

# ENGAGEMENT, REPRESENTATIVENESS AND LEGITIMACY IN THE DEVELOPMENT OF FOOD AND NUTRITION POLICY

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## Abstract

In a policy environment that contains structures to enable public engagement, the validity of expressions of public opinion and concern are in part legitimated through constructions of their representativeness. The current paper examined the ways in which various organisations involved in food and nutrition policy development negotiated the legitimacy of their inclusion in policy processes through claims about who they represented and how. This study is set in the context of theoretical considerations around the forms of representativeness that have been identified in the literature. A thematic analysis of 52 interviews with organisations and stakeholders active in the area of food and nutrition policy in the UK, explores these competing modalities of representation and how they are used both to claim legitimacy for self and to discount the claims of others. Different scripts of representation are deployed by various stakeholders and there is evidence of the strategic and the simultaneous deployment of different representativeness claims. The notions of expert representativeness permeate other modalities of representativeness, suggesting that the dominant framework for food and nutrition policy development is based upon technocratic models of decision-making. This highlights the way in which public views can be distanced from the framing of policy questions.

**Keywords:** representativeness; public participation; stakeholders; food; nutrition policy; legitimacy

## **Introduction**

In recent years the ethos of public and stakeholder engagement has become increasingly embedded in governance at all levels across the EU. It is now considered an integral aspect of the European governance agenda and the associated drive for democratic renewal (e.g. EC, 2001; EC 2002; EC, 2006). A series of policy documents, research initiatives and institutional changes reflect the emphasis upon evidence-based policy making, openness and transparency, and greater public and stakeholder involvement. Such involvement is thought to ultimately lead to better decisions by increasing the Commission's responsiveness to publics' needs, which in turn serves to improve public service delivery. It also is thought to contribute to democratic renewal as greater accountability leads to increased legitimacy of, and public trust in, governing institutions.

The White Paper on Governance (EC, 2001) reinforced the culture of consultation and dialogue in the EU by specifying the need for, and the means of, achieving better mechanisms of public and stakeholder involvement. The EU Green Paper on Transparency Initiative (EC, 2002) further developed the general principles and minimum standards on consultation in order to achieve greater consistency in public and stakeholder involvement and more meaningful participation. It stated that *"openness and accountability are important principles for the conduct of organisations when they are seeking to contribute to EU policy development. It must be apparent which interests they represent and how inclusive that representation is."* (2002:17). Thus, achieving representativeness is a key challenge in the drive for democratic renewal, as it is seen to be instrumental in reducing *"the risk of the policy-makers just listening to one side of the argument or of particular groups getting privileged access"* (2002:5). This means that *"the target groups of relevance for consultation need to be identified on the basis of clear criteria"* (EC, 2002:5). What

these criteria are however, is subject to an ongoing academic and policy debate, which reflects the multifaceted nature of the construct itself – both in terms of its theoretical underpinnings as well as the way in which the term is used in the context of public and stakeholder involvement. None the less it is clear that representativeness is considered as a criterion against which the contributions of groups are assessed.

The current paper sets out to explore the representativeness claims of stakeholders involved in the development of food and nutrition policy with respect to the hard to reach. It explores the functions that different claims of representativeness serve in the context of vying for political influence and negotiating inclusion into the policy development process. This venture is set in the context of theoretical considerations around the forms of representativeness that have been identified in the literature (see Brown, 2006 for an overview).

Food provides a valuable context within which to study claims of representativeness. Food, particularly from the perspective of nutrition, is central to public health policy and occupies a pivotal role in the drive towards reduction of health inequalities. It is an area of policy that has become a primary focus of debates around the nature of public trust in government ability to manage risk. The institutional context of food governance is complex and multilayered and characterised by a proliferation of private as well as public interests and of stakeholders that promote them. Finally, given that the physiological, behavioural and emotional responses of consumers are key drivers of food science and policy development, this domain is likely to provide a useful lens for exploring issues of consumer representation.

Within the domain of food policy, our particular focus is upon the representation of those traditionally on the margins of the policy development process: the hard-to

reach groups. Enabling their involvement in policy development process is a key challenge. There is little consensus however over who the hard to reach are. Definitions vary as it is a complex and dynamic concept that operates at individual, community, and group levels (Hills, Le Grand and Piachud, 2002) and will also reflect the aims and preoccupations of those doing the defining. For instance, the term has been used in market research in the context of sampling procedures to denote “hidden populations” (Atkinson and Flint, 2001). In service delivery, on the other hand, the hard to reach are often considered the “underserved”, the groups slipping through the net (Walsh et al, 1993; Bracketz, 2007) either because there are no services available for these groups, or because they fail to access those services. From the point of view of public engagement, the hard to reach are those who do not usually participate (Bracketz, 2007). Both the lack of clarity about who the hard to reach are and the fact that they do not usually represent themselves, makes this particularly fertile ground for exploring representativeness, as claims as to who is being represented by whom are likely to be contested.

For the purposes of the current study it was recognised that identifying a hard to reach group would have to be done in conjunction with policy makers as the definition would depend upon the policy context in which it is formed. In consultation with the FSA officials, it became apparent that older people’s perspectives are not explicitly addressed in the process of food and nutrition policy development of the Agency, despite relatively high poverty rates among the elderly (Bardasi, Jenkins and Rigg, 2002). Our study therefore focused upon claims and counter claims about representativeness of those who ostensibly represented older people’s perspectives in this area.

The remainder of the introduction is structured as follows: first, we will review the ways in which representativeness is constituted in relation to involvement of

consumers. Second, we will briefly set the food policy context within the UK before presenting the results of this study.

### **Representativeness and legitimacy**

Representativeness provides a source from which various actors seek to claim legitimacy, as it ensures that political decisions are to some degree based on the (mediated) will of those who will be affected by them. There have been a number of definitions of representativeness (in part a function of different models of democracy) and numerous attempts to classify different modes of representativeness (e.g. Pitkin, 1967; Brown, 2006; Barnes et al, 2003). In its broadest sense, we can distinguish between statistical representativeness - that is being typical of a class or group; and democratic representativeness which refers to those chosen or self-selected to act or speak on behalf of a wider group (Barnes et al, 2003). It is the latter that provides the most fertile ground for explorations of the contestations of the meanings of representativeness as a function of inclusion into policy processes.

Considerations of democratic representativeness are particularly salient in the context of indirect representation, when the public's will is mediated through organisations and stakeholders. We define stakeholders here as all those organisations and groups who have an interest in the decisions that will affect them. Indirect involvement is an obvious solution to the difficulties of enabling direct engagement in decision-making of all those affected by decisions; it is considered a rational and efficient way of solving the problem of direct participation as it reduces the cost and maximises benefits of public participation (Lowndes, et al, 2001). The legitimacy of indirect involvement is premised upon satisfying the requirement (placed upon the individuals, stakeholders and organisations doing the engagement in policy development) of being in some way representative of the public. Literature

to date has identified several forms of representativeness: formal representativeness, descriptive representativeness and expertise. Below we briefly review the definitions of each of these constructs and highlight the associated conceptual and pragmatic issues (Brown, 2006).

Formal representativeness is a key instrument of legitimisation of government decisions in a modern day representative democracy. It binds representatives to the constituents through elections and communication between elections, and contains two main features: authorisation through votes of the constituents, and accountability which functions to hold public officials to account. Although still considered the most important instrument of public sanctioning of political decision-makers (and in the broadest terms, of the direction that public policies take), formal representativeness is criticised for an elitist view of the representative since the role of a constituent in policy-making is apparently restricted to public participation in periodical elections. Within this type of representativeness publics are excluded from the ongoing process of formulating and sanctioning of policies (Williams, 2002). Furthermore, it is premised upon a possibly problematic assumption that representation exists as a direct consequence of public opinion; or rather that public sphere exists prior to the act of representing (Brown, 2006).

Descriptive representativeness conceives representation in terms of resemblance or similarity between representative and constituent, and is most frequently invoked in the context of selecting community workers or leaders to be representative of a community or a group. It assumes that the representatives who are descriptively similar to those they are representing will spontaneously act in some way favourable to their constituents. Shared experiences are thought to form a backdrop to shared sentiments and beliefs, and the common experiences most relevant for political representation are those involving people's social position with reference to structural

relations of power, which often, but not necessarily, correlate with socio-demographic categories.

There are many shortcomings however, to the validity of defining representativeness based on identification with a constituent group. The relative importance of what are commonly multiple identities held by an individual is difficult to assess (Brown, 2006; Stilgoe and Wilsdon, 2006). The inclusion of groups defined by particular demographic characteristics prioritise these assumed bonds over other, less socially prominent boundaries of commonality and difference (Martin, 2007). Furthermore, it is important to recognise that not all identity groups are interest groups and group identity may coincide or even conflict with any sense of shared interest (Brown, 2006). In addition, an issue commonly associated with representativeness based on identity concerns the effect of the power structure within which the parties are embedded and the professionalization of the representatives (Lowndes, et al, 2001). This may affect perceptions of decision legitimacy if they do not stand up to scrutiny as group representatives.

Arguably each of these variants of representativeness – formal and democratic - implicitly embodies two assumptions. Firstly, that there is a coherent or homogeneous body of public opinion of which it would be possible for a group or person to be representative. Secondly, that the concept of representativeness is based on essentialist notions of the person (Squires, 1998; Lewis, 2000). This is expanded by Barnes (2003. p.383) in relation to the concept of participation: 'Concepts of representation ... raise questions about the role of deliberative forums as sites in which identity is constituted and mobilized rather than as sites in which participants with fixed identities engage in dialogue'. Similarly, Irwin and Michael's (2003) note that values, "are not necessarily 'preformed' or 'fixed' but for many

people 'emerge out of debate, discussion and challenge, as they encounter new facts, insights and judgements contributed by others'(p.50). Representation also implies that it is possible to 'know' what public opinion *is* on a given matter. This is perhaps surprising given that it is now commonplace to see acknowledgements of the heterogeneity of the public – that the public is rather constituted of many publics. In this regard Barnes (2003, p.295-296) notes 'the power of public officials to constitute the public in particular ways; ways that tend to privilege notions of a general public interest and that marginalize the voices of 'counter publics' in the dialogic process'. Characterising views as unrepresentative of the views of broader publics tends to imply homogeneity of public views and a public that are constructed as a genuine, even-handed and largely disengaged body (Horlick-Jones, Walls, Rowe et al, 2004). It is more likely that systematic assessment of those views will uncover diversity and heterogeneity and a range of potentially changeable and ambivalent views aligned around an issue.

In literature, notions of expertise have been both aligned with and contrasted to the notion of representativeness. Reflecting upon the recent rethinking (at both the EU and national levels) about the role of an expert in policy development, Brown (2006; Brown et al, 2005) has introduced the notion of expert representativeness. The role of expert is no longer limited to "speaking truth to power" about technical facts, but is broadened to giving their judgment on behalf of and in the interest of the public – for "public good" (Jasanoff, 2003, 2005; Davies, 1999). In this sense, experts can be seen as representative of the public insofar as they are thought to represent the best interest of the public through the application of the scientific methods for acquiring, and evaluating knowledge and making judgments about its role and significance in informing policy. The role of this type of representativeness has found particular purchase around uncertain or imperceptible risks in which science plays a role in helping calculate their human and environmental costs, and in determining new risks.

Expert representativeness in this sense is most apparent in the rationale for and workings of scientific advisory bodies.

In contrast to the above considerations, expert-based decision-making has often been contrasted with democratic representation. That expertise can be seen as standing in opposition to democratic representation is marked by the questioning of the legitimacy of scientific advice as the only source of expertise, an increased public scrutiny of the choices and recommendations of experts, their independence and accountability for these choices. This has resulted in the calls for democratization of expertise (Jasanoff, 2005) and the recognition of the value of qualities such as experience, understanding and empathy as an important source of technocratic input to expert risk assessment and management (Martin, 2007, Joss and Belucci, 2002). The notions of lay expertise or lay epistemology have been advanced to bridge the divide between democratic representativeness and technocratic expertise. However, there is increasingly a recognition of the blurriness of the attempts to clearly delineate and separate out democratic representativeness and expertise, as both are ideal types (e.g. is scientific deliberation necessarily separate from what the individual scientist values? To what extent is the involved public representing the constituent views it claims to be representing?), and in reality demand complex roles which invoke various qualities (Martin, 2007)

Each of these variants of representativeness are conceptually aligned with a specific model of democracy, are present to varying degrees in different democratic institutions (Brown, 2006), and have a specific view of the public, the role of knowledge, and the mode of political influence (Irwin and Michael, 2003; Rayner, 2007). They are not mutually exclusive of course and there may be an overlap, as, for instance, in ensuring that elected representatives (formal representativeness) match in some way the socio-demographic characteristics of the constituents they

claim to represent (descriptive representativeness)(Parkinson, 2004). Increasingly there is a focus on participatory representativeness with institutions seeking ways of including members of civil society alongside formal and other forms of political representativeness such that there is coherence, efficiency and flexibility in the process of representing the publics on various policy issues. Arguments have been put forward about moving away from 'public debate model' and the associated notions of representativeness, which presupposes the existence of a 'differentiated public' that have 'particular and concrete knowledge and competences' towards the 'co-production of knowledge' model where it is the concerned public that are central to the production and evaluation of knowledge (Callon, 1999). Rayner (2007) argues that this should be sought in conjunction with revitalization of formal representativeness.

### **Food and nutrition policy in the UK**

UK food and nutrition policy is the domain that forms the backdrop of our consideration of the meanings of representativeness and the ways in which they afford legitimacy. This is one of the more complex political arenas as it cuts across a number of government departments whilst both public and private sector stakeholders are significant forces in shaping its development (Lang, 1997; Marsden, et al, 2000). In the wake of crises over salmonella and BSE and the ensuing critique of the legitimacy of expert representativeness, there was considerable pressure to open up the food and nutrition policy-development process. The reliance upon commercial and scientific expertise to shape food and nutrition policy came under fire for the lack of full consideration of consumer concerns and the exclusion of citizens from food-related policy decisions (e.g. Marsden et al, 2000, pp 15). The voluntary sector emerged as a key advocate of consumer perspectives acting to bring the public into the heart of food and nutrition policy debate (Barling and Lang, 2003; Lang

and Heasman, 2004). They emphasised the need for greater independence in regulation of food and nutrition, a more integrated approach (i.e. from “fork to farm”), decentralisation and for more focused collaboration between government departments on food and nutrition issues (Lang and Heasman, 2004). Following the James report in 1997, which advocated reform of the regulation of food and nutrition, the Food Standards Agency (FSA) was set up manifestly to take public health and consumer protection as its first priority in the quest to rebuild public confidence (James Report, 1997; Lang, 2002).

The formation of the FSA was accompanied by a move towards the development of local public health strategies: both local government and health authorities were charged with drawing up public health strategies in partnerships with the voluntary, public and private sector (DETR, 1998, 1999; DoH, 2001). Local level public authorities now share responsibility for food nutrition strategies with private and voluntary sector whilst informing and implementing central level food nutrition policy.

One of the markers of the reform of food and nutrition governance was an explicit emphasis upon a more open and transparent culture, and greater public involvement in decisions about food policy. As a part of this, the FSA established a consumer communication department, the aim of which was in part to set up networks of communication between the Agency and the public, and particularly the hard-to-reach. The rationale for this was to involve in food and nutrition policy development those groups who were traditionally least likely to be represented in policy development yet central to the Agency’s task of reducing health inequalities. This raises the challenge of how to approach, represent and include the “hard-to-reach”.

This paper explores the way in which stakeholders claim to represent the hard-to-reach, particularly focusing on older people. It delineates the ways in which

representativeness is used to legitimise the inclusion or exclusion of different stakeholders' (e.g. voluntary organisations, industry, public sector/local level decision-makers; technical/scientific experts) into/from policy development around food and nutrition.

### **Method and analysis**

Fifty two face to face interviews were conducted with key informants who covered a broad range of organisations, including: commercial sector (retailers and their representatives); voluntary sector (NGOs at both national and local level, community organisations, and projects); public sector at local level (health authorities or PCTs mainly in charge of food nutrition strategy) and experts (both in the area of food and in the area of older age). Thus, the interview data presented here was only with those stakeholders claiming to represent the publics, and not with those receiving those representations and/or making policy.

Informants were identified through a search of relevant organisations and personal contacts. They were first approached by email and this was followed by a telephone call to explain the purpose of the study. Participants were made aware of the focus of the interviews and assured that reporting of the data would not reveal their identity.

Whilst being open enough to allow participants to develop their own lines of argument, the interview schedule was designed to explore four broad areas: the nature of their organisation; food and nutrition policy in the UK; communication with the hard-to-reach; and public participation. Within this, several questions explored how the organisation did or did not purport to represent older people and how, in turn, the organisation discerned the views and needs of older people.

With permission, the interviews were tape-recorded and then fully transcribed. The analysis was carried out with an aid of qualitative analysis software – NVivo. First, within-case analysis was conducted by identifying themes to develop a coding system, which was guided on one hand by the existing literature, and on the other, through inductive analysis of the data. For instance, where applicable their discourse was identified and classified according to the theoretical underpinnings of different notions of representativeness. On the other hand, narratives surrounding legitimisation of input into food policy development were reached inductively. Then, cross-case analysis of the data was conducted to discover regularities within the data – both in terms of similarities and differences within/across the stakeholder groups. The software enabled the latter, by classifying the data by codes and the type of group/stakeholder, which allowed not only a clear categorisation of the rich and complex data, but also the discerning of patterns within the data.

## **The dominance of claims of representativeness in legitimising policy influence**

The interviews provide evidence that invoking or discounting notions of representativeness was a key way in which stakeholders sought to legitimise stakeholder involvement (or lack of it) in the policy process. In the following sections we will discuss how this was done in relation to four key stakeholder groups: voluntary, local level health authorities; corporate; expert.

### **Voluntary sector**

The analysis indicated that voluntary sector organisations discussed representativeness at length, constructing arguments for descriptive and formal as well as expert representativeness.

Descriptive representativeness was particularly salient among the voluntary organisations operating at the local level. In the quote below, the respondent discusses representativeness in terms of place identity that enables an increased sensitivity to, and understanding of, the food related issues locally.

*“I think that because our organisation, the majority of the board of our organisation, are residents who live and work in the areas that we represent, that we do have a very important role in terms of listening to what they have to say, about understanding what it is that they are talking about, because our directors live here too and so they are actually helping to effect change in the areas in which they live, and that’s quite right because they know best what is needed in their area.”*

(Voluntary sector, local level, food and health)

Those NGOs with closer links with central level government on the other hand, resort to formal and expert representativeness as strategies for legitimising inclusion into food policy development. Formal representativeness is constructed by invoking formalised decision-making within the organisation such as having clear procedures in place to deal with conflict, delegate mode of operation, as well as authorisation and accountability of leadership.

*“It’s as inclusive as we can possibly make it. We have elections so that anybody who is on the Electoral Register and over the age of 18 can sit on [the Organisations] Board of Directors.”* (Voluntary sector, central level, older people)

Claims of expert representativeness are particularly salient in the discourses about the relative influence of different organisations in food and nutrition policy making. Here, NGOs construct notions of expertise with the support of two sets of evidence: first, a long-standing relationship of the voluntary organisation with the public and local communities whose voices are otherwise muted or misrepresented; and second, the history of campaigning and in-depth understanding of the core food policy issues.

*“I think also it would be very useful if the government, should think about using the NGO sector to inform the kind of work that they’d like to see happen. You know, rather than having them as consulting stakeholders, have them actually do the preparatory work in the first place, because so many connections have already been made, lots of local good contacts have been made, and a consultant coming in from scratch will need to begin to make those connections from nowhere.”* (Voluntary sector, central level, food and health)

Indeed, such constructions are arguably developed in the context of the growing emphasis upon evidence based policy and contestations around the type of evidence warranting inclusion into considerations for policy. Thus, discussions of permissibility of different types of knowledge (e.g. lay, technical) as evidence for policy are often apparent in conjunction with or in support of the claims of representativeness.

*“The FSA is claiming that, you know, while people like [name of an NGO] have done lots of good work, lots of the information out there is anecdotal and not evidence-based, which is a typical government sector response.”* (Voluntary sector, central level, food and health)

*I have to say that I do question the motives of both the FSA and other governments when they say, oh yes, we really want to talk to genuine consumers not the organisations that claim to represent them, because what they mean by that is we don't like what the organisations are saying to us so we want to find somebody else who says something else so we can justify what we've already decided to do, which sometimes they run into trouble with it, and in fact it's happened on the GM issue. There has been some good research with low income groups, and they have said exactly the same as the rest of the population, so despite their efforts to try to find somebody to say something else, they very often fail.”* (Voluntary sector, central level, food and health)

NGOs face challenges to their claims of representativeness as they are left widely open to the criticism of low accountability, lack of authorisation by the public and their members, and that they are descriptively representative of a very narrow base which disadvantages other sections of the community that are not so organised.

Additionally, concerns are raised by stakeholders about equating interest group with

public interests, seeing them as unrepresentative of all but the most narrow sections of the society.

*“I don’t think consumer groups represent consumers; they represent consumer groups and their interests, and that’s a different thing. It’s some kind of activism, they are activists, and that’s fine, no problem with that, but it’s not necessarily representing what ordinary people think. So I think it’s difficult to identify what ordinary people think, even if they think anything or care, never mind what people who are less likely to be concerned about those issues are, what they think.”* (Expert, food and health)

However, voluntary sector organisations are considered representative of the hard-to-reach in two important ways by other stakeholders: that their advocacy role gives voice to the arguments otherwise unheard in policy process and that they represent a potentially useful conduit to the hard to reach.

*“...voluntary groups are very powerful and their voices are definitely heard .....in health strategy sectors. So I think voluntary groups do represent bottom-up community participation and they are, as I say, in terms of your question, they are the most powerful currently form of representation at the statutory level.”* (Public sector, local level, food and health)

This is echoed by many voluntary sector representatives, representing their organisations as pioneers in public engagement exercises and therefore experts in bringing authentic voices of those concerned by food and nutrition policies. Indeed, many have argued that their campaigning is a result of engaging with the publics and acting as conduits to food policy makers.

*“Another way where effective communication works is where we can actually communicate, not only the concerns of older people but the language in which older people put those concerns and I think that’s very powerful. In some ways campaigners in [name of organisation] have a certain professional way of communicating issues which sometimes is a very worthwhile way of communicating, but sometimes actually it’s much better to either involve an older person, so that older people are actually communicating themselves or giving them information which is research material or clear evidence which is written by older people, because the language is that much more strong and it gets through where sometimes the professional communication that we give might go over their heads”*

(Voluntary sector, central level, older people)

In the context of a dual policy imperative for, on one hand, evidence-based policy and prioritisation of scientific forms of knowledge and knowing, and on the other, an increased emphasis upon public involvement (Stilgoe and Wilsdon, 2006; Irwin, 2007), stakeholders are faced with a dilemma. On one hand they must be seen to be promulgating the notion of expertise based on scientific/technical knowledge. On the other, they need to plausibly align themselves with the public and the value of lay knowledge. This can be resolved by blurring the boundaries between different modes of representativeness, and is most clearly expressed in stakeholders’ negotiation and broadening of expert representativeness to include different forms of knowledge (e.g. expertise by experience as well as those of technical experts). We see this in the idea of “experts in community”, which voluntary sector often draws upon as an attempt to parlay descriptive representativeness into a form of expertise. By broadening the notions of expertise in this way, the NGOs sought to both conform to the existing models of knowledge and views of the publics with an emphasis upon expertise; and simultaneously to deflect the accusations of representing narrow political interests, by claiming expertise by experience.

## Corporate sector

Two forms of representativeness are typically invoked by large retailers: statistical and expert representativeness. It is in the discourses of retailers that the publics are directly invoked in terms of numbers. This discourse is premised upon a notion that retail service reflects the needs of the consumer. In addition, the sheer size of the consumer base and the systems of monitoring consumer behaviour, apparently give the retailer a clear leverage in their knowledge of consumer needs, behaviours and beliefs. Thus powered both with number (of consumers represented) and expertise (based on market research evidence about consumer behaviours and beliefs), the ground is laid for claims about the importance of their role in representing consumers in policy making.

*“Our business tries to appeal to all customers, across all social groups, and we’re very proud of the fact that if you look at how society is broken up by social groups and you look at our customers, they’re very closely aligned. We think that’s much more true of us than of any of the other major food retail businesses. And again, we think, that that is linked to our understanding of customers.”* (Corporate sector)

These two forms of representativeness are constructed as objective and reliable, legitimising inclusion into policy decisions and the assertions that retailers speak for the consumers whom they deliver to. Alternative claims of representativeness are contested as embedded in ideology and a drive for political correctness.

*“On food policy and nutrition, I think, you know, the people who generally work in those areas and who are influential in those areas within government approach the issue from a particular ideological or, you know, perspective, and therefore I think it’s*

*just a fact that they're more comfortable listening to the views of the voluntary sector and other pressure groups, and they are more influential. I just think you just have to look at publications to see that that's true. .... An organisation like [large voluntary organisation] is much more influential than an organisation like [large retailer], even though we have 12 million customers.” (Corporate sector)*

Challenges to such assertions come from many stakeholder groups, not least NGOs and scientific experts, who argue against conceiving of the public in their narrow role as consumers, rather that they should be seen as active citizens engaged in democratic processes.

*“The FSA should be what it set out to be, as a champion of consumers... I don't like the word consumer, but the citizens and people's interest as opposed to the interests of big business”. (Voluntary sector, central level, food and health)*

### **Public health sector at local level (Primary Care Trusts, PCTs)**

Primary Care Trusts' (PCTs) representatives function within a potentially anomalous set of circumstances: unlike local government councillors they are not officially elected, however they are charged with delivering public health policies at the local level. As a result, their actions must stand up to scrutiny not only of the central government officials, but also, ultimately, the local community, to whom they are now explicitly made accountable through open public scrutiny of health services planning and decision-making. In this context the claims of representativeness as a means of justifying legitimacy are primarily made in relation to descriptive and expert modes of representativeness.

In the context of increasingly heterogeneous communities, many representatives of this stakeholder group have recognised that achieving descriptive representativeness is difficult. Explicitly, the legitimacy of the local level health authorities is linked to their ability to draw on local level organisations, develop partnerships and make decisions that reflect descriptively a cross-section of community. This is to some extent evident in the discourses around the role of the authorities in ensuring participation in fora of those groups that are in some way descriptively representative of the community.

*“So the forum represented members of key community groups, be it things like Age Concern - I’m trying to think of all the community groups there were things like some of the particular ethnic minority groups, you know, Congolese, South Asian, Turkish, that kind of thing, the local authority departments, so officers from each of those, from education, social services, people from groups, the voluntary networks, so [...], which are the, like the umbrella organisations for voluntary work. Who else was on that...? People like myself...like I say, just a real cross-section of providers, service providers.”* (Local level governance, health authority)

Surprisingly, however, despite the recognition of the difficulties in achieving descriptive representativeness, this is not necessarily seen as problematic, partly because of the way in which public views are perceived in the context of developing policies where low value is placed upon lay knowledge in general.

*“I think the community members are, and rightly so, a little bit more interested in well, what happens, so they’re interested in stuff that happens now. [...] You know, their interest lies in well, you know, what’s the reality of it all. There are some members that, you know, do show interest in higher level issues but they’re relatively few. And because there are lots of discussions about funding, you know, it’s not always*

*appropriate to have different, lay members on those, although they'd be welcome and people do attend.”* (Local level governance, health authority)

Even though there is an explicit ethos within local level governance bodies of openness and transparency, when asked what role the hard-to-reach should play in food and nutrition policy development, some informants openly questioned the value of involving wider range of publics on all issues of interest to the community. They cast doubt upon the capacity of lay people to participate in food and nutrition policy decision-making, previously well documented as a strategy of exclusion engaged in elected officials (e.g. Barnes et al, 2003). In the following quote this took the form of a reflection about when public participation is meaningful and effective.

*“It is a difficult one because, you know, half of me says they should be completely involved, but the other half is they're not, they don't have the capacity to, and you know, they're busy running their lives. Almost like why should they? Kind of why should they solve the problems that they have to live with, and isn't that what officers of government are there to do, are appointed with, to solve that problem? So, to a certain degree, obviously they should be involved...”* (Local level governance, health authority)

Implicit within the above paragraph is a particular mode of representativeness based on expertise. It is perhaps a response to the expectation (firmly placed upon all levels of government) to engage in evidence-based policy development, which might act to reconceptualise public views as evidence for policy rather than as co-producers of policies. As such, the opinion of the hard-to-reach is sought to provide context for policy or to validate it, rather than to inform its framings. This is exemplified in the paragraph below:

*“The other thing that we did, actually pre-empted the actual strategy - it was trying to use some participatory appraisal group work with, again, some key community groups across the sector, obviously not soundly representative, but to get a qualitative flavour of the types of issues that were coming out, to make sure we weren’t going off, you know, completely wrong and that the views that were coming across were right.”* (Local level governance, health authority)

There is also evidence to suggest that the appointed PCT officials see it as their role to represent the best interests of the local community as seen through the lens of the experts, rather than the community members themselves. Indeed a deficit model of the public is implicit in such contentions.

*“So I guess that was our biggest aim in terms of proper real people consultation and involvement, and then you know, from that, we were able to draw up, well, you know, does the strategy account for those sorts of things, and hopefully it will. If anything, it wasn’t as strong, you know, people weren’t saying some of the things that we know are issues, like food access, for instance, to fruit and vegetables, and costs of these foods. People, it’s almost like their acceptance of the fact that these are just expensive and not necessarily easy to get where they live, but they’re not kind of one of the forefronts of their issues in terms of needing actions, whereas we feel, you know, kind of you know, it should be.”* (Local level governance, health authority)

It is perhaps little wonder that, devoid of authorisation by the public through the official means of election, though accountable to the same publics whilst vying for legitimacy among both the formally elected local councils and consumer groups whose links with local communities are strong and explicit, the most important route to claiming representativeness for PCTs is via claiming expertise in local community.

## Expert groups

There is little evidence in the current data of explicit claims of representing the hard-to-reach being made by any experts approached in this study. Instead, representativeness is given expression in relation to defining and contesting the boundaries of expertise. Possession of certain sorts of expertise is claimed to enhance one's credentials to represent others. Expertise here is most clearly aligned with formulations of representativeness that are linked with abstract political notions of "the greater good", "truth" and "efficiency".

*"I don't see myself as somebody who simply represents the view of a particular group or organised body. I think my concerns are two fold, one is to make public policy in the light of research and evidence and the other is to do what is genuinely effective for older people and I think I've been one of many voices for old people for a long time but I've probably been such a voice for longer than most."* (Expert, academic, older people)

The clearest way of legitimising technical expertise in policy decision making is through expertise based on professional judgment, promulgated by academics and representatives of professional bodies, the group whose relationship to expertise is, at least nominally, the least contested. This way of negotiating expertise is derived from the notion of eminence of the expert in terms of his/her acknowledged expertise and long-standing scientific involvement. An ability to attract government funding, involvement in scientific advisory committees and invitations to review evidence for policy making and provide independent advice was put forward by many academic experts as evidence of credibility of expertise that grants legitimacy in representing the public in the quest for "higher good".

*“If for example I had been asked today for example to find out that there are people around the country and who is most likely to collaborate with me in my research, the first thing I shall do I’ll go and do a literature search for example I put nutritional clinical nutrition and the elderly and look at who is actively researching in this field that’s just one step. That’s just one area where I could look at people and just look at their work and see how relevant their work is to my work and instead of putting an advert outside and saying who would be interested to come because those who are likely interested may not be the one which will match my requirements so I think the selection process has to be more objective and obviously in the days of the internet that’s not difficult to do I don’t think. [...]It is easy to say this person is expert but it is very difficult to say he’s not an expert or she’s not an expert. (Expert, academic, nutrition)*

However, the notion of expertise is contested. Whether true experts are “to be found” on the basis of their longstanding commitment to the scientific issue of relevance to policy making, or whether their salience as opinion formers also counts towards ascriptions of expertise, is hotly debated.

*“I think that it is demonstrable than in my field, ministers chose not to find their advisors amongst the established so-called experts but to find “fresh young people.” [...]Now, who did the government listen to most? The [think tank] and the piece of work that was done by some very able young people who were still at school, probably in infant school, when that book was published and there is no reference to any of the work so they’re the people who have inherited our ideas, they don’t acknowledge them and they’re the ones that get listened to.” (Expert, academic older people)*

Thus, although scientific experts do not openly suggest that they represent the publics, their claims often act to legitimise the use of expert opinion in policy. In this context, the claims and counter claims are shifted away from the issue of representativeness towards that of legitimising expertise – what counts as expertise, its boundaries and routes to policy.

### **Some concluding remarks**

In the current policy climate of public engagement, understanding how public concerns are represented in policy development is partly premised upon how representativeness is constructed. The current paper examined the ways in which various organisations involved in food and nutrition policy development negotiated their legitimacy and inclusion in policy decision-making through their claims of representing the publics. Several themes have emerged from the analysis of stakeholder discourses.

First, the current analysis indicates that there are competing modalities of representation. Although different scripts of representation are deployed by various stakeholders, there is also evidence of the strategic use and simultaneous deployments of different forms of representativeness. Self-representation of representatives is always a strategic act – are they experts or activists, elected or emergent leaders, political or objective? It is apparent in the data that the legitimacy of each stakeholder as a “representative” of the publics is routinely both claimed and challenged. This suggests the power dynamic underlying claims of representativeness.

There is some evidence in the current study that the claims of knowledge and expertise permeate other notions of representativeness. The evidence of

stakeholders negotiating the overlap between expert and other forms of representation suggests that the dominant framework for food and nutrition policy development is based on technocratic model of decision-making that highlights the distance of public views from the framing of policy questions. However, the analysis also revealed that stakeholders are responsive to a policy imperative that their respective positions on food and nutrition policy are partly informed by the interests of the public. In the light of this, expertise is construed not only in relation to the specialist knowledge in the area of importance to food and nutrition policy and scientific eminence, but also in relation to the depth and breadth of relationship with the publics – as for instance expertise in community (Rose, 1999; Chilvers, 2008).

The emphasis upon expert representativeness raises questions about the ways in which the focus upon evidence based policy is reconciled with the clear imperative of public engagement. Indeed, there is a strong drive towards evidence based policy in the UK, as evidence is called upon both in devising new policies and evaluating the success of current policies through performance indicators (Mulgan, 2005). More recently there have been discussions of the necessity to consider a range of expertise to include for instance the “expertise by experience” (Kaplan and Frosch, 2005; Martin, 2007) as a way of bringing public perspective on an equal footing with that of experts. However, there is little indication in the current analysis that the publics are seen as having a role in the co-production of policy. If anything, public views are often treated as evidence for policy rather than as shaping and evaluating it.

This poses the question as to whether it is ever the case that the point of representing the publics is to afford them a role in the shaping of policy. Indeed, implicit in the discourses about representativeness in the current study is the distinction made between representing “public views” and representing “public good”

(as in the case of expert representativeness). Public views however are often inchoate and nebulous and *“the various interests, perspectives, facts, values or opinions are partially constituted by, rather than existing prior to, practices of representation”* (Young, 2000, pp131-131). It is recognised that *“it is in the micro-politics of institutional engagement rather than through officially espoused views or strategies that the public is constituted as actors”* (Barnes et al, 2003, p. 396). Although new forms of participatory representativeness implicitly recognise the fluidity of all knowledge and the crucial role of debate and deliberation in framing and constituting public opinion (Irwin and Michael, 2003; Dryzek, 1998; Barnes et al, 2003), most of the stakeholder conceptualisations of representativeness seem to build upon the view of public views as existing ‘out there’ to be captured and reflected in the discourses of those stakeholders claiming to represent them.

It is also worth noting the alternative interpretations of where stakeholders openly questioned the role that the hard-to-reach should play in policy development. On the one hand, this may indicate that they are questioning the capacity of lay people to participate in policy decision-making, previously well documented as a strategy of exclusion of the publics from the workings of the elected officials, (e.g. Barnes et al, 2003). However, this can also be seen as a reflection about the contexts in which public involvement would be meaningful and effective.

Thus, the diverse and functional deployments of claims of representation of the publics (by different stakeholders) in food and nutrition policy making that are clearly evident here, have potentially problematic implications for policy makers whose efforts in ensuring openness and engagement with a broader spectrum of society in the process of policy development are already challenged by the complex food and nutrition policy arena. It is perhaps important to emphasise that, rather than relying upon “idealised” forms of representation and seeking out stakeholders apparently

matching these criteria, greater attentiveness of policy makers to the discourses deployed by stakeholders to legitimise their representativeness of the publics would ultimately contribute towards increased transparency of food and nutrition policy decisions. Finally, we would suggest that, despite the policy makers' recognition of the imperative of public engagement and democratisation of expertise, there is a need for an increased awareness of the predominantly technocratic framings of policy debate that still permeate the processes of deliberation and debate around food and nutrition. The policy implications of such framings may be the exclusion of the perspectives of the very publics that the Food Standards Agency is seeking to engage.

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