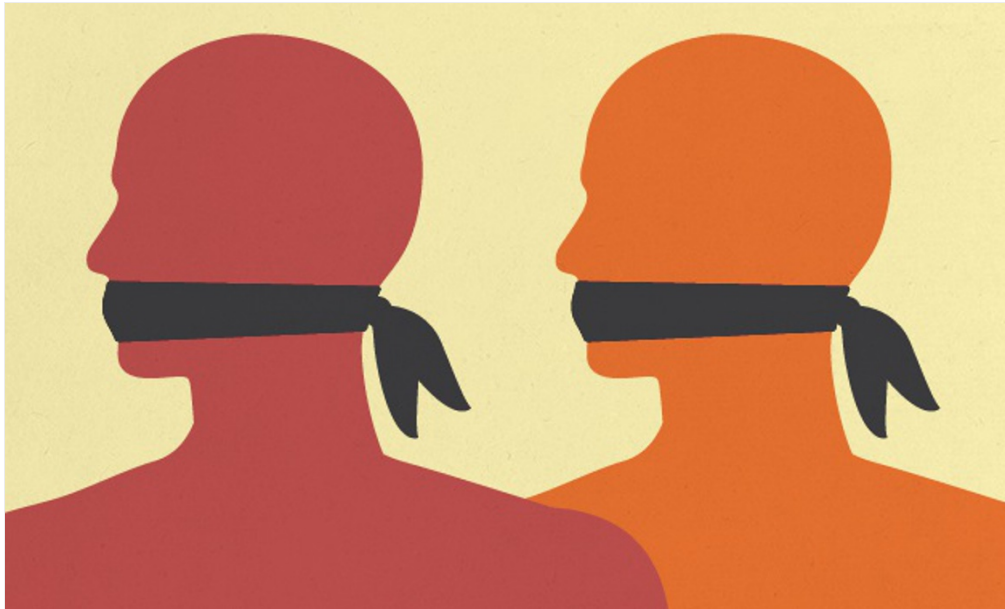


Confusion reigns as UK scientists face government ‘gagging’ clause

No clarity on whether anti-lobbying rule will apply to university funding and science grants.

Daniel Cressey

26 February 2016



UK scientists may be prevented from arguing for changes in national legislation or policy — if research grants are not exempted from a government ban on the use of public funds for political lobbying.

But days after scientists [raised the alarm](#) about the government’s anti-lobbying move, the situation is mired in confusion. The UK government Department for Business, Innovation and Skills (BIS), which is responsible for most of the public cash that is channelled to British researchers and universities, could not confirm to *Nature* whether the lobbying ban — which will apply to government grants from May — will affect science funding. Major UK research funders say that they do not know whether they will have to implement the rule.

“This can only have a further chilling effect on scientists already fearful of speaking out about where the weight of evidence lies on contentious issues”

On 6 February, the government [announced](#) that any groups in receipt of public money will be banned from using those funds to attempt to influence either the government or Parliament. A clause inserted into all government grants starting in May will state that they cannot be used for “activity intended to influence or attempt to influence Parliament, government or political parties ... or attempting to influence legislative or regulatory action”.

In theory, this could mean that scientists at UK universities are not allowed to tell ministers what the policy implications of their work are, or respond to consultations that touch on their area of interest — potentially removing their ability to comment on everything from climate change to medical regulation.

Accidental crackdown?

“It’s clear this has simply come about by accident,” says Bob Ward, policy and communications director at the Grantham Research Institute on Climate Change and the Environment in London. The rule does not seem to be designed to target academics, he says. Rather, scientists have been caught in a move to stop charities and other groups from using public grants to lobby for more money, which one minister has called “the farce of government lobbying government”.

But unless an exception is given to researchers, Ward adds, they will face having to use their own funds to do anything that could be considered lobbying or influencing policy. “If you take it to the letter of the law, it means you couldn’t respond to government

consultations or inquiries,” says Ward. Removing academics from debates over policy would leave such discussions dominated by privately funded lobby groups.

“What about government-funded scientists who advocated a change to the law to allow for research on human-animal hybrid embryos or to legalize mitochondrial DNA transfer? What about new research that finds compelling evidence in one direction or another on the [badger cull](#) or the European Union ban on [bees and pesticides](#)?” says Fiona Fox, chief executive of the London-based [Science Media Centre](#) (which receives some funding from government and some from *Nature*'s publisher).

“It’s important that we don’t exaggerate the impact of this ruling or ascribe intent, but I am wary of complacency, too,” Fox adds. “This can only have a further chilling effect on scientists already fearful of speaking out about where the weight of evidence lies on contentious issues.”

Gaps in guidance

Organizations that award funding on behalf of the government will have to include the clause in the terms and conditions of their grants, according to [guidance](#) on how to implement the change. For scientists, those could be the UK’s seven research-funding bodies, which together give out around £3 billion (US\$4.2 billion) each year to researchers. A spokesman for Research Councils UK — the umbrella group for the seven bodies — told *Nature*: “We are currently working with BIS colleagues to seek clarification on this issue as a matter of urgency. We hope to be able to share guidance with our grant holders soon.”

Another UK funding body — the Higher Education Funding Council for England (HEFCE), which doles out nearly £4 billion per year to universities — also told *Nature* that it was in discussion with the BIS.

Government ministers could remove the clause from some grants, in cases of “exceptional circumstances where applying the clause at all would have unintended consequences that would not benefit the taxpayer”, according to the published guidance.

It is also possible to add a “qualification” that would modify the clause. The guidance suggests that a qualification could apply when a grant is being used to fund “research that could result in recommendations that challenge existing government policy”. But it adds that “this grant recipient would not be permitted to use this same grant funding to run any activities that involve lobbying government”.

The BIS, which is responsible for the research councils and HEFCE, could not confirm to *Nature* whether or not an exception would be granted for science funding. “The government is taking steps through this clause to ensure taxpayer funds are not misused. Guidance published by the Cabinet Office outlines how departments are able to make qualifications to the clause, and we are working with stakeholders to determine how this might apply to the research base,” a spokesperson said.

Nature | doi:10.1038/nature.2016.19454