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The Contested Problem of Public Risk in the UK

Abstract

This paper builds on reports written for the UK government’s Risk, Regulation Advisory Council and suggests that the UK is characterised by the heightened public risk that has marked American society since the late 1960s. In a number of different realms from major food risk controversies through to new patterns of child-rearing, there is evidence that an inflated sense of risk has now become central to the operation and management of British society. Yet a number of different types of problems stand in the way of exploring such a hypothesis. Academically, the risk society thesis has not been empirically explored in an interdisciplinary framework. Empirically, new initiatives to challenge public risk and a more widespread emphasis on ‘evidence based’ policy appear to contradict the hypothesis. Further, examples of risk-centred activity appear selective and occasional. But it is suggested that the elevation of evidence and expertise is consistent with a risk-centred society and also that the dynamics of risk operate in a necessarily disguised fashion. Much more comparative research is needed to explore the hypothesis, as it cannot be readily dismissed and there is little doubt that British society has changed profoundly in late modernity.

The Contested Problem of Public Risk in the UK

Catching up with America?

‘Try to read a newspaper or news magazine, listen to radio, or watch television; on any day some alarm bells will be ringing. What are Americans afraid of? Nothing much, really, except the food they eat, the water they drink, the air they breathe, the land they live on, and the energy they use. In the amazingly short time of fifteen to twenty years, confidence about the physical world has turned into doubt. Once the source of safety, science and technology have become the source of risk.’

(Douglas and Wildavsky 1982: 10)

This was how Mary Douglas and Aaron Wildavsky described the transformation in American attitudes towards everyday risk and hazard from the 1970s, in their landmark study. Although their perspective was not shared by all, it is relatively uncontroversial to recognize that America underwent a radical shift. Historically associated with an unfettered capitalism, rugged individualism and resilient ‘frontier spirit’, the perception of risk suggested by post war public controversies was very different. Responses towards everyday risks were marked by anxious uncertainty and appeared not simply disproportionate, but frequently lacking any tangible evidential basis whatsoever. The British government now considers there is a problem of disproportionately perceived public risk in the UK. The Risk Regulation Advisory Council (RRAC) was set up in late 2007 with the support of the Prime Minister to practically engage with the problem following an outlining of issues by its predecessor, the Better Regulation Commission. Yet the RRAC’s impact has been modest and it remains contested whether there is a real problem of heightened public risk which can be realistically addressed (Dodds 2007).

Particularly in retrospect it is quite clear that significant change took place within American society, and landmarks in its chronological evolution have been identified. The earliest major environmental public risk controversy was over the fluoridation of the water supply, from the 1950s (Sapolsky 1969; Crain et al 1967). The end of that decade saw the first of many food scares, over cranberries (Sapolsky 1986). In neither case was there any clear proof of harm; the pattern was rather one of an anticipation of possible harm in the context of contested uncertainty. The cranberry scare followed the identification of a potentially dangerous herbicide on cranberry plants. The better known, defining alarms of the 1970s were little different. The scare over the additive, alar, to apples was initiated by a report suggesting the possibility of harm rather than there being actual victims who had fallen ill having eaten the fruit (Fumento 1993; Wigand 1994). Similarly, the Love Canal episode in upstate New York was the result of a process of escalation by risk entrepreneurs, media and state officials creating a sense of potential catastrophe, following a report suggesting chromosome damage might occur among residents close to the disused canal (Tarr and Jacobson 1987; Sunstein 2004).

The latter episode, in particular, made a significant impact both in financial terms and in consolidating the risk-averse consciousness described by Douglas and Wildavsky. Love Canal led to the passing of the ‘Superfund’ legislation in 1980 for cleaning up

potentially hazardous waste sites, costing at least \$20 billion. Following the politicisation of chemical waste sites, Americans have consistently ranked it as their biggest environmental concern since the late 1970s, as the spectre of 'toxic pollution' became one that exercised the public and intellectual imagination (Burgess 2004: 238-243). The impact of the alar scare was superficially more temporary but had a more long-term effect on the market, in the manner of subsequent food alarms internationally. There was a temporary collapse in sales but a more significant bankruptcy of smaller producers unable to shoulder immediate financial losses and subsequent regulatory restrictions. A similar consequence was evident with the legal attacks on products legally deemed hazardous; the era of the mass risk tort was announced with the first successful product liability litigation in 1973 over asbestos, as over 200,000 lawsuits were eventually filed and litigation moved on to drugs, contraceptives and other products (Foster et al 1999).

The radical disjuncture between the perception and demonstrable evidence of risk was at the core of the American experience and was reflected both in intellectual and policy terms. Although a precautionary regulatory approach has come to be identified as distinctively European (such as over GMOs) it was innovated in the US with the Delaney Clause of 1958. This amendment to the Food and Drug Act stipulated that any possible carcinogen could no longer be used, irrespective of the scientifically critical question of dosage. It was the Delaney Clause that led to the cranberry scare of 1959. It was only on this precautionary basis that a crisis could be triggered simply by the identification of a chemical.

The growth of public risk controversies stimulated the emergence of modern risk analysis. The first of thousands of articles attempting to explain the disjuncture between the extent of risk acceptability within science and among the public identified the extent to which they were voluntarily experienced and involved perceived benefits (Starr 1969). The notion of 'phantom risk' was coined to describe how a hazard only hypothetical in scientific terms could nonetheless acquire legal reality (Foster, Bernstein and Huber 1999). Most influentially the psychometric paradigm pioneered by Slovic (1987) built on notions related to those put forward by Starr. More practically, accounts consciously sought to challenge what was regarded as a damaging culture of risk, even fear (Sapolsky 1986; Fumento 1993; Glassner 1999). Internet based campaigning against the 'junk science' seen to invariably underlie disproportionate claims of risk, particularly as presented in the media, became influential in American culture which remains characterised by a pro-scientific orientation as well as a risk-averse one.

Such developments appeared distinctively American in the 1970s. A British social scientist observed in 1979 that: 'Americans seem to have taken an excessively strict interpretation of risk, reducing 'reasonable risk' practically to 'zero risk' (cited in Vogel 1986: 187). It was against the standard of greater risk tolerance characteristic of the UK still in the 1970s that such observations were made. Other scholars have elaborated upon what then appeared a profound and culturally entrenched contrast (Jasanoff 1987). Since that time the British approach to regulation and public risk more generally may have been transformed, to 'catch up' with America. Following American scares over cranberries and alar, the UK announced its own era of risk controversies with the public/political scandals over 'natural' food contamination, most notably listeria and salmonella (Booker and North 2007). Initially more focused

on food than the chemical contamination characteristic in the US, these were not simply one-off incidents but accumulated into a recurrent pattern that culminated with the 'mad cow' disease scandal of 1997. Public health promotion was another area where an approach that heightened rather than balanced risk became evident in the UK, with the early presentation of AIDS as an undifferentiated peril where everyone was 'at risk' (Burgess 2007). The language of risk also developed in the UK as a substitute for more traditional means of proscription. Arguments against practices that would have been cast in moral/legal terms such as taking drugs or bearing children outside marriage began to be cast in 'harm based' terms of how such practices increase risk factors (Ericsson and Doyle 2003). In different realms of public and professional life from the media, to parenting and personal injury, it could be argued that the UK may have followed a similar trajectory to the US. This follows the speculation by Jasanoff (1990) that American exceptionalism was eroding.

One indicator of the UK's changing approach to risk is how frequently and around what issues it chooses to conduct major public inquiries. Experiences of a more modest scale became the subject of public and institutional attention from the 1980s and gave public expression to new ways of thinking about risk. There are more inquiries since the 1980s, and they increasingly consider matters of public risk rather than the traditional concerns such as the conduct of wars, political corruption and law and order (Burgess 2008b). The same, very public tool of public risk – the public inquiry - was applied to events and experiences of diminishing scale, such as the murder of the two schoolgirls in the town of Soham in 2003. The framing and discourse of response to these exceptional events was to present them as consistently illustrative of wider failings, of an 'institutionalised' culture of complacency, even negligence. Through hindsight the notion of the accidental has diminished through the routinization of inquiries, and with it the extent of risk tolerance. The scale and responses to events such as rail crashes is one way in which it can be relatively clearly indicated that the UK has become less risk tolerant. The number of rail-related deaths has declined consistently and continues to do so, yet reactions suggest otherwise. It remains commonly assumed that rail safety has declined, probably because of privatization, yet this is not the case (Burgess 2008b). As well as public inquiries, ministerial interventions promising that 'no expense would be spared' to prevent another crash of any scale may have played their role in creating such unrealistic expectations based on false data. In a comparative context it is not easy to identify any other country that is so sensitive to rail-related accidents, nor so ready to interpret them in a symptomatic rather than accidental fashion.

The sense of Britain following the American path is illustrated by how a popular UK book on the 'culture of fear' followed one with exactly the same title in the U.S. (Glassner 1999; Furedi 2002). Transformation, even Americanisation has been identified in other socio-cultural domains where the stoical 'stiff upper lip' being eroded by the more public emoting associated with American society (Booth 2007). More substantially Moran (2003) explores what he sees as the extraordinary transformation from a mode of governance based on informality, 'club rule' and a resilient 'stiff upper lip' to one that is much more comparable to the United States. He analyses how Britain has become a new kind of interventionist state colonizing and dominating every aspect of civil society more thoroughly than in the post war welfare state period.

Within the study of regulation, research has examined whether there has been a process whereby Europe has 'caught up' with, or even surpassed the originally distinctively American approach to risk. It is suggested that there has been a subsequent reversal of regulatory orientations, such that Europe can now be seen as being more restrictive than the US. In what has become established as the 'flip flop' hypothesis, Vogel (2003: 557) suggests:

In a number of important respects, European regulatory politics and policies over the last fifteen years resemble those of the United States between the late 1960s and the mid 1980s. They are often politicized, highly contentious and characterized by a suspicion of science and a mistrust of both government and industry. By contrast, the US regulation of GMOs resembles the European regulatory style of the 1970s: regulators have worked cooperatively with industry and been supportive of technological innovation, while non-governmental organizations (NGOs) have enjoyed little access to the policy process.

Vogel attributes the 'new politics of consumer and environmental regulation in Europe' to three principal causes: 'a series of regulatory failures with Europe, broader and stronger political support for more stringent and comprehensive regulatory standards...and the growth of in the regulatory competence of the European Union'. Burgess (2001) adds that consumer and environmental protection was consciously evolved to restore public trust and provide a contemporary identify for beleaguered European institutions. Wiener and his colleagues have established through case studies that the relative extent of precaution applied is issue specific but there is at least a slight shift toward greater precaution in Europe (Wiener and Rogers 2002; Hammitt et al 2005).

Yet the risk-centred character of British society has scarcely been explored. Moran's analysis remains unusual, as changes in the UK during the last two decades are seen in more general terms as an indistinguishable aspect of Britain's adaptation to a modernizing world. It is not straightforward to substantiate the impression that Britain has become more risk-centred, not least because it can be argued that it is the changing nature of the problems facing regulators rather than the regulation in its own right that has changed. Some accounts dismiss the notion of institutionalised risk aversion, suggesting that the highlighting of actually very selective examples is driven by a libertarian or pro-market agenda (Dodds 2007). Greater risk tolerance, even contesting of risk is here said to wrongly question the continued need for the state to protect citizens from risk. Specific and high profile components of a risk-centred society such as the existence of a 'compensation culture' have been challenged (BRTF 2004; Williams 2005). Such findings reflect a wider sense that risk constitutes little more than outrageous and ridiculous examples of 'health and safety madness' where, for example, harmless activities are now banned. Such stories are identified with the reviled conservative newspaper the Daily Mail, and are widely assumed to be exaggerated or even fictitious. Even for popular critics of risk it is perhaps only part of a more general abandonment of a traditional 'common sense', driven by over-zealous bureaucracy and related to (American inspired) 'political correctness' (When 2004).

What also appears to contradict any notion of a British 'risk society' is the very extensive insistence on all policy and decision-making being 'evidence based'. Not only traditionally and necessarily evidence-based areas of science and medicine but professional and public life more widely in Britain are marked by an emphasis on the need to be backed up by evidence, statistics and targets. More generally the overall thesis of the 'risk society' associated with Beck and Giddens has been attacked and its purported pervasive sense of uncertainty empirically challenged (Taylor-Gooby 2005; Atkinson 2007). Traditional sociology views the Beck/Giddens thesis as overplaying the extent of change, and downplaying the continued centrality of traditional factors such as class and gender inequality.

Risk Society, but not Risk *Societies*

Before examining some evidence for the UK now being centred around risk like its American cousin, it is useful to provide some context for the lack of academic investigation and establish some key characteristics of risk in the contemporary way suggested by the Beck/Giddens thesis. The notion of the 'risk society' is a familiar one in sociology, particularly in Europe, following Ulrich Beck's introduction of the concept through his book of the same name back in 1992.

There is no established academic framework for considering whether the UK has come to resemble the risk-averse model of the US. This is partly because Beck's original elaboration of a risk society was one of social theory, with little empirical substantiation or attention to the political realm of actors and forces. More political research has considered risk, in the so-called 'governmentality' perspective inspired by Foucault (Burchell, Gordon and Miller 1991; Rose 1999). But the concern here is with how risk is used instrumentally to disguise power relations in particular circumstances rather than with building up an analysis of whether particular nations can now be defined by the centrality of risk. There is a small amount of research which considers 'risk regimes', inspired by the cultural theory of Mary Douglas. As she began asking why some risks were elevated above others, Hood and colleagues have examined particular policy domains and issues from a similar perspective. The approach is 'still in its infancy' (Hood, Rothstein and Baldwin 2001: 186). Importantly for the purposes of this discussion, overall national 'risk regimes' have not yet been considered.

There are comparative international studies of political culture but these have not yet incorporated the specific theme of risk. Hofstede (2003) and Chokhar, Brodbeck and House (2007) examine different cultures and their consequences for behaviour and organizational patterns and leadership. Inglehart's research on 'post-material society' is perhaps of most direct application for developing comparative risk studies. Inglehart (1997) looks at a database of changes in public opinion in 43 countries and finds that, around 1990, a majority of people in the U.S. and other advanced industrial societies ranked 'postmodern' or 'post-materialist' values above 'modern' or 'materialist' values. In third place and rapidly disappearing are 'traditional' values. In his view, values such as environmentalism are only really imaginable in a society that has largely satisfied its material wants and now has the 'luxury' of worrying about 'post material' values. In the same way, the 'risk society' is one that has substantially

transcended fundamental material needs and the categories such as class with which it is associated.

An important problem with the notion of risk is how widely it can be interpreted. There are always potential risks confronting any society. These were generally far more real and extensive in pre-modern and classical modernity. What is so different is the ironically more heightened, pessimistic and singular way in which they are experienced in the late modern, post-1960s era. What are the characteristics of risk in this context? There are many answers to this question, but it certainly concerns the attempt to calculate the dimensions of uncertainty (Taylor-Gooby and Zinn 2006). One characteristic that is reasonably clear and potentially useful in further exploring the hypothesis is the suggestion that issues and concerns related to uncertainty, risk and security will displace or at least sit alongside the traditionally defining issues of classical modernity: class, gender and race. Further, in the late modern era when risk has acquired a more negative than positive connotation, it can be understood as the probability of a given hazard causing harm. But the really distinctive characteristic of the contemporary late modern conception of risk is the erosion of a specific understanding of these probabilities. A key dynamic of the risk society is to imply that a much wider population is 'at risk', instead of the relatively specific population with a demonstrably elevated vulnerability characteristically perceived in modernity. This blurring of probability leads to the radical disjuncture between the perception and actual dimensions of risk that has been at the heart of social risk analysis since its inception.

Even the most generalised and real hazard imaginable – global warming – involves quite distinct probabilities when we consider it as an actual risk. That is to say that it is low lying nations that are threatened by rising sea levels (such as Vietnam), especially those less well economically equipped to defend themselves and cope with the consequences. Likewise, AIDS is an actually quite specific threat, to high risk groups, because of its method of infection: intravenous drug users, male homosexuals engaged in unprotected sex and, primarily in the African context, those with concurrent sexual partners (Chin 2007; Pisani 2008). Unsurprisingly, real biological, social and economic factors combine to constitute these risks, like all others, in a relatively specific fashion. A defining characteristic of the risk society, by contrast, is the denial not only of uncertainty but of the specific probabilities involved in classically defined risk; instead of specific risk, the net is cast far more widely such that we are all implied to be more or less 'at risk'. In Beck's terms risk has been 'democratized', not only is it no longer visible and calculable but it is not confined and socially differentiated (Taylor-Gooby and Zinn 2006).

The most important aspect of the sociological critique of science that is also part of the risk society perspective is its denial of uncertainty. The (selective) denial of uncertainty in science and medicine, in particular, is indeed a key risk society characteristic. Effectively, uncertainty is reified and embodied into tangible risks, making them apparently more manageable - at the expense of communicating a more honest picture of the actually uncertain hazard. Thus the uncertainty surrounding the long term effects of 'excessive' food or alcohol consumption for the individual have been effectively displaced in the UK by the projection of apparent certainty that both will lead to harm. As certainly as classical moral discourse led to 'demons' and 'panics', the post-moral discourse of risk has its own targets, albeit ones targeted in

the ostensibly scientific and non-judgemental language of risk and harm (Ericson and Doyle 2003).

Considering notions associated with risk in relation to possible, specific risk societies does not concern the number of significant risks a particular society is facing and the adequacy of its ability to deal with them. Following the approach of Douglas and Wildavsky (1999) we are concerned with identifying which risks a particular society chooses to elevate, the framework in which they are understood and the character of the response that is thought appropriate. In considering these issues in particular contexts we are considering whether there is evidence of a 'post material' consciousness and politics marked by the projection of undifferentiated risk in the context of uncertainty. Consider the example of the current (1998-9) scandal in China over children's milk. Infant formula contaminated with the industrial chemical melamine has been blamed for the deaths of at least six children and making nearly 300,000 others ill after milk suppliers mixed the nitrogen-rich powder into raw milk in order to fool quality tests for protein (Tedmanson 2008). It would appear to be an issue entirely consistent with the food contamination alarms that struck Britain from the late 1980s (Booker and North 2007). Likewise the current milk scandal concerns food safety, is understood to represent a breach of trust and is now involving claims for compensation, suggesting further similarities. Yet differences from European responses are not only apparent in the public penitence which the factory managers are obliged to undergo, and the possible death penalties they face. Substantially the Chinese milk scandal appears to have more in common with the adulteration scandals of classical modernity than the anxious crises of the late modern risk society.

The scandal has been contained rather than generalised, and is not characterised by manufactured uncertainty, despite inevitable uncertainty regarding the extent and character of effects. The milk scandal is relatively specific and is not necessarily seen as symptomatic of a wider malaise within modern, industrialised society, in the way that food concerns are now routinely interpreted in the West (Burgess 2008a). The key food scandal of the risk society, BSE, by contrast, concerns the systemic character of the late modern production process. The Chinese population as a whole is not said to be 'at risk' and it is understood that the problem will be fundamentally resolved now that the guilty parties have been brought to justice. Further, there would appear to be little compunction about the treatment of animals for consumption in China which is a subplot of Western food scandals and a clearly post-materialist dimension (as in a society that worries about the ethics of animal treatment is likely to have fulfilled its basic wants).

Despite the different historical periods, the milk scandal is more suggestive of early modern consumer attacks focused on unregulated and corruptibly raw capitalism. *The Jungle*, first published by journalist Upton Sinclair in 1906, exposed the shocking practices of the American meat industry and led directly to new regulation. Now past 40 editions, the book is a classic tale read by almost every American child, indicating how an acceptance of the need for strict regulation of food and drugs has long been central to modern American society. Going further back, food contamination scandals and subsequent regulation are characteristic of the development of countries such as the UK from early modern times.

This is not to suggest there are not similarities and continuities between the understanding and response towards issues in classical and late modernity. A heightened elevation of the distinction between the natural and unnatural is logically and historically common to food controversies, as is concern with corporate profiteering. At the same time, the intensity with which this conviction is held (and reflected, for example, in sales of 'natural' organic foods) would appear to differ markedly between, say, the UK and China, and this difference can be seen as suggestive of a quite different socio-psychological make-up. Health scandals in the West are marked by a much more pervasive sense of mistrust of the corporate system as a whole than the more contained scandal over milk. By other sociological indicators such as patterns of suicide and of sexual relations China would appear to be classically modern rather than post materialist risk society (Baudelot and Establet 2008; FIND SEX REF). In the simplest terms it seems that an economically dynamic China appears too busy to much bother itself with the implications – ethical or otherwise – of any hazards it might face!

The Public Face of British Risk Society

There are some grounds for suggesting that there may also have been a more specific 'flip-flop' of British and American approaches, such that the UK can now be regarded as a risk society as developed as the US. There are certainly some striking parallels. The regulatory response to risk has changed dramatically in Britain over the last thirty years. Vogel's classic 1986 account of a contrast between a litigious and adversarial regulatory culture in the United States and a British culture stresses informal resolution of issues and a culture of consensus between regulators and regulated. Such a distinction can no longer be so readily sustained, however, as this informality has been substantially eroded from the mid 1980s in the UK. Oligarchic 'club rule' and the self regulation that accompanied it became unsustainable and was replaced by a restless 'interventionist state which is colonizing, dominating, and centralizing hitherto independent domains of civil society' (Moran 2003). The 1980s saw the spreading rituals of the 'audit society', and later, the 'risk management of everything' (Power 1997; 2004). During this period there was increasing resort by the state to formal audit mechanisms in spheres where there previously existed high trust norms. Greater transparency and openness may have been welcomed in comparison to the closed 'club rule' of the past, but the formalising and expansion of regulation that has accompanied this process assumes, and may even discourage more informal trust relations. Characteristically risk assessment and management is no longer confined to spheres such as engineering and insurance where it can have real meaning and consequence.

Unlike in broader regulatory terms, the UK appears quite distinct or at least a more concentrated embodiment of more diffuse trends towards risk-centredness in continental Europe. The authoritative Eurobarometer survey (EC 2007) found that Britons are markedly more concerned about crime than the European average; 44% of UK citizens listed crime as one of the two most important issues, as against an average 24% across the European Union. The differential in anxiety about immigration is even more marked, with 39% of Britons seeing it as one of the two most important issues facing the country compared to a Community average of only 15%. By contrast, the balance is reversed in relation to some more 'traditional'

economic-related issues. The overriding concern of most non- British Europeans remains unemployment and inflation. Differences suggested by this data traverse the structural (reflected in the employment situation) through to personal anxiety.

This picture bears out elements of the 'risk society' thesis, the basis for which is the displacement of 'traditional' and more collective issues of class and resources by individualised risk-related anxiety. In this sense it can be suggested that the UK is a indeed a risk society, and Portugal, for example, is not. They suggest that anxiety about criminals and foreigners has filled a vacuum of concern created by a declining salience of traditional issues of prices and employment in the UK. It will be interesting to see if the recession which began in 2008 will stimulate a shift back towards economic concerns in Britain. Other relevant comparative statistics from the Eurobarometer are those on trust - of government and the press. Britons are distinct in their degree of mistrust of the press; with only 21% saying they trust the press - a figure less than half the 44% European average. Whilst mistrust of authority is a key component of contemporary risk culture it has also been an endemic feature of Southern European societies in particular, where the state has been historically weak and unstable. What is significant here is not the comparative figures but the significant decline within the UK over the last decades, as trust of British government was significantly higher in the pre-risk society past.

Poll data suggest underlying changes, but it is changes in governance and politics that are more striking. Most visible are what are variously described as major 'panics' over risks to public health and wellbeing. These cannot be easily dismissed as atypical 'moments of madness' in an otherwise unchanged landscape. Booker and North (2007) delineate British panics as a phenomenon in their own right and trace their evolution. There is a preliminary period between 1981-8 when different food scares began to combine, and between 1990-4 a process of institutionalisation through enhanced health and safety regimes and indirect accommodation to the new climate. The most significant risk alarm, over 'mad cow disease' has shaped European politics and the UK's relationship with Europe more than any other single issue (Booker and North 2007; Packer 2006).

The tendency for over responsive reactions appears particularly marked in the sphere of health lifestyle risk, and government intervention in this sphere is as marked as it is problematic. Accompanied by the 'rights revolution', regulation moved from the economic to social spheres firstly in the United States, and with it expectations of public protection from workplace and consumer risk (Sunstein 1990). Similar developments occurred in the UK in the 1980s, with the new politics of 'citizens charters', for example (Burgess 2001). In academic writing the domain of *government* has expanded to '*governmentality*'; systems of control that expand beyond the traditional instruments of state (Burchell, Gordon and Miller 1991; Rose 1999). The realm of personal health, even wellbeing is now being 'colonised' according to such perspectives, in a process that is inherently problematic. Most tangibly there have been institutional experiments in the UK that mirror the successful American innovation of the 1970s which saw federal bodies such as the Environmental Protection Agency created to defuse and depoliticise risk controversies. The Food Standards Agency was created in the UK following the BSE controversy with the same intention, and ultimately to try and restore trust in government's handling of food risk. More broadly there is widespread change in emphasizing public

engagement rather than education in all matters of science and technology that, again, mirrors American developments (Burgess 2004).

Another very visible face of the risk society is the elevated threat of Islamic-inspired terrorism (Beck 2002). Contemporary terrorism has been recast in the Anglo-American context as an ever-present threat with no defined limit on its capacity to strike (Carr 2006). Precaution has been made routine (Wiener 2006). It is now accepted that everyday life should be systematically inconvenienced; organised around the possibility of random attack despite longstanding recognition that such curtailing of democracy represents the success of terrorist objectives. By historical contrast, the more organised threat of Irish Republican terrorism up to the 1990s met with a quite different political response. Former Prime Minister Margaret Thatcher epitomised a resilient determination never to 'give in to terror' by changing routines or otherwise compromising democracy. Famously, following the bombing by the IRA of the Conservative Party conference in Brighton in 1984 - and with it Thatcher's own near assassination - she insisted the conference must go on as normal and she was seen out shopping for new clothes the next day in order to make that possible. Further, terrorists should be denied the 'oxygen of publicity' and scarcely mentioned in public, in Thatcher's view, as the army and counter-intelligence forces set about the practical work of undermining terrorist operations. Although the precautionary response to terrorism is not unique to the Anglo-American world, there is evidence that it is there most intense and, in the case of the UK, the contrast with previous policy towards terrorism particularly striking.

It is through the media that these public risks have been communicated and it is unsurprising that they have become closely identified with, even synonymous with risk in the UK. The media 'do not necessarily sensationalise risks' and 'mechanistic and deterministic models of the media' are of little use (Kitzinger and Reilly 1997, 13). Nonetheless the UK media appear distinctive in choosing to consciously campaign and problematise certain issues such as mobile phones (Burgess 2004); the MMR childhood vaccine (Fitzpatrick 2004; Horton 2004); genetically modified foods (Frewer Miles and Marsh 2002) an cloning and genetic research (Hargreaves, Lewis and Speers 2003). Research indicates how the British media have distinctively amplified health risks compared to other countries (Burgess 2004; Hoijer, Lidskog and Thorberg 2006). Also very striking in the UK is the extent to which government is responsive to the concerns that the media choose to raise. It is not unusual for government officials and even the Prime Minister himself to appear in newspapers explaining how they are now taking a particular risk seriously following media campaigning. Former Health Secretary, Alan Milburn, was characterised by his readiness to readily respond to concerns promoted in the media. In late 2001 he rushed legislation through parliament in the name of 'public anxiety' about human cloning. In a double-page spread, accompanied by a picture of him reading their newspaper, one of Milburn's successors, John Reid (2003) appeared under the headline, 'I salute Sunday Express for its hospital crusade' (over 'super bugs'). In more recent example, Prime Minister, Gordon Brown, immediately called on food watchdogs, manufacturers and the European Union to take action against food additives following a widely publicised single study suggesting they might affect children's behaviour (Webster and Sanderson 2007). Extending the fight against health threats to terrorism, Brown used the populist daily, *The Sun* (14 November 2007, p.8) to engage the British public, in an article entitled: 'I need your help to beat

terrorists'. In the state defined by Moran (2003) as 'hyper responsive', politicians appear to find it very tempting to try and engage – and thereby amplify, even construct - public anxiety through the media.

The Phantom World of Risk and the Evidence-Based Contradiction

Occasional public risk alarms and a changed style of regulation and response to terrorism – all communicated alarmingly through a risk-centred media – are significant developments but by no means convincing proof that the UK has become a risk society. These public and often political faces of risk do not directly relate to its more social dimension: how professional, everyday and even private life may have come to reorganise themselves around the spectre of risk. It is useful to also consider these other dimensions, particularly because the essence of risk in society is necessarily rather hidden. Because we are concerned with how the individual, institutions and society adapt to the spectre of risk rather than focusing on the tangible risks themselves, it is necessary to look beneath the surface of how social trends might appear to be largely unchanged. We need to consider more intangible social domains; for example a sense of heightened risk even in intimate relations in the UK (Bulcroft et al 2000; Lewis 2006).

The most developed focus for discussion of the UK following an American path in terms of risk is in relation to compensation culture, and these developments usefully illustrate the often hidden nature of risk-oriented change. Since the 1990s there has been widespread discussion of what has come to be known as a ‘compensation culture’ in the UK, driven by newspaper stories of large compensation pay-outs for seemingly trivial injuries. Personal injury lawyers advertise their services on television following the privatisation of aspects of the personal injury system. Some academic accounts suggest that: ‘loose talk of a compensation culture’ is something benefiting newspapers and the insurance industry, but lacking a clear evidential basis (Williams 2005: 514). Another major report dismissed it as a media construction, albeit one with real consequences (BRTF 2004). Yet litigation around personal injury illustrates very well the disguised nature of risk-related activity and why it is necessary to consider different measures and indicators of what might be really going on. Using court statistics, it would appear quite clear that there is no compensation culture in the UK. Since the early 1990s, the number of civil claims heard has been falling, from nearly 20,000 in the High Court in the 1990s to around 4,000 by the end of the decade (Brown 2002). Yet looking at claims-making rather than whether these claims end up in court presents a quite different picture. The important area of negligence action against the National Health Service (NHS) is illustrative and representative of wider trends. NHS Trusts’ litigation costs reached over £500 million in 2000, up from £85 million in 1991. The amount paid out in damages in 2007 was up to £660m, as the fees health trusts must pay the NHS Litigation Authority for its clinical negligence scheme increased by over 50% (£713m in 2009-10 compared with £467m in 2008) (Health Service Journal 2008).

The disjuncture between the formal appearance of declining legal actions and its increasing costs on the other is explained by the way that the majority of claim making takes place on the fringes of the legal system. At the same time as the number of negligence claims in the High Court has declined, indicators like insurance payments and local authority budgets show that pay-outs have increased in both amount and frequency. According to the National Health Service Litigation Authority, only three per cent of claims reach court, as the vast majority are settled at a much earlier stage (Brown 2002). Most organizations prefer to settle cases privately, even if they feel confident that they can win. It does not make commercial sense to commit

unpredictable resources and time over several years to fighting a case when the cost of fighting is likely to far exceed the cost of settling. The decline of court trials has, in fact, been paralleled by exponential growth in three areas: court-linked arbitrations, mediation schemes and settlements; the use of quasi-legal arenas and other mediation schemes; and out of court settlements.

Whatever the form through which negligence claims are pursued, they have real consequences with the reorganisation of professional practice. Doctors, especially in the US but also in Britain, are concerned with the threat of litigation. A 2001 poll of more than 700 UK doctors revealed that two thirds were practicing defensive medicine as a result of 'compensation culture' (BBC 2001). It should be added that risk culture in this case, like others, is differential and uneven in its impact; more exposed and risky operations and branches of medicine are affected more than others. What strengthens perceptions of vulnerability is the recognition that institutions are unlikely to vigorously defend legal claims, compounding a sense of exposure. Commercial opinion polls also indicate a parallel, greater preparedness of the public to sue even hospitals and schools, in what appears an indication of a more individualized perspective and demise of a more collective sense of ownership of health provision and education (BBC 2000).

This is not to suggest there is a British 'compensation culture' the same as is constituted in the US. The American personal injury legal system has its roots in a grand scheme of 1960s social engineering, when judges embarked upon the creation of a system to effectively compensate for the lack of a welfare state (White 1985; Horowitz 1992). Where critics of 'compensation culture' are on stronger ground is in highlighting how changes in professional practice that are ostensibly because of a fear of litigation actually cannot be explained in these direct terms. The spectre of being sued for professional malpractice is actually a remote one in most professions, yet is a prospect that exercises the collective imagination and stimulates changes to practice. Risk assessments must be completed before embarking upon even undergraduate dissertations in some UK universities now, for example. Support for such measures among academics is based on a sense that this may prove a prudent protective measure in case of subsequent legal action by students. Yet student litigation is very limited; virtually unknown among undergraduates. Following the analysis of Power (2004) it would appear that such 'risk management of everything' is the product of a heightened sense of uncertainty among academics and a sense that they might be left to fend for themselves by their institutions should their conduct be called into question, rather than a direct reaction to legal activity.

Concern about risk aversion in the UK is also marked in relation to its damaging impact upon children's development, popularly captured by the expression: 'cotton wool kids' (children wrapped in cotton wool – in other words overprotected and thereby ironically unable to deal with risk as they grow older). This has led to recent reports by royal societies and not-for-profit organizations, as well as books that have made a public impact (Palmer 2006; Gill 2007; RSA 2007; Jones 2006) as well as academic research on risk and children (Piper, Powell and Smith 2006; Jenkins 2007). The problem of spaces where children can play without adult supervision has emerged as a key focus as the retreat of children from public spaces into the individualized world of computer games in their bedroom (Ball, Gill and Spiegel 2009). The relatively stable scale of threats against which reactions have changed can be clearly

indicated in the case of children. The number of child murders per year has stayed relatively constant at around 79 since the 1970s, 11 of which are, on average, committed by a stranger. Some evidence points to a diminished threat to children. Despite the greater number of cars on the road, the number of children killed in accidents has fallen dramatically; in 1976, for example, 668 under-16s were killed on the roads but only 166 in 2004. About 150 children drowned a year in the 1970s, whilst in recent years it has fallen to 40-50 (Creighton 2004).

Recent comparative historical research estimates how far from home children have been allowed to play, and suggests a gradual but very marked limiting of freedom (Bird 2007). Focusing on different generations of the same family, the example is cited of one great grandparent regularly walked six miles to his favourite fishing haunt without adult supervision in 1926. His son-in-law, when aged eight in 1950, was allowed to walk for one mile on his own to the local woods. The great-grandson, aged 8 in 2007, is driven the few minutes to school, taken by car to a safe place to ride his bike and can roam no more than 300 yards from home. Interviews make clear that the curtailment is not solely motivated by increasing amounts of traffic, but also parental anxieties about paedophiles and other anxieties. The report argues that children suffer mentally as a consequence. The most recent report by Cambridge's Primary Review (2007) found from extensive interviews that primary school children and their parents are suffering from 'deep anxiety' about modern life and pessimism about the future. Many expressed concern about global warming and pollution, the gulf between rich and poor, terrorism, the stress of government education tests, road safety, physical dangers, and the sense that young children have to grow up too soon. 'Some were also worried by the gloomy tenor of 'what you hear on the news' or by a generalised fear of strangers, burglars and street violence,' the report said. Many interviewees contrasted current circumstances to their own childhoods, 'when they roamed the streets, fields and woods unsupervised and without regard for traffic or strangers, and had ample time to do so.'

Gillies (2005) suggests that mistrust of 'strangers' is common to working class mothers who feel that the family is a safe haven relative to the threats and disappointments of the public world. What might be regarded as most disturbing is evidence of withdrawal from the most basic of interactions; the touching of children by adults charged with their care. Research has shown that there is a widespread trend even among nursery workers dealing with very young children to withdraw from physical contact compared to the past (Piper, Powell and Smith 2007). Significantly, it was not clear evidence of potential parental litigation that led carers to avoid contact but a more unconscious, indirect process. The overall picture is not one of parents and carers living in paranoid fear. Perceptions of risk are strong among parents of teenagers but this does not necessarily translate into curtailed independence given the exigencies of working parents.¹ Instead there is a process of negotiation in which the child is actively involved. The dynamics of contemporary parenting in the UK are rather of negotiating with uncertainty and in isolation about what to do in circumstances where norms are unclear and official signals confusing. The experience of uncertainty can lead to withdrawal. This was the case with many parents over the MMR vaccine, where the argument between what appeared to be conflicting experts

¹ Lewis, Sarre and Burton 2006

created a sense of doubt and, ultimately, the sense that it might ultimately be best to simply avoid the vaccine (Fitzpatrick 2004; Horton 2004).

There are underlying trends in parenting and litigation that further suggest we can meaningfully consider Britain to be a risk society, but there are others that suggest otherwise. Other developments such as the increased popularity of dangerous sports in the UK, and more widely, might seem to contradict the proposition of a more risk-averse society (Simon 2002). A few points are pertinent here. Firstly, upon inspection many experiences packaged as 'risky' are actually highly controlled, indicating their consistency with risk norms. Secondly, and this particularly applies to more authentically risky activities, the search for such experiences suggests an escape from a perceived norm of constrained risk-aversion; it can be argued that it is precisely because risk has been so thoroughly (if inconsistently) banished from social life that a need is felt by some to consciously seek it out (Lupton and Tulloch 2002). Finally, the suggestion that society has become more risk-centred does not suggest that individuals have become timid, and this is not the point of thinking socially about such trends. There are socio-psychological implications in realms such as 'cotton wool' child rearing, but these may also suggest an increase in the quest for artificial exposure to risk as the 'real' exposure to risk during the life course diminishes.

Another apparently contradictory trend is the widespread and recent insistence in British policy making and professional activity that everything must be 'evidence based'. The expression 'evidence based' is applied to numerous domains beyond its natural home in science and medicine, to evidence-based human resources management (Kearns 2008) and evidence based public policy making (Boaz et al 2008), for example. The media, like government, demonstrate an increased tendency to rely upon evidence-based or at least data-led stories. Those who want to 'sell' a story to the modern news media know its chances are all the stronger if it can be presented as being based on new research findings, even if of only modest scale or significance. One commentator on news media trends notes how 19 stories in five recent issues of the *Daily Mail* relied almost wholly on statistical data (Wilby 2007). In an age where authority is no longer trusted it is often only apparently neutral expertise and numbers that remain credible. The elevation of apparently neutral expertise is an important component of the technocratic risk society.

The elevation and generalisation of 'evidence based' approaches is a legacy of the BSE experience, particularly in science-related matters. But in many respects this was not a straightforward 'lesson' of the handling of the BSE crisis. Ministers had actually followed the available scientific advice, perhaps too much so, as the political tendency to 'hide behind' scientific advice first became clear (Packer 2004). As political fears grew around the issue and the handling of risk issues more generally in the 1990s it became comfortable for politicians to present themselves as those bringing the latest scientific news to the public, rather than using scientific advice as one of several inputs into the decision making process through which political leaders judge and justify their decisions. Particularly since the BSE experience a widespread determination has developed among individuals in public life to ensure that no mistakes or crises will be blamed on them. Blame avoidance is backed up by the unofficial motto of contemporary British political life, that there should be no crises 'on my watch'. In the more individualized environment of the risk society the first

principle is not effective service or duty, but ensuring that inevitable crises and subsequent blame attribution is directed elsewhere.

Thus the apparently contradictory emphasis upon evidence and expertise should be understood in the context of the imperative for defensive blame shifting and avoidance (Hood 2007). This follows parallel trends in the US for politicians to avoid blame by, for example, delegating substantive rulemaking authority to nongovernmental organizations (Weimer 2006). 'Evidence' in this sense is really providing some form of formalised paper trail, be that in the form of a risk assessment or other means of indicating that risk was anticipated and warned against. In this respect the risk assessment is a means of shifting responsibility to others, including actual victims. This is the real politics of risk. It is an extension of the 'rituals of audit society' suggested by Power (1997) where a paper trail must be constructed that diverts responsibility and blame. Identifying this trend does not imply that policy making should not be informed by evidence (if not directly 'based' on it), and certainly that the insistence upon an evidence based approach to science and health, in particular, is an important fight yet to be won.

The Need for Comparative Research

A popular understanding of risk in society is of occasional over-reactions to potential dangers, often triggered or even orchestrated by the media. Thinking about risk in more substantive historical socio-political terms requires a far broader and substantive conception. Risk concerns individuated responses to uncertainty that are both denied and inflated by authority.

It is important to draw together evidence from different levels and spheres of society to identify common trends and patterns. Further, it must be recognised that it is in the nature of the risk society that some trends are not easily uncovered and interpreted. The key issue is responses to perceived risk rather than direct, measurable risks themselves, and this remains an often hidden phenomenon that is only identifiable negatively with withdrawal from particular activities and practices. The hazard itself in the perception of risk is, at least, secondary. The substance of the risk society is the generally hidden and privatized anxiety experienced in relation to personal and family health and security. Subtle changes in behaviour can follow, that accumulate into quite different social patterns and psychology. Writing on the apparently powerful parental fears for child welfare in the UK, Scott, Jackson and Backett-Milburn (1998: 690) note: 'Risk anxiety, by contrast, is a more constant and pervasive feature of everyday consciousness, managed through every day practices; it might be fuelled by public discussions of risk, but individuals are left to find their own ways of coping with the uncertainty it engenders'. It means that in the UK the experience of childhood is typically one where only highly formalised social engagement takes place. The highly important politics of risk, meanwhile, are an equally important and relatively neglected aspect that requires further consideration.

We cannot conclude with certainty from evidence presented here that Britain has become a risk society. It can be suggested that any topic is open to being viewed, a priori, through the prism of risk, particularly as the word 'risk' is so flexible in its meaning. The strength of evidence in itself and in combination needs to be assessed

and debated. We can however say with greater certainty that British society has changed profoundly, and its means of regulation and fundamental character are quite different even from the quite recent past. Whether this process of change is distinctive in an international context is a matter for further, comparative investigation. More comparative research is needed. Work such as that of Hofstede (2003), Chokhar, Brodbeck and House (2007), and Inglehart (1997) may be useful starting points. But in considering risk societies we need not only to look at changing values but actually how different societies respond to risk and consider what this might tell us about them. Further we need to consider the changing character of institutions in the manner already so ably begun by Moran (2003) and his categorisation of the 'hyper innovative' risk-centred British state.

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