



Governing by think tank? From experts to political ideologues in UK criminal justice and security

Theoretical Criminology
2025, Vol. 29(3) 268–287

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DOI: 10.1177/13624806251339617

journals.sagepub.com/home/tcr



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Abstract

The more criminology has flourished as an academic discipline, the more it has retreated from providing useful knowledge for governments. Management consultancies, lobby organizations and think tanks have quickly filled this gap. Debates about privatization focus on contracting out of police and prisons and rarely consider the influence and ‘insourcing’ of private know-how and private advisors, or their impact on criminal justice, counter-terrorism and security policy. Unlike NGOs and lobby groups for penal reform, think tanks are little studied, even though their political ideology, reliance on private funding and lack of transparency impact democratic politics and public accountability. We ask how and why think tanks became players in steering the futures of criminal justice and security, with what consequences and at what cost to the publicness of public policy.

Keywords

Border control, counter-terrorism, privatization, security, think tanks, public criminology, public policy

In the UK there are over 150 think tanks, most of which were founded between 1990 and 2009. Their growth has irrevocably altered the criminal justice policy-making landscape.

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They fall into three broad types: expert think tanks operating as independent research institutes outside government and universities; those primarily engaged in penal reform; and those that promote political or ideological agendas (Orrico et al., 2022). This last group are politically aligned, typically privately funded and by far the most influential. This article explores the influence of this third type of private think tank on public policy and legal reform. It examines how ‘politically aligned think tanks have outstripped academic influence’ in policy formation, and its consequences and costs for democratic procedure and accountability.

The privatization of policing and punishment, surveillance, security and border control are established topics of criminological enquiry (Bosworth and Zedner, 2022; Button, 2019; Daems and Vander Beken, 2018). Criminologists have paid less attention to the growing influence of politically aligned think tanks. Granted, criminologists and penal reform groups, often working in collaboration, have been a significant impetus for penal reform (Annisson and Paradine, 2024). In a democratic society, the expression of varied viewpoints rightly reflects the diversity of public opinion. We need to distinguish, however, between organizations that pursue research to inform public debate and promote justice and the growing phalanx of private think tanks motivated less by penal reform than the pursuit of partisan ideologies and political power. While there are excellent comparative studies of policy transfer (Jones and Newburn, 2002, 2019; Ogg, 2015) and the influence of non-governmental organizations (NGOs) (Cliquennois, 2020; Lohne, 2019), less has been written about think tanks’ impact on criminal justice policy-making. As private policy institutes and think tanks exert ever-increasing influence over criminal justice, counter-terrorism and border control, their activities, output and impact merit closer scrutiny.

This article examines the rise and role of political think tanks that seek to inform and steer penal policy but whose primary commitment is to maximize political influence. The most influential of these think tanks openly pursue political agendas and attract funding by high net-worth individuals or private foundations, creating problems of transparency. Journalist George Monbiot (2011) makes the alarming claim that ‘the groups which call themselves free-market think tanks are nothing of the kind. They are public relations agencies, secretly lobbying for the corporations and multi-millionaires who finance them.’ While such allegations are difficult to prove, it is clear that some think tanks deploy tactics that overbear established channels of democratic debate and public accountability. Although many think tanks are more akin to research institutes and NGOs, those that are politically partisan and funded by private donors are more problematic.

The output of these political think tanks diverges from academic scholarship and public policy research in its methodology, preference for advocacy over research and promotion of new marketable ideas and populist agendas. They are particularly vocal on issues of public concern, like crime, justice, immigration and security, actively seeking to shape public debate, legislative agendas and public policy (Drezner, 2017). One former think tank director conceded that think tanks fill a ‘need for specialised organisations that work with ideas, analyses and arguments, and that do not need to worry too much about discipline, delivery or responsibility’ (Mulgan, 2006: 147). They challenge social scientists’ role in informing policy by promoting new agendas with little concern for how the government will fund, enact or implement their proposed policies or their social, economic and political consequences.

Such think tanks displace academic expertise, rigorous research, critical analysis and scholarly peer-reviewed findings with the quick digital fix of tweets, blogs, vlogs and other online content. These new modes of communication enjoy a range, speed and hit rate that outstrip traditional academic publishing. In the teeming marketplace of ideas, where public attention is short-lived, those who can grab media headlines have more chance of influencing public debate and engaging politicians and policy-makers. This shift has spawned a new language of marketable ‘know-how’, ‘intellectual energy and ideas’ (Lott-Lavigna, 2023) and ‘policy concepts’ (Mulgan, 2006: 153) that capture the zeitgeist more successfully than research-based, diligent assessments of cost, implementation and impact. Haggerty (2004: 221) observed that ‘as political discourse becomes more televisual and emotive, the rational print-based evidence and arguments traditionally characteristic of academic criminologists are apt to play a reduced role on the political stage’. The flourishing of think tanks owes much to their capacity to channel public concerns, lever digital technologies to float ‘solutions’, engage in ‘intellectual arbitrage’ and exercise a degree of ‘flexibility and entrepreneurialism’ alien to most academics (Mulgan, 2006: 154–155). Whether what think tanks produce can be described as ‘knowledge’ is a moot question. Instead, they sideline scientific research in favour of more influential forms of ‘strategic know-how’ and ‘vision statements’ to create a new ‘global ecology of ideas’ (Garsten, 2024: 110). Unlike commercial consultancies, political think tanks are ideological entrepreneurs: the profits they seek are less financial than political power and influence.

This article draws on academic analyses, official policy papers, think tank reports and news media to consider whether the rise of these political think tanks simply introduces new voices to public debate or risks undermining the democratic values of open, accountable and well-informed criminal justice policy. Section one considers the public character of criminology in post-war Britain and its partial displacement by ideological and technological change. Section two traces the history of political think tanks, their proliferation and challenges to public policy-making. Section three analyses resultant changes in the nature and orientation of policy production, and the politicization and the blurring of public and private domains. Section four explores what is lost when policy-making is privatized and the costs for accountability. Section five substantiates this analysis through case studies of think tanks’ ideological influence on counter-terrorism, security and immigration policy. The conclusion reflects on the troubling claim that we are increasingly governed by think tanks.

Criminology as public knowledge

These developments should be set against the historic role of criminology as a provider of ‘useful knowledge’ to governments (Zedner, 2003). In the UK, the flourishing of post-war criminological knowledge benefited from the growth of the welfare state and its commitment to ensuring social security for all (Garland, 2016). Criminology, dedicated to tackling social problems and pursuing public safety, played a significant role in informing the planning and pursuit of criminal justice and social welfare policies. In turn, the state commissioned and funded criminological research to inform evidence-based policy-making. Close working relations between academics, Home Office

researchers, civil servants and policy-makers fostered the prominent public role of criminology.

The post-war years were the heyday of a social democratic criminology pursued by university and public researchers towards shared goals of liberal governance and evidence-based social welfare. These political and methodological commitments were later eroded by declining faith in the rehabilitative ideal that underpinned post-war penal policy. This decline was famously sparked by Martinson's landmark 1974 article 'What works?' a meta-review of rehabilitation, which grimly concluded 'nothing works' (Martinson, 1974). Less well known was his later partial retraction (Martinson, 1979), but by then collective faith in the 'rehabilitative ideal' was damaged (Garland, 2001: 63). The collapse of confidence in 'the orthodoxies of rehabilitative faith' (Garland, 2001: 54) dented trust in criminological knowledge and undermined respect for expertise and academic authority (Loader, 2006). Not everyone regretted that decline. Leading Norwegian criminologist Nils Christie (1971: 145) famously insisted: 'Our role as criminologists is not first and foremost to be received as useful problem solvers, but as problem raisers.' His view became a defining characteristic of critical criminology.

The idea of criminology as pragmatic, purposive knowledge was challenged in the 1980s by a more combative penal politics amid the radical 'populist and punitive turn' of Thatcherite politics (Loader, 2006: 578). Thatcherism favoured ideological policy formation, dedicated less to shared, public values than party-political programmes, exemplified by populist slogans like 'Lawless Britain' and 'Prison Works'. Garland (2001: 18) later observed, '[t]he "modern" field of crime control is being rapidly reconfigured, in ways that de-centre not only the state's specialist institutions but also the political and criminological rationalities that sustained them'. Advocates of 'public criminology', Loader and Sparks (2011; see also Haggerty, 2004) nonetheless acknowledge that the flourishing of criminology within the academy coincided with the waning of its influence on debate and public policy.

Populist politics and neo-liberal rationalities promoted market competition over state provision of public goods. Roger Hood (2001: 1), whose research informed important penal reforms, later regretted: 'most developments in penal policy over the last decade have emerged not through the influence of criminological ideas or from the application of findings from research ... but from ideological and political considerations fuelled by populist concerns and impulses'. In this inhospitable political environment, criminologists turned their attention inward. As criminology flourished within universities, it prioritized academic criteria over external influence. Publications in leading journals, book contracts and student satisfaction became crucial in tenure decisions and promotions. Those who had long considered themselves primarily sociologists of deviance adopted left realism, feminist and critical criminology and became cynical about reform, preferring the disruptive role of outsiders and 'Crits' (McAra, 2017). As criminologists turned towards their expanding academic community as their primary audience, politicians and policy-makers became less attentive to their research and less reliant on scholarly legitimation for their decisions.

Important too was the accelerating rate of technological change. New technologies and digital capabilities facilitated cybercrime, online theft, fraud and terrorism (Wall, 2007). These new threats generated more sophisticated cybersecurity technologies, new

algorithmic tools for prediction, policing and risk management (Bennett Moses and Chan, 2018; Kehl et al., 2017) and a new profession of cybersecurity experts (Bigo, 2016). This fast-changing and inhospitable climate for academic criminology and public policy development helped create political conditions for think tanks to flourish.

The rise and political influence of the think tank

Yet, the think tank is far from a recent development. In Britain, the Royal United Services Institute for Defence and Security (RUSI) was founded in 1831 and still has considerable influence today (Abelson, 2014: 125). Other early think tanks include the Fabian Society, founded in 1884 by prominent left-wing thinkers, writers and poets. In 1895, a large bequest led them to co-found the London School of Economics, dedicated to 'the study and investigation of the concrete facts of industrial life and the actual working of economic and political relations'.¹ In 1900, Fabian Society members helped found the British Labour Party and the political magazine *New Statesman*, setting a bold precedent for the future political role and influence of the think tank. Such examples reveal the breadth and depth of political influence the earliest think tanks wielded within British politics. Significantly, while the Fabian Society established a first-rate academic institution, the LSE, modern political think tanks rarely show such regard for academic endeavour.

Over the 20th century, many more think tanks were established across the political spectrum. Notable examples in the USA include the Carnegie Endowment for International Peace, founded in 1910, and the Brookings Institute, established in 1916. In the UK, early think tanks were primarily research groups like Political and Economic Planning, founded in 1931, and the National Institute of Economic and Social Research in 1938. Post-war foundations were more overtly political, including the Conservative Political Centre founded in 1945, the Bow Group in 1951 and the Institute of Economic Affairs in 1955 (Denham and Garnett, 1999: 47). Many think tanks established during the Cold War had a security, military or technological remit. The Washington-based RAND Corporation, founded in 1946, was probably the first to be called a 'think tank'. This archetypal think tank sought to mobilize US scientific brainpower in military research and development to inform policy by drawing on applied academic research. Other prominent US think tanks like the Soros Foundation, founded in 1984 by business magnate George Soros, and his Open Society Foundations had a strong, enduring commitment to social justice and civil rights, especially in Eastern Europe.

Under the UK's Thatcher government (1979–1991), think tanks took a different turn. New right-wing think tanks proliferated, promoting economic liberalism and radical free-market economics. Adopting very different tactics that reflected the popularity of 'new public management' (Hood, 1995), they had little regard for academics and more for consultancies (Seabrooke and Sending, 2022). These new think tanks made 'noisy claims' for influence, although most had little experience designing or implementing public policy. Instead, think tanks like the Centre for Policy Studies (1974) and the Adam Smith Institute (1977) issued radical new ideas and proposals with scant concern for how their ideas might work in practice (Denham and Garnett, 1999: 49–51). While they enjoyed an increasingly high profile, proving their direct impact on government is

harder. It is unclear whether their main aim was to steer government policy-making or promote iconoclastic ideas, secure media attention and create networks of influence (Denham and Garnett, 2006). This may explain the fact that while Conservative think tanks and the government were publicly committed to the politics of ‘Law and Order’ and determinedly ‘tough on crime’, research suggests Thatcherite criminal justice policy was less radical in practice than its ideological slogans suggest (Farrall and Hay, 2010).² Their success lay more in creating a new ‘playbook’ or political ecosystem than achieving concrete change.

The 1997 election of the ‘New Labour’ government under Tony Blair marked a profound change in the political role of the think tanks. The traditional model of research institutes seeking to inform public policy-making and uphold the liberal consensus was losing political favour. Established research organizations like the Policy Studies Institute declined in political influence.³ In their place, a new generation of think tanks emerged. Demos, a name reflecting its populist outlook, was founded in 1993, ‘in response to a shortage of new ideas in British politics’.⁴ Demos eschewed academic research in favour of focus groups, ‘threw out ideas almost at random in the hope that they would be rewarded by a newspaper headline’ and was ‘regularly hailed as Labour’s favourite think-tank’ (Denham and Garnett, 1999: 53–54). Blair’s 1993 pledge to ‘be tough on crime, tough on the causes of crime’ was typical of this type of influence and sought to reclaim the realm of law and order once occupied by the Conservatives (Newburn, 2007: 454). Deploying these populist conservative slogans embodied the think tank mantra that bold ideas were more popular with the electorate than evidence-based policy.

The new generation of think tanks preferred promoting populist headlines to commissioning research. Their favoured ‘realm of expertise “political savvy”’ (Haggerty, 2004: 219; see also Bell, 2008) played a troublingly prominent role in subsequent criminal justice policy. While the public profile of expert policy institutes and NGOs declined, more ideological think tanks, often funded by corporations and wealthy donors, won higher visibility and media impact. Although under UK law, charitable status requires political neutrality, the Charity Commission tended to take a permissive approach to politically aligned think tanks giving them the freedom to pursue political agendas mostly unhindered by regulatory oversight.⁵ The next section explores how this licence enabled changes in the form, modes of influence and impact of privately funded think tanks over the following decades.

Changing practices of policy-making

Think tanks have since contributed to significant developments in the sources, modes and fora for ideological exchange and policy formation. They have created new cadres of political influencers, private policy advisors and Special Advisors (SpAds)⁶ whose ideological perspectives and practices form a very different ecosystem of public policy-making. In the decades since Thatcher, the *politicization* of crime made politicians and policy-makers less interested in evidence-based reforms and more concerned to appear responsive to populist demands. Haggerty (2004: 222; Medvetz, 2012) observed that ‘for politicians, the most relevant knowledges are now derived from political polling

and focus groups'. The explosion of new technologies, especially smartphones and social media, rendered policy formation more vulnerable to populist pressures and online lobbying (Drezner, 2017). Experts and academics became less influential than pollsters, spin doctors, bloggers and influencers, who more effectively channel populist concerns about crime, security and social order. While academics still publish mainly in academic journals, often behind subscription-only paywalls, think tanks promote their reports and policy papers on social media and in podcasts, freely accessible online. Their capacity to reach public and political audiences quickly and effectively outstrips academics, who are generally less responsive to populist concerns.

A second significant shift is *insourcing*, or the recruitment of private policy advisors to work within and across government departments. The result is that 'a new consensus has formed between a small group of new elites who enjoy privileged access to the corridors of power' (Bell, 2008: para. 27), not least the fast-growing cadre of SpAds hired to counsel government ministers at 'special' high rates.⁷ Lord O'Neill, a cross-bench peer (non-party political, member of the House of Lords) observed:

You get all these young bright things who have no accountability really to anybody other than the Secretary of State, and so there's the Whitehall bubble and then there's another bubble inside it and they all surround each other in this intense working mode and dream up idea after idea and try to pursue them, without always road-testing things in the real world.

(quoted in Haddon and Zodgekar, 2020)

SpAds recruited from consultancies and political think tanks bring different mentalities, ideological commitments and tactics into government. Some attain high office. For example, Geoff Mulgan, co-founder of the think tank Demos, first became the Director of the Number 10 Policy Unit under Tony Blair, then Director of the Performance and Innovation Unit and finally, Director of the Prime Minister's Strategy Unit. Former think tankers were also instrumental in establishing 'think tank-like' units within Whitehall. Mulgan went on to help set up the Social Exclusion Unit (SEU), the Performance and Innovation Unit (PIU) and the Prime Minister's Strategy Unit (Mulgan, 2006: 152). Many wield considerable influence over their ministers and even the Prime Minister.⁸

Third, the influx of private advisors imported tactics more reminiscent of private enterprise than public administration, *blurring* the historic divide between public and private spheres. SpAds promoted new ventures to meet ministerial demand for innovation and satisfy their appetite 'for serious analytical possibilities which went beyond the constrained options presented by civil servants' (Mulgan, 2006: 152). The Prime Minister's Strategy Unit (PMSU) grew from one to 150 employees tasked to identify key challenges, build strategic capacity and develop 'complementary capacity for doing more private work' (House of Commons, 2006: ch. 2, para. 15). Unsurprisingly, the PMSU was officially designated 'a kind of internal consultancy or think-tank' (House of Commons, 2006: ch. 2, para. 17), prompting Lord Birt, a former TV executive, to applaud it as 'recognisably the kind of institution you would find in a major global corporation with a very similar set of skills available' (House of Commons, 2006: ch. 2, para. 19). Whether such quasi-corporate traits have a defensible place in policy-making or

erode public service values is questionable. The intrusion of the think tank model into the very machinery of government is not privatization in the sense of contracting out but a form of ‘contracting in’ of a genre of ideological thinking unbound by ‘current contextual constraints’ and ‘conventional orthodoxies’ (House of Commons, 2006: paras 76 and 79). It imports blue-skies thinking, unlimited by the usual restraints of feasibility, economy and accountability.

Fourth, the growth of the think tank has coincided with and accelerated a shift from critical appraisal to *future thinking*. Historic reliance on public advisors, advisory councils, reviews and Royal Commissions as tools of post hoc review has declined (Loader, 2006: 575). The UK government last established a Royal Commission on Criminal Justice (RCCJ) in 1991 to examine serious miscarriages of justice. The Royal Commission’s three-year inquiry led to a 276-page Royal Commission Report, which drew on 22 commissioned research studies and generated an archive of 795 files.⁹ No public enquiry on a similar scale has occurred since, only focused reviews and single-person inquiries persist. Future-oriented programmes, teams and centres proliferate: the government’s ‘Foresight Programme’ pursues ‘projects looking at the evidence around big cross-cutting issues, and exploring future possibilities’, and the ‘Foresight Centre’ develops ‘scenarios or other visions of possible futures’.¹⁰ They promote ‘futures thinking’ and ‘horizon scanning’ ‘to identify potential threats, risks, and emerging issues and opportunities’.¹¹ A novel vocabulary of ‘trend analysis’, ‘roadmapping’, ‘visioning’, ‘scenarios’ and ‘gaming’ describes tools in the ‘machinery of future thinking’ (House of Commons, 2006: ch. 2), creating a new lexicon for policy making. Once associated more with corporate management and Silicon Valley than public service, such terms now frame public policy-making and administration.

Government’s perspectival shift towards future threats and opportunities has generated new roles for ‘dreamers’, among whom ‘well-resourced and responsible think-tanks can play a major part’ (House of Commons, 2006: ch. 2, para. 23). Because even those public officials employed in ‘futures thinking’ must plan under the constraints of resources, risk and impact assessments, governments turn to ‘those outside government altogether, such as the think tanks, to really think the unthinkable’ (House of Commons, 2006: ch. 5, para. 76). Think tanks become modern prophets of policy-making, confidently engaging in speculative schemes of ‘editing futures’ and ‘anticipatory governance’ (Garsten, 2024: 109–110). Public servants have had to embrace their future-oriented tools, techniques and programmes, and accept think tanks as essential cogs in the ‘machinery of future thinking’.¹² This focus on risk management generates precautionary criminal justice policies, preventive policing, the proliferation of preventive orders and pre-inchoate and preparatory offences (Carvalho, 2017; Zedner and Ashworth, 2019). These significant legal developments illustrate how governments adopt the tactics, language and dogma of think tanks and reorientate law-making around precautionary logics.

Fifth, successful think tanks attract increasing *private funding* with significant implications for the agendas they pursue and their influence in public life. UK think tanks on the right of the political spectrum receive generous funding from private donors, often based in the USA (McNeill-Wilson et al., 2021: 9–10). The same companies and high-net-worth individuals who fund think tanks are also donors and supporters of the major political parties, which then reward their benefactors with political appointments

and life peerages in the House of Lords. These interrelations are complex and murky, raising questions about the probity of private influence over and within government.¹³

A few examples illustrate these trends: they relate to one prominent right-wing think tank, Policy Exchange (PE), said to be ‘the pre-eminent think tank in the Westminster village’,¹⁴ and

the one think tank that works at the intersection of economics, politics, foreign policy, and development and has a high degree of access and receptiveness within the Conservative Party. If you’re not talking to the guys at Policy Exchange (PE), you’re not part of the conversation.

(Orrico et al., 2022)

In 2023, individuals linked to Policy Exchange included the then Prime Minister Rishi Sunak, employed at PE 2014–2015, Cabinet Minister Michael Gove, PE-founding Chair, and Director of Policy Dean Godson, who was appointed a Conservative Peer. Godson, ‘an ideological right winger’, is credited with enabling ‘Policy Exchange to reach new heights of influence, with dozens of its alumni now sitting on the Conservative benches in Parliament’¹⁵—a prime example of the trend towards ‘insourcing’.

The financial links between think tanks and government are clear. Donors to Policy Exchange include members of the Shawcross family, who were also donors to the Conservative Party and took on senior roles in government. One donor, Eleanor Shawcross, the spouse of Lord Simon Wolfson (a life peer, Conservative Party donor and Policy Exchange Trustee) became head of Sunak’s Downing Street Policy Unit. Her father, Sir William Shawcross, a former Director of the right-wing Henry Jackson Society, became Commissioner of Public Appointments and was appointed to lead the Independent Review of Prevent, a government counter-terrorism programme (Shawcross, 2023). Think tanks’ political influence draws on the wealth, power and connections of their donors (Pautz, 2014). George Monbiot (2011) observed: ‘We know that to understand politics and the peddling of influence we must follow the money. So, it’s remarkable that the question of who funds the think tanks has so seldom been asked.’ Any serious examination of the ideological influence of think tanks on criminal justice and security policy cannot overlook the political power and beliefs of their influential friends and funders.

The politics of private influence

How do these developments fit within the better-documented trend towards privatizing criminal justice and security (Bosworth and Zedner, 2022; Button, 2019; Fitzgibbon and Lea, 2020)? Privatizing public services and institutions involves legal reform, competitive market tender and contracting out to private providers. Adopting the ideology of free market economics, successive UK governments have contracted public services to commercial firms, claiming that private provision is more economical, efficient and effective. There is no single mode of privatization. Instead, Barak-Erez (2011: 140–143) suggests there is a ‘privatization continuum’ ranging from selling state assets to private

companies, contracting out public services and institutions, licensing, concessions and purchasing services through state co-operation with third-sector organizations. In the UK, this continuum ranges from contracting out support services such as data collection, management and monitoring, creating Public Private Partnerships, to privatizing prisons and immigration detention centres (Liebling, 2013; Ryo and Peacock, 2022). Moreover, the recruitment of private consultancy firms and SpAds to guide government ministers now imports private influence into the corridors of power.

In contrast to contracting out and in, think tanks often benefit from ‘privatization through omission’ (Barak-Erez, 2011: 142) by exploiting government oversights in policy-making or failure to respond effectively to new threats or technological developments. Think tanks present themselves as filling gaps in public policy (Holley et al., 2020: 346–347) or satisfying the demand for strategic thinking unmet by public administrators. In recent years, think tanks have targeted perceived government failings relating to terrorism, extremism, hate crime, human trafficking and the ‘immigration crisis’. Moreover, rapid technological developments drive cybercrime and hostile state activity, creating a demand for new technical expertise not met by police or state security services. State failure to keep abreast of fast-paced technological change creates lucrative openings for cybersecurity and information security professionals. Bigo (2022: 240) documents how digitalization expands the ‘role of corporate actors in the making of a specific guild of data managers’. Technological change, especially digitalization, has created a gap in the market that tech firms, data analysts and cybersecurity analysts are quick to fill, leading to the rise of ‘surveillance capitalism’ (Zuboff, 2019).

Defenders of privatization argue that private provision offers the advantages of market competition, improves efficiency and cuts costs (Feeley, 2014). Holley et al. (2020: 345) question the liberal assumption that ‘the best way to ensure the equal provision of services to the citizenry is to have them delivered by a well-resourced and accountable public service directed by democratically elected governments’. They argue that private provision has long been an important sector of policing and security (Holley et al., 2020: 347, 349), even as they acknowledge ‘that private finance entities are primarily profit, rather than security, maximizers’ (2020: 352). By contrast, Dorfman and Harel (2015) argue that penal and security practices are non-delegable state functions whose legitimacy resides in their public provision. They contend that policing and punishment should not be subject to consequentialist claims about the rival merits or relative efficiency of public or private provision. Their view echoes the Israeli Supreme Court judgment that public security and criminal law enforcement ‘is a part of the social contract on which the modern democratic state is also based’, and its legitimacy depends on ‘the exercise of authority being entrusted to organs of the state’.¹⁶ The conclusion that the democratic legitimacy of policing and punishment relies on state monopoly has much merit (Loader and Walker, 2005). Accepting that public safety and security are core state duties leaves open the question of whether the state can legitimately reassign any part of this security function to others (Zedner, 2018: 176). While this question has been the subject of lively debate regarding policing, security and punishment (Loader and Walker, 2004; Shearing, 2006), few consider whether states can legitimately rely on privately produced ideas and proposals to guide public policy. The issue is complicated by the influx of private SpAds into Whitehall and the circulation

of think tankers in and out of government, which makes it increasingly difficult to say where the state starts and ends.

Transparency and accountability are key challenges to the legitimacy of privatization. Claims of commercial secrecy often impede transparency, and the pursuit of profit and accountability to shareholders undermines the public interest (Daems and Vander Beken, 2018; Ryo and Peacock, 2022). Yet, at least when states outsource public services and institutions, one can usually discover when, on what terms and to whom responsibility shifts. Contracts provide some accountability by specifying funding arrangements, performance standards, monitoring requirements and liability for breach. By contrast, outsourcing policy occurs less through formal mechanisms of public tender and legal contracts. As we have seen, it operates through informal, often hidden channels of ideological influence wielded through digital media, social connections and personal influence (Pautz, 2014).

The NGO openDemocracy conducts regular surveys rating British think tanks and campaigning groups on their funding transparency. It lists left-of-centre organizations, including the Fabian Society, Institute for Public Policy Research and Labour Together, as well as centrist or non-aligned organizations like The Runnymede Trust, Chatham House and the Institute for Fiscal Studies, in the top transparency ratings (openDemocracy, 2023). By contrast, right-wing organizations, like the Centre for Policy Studies, the Institute of Economic Affairs, the Adam Smith Institute and Policy Exchange, receive the lowest transparency ratings (openDemocracy, 2023). Despite pressure for greater accountability and the efforts of NGOs like openDemocracy and Transparify to shed light on the funding of think tanks,¹⁷ determining who funds them is challenging. The complexity and variety of public–private funding arrangements obscure the sources, structures and relationships—political, institutional and familial—that underpin this ideologically informed ‘knowledge economy’. For the wealthy, part of the appeal of donating to think tanks is escaping public scrutiny over donations to political parties.¹⁸ The fact that the sources of financial support from private institutional donors and high-net-worth individuals are often concealed or lie overseas further impedes scrutiny (Monbiot, 2011). Transparency and accountability matter, as the following case studies reveal.

Think tank influence on criminal justice, security and immigration

Social disorder, policing, justice and security have been particular targets of right-wing think tanks. These think tanks have been less active in areas like criminal justice and prisons, where established collaborations between penal reform organizations (in the UK, NACRO, Prison Reform Trust and the Howard League for Penal Reform) and academics have had more success (Annison and Paradine, 2024). Political think tanks have tended to target newer challenges to public safety and security, border security and small boat Channel crossings. To illustrate the complex web of influence prominent think tanks have woven, this section focuses on their attempts to steer policy on extremism, counter-terrorism and security.

Think tanks have played a particularly significant role in framing the debate around extremism. Whereas most countries have focused their efforts on countering violent extremism or CVE, the UK government was persuaded to include non-violent extremism and now stands alone in pursuing a Counter Extremism (CE) programme that is not limited to violent extremism. Its ideological base was set out in the 2006 book *Celsius 7/7* (Gove, 2014) by Policy Exchange founding chair Michael Gove MP, launched by the then Prime Minister, David Cameron, at the Policy Exchange; it later became ‘required reading among ministers’ (Pierce, 2006). The government’s many initiatives to counter extremism include establishing the Commission for Countering Extremism,¹⁹ whose first Commissioner, Robin Simcox, had worked at the conservative Centre for Social Cohesion think tank (2009) and later at the Henry Jackson Society, another right-wing think tank (McNeill-Wilson et al., 2021). The Commission for Countering Extremism has since been criticized, partly for its inactivity and failure to publish any new research from 2021 to 2023 (Deardon, 2023). Its narrow focus on Islamism and reluctance to acknowledge extreme right-wing views as extremist (perhaps for fear of tainting the Conservative brand) mirrors views expressed in Policy Exchange’s ‘Understanding Islamism Project’ papers.²⁰ Other PE papers include “‘Blasphemy’ in schools: self-censorship and security fears amongst British teachers’ (2023) and ‘The symbolic power of the veil’ (2023), which attracted parliamentary criticism for stirring up Islamophobia in the UK.²¹

This divisive ideology also informed government thinking on radicalization and counter-terrorism policy. Enayat (2020: 17–18) observes that think tanks like the Quillam Foundation (now dissolved), the Henry Jackson Society and Policy Exchange have promoted a vision of Islam as ‘waging an essentially political war against “Western values” or the Western “way of life”’. He argues that these think tanks promote a contested ‘conveyor-belt theory’ of radicalization, which asserts that exposure to radical Islamist ideology pushes individuals towards violent extremism (Enayat, 2020: 18). This mechanistic account regards radicalization as an inexorable process from holding extremist views to violent conduct, ignoring those who distinguish ‘cognitive radicalisation’ from ‘behavioural radicalisation’ and point out that those who hold radical views do not inevitably act upon them (Neumann, 2013: 873). Nonetheless, such accounts have informed UK counter-radicalization policies and its Prevent counter-terrorist programme (Enayat, 2020: 18), both of which are vigorously defended by think tanks (Policy Exchange, 2022a).

In 2021, the UK government asked Lord Shawcross (former Director of the Henry Jackson Society) to undertake an independent review of Prevent. As McNeill-Wilson and colleagues (2021: 14) observed:

the appointment of Shawcross to lead the Independent Review of Prevent and —perhaps more worryingly—to serve as the Independent Commissioner for Public Appointments, raises serious concerns about the independence of the projects that they oversee and the process through which they were appointed.

Although Policy Exchange warmly welcomed Shawcross’s appointment,²² his report proved controversial. After repeated delays, the Shawcross Review was published in

2023, immediately attracting criticism as ‘ideologically-driven, and poorly argued and evidenced’ (Holmwood, 2023; Stott, 2023). Neil Basu, formerly top UK counter-terrorism officer, condemned the Review as ‘driven by a rightwing viewpoint that XRWT (extreme right-wing terrorism) is either unimportant or doesn’t really exist’ (Dodd and Syal, 2023). Notably, the ‘independent’ Shawcross Review contains 10 references to Policy Exchange and six to Henry Jackson Society reports but few to academic research (Shawcross, 2023).

These examples illustrate the power of think tanks to influence an independent review of UK counter-terrorism policy, raising concerns about its objectivity, methodology and validity. McNeill-Wilson and colleagues (2021: 17) observed that such reports

exemplify an approach used by many security think tanks that relies on the use of limited data and constructed narratives to pursue a notably neo-conservative and far Right agenda. While frequently popular in the media and providing convenient political soundbites, these reports and ‘research’ are often lacking in methodological rigour and contextual information, thus often present a misleading depiction of events and issues that directly impacts political and media approaches to these subjects.

A larger question is how think tanks have acquired such standing and influence over security policies and reviews at the centre of the state’s mandate to protect the public. Such interventions also pose risks to national security. More recently, Policy Exchange (2025) published a damning appraisal, ‘Extremely confused’, of a leaked government report on the threat posed by extreme right-wing and other extremist ideologies. Policy Exchange’s pre-emptive critique of the official report’s reasoning and the embarrassment it caused led the Home Secretary to reject her officials’ proposals to redefine extremism in the UK. Given the sensitivities surrounding intelligence gathering, data retention and the work of the security services, these are surely domains in which private think tanks should wield little influence.

Similar lines of influence run between think tanks’ frequent publications on border control, policing the British Channel and criminalizing undocumented migrants. Policy Exchange’s sustained campaign against the arrival of migrants and refugees through publications like ‘How to legislate about small boats’ (Ekins and Laws, 2023), ‘Stopping the small boats: a “Plan B”’ (Policy Exchange, 2022b) and ‘The Nationality and Borders Bill and the Refugee Convention 1951’ (Ekins et al., 2022) informed UK government policy on Channel crossings and subsequent legislation, the Nationality and Borders Act 2022 and the Illegal Migration Act 2023. Griffin reports that former UK Home Secretary ‘Braverman asked her officials to look at implementing a Policy Exchange report calling for the resettlement of individuals with accepted asylum claims outside the UK, in defiance of the 1951 Refugee Convention.’²³ Its report ‘From the Channel to Rwanda’ (Biggar et al., 2022) sought to rebut concerns about the legality of the Rwanda Plan (Ekins et al., 2023). Despite several attempts by the former Conservative government to deport asylum seekers to Rwanda, not one person was sent involuntarily. On its election in July 2024, the Labour government announced the scrapping of the Rwanda scheme, ending a troubled and expensive £310m investment in an unlawful

plan that could never have removed more than a tiny percentage of undocumented migrants (Francis, 2024).

The Labour government's election in 2024 was a blow to right-wing think tanks. However, political think tanks' future influence and importance are not easy to predict. Think tanks aim to remain relevant and maintain influence over whoever is in power. As Ethan Shone (2024) at openDemocracy observed:

these think tanks represent the interests of some of the most powerful individuals and companies in the world—they won't be content to simply snipe from the sidelines and await the return of their preferred ideological bedfellows into government.

While a change in political leadership is a serious challenge for some think tanks, it offers new opportunities for those whose politics align with the incoming government. The new Labour government raised the fortunes of left-leaning think tanks like the Institute for Public Policy Research (IPPR), Labour Together, the Resolution Foundation and the Tony Blair Institute for Global Change, whose bold strapline is 'Working with political leaders to drive change'.²⁴ Other think tanks shift their political allegiance, preferring influence over ideological commitments that may condemn them to years in the political wilderness (Shone, 2024). The key players may come and go or cynically change their political stripes, but think tanks seem set to remain ensconced in public life.

Conclusion

The influence of privately produced policy proposals is not new, nor has it eclipsed scholarship and publicly funded research. It has, however, attained a level of influence over criminal justice, security and immigration policies that merits attention, not least because the very nature of the 'knowledge' now privileged in policy circles differs greatly from criminological and state-led penal policy research. Moreover, think tanks wield influence by varied and less ascertainable means. Alongside their published metrics of media coverage, social media followers, downloads and citations (Abelson, 2014: 141), political think tanks operate through less visible networking and private events with politicians, policy-makers and political influencers. These tactics make it difficult to prove their precise impact or test their sometimes extravagant claims of authorship of public policy.

Important questions remain about how we should regard what political think tanks produce. As we have shown, in a free market economy of competing concepts, opinions and proposals, whether a proposition is valid or well evidenced has become less important than its proponents' capacity to communicate fast and persuasively. The value of propositions lies less in their academic credentials than their capacity to compete, prosper and prevail in the swarming marketplace of ideas. In this febrile political climate, the potential to impact public policy-making relies less on rigorous research than populist appeal. Tonry and Green (2003: 493) observed: 'In political terms, it is much more important that policy proposals be facially plausible and consistent with widely held beliefs and intuitions than that they are soundly based on reliable evidence'. It follows

that criminology's future impact might depend on its willingness or appetite to adopt the tactics that think tanks and private policy institutes have long mastered.

When distinguishing between public knowledge and private know-how, we should also acknowledge their potentially problematic convergence. The invitation to contribute to this special issue called for 'a nuanced theoretical approach to understanding the hybrid nature of public-private assemblages' (Franko and Mork Lomell, 2023).²⁵ While 'hybridity' aptly describes this convergence, it does not quite convey the concerns raised in this article, which has shown how the burgeoning private knowledge economy is not merely a structural change, nor are the shadowy, mixed funding arrangements by private corporations, foundations and wealthy individuals necessarily benign (Bychawski, 2022). The difficulty of tracing who funds think tanks raises serious problems of transparency and accountability that the anodyne term 'hybridity' cannot convey. The rising influence of the political think tank not only adds new sources of ideas and information to the mix but also changes how penal and security policies are developed, promoted and pursued. We have shown that much privately funded policy production asserts influence over public decision-making by displacing academic and public research. Instead, think tanks pursue their ideological commitments and political goals by steering debates and seeking to direct policy on crime, immigration and security.

This article has examined significant developments in the ways privately funded think tanks seek to drive public policy. While we cannot confidently determine their precise impact, we stand informed and forewarned of their ambition to wield political influence over and within government. In the early 1990s, Osborne and Gaebler (1992: 32) famously argued that governments should move to 'steering rather than rowing' and commended 'entrepreneurial' public institutions that had retreated from delivering public services by contracting out in order to focus on the more important task of planning them. The increasingly prominent role that think tanks play in criminal justice policy formation leaves us with a new and more troubling question. Do governments now cede their role in 'steering' criminal justice to private actors too?

Acknowledgements

I am grateful to the Editors of this Special Issue Katja Franko and Heidi Mork Lomell, to Ana Aliverti and Leslie Paik, and to the anonymous reviewers for their comments and suggestions. I thank the participants of the 'Private Economies of Knowledge in Criminal Justice' workshop, University of Oslo, February 2024 and those at the 'Crime, Justice & Society' seminar at Edinburgh Law School, University of Edinburgh, March 2024 for their helpful comments on earlier drafts.

Declaration of conflicting interests

The author declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article.

Funding

The author received no financial support for the research, authorship and/or publication of this article.

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Notes

1. <https://www.lse.ac.uk/about-lse/our-history>
2. For example, Thatcher's flagship Criminal Justice Act 1991 imposed proportionality in sentencing until overturned by a subsequent Conservative government.
3. The Policy Studies Institute became a subsidiary of the University of Westminster in 1998.
4. <https://demos.co.uk/homepage/about/>
5. See, for example, the speech by the Charity Commission Chair, Orlando Fraser, 'Yes, political think tanks deserve their charitable status', 14 March 2024, <https://charitycommission.blog.gov.uk/2024/03/14/yes-political-think-tanks-deserve-their-charitable-status/>
6. Special Advisors or SpAds are political appointees employed as temporary civil servants to advise government ministers.
7. In 2023, 117 SpAds were advising the UK Conservative government ministers at a total cost £15.9m p.a. Ascertaining the funding of private advisory staff for opposition parties is more complex but may amount to another £15m, see <https://www.gov.uk/government/publications/special-adviser-data-releases-numbers-and-costs-july-2023/special-adviser-data-releases-numbers-and-costs-july-2023-html>
8. One notable example is Dominic Cummings, until his resignation in 2020, 'Chief Advisor' to then UK PM Boris Johnson. On the movement of SpAds in and out of government, see <https://www.instituteforgovernment.org.uk/explainer/special-advisers>
9. For the RCCJ Report, see <https://www.gov.uk/government/publications/report-of-the-royal-commission-on-criminal-justice>. For the archive, see <https://discovery.nationalarchives.gov.uk/details/r/C3042>
10. <https://publications.parliament.uk/pa/cm200607/cmselect/cmpubadm/123/12305.htm>
11. <https://www.gov.uk/government/groups/futures-and-foresight>. Foresight Projects are listed here: <https://www.gov.uk/government/collections/foresight-projects>
12. GOV.UK, *Futures, Foresight and Emerging Technologies*, <https://www.gov.uk/government/groups/futures-and-foresight>; GOV.UK Blog Futures, Foresight and Horizon Scanning, 29 July 2024, <https://foresightprojects.blog.gov.uk/category/futures/>
13. S Kuper 'Buying influence: donations and corruption in British politics', *LSE Blog*, 13 November 2024, <https://blogs.lse.ac.uk/inequalities/2024/11/13/buying-influence-donations-and-corruption-in-british-politics/>
14. <https://conservativehome.com/2020/02/07/iain-dale-my-reshuffle-predictions-the-prime-minister-believes-he-has-delivered-for-his-supporters-and-now-owes-them-nothing/>
15. <https://conservativehome.com/2020/02/07/iain-dale-my-reshuffle-predictions-the-prime-minister-believes-he-has-delivered-for-his-supporters-and-now-owes-them-nothing/>. See also McNeill-Wilson et al. (2021: 11–12).
16. The Israeli Supreme Court sitting as the High Court of Justice in *Academic Center of Law and Business v. Minister of Finance* [2009] H CJ 2605/05 at para. 28. For commentary, see Barak-Erez (2011), Feeley (2014) and Medina (2010).
17. Several organizations rate and rank think tanks according to their level of financial transparency, including Transparify (<https://www.transparify.org/5-star>) and openDemocracy (<https://www.opendemocracy.net/en/dark-money-investigations/think-tanks-transparency-funding-who-funds-you/>).
18. The Electoral Commission, *Political party donations and loans in Great Britain*, <https://www.electoralcommission.org.uk/political-party-donations-and-loans-great-britain>

19. <https://www.gov.uk/government/organisations/commission-for-countering-extremism>
20. See, for example, <https://policyexchange.org.uk/understanding-islamism/>
21. https://hansard.parliament.uk/commons/2023-12-07/debates/370FAD96-8357-415D-82D7-1ED9ECF0A5B1/TacklingIslamophobia?__cf_chl_f_tk=OWe6LbIqo_8.fHwysW7ZF54XfFOYIOuulk6QRu29xM-1720349865-0.0.1.1-4863; <https://policyexchange.org.uk/publication/blasphemy-in-schools>; <https://policyexchange.org.uk/publication/the-symbolic-power-of-the-veil/>
22. <https://policyexchange.org.uk/blogs/commentary-william-shawcross-must-put-fight-against-non-violent-extremist-ideology-at-the-heart-of-what-prevent-does/>
23. <https://bylinetimes.com/2023/02/13/government-by-think-tank-the-return-of-policy-exchange/>
24. Tony Blair Institute for Global Change, <https://www.institute.global/>
25. Private communication, K Franko and H Mork Lomell (received 24 January 2024).

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