor Sheila M. Bird CStat FFPH*

MRC Biostatistics Unit, Institute of Public Health, University of Cambridge  
Member of Scientific Pandemic Influenza Advisory Committee  
Inaugural chair of Home Office's Surveys, Design and Statistics Subcommittee and member of Home Office's Scientific Advisory Committee (2004–2009)  
Member of Medicines Commission (1991–1995)  
First Statistician Member of Appraisal Committee for the National Institute for Health and Clinical Excellence (1999–2005)  
Member of Ad Hoc TSE/BSE Sub-Group of EC Scientific Steering Committee (1999–2003)  
Member of Scientific Committee for European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) (2001–2005)  
Member of Arrestees Survey Scientific Advisory Group (2003–2006)  
Member of Government Chief Scientist's Review Panel on use of science by Home Office (2007)  
Member of Medical Research Council/Department Health Research Advisory Group on TSEs (1998–2004)  
Member of Research Council/Department of Health Steering Group for Studies of the prevalence of detectable PrP-SC (1999–2004).

*Professor Janet Bainbridge*

Chair of the Advisory Committee on Novel Foods and Processes (1997–2003)  
Chair of the GM Organisms (contained use) Advisory Committee  
Formerly Vice President Government and Europe of the Centre for Process Innovation (CPI)  
Chair of the HSE Committee Scientific Advisory Committee on Genetic Modification (2003–)  
Chair of the Scientific Advisory Committee on Novel Foods and Processes (1997–2003)  
Member of ACRE (Advisory Committee on Releases into the Environment)

Member of the MHRA Borderline substances review group  
Former Senior Specialist Advisor (Government and Europe) OneNorthEast Regional Development Agency

*Dr Margaret Birtwistle*

General Practitioner Consultant in Addictive Behaviour  
Senior Tutor in Addictive Behaviour, St Georges, University of London  
Member of the Advisory Council on the Misuse of Drugs (ACMD)

*Professor Colin Blakemore FMedSci FRCP (Hon) FIBiol (Hon) FRS*

Professor of Neuroscience, Oxford University  
Chair of the Food Standards Agency's General Advisory Committee on Science  
Chair of the Health Protection Agency's Electromagnetic Fields Discussion Group  
Commissioner of the UK Drug Policy Commission

*Professor Sir Walter Bodmer FRS FMedSci*

Head of Cancer and Immunogenetics Laboratory, Oxford University  
Former Chairman, National Radiological Protection Board (NPRB, now part of HPA)  
Former President, Royal Statistical Society  
Former Director General, ICRF (now part of CRUK)  
Formerly member of the Advisory Board of the Research Councils  
Formerly member of the Biology Board of the Medical Research Council

*Professor Alan R Boobis OBE FSB CBiol FBTS*

Dept of Experimental Medicine and Toxicology, Division of Investigative Science, Imperial College London  
Member of UK Advisory Committee on Pesticides (1997–2002)  
Deputy chairman (2000–2002)  
Chairman of Medical and Toxicology Panel (2000–2002)  
Member of the Veterinary Residues Committee (2001–2004)  
Member of the European Food Safety Authority Scientific Panel on Plant Health, Plant Protection Products and their Residues (PPR) (2003–2009); vice-chair from 2006–2009  
Member of European Food Safety Authority Scientific Committee Working group on the Benchmark Dose (2006–2009)  
Member of European Food Safety Authority Scientific Committee Working Group on Risk–Benefit Assessment (2007–)  
Member of the European Food Safety Authority Scientific Panel on Contaminants in the Food Chain (CONTAM) (2009–)  
Member of WHO Expert Advisory Panel on Food Safety (1997–)  
Member of the Joint FAO/WHO Meeting on Pesticide Residues (1999–); Chair/vice-chair (2003–2007)  
Member of the Joint FAO/WHO Expert Committee on Food Additives (Residues of Veterinary Drugs) (1997–)  
Member of HPA Board Sub-Committee for Radiation, Chemical and Environmental Hazards (2005–)  
Member of Committee on Carcinogenicity (2003–)  
Member of Committee on Toxicity (2003–); vice-chair from 2008

*Professor Gustav Born FRCP FRS*

Emeritus Professor of Pharmacology, University of London  
Member, Committee on Inquiry on the Relationship of the Pharmaceutical Industry with the National Health Services (1965–1967)

*Lord Broers Kt FRS*

Past President, Royal Academy of Engineering  
Past President, now Member, House of Lords Science and Technology Select Committee  
Past Member, CST

*Ian Brown OBE FRCP FFOM*

Chairman of the Pesticide Residues Committee  
Chairman of the Advisory Committee on Animal Feedingstuffs  
Member of the General Advisory Committee on Science  
Member of the Advisory Committee on Toxic Substances

*Professor Alan Bundy*

Professor of Automated Reasoning, University of Edinburgh  
Scottish Scientific Advisory Council

*Professor David Coggon FMedSci*

Occupational and Environmental Health, MRC Environmental Epidemiology Unit, Southampton University  
Chair, Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (2008–)  
Member, Operation TELIC Health Research Programme Review Board (2003–)  
Chair, Mobile Telecommunications and Health Research Programme Management Committee (2008–)  
FSA General Advisory Committee on Science (2008–)  
Chair of the Depleted Uranium Oversight Board (Ministry of Defence) (2001–2007)  
Chair of the UK government's Advisory Committee on Pesticides (2000–05)  
Member of the Advisory Group on Non–Ionising Radiation (Health Protection Agency)  
Member of the Industrial Injuries Advisory Council  
Member of the Expert Panel on Air Quality Standards  
Member of the Stewart Committee on Mobile Phone Technology

*Sir David Cox FRS*

Former President, Royal Statistical Society

*Professor Robert Curnow*

Scientific Committee on Tobacco and Health  
Epidemiology Sub–Group of the Spongiform Encephalopathy Advisory Committee  
Former President, Royal Statistical Society

*Professor Dame Kay Davies CBE DBE FMedSci FRS*

Head of Department of Physiology, Anatomy and Genetics, University of Oxford

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Emeritus Professor of Toxicology, St Bartholomews and the Royal London Hospitals, QMC, University of London  
Former member of Medicines Commission Veterinary Products  
Former member of Gene Therapy Advisory Committee  
Former member of Committee on Toxicity  
Former member of Committee on the Medical Effects of Air Pollutants (COMEAP)  
Former member of Advisory Committee on Pesticides  
Former member of Industrial Injuries Advisory Council  
Advisory Committee on Animal Experimentation  
Advisory Committee on Radiation in the Environment  
Advisory Committee on Industrial Chemicals

*Professor Peter Farmer*

Department of Cancer Studies and Molecular Medicine, University of Leicester  
Chair of Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment (COM)  
Member of Committee on Carcinogenicity (COC)  
Member of General Advisory Committee on Science (GACS)

*Professor Malcolm Ferguson–Smith FRS*

Emeritus Professor of Pathology, University of Cambridge  
Member of Committee, BSE Inquiry

*Lord Flowers FRS*

Former Rector, Imperial College London  
Former Chairman, Royal Commission on Environmental Pollution

*Professor Sir Richard Gardner FRS*

Honorary Professor and Emeritus Royal Society Professor, Universities of Oxford and of York  
Advisory Board for the Research Councils 1988–1992

*Diana Garnham*

Chief Executive, The Science Council  
Chair DBIS Science and Society Science for Careers Expert Group

*Professor Azra Ghani*

Member of Spongiform Encephalopathy Advisory Committee (2007–)

*Professor John Geddes*

Professor of Epidemiological Psychiatry, University of Oxford  
 Member, Technology Appraisal Committee, National Institute for Health and Clinical Excellence (2003–)  
 Member, Health Services and Public Health Research Board, Medical Research Council (2006–2008)  
 Member, Neuroscience and Mental Health Board, Medical Research Council (2008–)

*Christine Gratus*

Independent “lay” representative Scientific Advisory Committee on Nutrition (2003–)  
 Herbal Medicines Advisory Committee (2006–)

*Professor Peter Green FRS*

Professor of Statistics, University of Bristol  
 Former President, Royal Statistical Society

*Professor Norman N Greenwood FRS*

Emeritus Professor, University of Leeds  
 Member of numerous Government Boards and Advisory Committees during a period of over 40 years

*Professor Andrew P. Grieve BSc MSc PhD*

Division of Health & Social Care Research, Department of Public Health Sciences, King’s College  
 Member of UK Food Standards Agency Working party on Variation and Uncertainty in Toxicology Working Party (2004–2005)  
 Member of Commission on Human Medicines Ad Hoc Expert Group on Bioequivalence (2007–)  
 Member of Commission on Human Medicines Expert Advisory Group on Clinical Trials (2007–)  
 Member of Commission on Human Medicines Ad Hoc Expert Group Antibiotics in pre-term labour (2008–2008)

*Professor Hugh Griffiths FREng*

Thales/Royal Academy of Engineering Chair of Radio Frequency Sensors, University College London  
 Chair, Campaign for Science & Engineering

*Professor David Hand*

President, Royal Statistical Society

*Professor Rosemary Hails MBE*

Section Head, Centre for Ecology & Hydrology  
 Member of the Advisory Committee on Releases to the Environment  
 Member for the European Food Safety Authority (EFSA) Environment Working group  
 Chair, Natural Capital Initiative

*Professor Christopher F Higgins FRSE FRSA FMedSci*

Vice-Chancellor and Warden, Durham University  
 Chair, Spongiform Encephalopathy Advisory Committee (SEAC)

*Professor Sir Gabriel Horn FRS*

Emeritus Professor, Department of Zoology, Cambridge  
 Chairman, Working Party Report to Department of Health, Brain science, addiction and drugs Acad Medical Science (2008)  
 Chairman, Working Party Report to DEFRA, Review of the origin of BSE (2001)  
 Chairman, Cambridge University Government Programme (1997–2007)

*Professor Sir Brian Hoskins CBE FRS*

Meteorology Department, University of Reading  
 Director of the Grantham Institute, Imperial College  
 Member of Climate Change Committee  
 Chair Science Review of UKCP09 for Defra, Jan 2009

*Professor Peter Hudson FRS*

Director of Life Sciences, Penn State University  
Previous Science Advisor to The House of Commons Standing Committee on Agriculture

*Professor Will Irving*

Professor of Virology, University of Nottingham  
Advisory Group on Hepatitis: Member (1998–2005), Deputy Chair (2006–08), Chair (2009–)  
Member of the Advisory Committee on Dangerous Pathogens (2003–)  
Co-opted Member of the Advisory Council on the Misuse of Drugs Hepatitis C Prevention Working Group (2007–09)  
Chair of the Trent Cohort Study of Patients infected with Hepatitis C Virus

*Professor Les Iversen FRS*

Emeritus Professor of Pharmacology, University of Oxford  
Member of Advisory Council on the Misuse of Drugs, ACMD (2003–)

*Professor Alan Jackson*

Professor of Human Nutrition, University of Southampton  
Chair, Scientific Advisory Committee, Food Standards Agency / Dept of Health (2000–)  
Member, Committee on Medical Aspects of Food & Nutrition Policy (COMA), Dept of Health (1991–2000)  
Chairman, Working Expert Group on diet & Cancer to COMA, Dept of Health (1993 – 1998)  
Member, Working expert Group on the Nutritional Status of the Population, and Folic Acid Subgroup to COMA, Dept of Health (1995–)

*Professor Michael J Kelly FRS FREng*

Prince Philip Professor of Technology, University of Cambridge  
Former Chief Scientific Adviser to the Department for Communities and Local Government Former Member of the Defence Scientific Advisory Council

*Professor Christopher Kennard FMedSci*

Head, Department of Clinical Neurology, University of Oxford  
Chairman, Neuroscience and Mental Health Board, Medical Research Council

*Sir John Kingman FRS*

Emeritus Professor of Mathematical Sciences, University of Cambridge  
Chairman, Science & Engineering Research Council (1981–85)  
Chairman, Statistics Commission (2000–03)

*Lord Krebs Kt FRS FMed Sci*

Principal, Jesus College, Oxford  
Chairman of the UK Food Standards Agency (2000–2005)  
Member and Chair of sub-group for UK Climate Change Committee  
Chairman of the Royal Society's Science Policy Advisory Group  
Chairman, UK Science and Technology Honours Committee  
Chair, enquiry by the Science and Technology Select Committee into Nanotechnology and Food (2009)

*Professor Chris Leaver CBE FRS FRSE*

Emeritus Professor of Plant Science, University of Oxford  
Former member of ACOST  
Member of GM Science Review

*Lord Lewis of Newnham FRS*

Former Professor of Inorganic Chemistry, University of Cambridge  
Former Chairman, Royal Commission on Environmental Pollution

*Professor Denise Lievesley CStat ACSS*

Professor of Social Statistics and Head of School of Social Science and Public Policy, King's College London  
Former president of the Royal Statistical Society and the International Statistical Institute

*Professor Peter Liss CBE FRS*

Professorial Fellow, School of Environmental Sciences, University of East Anglia  
Royal Commission on Environmental Pollution  
Global Environmental Change Committee

Marine Science Coordination Committee: Chair of Marine Data and Information Network, and Chair Underwater Sound Forum

*Dr Robin Lovell-Badge FRS*

Head of Division, Stem Cell Biology and Developmental Genetics, MRC National Institute for Medical Research

Co-opted member, Scientific and Clinical Advances Advisory Committee of the HFEA

Ad hoc advice to Government and Parliament on issues to do with embryology, stem cells and genetics, for example leading up to the HFE Act (2008)

*Dr John Marsden*

Reader in Addiction Psychology, Institute of Psychiatry, King's College London

Member of Advisory Council on the Misuse of Drugs, ACMD (2005–2009)

*Professor Duncan Maskell*

Head, Department of Veterinary Medicine, University of Cambridge

Marks and Spencer Professor of Farm Animal Health, Food Science and Food Safety

*Professor Peter Matthiessen*

Independent Consultant in Ecotoxicology

Member of the Advisory Committee on Pesticides, and its Environmental Panel

Former member of the Biocides Consultative Committee

*Lord May OM AC Kt FRS*

Joint Professorship Oxford University and Imperial College, London

Former President of The Royal Society (2000–2005)

Former Chief Scientific Adviser to the UK Government

Head of the UK Office of Science and Technology (1995–2000)

Member of the UK Government's Climate Change Committee

*Professor John McWhirter FRS FREng*

Distinguished Research Professor, School of Engineering, Cardiff University

Former Government Scientist (MoD)

Former President of the Institute of Mathematics (IMA)

Chair of the Council of Mathematical Sciences

*Professor Tom Meade DM FRCP FMedSci FRS*

Emeritus Professor of Epidemiology, London School of Hygiene & Tropical Medicine

Chairman (1976) and member of Joint Standing Sub-Committee on Screening in Medical Care (1972–77)

Member of Adverse Reactions Sub-Committee of Committee on Safety of Medicines (1976–82)

Member of joint CSM/JCVI Sub-Committee on Adverse Reactions to Vaccines and Immunological Products (1980–82)

Member GO-Science Review of Department of Health (2007–2008)

*Dr Fiona Measham*

Senior Lecturer in Criminology, Lancaster University

Member of Advisory Council on the Misuse of Drugs, ACMD

*Professor John E Moore*

Clinical Microbiologist, Belfast City Hospital

*Professor Neville Moray*

Emeritus Professor of Applied Cognitive Psychology, University of Surrey

Member of the HSE Nuclear Safety Advisory Committee

*Professor Richard Morris FRS*

Professor of Neuroscience, University of Edinburgh

Coordinator, Foresight Project on Cognitive Systems, Office of Science and Technology, DTI (2002–2006)

*Professor Denis Noble CBE FRS Hon FRCP*

Emeritus Professor and Director of Computational Physiology, University of Oxford

Chairman of Joint Dental Committee (MRC and Departments of Health) 1984–1990

Former Member of government Advisory Group on Science and Technology in Japan

Member of government Advisory Group on Science, Technology and Industry in Korea (DTI) 1994–2004  
Member of Advisory Group on non-ionizing radiation (AGNIR), Health Protection Agency (HPA)  
Chairman of sub-group of AGNIR on Ultrasound

*Professor Sir Paul Nurse FRS*

President, Rockefeller University  
Member of Council of Science and Technology

*Professor David J Nutt MRCP MRCPsych FRCPSych FMedSci*

Edmond J Safra Chair in Neuropsychopharmacology, Imperial College London  
Advisory Council on the Misuse of Drugs (ACMD); member (2000–2009); chair (2008–2009)

*Professor Richard Perham FRS FMedSci*

Emeritus Professor of Structural Biochemistry, University of Cambridge

*Sir Richard Peto FRS*

Professor of Medical Statistics and Epidemiology, University of Oxford  
Member of former DH Scientific Advisory Committee on Tobacco or Health

*Professor David H Phillips*

Institute of Cancer Research, The Royal Marsden  
Chair, Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment  
Member of Committee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment  
Member of General Advisory Committee on Science

*Professor Michael Pilling*

Chair, Air Quality Expert Group 2001–2009

*Professor Chris Pollock CBE*

Director of the Institute of Grassland and Environmental Research, Aberystwyth University  
Chair of the Advisory Committee on Releases to the Environment (ACRE) (1999–)  
Chief Scientific Advisor to the Department of the First Minister of Wales (Welsh Assembly Government)  
Chair of the independent Scientific Steering Committee for the programme of farm-scale evaluations of GM crops  
Chair, Defra Research Priorities Group for Sustainable Farming and Food

*Professor Guy Poppy*

Head of School, Biological Sciences, University of Southampton  
Advisory work for EU, EFSA and DEFRA on the environmental risks of GM crops (1996–)  
Member of Prime Ministers Strategy Unit evaluation team of GM crops (2003–2004)  
Member of Parliamentary and Scientific Committee Delegation to China (2000)

*Professor Chris Rapley CBE*

Director, Science Museum  
Professor of Climate Science, University College London

*Professor Sir Michael Rawlins*

Chairman, National Institute of Health & Clinical Excellence (NICE)  
Chairman, Advisory Council on the Misuse of Drugs (1998–2008)

*Professor David J Read FRS*

Former Vice President of the Royal Society  
Chair of Forestry Commission Advisory Board on Forest Research

*Lord Rees of Ludlow*

President of the Royal Society

*Professor John Shepherd FRS*

Professorial Research Fellow, National Oceanography Centre, University of Southampton  
Member, DEFRA Scientific Advisory Committee & Council (2002–2009)  
Member, EC Scientific & Technical Committee for Fisheries (1983–1986)

*Professor Brian G Spratt CBE FRS FMedSci*

Professor of Molecular Microbiology, Imperial College London  
 Chair, Royal Society Working Group on Health Hazards of Depleted Uranium Munitions (2000–2003)  
 Member, Depleted Uranium Oversight Board, Ministry of Defence (2001–2006)  
 Chair, Independent Review of Safety of Facilities Handling Foot and Mouth Disease Virus, DEFRA 2007  
 Member, Advisory Committee on Dangerous Pathogens (1997–2001)  
 Independent Review for Ministry of Defence on The Health Hazards of the Large-scale Release of Bacteria during the Dorset Defence Trials 1999  
 Member of Council, Defence Scientific Advisory Council (2005–2008)

*Professor Terence Stephenson*

President, Royal College of Paediatrics and Child Health  
 Member, Committee on Safety of Medicines

*Professor Trevor Stuart FIC FRS*

Emeritus Professor and Senior Research Fellow, Imperial College London  
 Member, Council of Science and Engineering Research Council (1989–1994)  
 Former President of the London Mathematical Society (2000–2002)

*Professor Joyce Tait CBE FRSE*

Scientific Adviser, ESRC Innogen Centre, University of Edinburgh  
 Chair, Nuffield Council on Bioethics Working Party on 'New Approaches to Biofuels'  
 Member, Scottish Science Advisory Council  
 Member, Industry and Science Expert Group  
 UK Government Cabinet Office Strategy Unit Study on Costs and Benefits of GM Crops  
 Ex-President, Society for Risk Analysis, Europe

*Professor Martin Taylor FRS*

Physical Secretary and Vice-President of the Royal Society

*Dr Polly Taylor MRCA MRCVS*

European Veterinary Specialist in Anaesthesia  
 Honorary Senior Lecturer, Department of Veterinary Science, University of Bristol; Member of Advisory Council on the Misuse of Drugs, ACMD (2002–)

*Professor Dame Jean Thomas DBE FRS FMedSci*

Biological Secretary and Vice-President of the Royal Society

*Professor of Macromolecular Biochemistry, University of Cambridge**Hazel Thornton*

Honorary Visiting Fellow, Department of Health Sciences, University of Leicester Independent "Lay"  
 Member, Steering Group for the Department of Health NHS Connecting for Health Public Consultation on the Additional Uses of Patient Data

*Professor M P Vessey CBE FRS FMedSci*

Emeritus Professor of Public Health, University of Oxford  
 Chairman, Advisory Committee on Bowel Cancer Screening  
 Member, MHRA Women's Health Expert Advisory Group  
 Member, HPA Advisory Group on Ionising Radiation: Subgroup on Solid Cancer Risk

*Professor Vincent Walsh*

Professor of Human Brain Research, UCL  
 Office of Science & Technology Foresight Life Sciences panel (2002–2003)  
 Royal Society Animal Sciences Committee (2001–2009)  
 Medical Research Council Quinquennial Review Committee of Cognition and Brain Unit, Cambridge (2009)  
 Medical Research Council Cognitive Neuroscience Strategy Group (2009)  
 Medical Research Council Neuroscience & Mental Health Board (2005–2010)  
 Medical Research Council Basic Research Oversight Group (2005–2008)

*Professor Robin A Weiss FRS FMedSci*

Professor of Viral Oncology, University College London  
Former President of the Society for General Microbiology  
Former member of the Department of Health Expert Advisory Group on AIDS  
Former member of the Department of Health Gene Therapy Advisory Committee  
National Biological Standards Board

The Board of the Food Standards Agency has also endorsed the statement.

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**Memorandum submitted by the Campaign for Science & Engineering (PR 16)**

1. The dismissal of Professor David Nutt as chair of the Advisory Council on Misuse of Drugs (ACMD) has shown deficiencies in the government's scientific advisory system. CaSE believes that government should respond to this episode by developing a code of conduct for ministers on scientific advice and advisers based upon the Principles of Treatment of Independent Scientific Advice. It should also consider this episode when updating the Guidelines on Scientific Analysis in Policymaking. There is a need to look at the Code of Conduct for Scientific Advisory Committee as well with respect to this dismissal of advisers. The critical issue is to strengthen the integrity of the scientific advisory system.

**ACADEMIC FREEDOM**

2. The Guidelines on Scientific Advice in Policymaking and the Code of Practice for Scientific Advisory Committees both support and encourage scientific advisers to be open and transparent with their advice and expertise. Therefore membership of a scientific advisory committee should not curtail a scientist's ability to communicate to their peers and the public. The only constraints in terms of participating on scientific advisory committees is with respect to confidential material and that scientific advisers should be clear when they are speaking on behalf of the advisory committee and when they are speaking personally. The Guidelines and the Code of Conduct on Scientific Advisory Committees do not need to be updated in this area.

3. What is needed is for ministers to be made aware that government guidelines both encourage and enable scientific advisers to communicate to the public. The Principles document would help make this happen.

**INDEPENDENCE**

4. The Principles document needs to guarantee the right of scientific advisers to publish or communicate to their peers, parliament or the public about their expertise even if it challenges government policy. If scientific advisers feel that they have to curtail their communication so that it fits with government policy then that will be a grave mistake for science and policymaking.

5. Scientific advisory committees should be protected from political interference in terms of their analysis of the evidence relevant to their remit. However, the scientific advice they have been asked to give is meant to inform policy so there will be a political element to their advisory process. It is appropriate for scientific advisory committees to meet with ministers and senior civil servants to discuss their work. It is also important that when a minister or government department references an advisory committee's work that it is a fair representation of the evidence or their advice. If it is not, scientific advisers need to be free to disclose misrepresentation, censorship, and other abuses of the scientific advisory system.

**MEDIA ENGAGEMENT**

6. Although it is technically possible there should be greater freedom given to scientific advisory committees to use press offices outside of the department they report to. The communication of independent scientific advice for government would benefit from being taken outside of government departments. That way the work of the scientific advisory committee can be debated in its own right.

**CONSIDERATION OF SCIENTIFIC ADVICE**

7. The Principles document sets out some clear statements on how ministers should handle scientific advice. All scientific advisory committee reports must be published unless there are specific statutory limitations, such as national security.

8. Ministers should not undermine the scientific advisory process by taking a specific policy line on an issue after asking for advice and before receiving it. It is the right of ministers to make the policy decision, but if they reject a scientific advisory committee recommendation they should publish their reasons for doing so. Both scientific advisory committees and their members should not be curtailed from discussing the evidence behind rejected recommendations.

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#### DISMISSAL OF SCIENTIFIC ADVISORY COMMITTEE MEMBERS

9. When the Home Secretary removed Professor Nutt from the ACMD he established a new precedent that scientific advisers can be summarily dismissed by ministers. Both the Principles document and the Code of Conduct for Scientific Advisory Committees need to have a statement that gives clarity to ministers and advisers about how and why an adviser can be removed from their position. The Government Chief Scientific Adviser must be consulted prior to a scientific adviser being dismissed from their position by a minister.

#### ROLE OF THE GOVERNMENT CHIEF SCIENTIFIC ADVISER

10. The Government Chief Scientific Adviser (GCSA) has a critical role in ensuring that the ministers appreciate and adhere to the guidelines, codes and principles that govern the scientific advisory system. At the bottom of the Principles document should be the GCSA's name and number. The GCSA should be consulted by ministers when there are issues with science and engineering advice in government. The GCSA should take a more active role when there are issues between ministers and scientific advisers, especially if a minister wants to dismiss a scientific adviser.

#### CONCLUSION

11. The UK's governance of scientific advice has developed and been strengthened in response to crisis. The dismissal of Professor Nutt should be taken as opportunity to strengthen the scientific advisory system as it highlighted serious issues in terms of how ministers handle scientific advisers and advice. There are guidelines and a code of conduct for scientific advisers, what is needed now is a code of conduct for ministers in how they handle scientific advice and advisers that is developed from the Principles document.

Campaign for Science & Engineering

*December 2009*

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#### **Memorandum submitted by Professor David Nutt (PR 17)**

##### OBSERVATIONS RE INDEPENDENT SCIENCE ADVICE TO GOVERNMENT

Thank you for the opportunity to respond to the consultation.

My thoughts are:

1. Any principles of integrity and respect of roles should be bilateral. Ministers should agree not to make supposed scientific comments in contradiction of their scientific advisory committee. In return heads of SACs agree not to stray into areas of politics and policy.
2. Breaches of this agreement should result in appropriate sanctions—upheld for ministers by parliament and for scientists by the government chief scientist.
3. SACs—through their chairs—should report to the minister for science as well as the ministry which funds the SAC; in this way independence will be easier to establish.
4. The defence of “I sacked my advisor because I lost confidence in him/her” should not be allowed.

*Professor David Nutt*

*December 2009*

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#### **Memorandum submitted by Dr Lionel R Milgrom (PR 18)**

##### 1. INTRODUCTION

1.1 The manner and opprobrium surrounding the dismissal of Prof David Nutt were regrettable and understandably have caused much anger in the scientific community.

1.2 All the more reason therefore for the scientific community not to be seen to react inappropriately, and to exercise caution in how it responds to this episode.

1.3 In particular, more time should have been allowed for responses to this Call to be garnered.

1.4 The main purpose of this response therefore is to question some of the perceived underlying assumptions in several of the suggested Principles and to follow their possible development.

1.5 For this is an issue which runs deeper than scientific advice to Government: this is really about the status of science within a free democratic society.

## 2. PRINCIPIA SCIENTIA: QUIS CUSTODIET IPSOS CUSTODES?

2.1 To assert that scientific advisory committees should be free of political and other influences is disingenuous.

2.2 ALL human activities are in essence political—Homo politicus would be a better moniker for our species than Homo sapiens—and in a democratic society science is certainly NOT exempt from politics.

2.3 In addition, as the recent S&TC hearings on a Second Evidence Check for Homeopathy have made only all too clear, no matter how objective scientists might try or indeed claim to be, they sometimes allow their own prejudices to colour their judgements and deliberations, the more so when they claim theirs is the “only truth”.

2.4 In addition, a scientific advisory committee is there to advise democratically elected representatives: they themselves are not democratically elected.

2.5 No matter how flawed the politicians or the political process might be, in the end, it is the people, though their democratically elected representatives who decide whether that advice is taken or not.

2.6 Such a “burden” it could be argued, ought to require a level of education which would enable full appreciation and engagement with all sides of an argument—an enlightened state better described by the German word “bildung”.

2.7 Unfortunately, this is a state that we can only aspire to: nevertheless, it is not the role of scientific advisory committees to presume that because theirs is the only truth, in conducting their deliberations, they must be free of other “extraneous” influences.

2.8 This is not to say they should be biased and partial, but scientists and scientific advisory committees just like everybody else, exist in the real world and are composed of mere human beings. They are not monks in a monastery, or a conclave of cardinals.

2.9 hus, though the wish to be free of political and other influences might be held up as an ideal by scientific advisory boards, it could be perceived as springing (along with the “campaign to keep the libel laws out of science”) from a belief that science should occupy a privileged position in relation to other forms of human endeavour (known as scientism).

2.10 Taken to an extreme, such a belief could be truly dangerous, for we have in the past an example of a society predicated on scientific utopian lines: it was called Nazi Germany.

2.11 In the light of that experience, Professor Martin Ryder (influenced by the German philosopher Jürgen Habermas) had this to say about the role of scientific advice in a democracy, “. . . *Policy can be informed by science, and the best policies take into account the best available scientific reasoning. Law makers are prudent to keep an ear open to science while resisting the rhetoric of the science industry in formulating policy. It is the role of science to serve the primary interests of the polity. But government in a free society is not obliged to serve the interests of science. . . . positivism and scientism move in where the discourse of science lacks self-reflection and where the spokesmen of science exempt themselves from public scrutiny.*”<sup>1</sup>

2.12 In a democratic society, therefore, for better or worse, science has to fight its corner just like everybody else. It is one among many kinds of human endeavour and as such is just as glorious and just as flawed. For, as geneticist and science populariser Professor Steve Jones said, “*Science is a broad church full of narrow minds trained to know even more about even less.*”<sup>2</sup>

2.13 There is also the sentence in the principles about regardless of whether scientific advice is taken or not, its validity still stands . . . until that is, some new theory comes along which invalidates that advice.

2.14 Scientific advice cannot and should not be set in stone: it is always contingent, and to imply or give the impression otherwise, takes scant regard of science’s own history of periodic paradigm shifts. As Wordsworth said, “*Science appears as what in truth she is: not as our glory and absolute boast, but as a succedaneum, and a prop to our infirmity.*”

## CONCLUSIONS

3.1 In the light of the comments above about the relationship between science and government in a democratic society, the principles should be looked at again, particularly those relating to how science advisory committees may or may not be affected by political and/or other influences, and the presumption of longevity of the value of scientific advice.

3.2 Science advisory committees should take heed of Professor Martin Ryder’s warning, “. . . *Policy can be informed by science, and the best policies take into account the best available scientific reasoning. Law makers are prudent to keep an ear open to science while resisting the rhetoric of the science industry in formulating policy. It is the role of science to serve the primary interests of the polity. But government in a free society is not obliged to serve the interests of science. . . . positivism and scientism move in where the discourse of science lacks self-reflection and where the spokesmen of science exempt themselves from public scrutiny.*”<sup>1</sup>

3.3 Perhaps scientific advisors might be better served and their role better defined in relation to civil servants, eg, existing under the same rules, and contracted and remunerated accordingly for their advice.

## REFERENCES

- <sup>1</sup> Ryder M. Scientism. Entry in the Encyclopaedia of Science, Technology, and Ethics. Copyright 2001–2006 by Macmillan Reference USA, an imprint of the Gale Group.
- <sup>2</sup> Jones S. *The Single Helix: a Turn around the World of Science*. London: Little, Brown Book Group, 2005.

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(Scientist, writer, homeopath)

*December 2009*

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**Memorandum submitted by the Health Protection Agency (PR 19)**

The Health Protection Agency (HPA) is a Non-Departmental Public Body reporting to the Department of Health, whose remit and roles is set out in the Health Protection Act of 2004. The Agency's remit is to protect people from hazards to health, including infections, chemicals or radiation. It does this by providing advice and information to the general public, to health professionals such as doctors and nurses, and to national and local government. It also carries out research and development (R&D) to support these roles through its research centres and regional centres. Much of the Agency's R&D is carried out in collaboration with academic institutions both in the UK and abroad and with other Public Sector Research Establishments (PSREs). From April 2009 the HPA incorporated the standards and biological control functions of the National Biological Standards Board.

A critical part of the Agency's role is the provision of expert scientific advice to Government, the NHS and the UK public. This advice is provided through published reports, independent advisory committees, direct advice to senior Government officials and Ministers and also through individual members of HPA staff participating in advisory committees and groups set up by other Government Agencies and Departments. The advice provided by the HPA is always evidence based, whether that evidence comes from the research and surveillance carried out by the Agency, the collation and analysis of the information from a number of sources or by the synthesis of expert opinion. In addition the HPA provides the scientific secretariat for a number of scientific advisory committees and groups for DH and we are not aware of any problems that would necessitate a fundamental change in the Code of Practice. Details of these Committees are provided in Annex A.

Government and the general public are best served if the scientific advice it receives is expert, independent and, where possible, evidence-based. Consequently the people who give that advice, whether as individuals or as committee members, must feel free to express their opinions, but should do so in such a manner that the Government bodies to which they report are made aware of their analysis, judgements or opinion in a timely manner.

Therefore the Health Protection Agency feels that the conditions under which independent scientific advice is sought and given is clearly stated and strongly supports the Code of Practice for Scientific Advisory Committees, published by the Government Office for Science in 2007. Consequently, the HPA also supports the principles set out in the recent statement by Lord Rees where they accord with the Government's own Code of practice.

Therefore the Agency would wish to make only two specific comments on these principles at this stage.

1. The need for an independent Press Office is probably unnecessary, but each committee should be free to make its own arrangements, such as a dedicated press officer and be free to release press statements on their own behalf.
2. If individuals or committees intend to publish statements, data or information, whether in the peer-reviewed scientific literature, at academic meetings or in other public fora, which appear to contradict current Government advice or policy they should alert the relevant Department far enough in advance to enable a response to be prepared. These publications or statements should not be made before the sponsoring Department has released the policy or guidance which may be based on the committees' advice.

Health Protection Agency

*December 2009*

**Annex A**

<i>Committees (Advisory NDPBs) Advising on Communicable Disease/Infection Control</i>	<i>Report to:</i>	<i>Frequency of Meetings</i>	<i>Secretariat Location</i>	<i>DH Policy Sponsor</i>	<i>HPA (Relevant) Programme Lead</i>	<i>HPA Senior Scientific Contact (for committees supported by EASO), or Scientific Secretary</i>
<b>ACDP</b> <sup>2D and E</sup> (Advisory Committee on Dangerous Pathogens)	HSC, HSE, & UK Health & Agriculture Ministers	3 times/year	HPA Virus Reference Dept CfI  Secretariat to be appointed	Maggie Tomlinson	Will vary according to nature of topic under discussion	David Brown (Line manager to secretariat) (also HPA Observer)
— <b>TSE Working Group</b>	ACDP	3–4 times/year	HPA As above	Mark Noterman	N/A	CJD Team
<b>AGH</b> <sup>2B</sup> (Advisory Group on Hepatitis)	UK CMOs	2–3 times/year	HPA (Immunisation Dept) CfI Chris Lucas	Gerry Robb	Maria Zambon	Mary Ramsay (line manager to secretariat) (also HPA Observer)
<b>ARHAI</b> <sup>2A</sup> (Advisory Committee on Antimicrobial Resistance and Healthcare Associated Infections)	Health Ministers (England) <sup>1</sup>	3–4 times/year	HPA – HCAI & AMR Team RMN Marika Collin	Sally Wellstead	Christine McCartney	Christine McCartney (also HPA Observer) (Karen Shaw is secretariat line manager)
<b>EAGA</b> <sup>2B</sup> (Expert Advisory Group on AIDS)	UK CMOs	3 times/year	HPA (EASO)—Linda Lazarus	Gerry Robb	Maria Zambon	Noel Gill (line manager to secretariat) (also HPA Observer)

CMO—Chief Medical Officer; HSC—Health and Safety Commission; HSE—Health and Safety Executive

<i>These Committees are not Advisory NDPBs</i>	<i>Report to:</i>	<i>Frequency of Meetings</i>	<i>Secretariat Location</i>	<i>DH Policy Sponsor</i>	<i>HPA Senior Scientific Contact</i>
<b>NEPNEI</b> <sup>2D and E</sup> (National Expert Panel on New and Emerging Infections)	CMO (England)	Twice yearly	HPA CFI (Zoonoses Team) Georgia Ladbury	Ailsa Wight	Dilys Morgan (also Scientific secretary)
<b>UKAP</b> <sup>2B and C</sup> (United Kingdom Advisory Panel for Healthcare Workers Infected with Blood-borne Viruses)	HPA (to DH through accountability process)	Twice yearly	HPA CFI Team Fortune Ncube/Helen Janecek	Gerry Robb	Noel Gill
<b>CJDIP</b> (CJD Incidents Panel)	UK CMOs via ACDP TSE Working Group	3–4 times/year	HPA CFI (CJD Team) Nicky Connor/Helen Janecek	Mark Noterman	N/A
<b>RRP</b> <sup>2A</sup> (Rapid Review Panel)	DH		HPA (EASO) Chris Gush (currently on secondment at DH)	Brian Duerden	N/A

1. Observers from the Devolved Administrations ensure that scientific expert advice provided by ARHAI is fed back to their relevant administrations.
2. The health protection outcomes from a number of HPA Programmes may also support DH policy needs. HPA Programmes relevant to the SACs above are:
  - To reduce the incidence and consequences of health-care associated infections and antimicrobial resistance (2A).
  - To reduce the incidence and consequences of infection with Hepatitis B and C (2B).
  - To reduce the incidence and consequences of HIV and sexually transmitted diseases (2C).
  - To combat Pandemic Influenza (2D).
  - To prepare and respond to emerging health threats and emergencies including those caused by deliberate release (2E).

<i>Committees (Advisory NDPBs) advising on radiation/chemical/environmental hazards</i>	<i>Reports to:</i>	<i>Frequency of Meetings</i>	<i>Secretariat and Location</i>	<i>DH Policy Sponsor</i>
<b>ARSAC</b> (Administration of Radioactive Substances Adv Cttee)	UK Health Ministers	Twice yearly	Steve Ebdon Jackson/Carolyn Strange/Louise Homer HPA CRCE, Didcot	Ian Chell
<b>COMARE</b> (Cttee on Medical Aspects of Radiation in the Environment)	All UK Govt Depts	Four times a year	Steve Ebdon Jackson/Emma Petty HPA CRCE, Didcot	Ian Chell
<b>COMEAP</b> (Cttee on the Medical Effects of Air Pollutants)	All UK Govt Depts and Agencies		Heather Walton/Isabella Myers HPA CRCE, Didcot	Paul Holley
<b>COC</b> (Cttee on Carcinogenicity of Chemicals in food, Consumer Products and the Environment)	CMO England and Chair of FSA Board		Frances Pollitt (HPA) Jointly by HPA CRCE & FSA	Paul Holley
<b>COM</b> (Cttee on Mutagenicity of Chemicals in Food, Consumer Products and the Environment)	CMO England and Chair of FSA Board	Three times a year	Jon Battershill (HPA, but based at DH) Jointly by HPA CRCE & FSA	Paul Holley
<b>COT</b> (Cttee on Toxicity of Chemicals in Food, Consumer Products and the Environment)	CMO England and Chair of FSA Board	6–7 times a year	Jon Battershill (HPA based at DH) Jointly by HPA CRCE & FSA	Paul Holley

The HPA Programmes relevant to the above committees are:

- To protect against the adverse health effects of acute and chronic exposure to chemicals, poisons and other environmental hazards.
- To improve protection against the adverse effects of exposure to ionising and non-ionising radiation.

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**Memorandum submitted by the Medical Research Council (PR 20)**

**INTRODUCTION**

1. This evidence is submitted by the Medical Research Council (MRC) and represents the independent views of the research council. It does not include or necessarily reflect the views of the other UK research councils, Research Councils UK or the Department for Business, Innovation and Skills.

2. The views expressed expand on public statements made by Sir Leszek Borysiewicz, Chief Executive Officer of the MRC.

**RESPONSE**

3. In providing evidence to the Select Committee's Inquiry, "*Putting Science and Engineering at the Heart of Government Policy*", the UK Research Councils stated the view that effective policy-making must be based on research evidence from across the entire spectrum and that all policies should be evidence-based and that policy-makers should use advice and evidence from a wide range of sources.<sup>1</sup>

4. Scientific advisory committees, such as the Advisory Council on the Misuse of Drugs, play an essential role in informing government policy and in providing mechanisms for policy-makers and scientists to work together effectively. The MRC views that the recent dismissal of the chief drugs adviser created a regrettable situation that has a potentially negative effect on the relationship between scientists and government.

5. The MRC supports elements of the Statement of Principles for the Treatment of Independent Scientific Advice issued by senior scientists and advisors as they relate to academic freedom, independence of operation and the proper consideration of advice. We welcome the Government's consideration of the development of a set of principles to underpin the relationship between government and independent scientific advisors, and which would support existing guidance. The research councils are contributing to the review being undertaken by Professor Beddington and Lord Drayson. We believe that the development of a clear set of principles would play an important role in consolidating relationships between scientists and government that may have been affected by recent events. Any principles that may be developed must recognise the responsibilities senior scientists have to engage in academic debate and should provide clarity on expressing the capacity in which they might be speaking.

6. The MRC strongly defends academic freedom and supports the need for scientists, particularly in the capacity as members of advisory committees, to present findings based on sound research. It is crucial that UK policy is based on evidence and that scientists are able to offer unfettered advice without the fear of reprisal. This principle should be the backbone of scientific engagement with government.

7. The MRC accepts that scientific evidence should shape rather than dictate government policy. It is important that scientists who serve on government committees recognise this and that they are also provided with assurances that the advice they provide is considered appropriately.

8. In the response to the Committee's Inquiry on 'Putting Science and Engineering at the Heart of Government Policy' the UK Research Councils called for greater transparency in Government research policy formulation. The MRC believes that feedback on how the evidence submitted in response to consultations has been used, or where it has not been used would encourage the research community to provide input to consultations and help ensure that policies are based on the best possible evidence.

9. Expert advisers must also appreciate that Ministers may reject their recommendations. However, scientists must be allowed to speak freely and to offer that advice in an entirely unfettered way. If academic freedom is compromised, or is perceived to be compromised, the advice provided may potentially be counterproductive to government. The position should be clarified to ensure the confidence and expertise of advisers is maintained.

10. The Committee may also wish to note that the research councils responded jointly to the 2007 OSI/DIUS consultation on the update to the code of practice for scientific advisory committees.<sup>2</sup>

**REFERENCES**

<sup>1</sup> [www.publications.parliament.uk/pa/cm200809/cmselect/cmduis/168/168we37.htm](http://www.publications.parliament.uk/pa/cm200809/cmselect/cmduis/168/168we37.htm).

<sup>2</sup> [www.mrc.ac.uk/Utilities/Documentrecord/index.htm?d=MRC004180](http://www.mrc.ac.uk/Utilities/Documentrecord/index.htm?d=MRC004180).

Medical Research Council

*December 2009*

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