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The Accountability and Legitimacy of Expert Knowledge in Policy Making

Policy knowledge in contemporary parliamentary committees:

expanded evidence, bounded legitimacy

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Abstract

Parliamentary committees are interesting institutions for exploring the changing nature and legitimacy of knowledge in contemporary public policy. Conventionally, parliamentary committees have worked with multiple forms of evidence but they are under increasing pressure to consider a wider range of expertise and knowledge, especially from affected publics. At the same time, committees are becoming important sites of political representation as the democratic legitimacy of traditional institutions, such as political parties, is in decline. This paper examines how contemporary parliamentary committees source and use policy knowledge in an increasingly dynamic context. Drawing on empirical research from several Australian parliaments, the research finds that in their inquiry work parliamentary committees continue to rely heavily on standard procedures to source policy knowledge, such as public submissions and public hearings. However, according to parliamentary staff, some committees are experimenting with new ways of sourcing, managing, interacting with and reporting on policy knowledge. The research finds that when committees extend how and what they collect as ‘evidence’, not all forms of policy knowledge make it onto the public record or into the final committee report. The paper argues that this has serious flow-on effects for public legitimacy. Most significantly, it creates a disconnect between the policy knowledge that is collected and considered, and what is ultimately reported and in the public domain. It severs the input and throughput legitimacy generated from engaging with multiple affected publics from the potential output legitimacy carried by the committee’s report and recommendations.

Key words: evidence, knowledge, democracy, legitimacy, parliamentary committees

Introduction

Parliamentary committees are interesting institutions for understanding the way policy knowledge both informs *and* legitimizes political decisions. The evidentiary practices of committees are partly aimed at improving the epistemic quality (or ‘evidence-base’) of the policy process. The committee’s deliberations and reports are epistemically enriched when its members have access to relevant information, expertise, research, perspectives and experiential accounts. Committees regularly draw on policy knowledge from professionals, stakeholder representatives, and from affected publics and individuals (Pedersen et al. 2015, Flinders et al. 2015).

Yet role of policy knowledge in parliamentary committees is more than maximizing the pool of epistemic arguments; it also ensures that they can fulfill their role as “auditors of government and guardians of the public interest” (Evans 1993, 16). Herein lies an important democratic function of policy knowledge in parliamentary committees: to secure public legitimacy (Evans 1993; Dermody et al. 2006). In broad terms, legitimacy is concerned with why people should consent, agree and obey decisions of leaders, institutions and regimes with power. An oft forgotten dimension of legitimacy is that it is something granted by those affected by decisions. It is therefore a kind of ‘regulatory ideal’ that is shaped by political values, beliefs and public discourse (Parkinson 2003). In practice the democratic legitimacy of political institutions typically rests on who is included in decision procedures (input legitimacy), how (throughput legitimacy), and what they produce (output legitimacy) (Scharpf 1999; Bekkers and Edwards 2007).¹ For parliamentary committees, input legitimacy rests not just on their membership but the engagement of relevant experts and affected publics. This is particularly common in

¹ Considerable conceptual work on input, output and throughput legitimacy has been conducted in normative debates on the ‘democratic’ nature of European Union (Bekkers and Edwards 2007; Scharpf 1999; Schmidt 2013). In this literature input legitimacy typically refers to whether the decision procedure (or institution) includes the relevant constituents; thus a political choice (or institution) can be considered legitimate if it reflects the ‘will of the people’ and includes their preferences. Output legitimacy refers to the products of decision procedures and institutions; thus an authority, a decision or a policy can be considered legitimate if it successfully solves the problem at hand. Throughput legitimacy refers to the quality of the internal governance procedures; that they are efficient, accountable, transparent, open and inclusive to the people (see Schmidt 2013).

committees inquiring into maladministration, cover-up and forms of institutional violence in a particular local context. Committees reach out and engage relevant experts and publics in order to correct the historical record, reveal collective silences and allow victims of injustice to have their distinctive voices heard (Dermody et al. 2006). The output legitimacy of committees rests largely on the quality of their reports, particularly the extent to which their recommendations resonate with the views of relevant experts and potentially affected publics (Pedersen et al. 2015). Throughput legitimacy is concerned with the committee's internal procedural efficiency as well as its openness, inclusivity and transparency to the public (after Schmidt 2013).

In practice, the capacity of parliamentary committees to undertake these epistemic and democratic functions rests not only on the policy knowledge they consider, but also on how they engage with relevant individuals and groups affected by the issue under deliberation. By injecting new voices into committee deliberations, committees are better placed to scrutinize the policy issue and ultimately impact policy processes within government (White 2015). However, if committees are unable to demonstrate that they have engaged and sourced inputs from relevant experts and affected publics, then those excluded can legitimately question the rigor and completeness of the committee's deliberations and policy recommendations.

In this paper, we present novel empirical insights into how contemporary parliamentary committees seek to fulfill their epistemic and democratic functions. Our analysis examines how parliamentary staff solicit, use, interact with, and report on policy knowledge. We draw on qualitative data from interviews conducted by the authors with 25 parliamentary staff in six Australian parliaments on their participatory and evidentiary practices. Our analysis is also informed by relevant committee reports and parliamentary websites.

This research is both novel and timely. To date empirical research on the role of policy knowledge in parliamentary committees has focused on the kinds of actors that give evidence (e.g. Pedersen et al. 2015) or offered detailed cases on the evidence-policy nexus (e.g. Turnpenny et al. 2013). Yet very little is known about how committee staff source and engage with different forms of policy knowledge in their inquiry work. Our research addresses this gap by examining the use and treatment of policy knowledge in committees

from the perspectives of parliamentary staff. Through in-depth interviews, we explore the procedures that they employ to source different forms of policy knowledge for committee deliberations.

This research is conducted in an era when parliamentary committees, like many extant political institutions, are undergoing numerous changes. In the first instance, committees members are changing as voters shift preferences in unpredictable ways – whether that be towards minor parties, independents or populist new-comers (Prosser and Dennis 2015; Ingelhart & Norris 2016). Second, committees are becoming important sites of political representation as the democratic legitimacy of traditional institutions, such as political parties and unions, is in decline (Mair 2013). In modern politics, affected publics prefer to engage in politics around issues they care about (and the institutions that govern them), rather than via politicians and parties (Bang 2009; Theocharis and van Deth 2016). Third, the declining public trust in formal democratic institutions has put pressure on parliaments to be more open and accessible to the public (Leston-Bandeira 2012), and committees represent an important site of public engagement (Hendriks and Kay 2017). Fourth, modern parliamentary committees operate in a dynamic communicative context where digital technologies, such as social media, create opportunities and risks for accessing different forms of policy knowledge (Griffith and Leston-Badeira 2012). How parliamentary staff are navigating this dynamic context as they source and use policy knowledge for committees is a theme we explore empirically in the paper.

Our findings on parliamentary committees speak to broader debates in policy studies on the interaction between knowledge, policy and politics. There is increasing recognition that policy emerges from deliberations over evidence, values, norms and power (Head 2016, Majone 1989, Stone 2002). The acknowledgement that policy knowledge is contested throughout the policy-making process has led to the search for frameworks that build democratic concerns (e.g. for representation and accountability) into how evidence is sought and used in policy (Sanderson 2002, 2009; Ansell and Geyer 2017; Parkhurst 2017). Our study of parliamentary committees is interesting in this context because they represent a formal policy institution designed to serve both epistemic and democratic functions.

We begin by discussing the role of policy evidence in committee work. Next, we present our empirical findings on how contemporary Australian committees are soliciting, managing, interacting with, and reporting on evidence. Drawing on our interviews with parliamentary staff, we identify how some committees are changing the way they source and treat policy knowledge. We discuss how for some salient and complex policy issues, committees are taking more steps to actively consider the perspectives of marginalized or 'hard to reach' publics, resulting in more experiential and practical knowledge entering committee deliberations. However, we argue that although committees are expanding the forms of policy knowledge that they collect and consider, conventional evidentiary standards restrict what knowledge ultimately is reported and thus in the public domain. To conclude, we consider the implications of our findings for the epistemic and legitimacy functions of contemporary parliamentary committees.

Policy knowledge in parliamentary committees

Parliamentary committees represent interesting sites for studying how political institutions work with different forms of policy knowledge. In most legislatures, committees undertake considerable policy work and deliberation (Strøm 1998; Bessette 1994). They provide a space where elected representatives can discuss and consider issues in a more detail and in an interactive and reflective way. As smaller groups than the parent assembly, they get to undertake much of the "creative, cooperative work" of legislatures (Goodin 2005, 188): they draft and redraft proposals; undertake inquiries; debate emerging issues; review legislation; and scrutinize the executive. The exact remit of any given parliamentary committee depends on whether it is a permanent (standing) committee with ongoing responsibilities, or an ad-hoc (non-standing) committee established to deal with a specific issue (Mattson and Strøm 1995). Permanent committees can be involved in law-making, budgeting and administrative oversight, whereas ad-hoc committees might emerge around a new policy issue or in the wake of a political crisis. Some committees focus on matters relating to the internal administration of Parliaments. The size, function and type of committee also varies considerably between legislatures with some vesting more power in the committee system than others (Strøm 1998).

While the focus and operation of parliamentary committees varies (within and between jurisdictions), a primary task of many committees in Westminster parliaments – the focus of this paper – is to undertake inquiries, consider policy evidence and produce a report containing advice for the legislature. The ambition to base policy on evidence reaches back at least as far as the origins of the policy sciences (Kay 2011). Whilst in some technical policy domains, there are well-established epistemic communities and scientific evidence is authoritative, it is also well understood in studies of policy-making processes that ‘evidence’ can be diverse and contestable, consisting of an interweaving of facts, norms and values (Head 2008, 2015; Newman and Head 2015).

The conventional practices of parliamentary committees certainly suggest that they have long viewed policy evidence as something far broader than scientific evidence garnered through academic expertise (Cole and McAllister 2015). The procedures of committees, which typically involve written public submissions and public hearings, bring forth an ‘evidence-base’ that extends beyond knowledge created through scientific or research-based inquiry. Committees accept non-expert forms of knowledge as policy evidence, such as experiential, historical, and indigenous knowledge. However, because of ancient parliamentary privileges dating back to the English Civil War (Campbell 2003, Evans 2008, Wright and Fowler 2012), evidence must be held to certain standards and accepted only in certain forms. In order for knowledge to be accepted as ‘parliamentary evidence’, it needs to have an identifiable source and be placed on the public record (Derigo 2009).

In other words, the historical institution of ‘evidence’ in parliament sets limits on the capacity of parliamentary committees to adapt the way they collect, process and report on evidence procedures (Derigo 2009; Turnpenny et al. 2013). For example, committees in most Australian parliaments make a strong distinction between formal and informal proceedings. Formal proceedings are the receipt of submissions and committee hearings. Informal proceedings include site visits, meetings, seminars and roundtable discussions. Informal proceedings can be used for a range of purposes (preliminary scoping exercises, collective discussions, garnering community views). Not all forms of evidence have the same evidentiary status or are easily conveyed parliamentary privilege. The Federal House of Representatives Practice guide provides the following advice on informal processes of evidence-collection, “The information obtained in this manner does not have either the

forensic value nor the technical status of formal evidence, although it can be used in committee reports, provided that the report indicates the manner in which the information has been obtained. Depending on the circumstances, the extent to which such informal proceedings enjoy parliamentary privilege could become an issue.” (Wright and Fowler 2012, p723). Sometimes the information is published; at other times it is not (for example, see discussion in Evans and Laing 2012, p500). The way in which parliamentary committees differentially treat evidence from formal and informal proceedings has implications for how committees reconcile their epistemic and public legitimacy functions – a theme we take up later in the paper.

To date, relatively little is known about how the internal activities of parliaments, for example the work and conduct of committees, has changed to adapted to their dynamic political and technological context. Much of the recent empirical research on parliamentary committees has been on the impact or influence of committee work (e.g. Hindmoor et al. 2009, Benton and Russell 2013, Monk 2012, Reader 2014). Other contemporary work has considered trends in committee reporting (Halligan and Reid 2016) and explored public engagement practices of parliamentary committees (Flinders et al. 2015, Drum 2016), but has not focused on the role or use of policy knowledge (notable exceptions include Pedersen et al. 2015 and Turnpenny et al. 2013). This paper speaks to this knowledge gap by providing insights into how parliamentary committees use and treat policy knowledge in practice.

Studying contemporary committees and their changing evidence practices

The research discussed here draws on a broader project on contemporary public engagement in six Australian parliaments. In each parliament we interviewed senior committee staff (Assistant Clerks, Secretaries and Executive Officers) about how their parliamentary committees engage with the public, and the nature and drivers of any non-standard participatory practices. In addition to interview data, the research draws on relevant secondary documentation, such as committee reports and publications/conference papers from practitioners working in committee systems across Australia. As part of this project we uncovered a number of significant issues on the use and treatment of policy evidence in parliamentary committees. It is this aspect of our study that we focus on here.

Overall, we find that parliamentary committees in Australia continue to rely heavily on conventional forms of policy evidence, sourced mainly from experts and representatives of relevant groups. According to committee staff there is some experimentation with new ways of sourcing and managing evidence. For some issues, particular committees are reframing ‘policy evidence’ in broad terms (for example, by welcoming more experiential accounts from affected publics) and this is affecting how they subsequently source and manage policy knowledge. This is particularly the case with respect to contentious environmental and social policy inquiries. The evidentiary changes that are occurring are ad hoc and complement, rather than replace, traditional methods of evidence collection and use.

Below we discuss our findings of how contemporary parliamentary committees work with policy knowledge in practice.

1. Committees solicit relevant policy knowledge

Committees solicit and source inputs from experts and affected publics. In most parliaments, the conventional process for collecting policy knowledge is formalised through procedures such as written submissions and questioning witnesses at public hearings. This process might be open for any individual or group to provide written or oral evidence, or it might be closed to specifically invited experts or representatives of relevant groups (Pedersen et al. 2015). Whether processes are open or closed depends upon the Parliament, the committee and the nature of the inquiry. In Australia, typically an open call for written submissions is made (through advertisement in the media) followed by a closed process for selecting witnesses to appear at a public hearing. Informal processes (such as site visits, community briefings and discussion groups) also allow staff and committee members to access further expertise and evidence.

We find that some Australian committees are changing the way they source policy knowledge. In particular, some committees are seeking to collect different and more diverse kinds of evidence from affected groups and stakeholders, especially from marginalized individuals or hard-to-reach groups. To achieve this, committees are reaching out to the public in new ways. For example, the process of advertising an inquiry, to elicit a wider

evidence base, has been adapted by many committees. This includes employing specialist media (such as community newsletters or local/regional news outlets) and using social media, in particular Facebook. It is increasingly common for Australian parliaments to have a Facebook page, through which committees promote their inquiry work. Committee staff also referred to using the networks and capabilities (including social media expertise) of committee members to ‘get the word out’ about an inquiry and to encourage public submissions.

In addition to these promotional adaptations, committee staff also referred to using web-based technologies to make it easier to make an inquiry submission. In this regard, pro-forma submissions or on-line questionnaires have been designed to translate complex terms of reference into simple questions, so evidence is elicited from affected publics who might be deterred from making a formal submission. For example, the Rural and Regional Committee of the Victorian Assembly used an on-line survey to attract the views of young people in their inquiry into the farming sector (Parliament of Victoria 2012). Committee staff also pointed out that efforts are made to inform possible contributors that a ‘submission’ can take many forms and a short ‘personal statement’ is valid and appropriate for a parliamentary inquiry.

2. Committees manage policy knowledge

Part of the process of committee inquiries involves managing procedures for collecting and processing knowledge. This includes collating public submissions and orchestrating public hearings, ensuring parliamentary procedures are adhered to, and processing large volumes of knowledge into a format for committee consideration. Conventionally, committee staff will undertake a review of existing evidence. This will include scanning domestic and international research and considering previous inquiries (including their evidence base) undertaken by parliaments and executives. This, together with evidence garnered throughout the inquiry, will form the basis of a draft report for the committee to consider and deliberate upon.

Whilst rare, we came across a few examples of changes to how evidence is managed. Most notably, in some Australian parliaments, committees are finding alternative ways to manage the increased volumes of public submissions they receive. According to committee

staff, the rise of online activism and mobilisation has meant that, for some high profile or controversial inquiries, committees can be overwhelmed with public submissions. Sometimes, these come in the form of an on-line pro forma that has been promoted by a particular advocacy group (which can sometimes be ambiguous in their link with the specific terms of reference of an inquiry). The response of some committees has been to develop more sophisticated ways to manage public inputs, most frequently by using their own tailored on-line questionnaires. For example, the Federal Social Policy and Legal Affairs Committee's recent inquiry into child support anticipated receiving significant public interest and designed a questionnaire to elicit public views linked to the inquiry's terms of reference (House of Representatives 2015). According to committee staff, this driver for innovation is both about finding better ways to deal with larger volumes, but also channeling public input into a format that is more 'usable' because it can easily be treated as a public submission (being relevant to and prepared for the inquiry.)

3. Committees listen to and interact with policy knowledge

Conventionally, committee members hear and question policy knowledge through public hearings. Public hearings are an opportunity for members to scrutinise arguments and evidence received in written submissions in a public forum (Evans and Laing 2012). They are spaces where policy knowledge is both collected and 'aired'; where an accumulating knowledge base is on view and can be challenged. Committees benefit epistemically from hearing the testimonies of external experts and groups: public hearings bring knowledge, information and valuable networks to a committee's deliberations. In addition to formal public hearings, committees undertake 'site visits' and frequently hold informal public fora such as meetings, workshops and discussion groups. In the process of reaching their final recommendations, the committee members also meet and deliberate in private (Wright and Fowler 2012).

While public hearings remain an important mechanism for committees, parliamentary staff described how some committees are experimenting with ways to make them more accessible by reducing their formality. For example, in addition to calling witnesses, a number of committees across Australia have held 'community statement sessions' at which individuals can nominate to make a short two-minute statement at a public hearing. These allow interested individuals from the community to 'have a say'. The Senate Standing

Committee on Community Affairs (2015) used this approach in their inquiry into the Social Services Amendment Legislation (the ‘No Job, No Pay’ inquiry). The community statement sessions form part of the formal procedure of the hearing and are recorded and published in Hansard. Some committees have also made attempts to make public hearings more interactive. This includes using a panel of witnesses who can interact with each other or through facilitating the hearing in such a way as to engender debate. For example, the Federal Joint Select Committee on the National Disability Insurance Scheme (Parliament of Australia 2015) held public hearings designed to allow discussion of the evidence. The process was considered ‘inclusive and consultative’ in contrast to a more traditional hearing and its associated formality. Interestingly, this was the same procedurally as more formal hearings with a Hansard recording and published transcripts.

We also heard many examples of the use of informal fora where discussion and debate were encouraged. For example, the Senate Community Affairs References Committee held a number of roundtable discussions with grandparents as part of their inquiry into grandparents as carers (Senate 2014). Sometimes discussions are held to test the evidence as it is accumulating. In Queensland, a facilitated roundtable discussion was held by the Health and Community Services Committee after the submission and public hearings stages had been completed, to reflect on the evidence (Queensland Parliament 2013).

Committee staff cited many examples of informal evidence-gathering processes designed to broaden the knowledge base. These include the use of site visits, meetings with affected publics and various informal discussion fora. Many of these informal procedures specifically seek to collect perspectives from ‘hard to reach’ groups or publics who may self-exclude from formal procedures (such as the young people or Indigenous communities). Ironically, the evidence demands of parliaments means that opening up committees through more informal participatory practices has indirect and unintended exclusionary effects when it comes to what evidence ultimately makes its way into the report – a point we take up in the discussion.

The use of social media to interact with publics and to encourage debate on the evidence (as opposed to its use in advertising an inquiry) seems to have had very limited application. One notable exception was the uptake of social media in the Parliament of Victoria where

committees are using social media to help publics ‘join the dots’ through an inquiry process by providing progress reports and interactive discussions online.

Our research revealed little about the processes through which committees and secretariats synthesise policy knowledge, deliberate and reach recommendations, and how this might be changing. Rodrigues (2008) suggests that secretariats produce draft reports through a ‘logical-synthesis’ treatment of evidence, consistent with a scientific approach to evidence-based policy. The ‘quasi-legal’ approach of committees contrasts with both the use of evidence in courts and how evidence is deployed within government policy formulation (Rodrigues 2008). However, our empirical evidence provides few insights into how a quasi-legal approach to evidence shapes internal committee deliberations, and the crafting of policy recommendations. This is a theme ripe for future research.

4. Committees report on policy ‘evidence’

Committees write reports that set out the various arguments and epistemic strands of the policy debate under scrutiny, and to make recommendations to Parliament. An important, yet oft-forgotten, role of parliamentary committees and their inquiries is to place policy ‘evidence’ on the public record. For example, policy knowledge is made public during an inquiry through the publication of written submissions and the recording of hearings in Hansard. For ‘evidence’ to be included in a committee report it must be ‘authorized’ for official status in parliament. This requires that the evidence is relevant to the inquiry, and that it can be attributed and published (Derigo 2009). Committee reports can also include dissenting view; if appropriate, a separate minority dissenting report is drafted and tabled (see Halligan and Reid 2016). A final committee report is a public document tabled in Parliament.

Some parliamentary committees are seeking novel ways to report on evidence. For example, some committees have used concise and accessible formats of the final report; a possible consequence of this accessibility adaption is that many of the nuanced policy evidence details may be lost. Throughout an inquiry, there have been adaptations to the process of making evidence public e.g. using the internet to broadcast public hearings or using Facebook to alert interested parties of publicly available documentation. We also

heard some examples of committees adapting how the evidence elicited from informal processes is recorded and made public, and incorporated into final reports. For example, the roundtable discussion held by the Queensland Health and Community Services Committee (Queensland Parliament 2013), referred to above, was transcribed and published. The Victorian Rural and Regional Committee (Parliament of Victoria 2012) included the recommendations of a Youth Forum held in parliament in their final report of their inquiry into the farming sector.

Discussion

Overall, our research finds that parliamentary committees in Australia continue to rely heavily on the formal procedures of evidence collection such as written submissions and formal public hearings. Nonetheless, we did find that for some issues, particular committees are reframing policy knowledge in broad terms, for example by welcoming more experiential accounts from affected publics. Below we discuss the implications of these evidentiary changes for the epistemic and democratic functions of committees.

According to parliamentary staff we spoke with, many committees are expanding their ideas on ‘evidence’ and seeking a broader array of knowledge in their policy deliberations. This expansion in the modes and varieties of policy knowledge is being driven by more than epistemic concerns. Staff reported an increasing desire by committee members to hear directly from affected publics. Here we see how expanding evidence-collection is also about letting relevant groups and affected publics have an opportunity to ‘have a say’. This is in part a response to changing community expectations about the right to participate in issues that affect them, and recognition by committees (and their members) that the legitimacy of their processes and reports rests on demonstrating that they have taken steps to listen to relevant publics.

At the same time as parliamentary committees are reaching out and collecting broader kinds of knowledge, they are also seeking to retain and protect their role as guardians of evidence-based policy-making in a world of fast, abundant political communication. Parliamentary staff expressed concerns about trying to preserve the sanctity of committees as an institution that assesses and scrutinizes policy evidence in a dynamic political and communicative context. One illustration of this tension is the increasing use by committees

of on-line questionnaires. As we have discussed, these allow committees to gather and manage a wide range of views efficiently and ensure that responses are relevant to the inquiry. One challenge with such questionnaires is that they have typically not been designed with due regard to parliamentary privilege, and so their status as ‘parliamentary evidence’ is ambiguous (Derigo 2009).² Similar arguments apply to the use of social media and the knowledge it generates. This is not to say that the information produced from digital media is not considered valuable ‘evidence’, but it illustrates the challenges that committee staff face in navigating new technologies within a parliamentary setting, and simultaneously trying to protect epistemic and legitimacy concerns.

In practice, the drive to expand policy knowledge in committees (largely for democratic reasons) sits in tension with underlying institutional norms about protecting policy evidence (for epistemic reasons). Our research finds that although contemporary committees are expanding how and what they collect and consider as policy knowledge, much of this additional ‘evidence’ ends up on the cutting room floor because committees remain bound by formal parliamentary procedures on how to treat and report on policy evidence. We contend that this restricted or partial use of policy knowledge in parliamentary committees has a number of serious flow-on effects for public legitimacy. Most significantly, it creates a disconnect between the policy knowledge that is collected and considered, and what is ultimately reported and in the public domain. In other words, committees may be boosting their input and throughput legitimacy by reaching out further to affected groups, but if these additional voices are not in the final report then this greatly weakens their output legitimacy.

Conclusion

Parliamentary committees play important epistemic and democratic functions in public policy by examining the views of experts, affected groups and the broader public. While committees have always worked with multiple forms of evidence they are under increasing

² This is just one of a number of limitations that online questionnaires pose for committees. For example, some committees and scholars have noted that such questionnaires are not representative and do not produce scientifically-rigorous data. (e.g. House of Representatives 2015, Vnuk et al. 2015). They also rely on parliamentary staff being able to determine up-front what constitutes a ‘relevant’ question on a given policy topic, and what issues will emerge from the public.

pressure to consider an even wider range of expertise and knowledge, especially from affected publics. This paper has reported on ground breaking empirical research into how contemporary parliamentary committees are sourcing and interacting with policy knowledge. Drawing on a study of six Australian parliaments we find that committee staff continue to rely heavily on standard procedures for collecting policy knowledge, such as written submissions and public hearings. At the same time, our research has uncovered that for some complex and salient issues committees are expanding their epistemic reach by seeking the perspectives of marginalized or ‘hard to reach’ publics. Other committees have developed strategies to better ‘manage’ public input so that it can be considered as evidence for parliamentary deliberations, often in a response to the increased volume of public input afforded by digital technologies. Informal fora and social media are also being deployed to bring more diverse policy knowledge to the table and, tentatively, to engage the public and stakeholders in contestation over policy and evidence.

Overall, our findings illustrate that the epistemic and legitimacy roles of parliamentary committees can complement each other, but that this is far from guaranteed. The desire to broaden the evidence base and include marginalized voices can enhance the ‘input’ and ‘throughput’ legitimacy of committee procedures. However, these twin endeavors of opening up (a legitimacy demand) and preserving the role of parliamentary committees as clearing houses for evidence-based policy making (an epistemic demand) sit in considerable tension. More specifically, we find that parliamentary committees remain bound by their formal procedures in terms of how policy evidence is treated in the parliamentary context, the relative weight ascribed to different forms of knowledge and which evidence makes it into the final report. So although committees may be expanding how and what they collect as policy knowledge, not all forms of ‘evidence’ make it in the report and thus on the public record. This, we argue, not only diminishes the epistemic quality of the final report, it fundamentally erodes the ‘output’ legitimacy of committees.

This paper provides a strong case for why parliaments in Australia need to fundamentally reform how they collect, use, interact with, and report on policy knowledge. In the short term we recommend that parliaments explore ways to capture policy knowledge from informal procedures, for example by recording and attributing comments, such that it can carry the status of ‘parliamentary evidence’ and thus be used and published in reports.

Long-term reform efforts must focus on building more flexibility into standard formal procedures for collecting and reporting on policy knowledge to meet the expanding epistemic and democratic demands of parliamentary committees.

We contend that the imperative for parliamentary reform of policy knowledge is stronger than ever, given the changing nature of contemporary political participation and representation (Theocharis and van Deth 2016; Bang 2009). The decline in party membership and the growing disconnect between elected representatives and citizens (Mair 2013; Stoker 2016) increases the need for committees to not only consider the epistemic dimensions of policy issues, but to engage more broadly with marginalized and affected publics in order to build public legitimacy in parliamentary processes and outcomes. Without reform, parliamentary committees will find it increasingly difficult to fulfill these important epistemic and democratic functions.

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