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**Inquiring with evidence: how contemporary public inquiries bring
evidence to policy**

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Abstract

Evidence is a crucial component of policy-making yet little is known about its form and function in public inquiries, such as commissions of inquiry, taskforces, reference groups and Royal Commissions. Public inquiries are ad hoc and temporary advisory bodies appointed at the discretion of executive government, and represent a resilient feature within evolving governance contexts worldwide. Typically, public inquiries include expert members and undertake (with varying approaches, effort and rigour) processes of evidence-production, synthesis and analysis. As such, they can be portrayed as ‘evidence-based’ and offer a useful site for evidence exploration. Drawing on an in-depth qualitative case-study, this paper considers how evidence is used and contested in a public inquiry process. More specifically, it asks how do policy actors understand, negotiate and use evidence. The perspectives of policy actors, involved in a real-world policy process, offer a novel contribution to the empirical literature on how evidence and policy interact. The findings show that policy actors understood ‘evidence’ largely in narrow terms (derived from scientific knowledge) yet they valued and used a broad range of knowledge (experiential, professional and political) in their deliberations. This paper argues that public inquiries can be important sites for promoting evidence in policy-making. Reflecting on the empirical findings, a number of strategies for how evidence can be promoted in policy-making are proposed: a) integrating experts into the process; b) designing-in temporality; c) airing the evidence through public processes; and d) decoupling advice and decision-making. More broadly, the paper informs debates on the role and contestations of expertise and evidence in contemporary policy-making.

Key words: public inquiries, evidence, policy processes

Introduction

Understanding how evidence is used in policy-making has been an important focus of policy scholarship over many decades. An emphasis on research and knowledge utilisation (e.g. Weiss 1977, 1979; Sabatier and Jenkins-Smith 1980) shifted in the context of the ‘evidence-based policy movement’ (Head 2008, Newman and Head 2015), spawning a vast and eclectic contemporary literature concerned with the relationship between evidence and public policy. In the policy studies literature, it now seems well understood that evidence can be diverse and contestable (Head 2008, Kay 2011); that policy emerges from deliberations over evidence, values, norms and power (Majone 1989, Stone 2002, Sanderson 2002, 2009); and that the ‘common sense’ appeal of ‘evidence-based policy’ belies the complexity of how evidence, policy and politics interact in reality (Wesselink et al. 2015). Notwithstanding these developments and debates, much is still unknown about how evidence is actually used in various policy-making settings (Oliver et al. 2014a, Head 2016, Ingold and Monaghan 2016).

One evidence ‘black box’ is public inquiries. Highly diverse in form and focus, public inquiries are ad hoc and temporary advisory bodies appointed at the discretion of executive government and are deployed in many countries around the world (Prasser 2006). The generic terms that tend to be used are ‘public inquiries’ or ‘commissions of inquiry’ (in the academic literature) and ‘external review’ or ‘independent review’ (in policy and non-academic documentation). The institutional form and nomenclature of these inquiries vary greatly and include taskforces, commissions (of inquiry), review panels, reference groups and Royal Commissions. My research primarily speaks to ‘policy-advisory’ inquiries, as distinct from ‘inquisitorial’ inquiries (Prasser 2006), as my concern is how evidence is understood and used in policy processes. In this paper, I examine how evidence was negotiated and used by policy actors involved in a public inquiry.

The literature on public inquiries is rich with accounts of why inquiries were established and how specific inquiries have operated and influenced public policy (Inwood and Johns 2016, Rowe and McAllister 2006, Marier 2009 and many examples in Prasser and Tracey 2014), but rarely has an evidence lens been applied. I offer important empirical insights into the use of evidence in public inquiries by exploring how policy actors define, contest and use evidence in the inquiry process. Typically, public inquiries include expert members and undertake processes

of evidence-production, synthesis and analysis. As such, they might be considered ‘evidence-based’ and therefore offer a useful site for evidence exploration. The empirical literature on the evidence-policy nexus has tended to implicitly or explicitly focus on research utilisation rather than evidence and evidence-use defined more broadly. A number of studies have surveyed policy actors (generally researchers and policy-makers of various types) to explore perceptions of ‘barriers and facilitators’ of evidence use (see Oliver et al. 2014 b). However, several authors have pointed out that there have been surprisingly few studies of evidence and policy *in vivo* and called for greater empirical analysis of how evidence is actually used in policy-making (Oliver et al. 2014a, Head 2016).

In this paper, I explore a case-study of a public inquiry in Australia – the Ministerial Taskforce on Child Support, which was a federal inquiry conducted between 2004 and 2005. Child Support (the financial payment non-resident parents, usually fathers, make to the upkeep of their children post parental separation) is a highly controversial and complex area of social policy (Smyth 2010); offering an interesting context for exploring how evidence and policy interact. My research involved semi-structured interviews with policy actors involved in the inquiry. This included members of the inquiry bodies (the Taskforce and Reference Group), the secretariat, and other policy officials within government. Other sources of data included inquiry documentation and media coverage. I undertook a temporal analysis of the inquiry, exploring the role of evidence in three phases: 1) the establishment phase; 2) its operational phase and 3) the post-report phase (including how the inquiry’s recommendations were received and acted upon by government.)

Overall, my findings show that evidence had a high profile in the inquiry with policy actors citing many examples of how evidence was used in the inquiry’s activities, and subsequently in the proposals being taken forward within government. Policy actors generally understood ‘evidence’ in narrow terms (related to ‘scientific’ or research-based knowledge). However, other forms of knowledge (experiential, professional and political) were valued and used in the inquiry. In this sense, there was a disconnect between what the main actors considered the ‘evidence’ (typically the research and modelling work) and the breadth of information actors drew on in the inquiry. My findings also show that the evidence had various uses: it was used

directly in designing the new Child Support Scheme, to build support for reform and to enhance the credibility and legitimacy of the inquiry's report and recommendations. However, policy actors were very clear that 'evidence is not enough'¹ and values, principles and political trade-offs were intertwined with the evidence and negotiated throughout the inquiry process.

Reflecting on the empirical findings, I argue that public inquiries can be important sites for promoting evidence in policy-making. Four strategies for how the role of evidence (of any type) might be elevated in policy processes are suggested: a) integrating experts into the process; b) designing-in temporality; c) 'airing' evidence through public processes; and d) decoupling advice and decision-making. I argue that these strategies can and do apply to other institutions and processes, and may serve to raise the odds of policy being informed by evidence.

I begin by introducing public inquiries and discussing why they are interesting sites of evidence exploration. Next, I outline my research questions and approach, before describing my case-study. I then present my research findings responding to my two central questions: What did policy actors count as evidence? How was the evidence negotiated and used in the inquiry process? In my discussion, I explore the practical implications of my findings for how evidence and expertise might be promoted in policy processes.

Public inquiries and their policy role

Public inquiries are distinctive in the crowded advisory landscape in that they are temporary external bodies appointed by executive government, established for a specific purpose and dissolved once they have reported. Typically, public inquiries involve external experts, undertake research and evidence-gathering activities and are 'public' with public terms of reference, published reports and processes of public engagement (Prasser 2006). They are designed to serve the purposes of government and yet they operate (to varying degrees) independently of government (Salter 1989). Public inquiries can be seen as part of a 'policy advisory system' - an inter-connected set of policy actors and institutions that offer information and advice to

¹ Interview with policy actor I, conducted by author, 12 April 2017

government and policy-makers (Halligan, 1995). This ‘system’ includes the work of permanent advisory bodies, thinktanks and consultants. The ‘insider-outsider’ status of public inquiries (Salter 1989) is a key distinguishing feature of public inquiries, given executive government commissions the advice, and is responsible for establishing and funding the advisory body, yet the inquiry operates (albeit to varying degrees) independently of government.

Whilst public inquiries share the common features of being ad hoc, temporary, external advisory bodies appointed by the executive, it is difficult to overstate their diversity. Public inquiries have been deployed in relation to a vast array of policy issues, covering environmental, economic, social, criminal justice and public administration matters (see examples in Prasser 2006 and Inwood and Ratushny 2010). Public inquiry bodies come in many forms: a single commissioner or a diverse multi-person taskforce; a highly formal Royal Commission with statutory backing and authority or an informally-appointed reference group. The reasons why governments appoint public inquiries are similarly diverse and can vary widely from a genuine desire to seek external advice in a contested policy area to ‘parking’ a politically controversial issue through an illusion of action (Prasser 2006).

To make sense of this diversity, various ways of categorising public inquiries have been suggested, for example by their organisational/institutional form or the powers that they have had their disposal (e.g. Hallett 1982 and Borchardt 1991). For the purposes of this paper, classification by primary function provides useful clarification. Prasser (2006) offers two broad categories by function: *inquisitorial inquiries* which investigate particular allegations or catastrophic events and *policy advisory inquiries* which advise governments in relation to particular policy problems. There is no hard and fast line between these two types of inquiry. Inquisitorial inquiries usually provide policy recommendations; and policy-advisory inquiries can seek to establish the facts of a particular case. However, my research is primarily concerned with inquiries where the primary function is to investigate an identified policy problem (policy advisory inquiries) as my interest is in examining public inquiries as part of policy-making processes and, specifically, how evidence gets used in this process.

The policy role of public inquiries can be multifarious and different authors have offered alternative perspectives. Much of the literature considers public inquiries as instruments of policy evaluation (see examples of ‘external review’ in Uhr 1991). Others also recognise their additional forward-looking policy formulation role (Stanley and Manthorpe 2004). Humphreys et al (2013) suggest they form a critical component of the consultation phase of a policy cycle model of policy-making. Prasser (2006) in attempting to group public inquiries using policy cycle categories (i.e. agenda-setting; goal setting; policy formulation; decision-making; implementation; evaluation) rejects this as a means of classification, concluding inquiries are involved in many aspects of policy process. Public inquiries are frequently considered in relation to an instrumental or problem-solving model of policy-making, with an implied rationality given the focus on research, analysis and ‘evidence-based’ policy recommendations (Prasser 2006). Rowe and McAllister (2006) consider the different roles that ‘commissions of inquiry’ play in public policy and conjecture that they are important to both policy process and policy outcome. Marier (2013, p 408) discusses the potential for commissions of inquiry (public inquiries) to expand the learning potential of government and describes how the creation of a commission “can result in a transformation of the policy landscape if it is set up to encourage policy learning.”

Few studies have covered how public inquiries bring evidence to public policy - the focus of this paper. Much of the historical literature on public inquiries is descriptive and related to a specific inquiry. Some recent literature has sought to evaluate the policy impact or influence of public inquiries (e.g. Inwood and Johns 2016, Rowe and McAllister 2006, Marier 2009, Banks 2013). Owens and Rayner (1999) take a ‘knowledge perspective’ in their evaluation of the UK Royal Commission on Environmental Pollution, which provides some insights into the role of inquiries in policy processes. How social science research is utilised in inquiries has been explored (e.g. Sheriff 1983 and Bulmer 1983) and other research has described the evidence-gathering processes of a particular inquiry (see many examples in Prasser 2006). I am not aware of any research examining evidence use in public inquiries from the perspective of policy actors. My research aims to fill this gap in the public inquiry literature. This paper also speaks to a gap in the ‘evidence-based policy’ literature; this is considered below.

Public inquiries as sites of evidence exploration

The role of knowledge and evidence in policy-making has long been studied (for a historical overview, see Weiss et al. 2008). Following the uprising of the ‘evidence-based policy movement’ in the UK in the late 90s which spread internationally in the 2000s (Head 2008, Newman and Head 2015), a vast contemporary literature has accumulated. (For a discussion of three recent systematic reviews of the evidence-based policy literature (Orton et al. 2011, Innvaer et al. 2002 and Oliver et al. 2014b), see Oliver et al. 2014a). Much of this work is explicitly or implicitly about research uptake rather than evidence defined more broadly. Moreover, the empirical research has tended to focus on perceptions of ‘barriers and facilitators’ of evidence use through surveys of policy actors, with surprisingly little empirical exploration of how evidence is actually used in policy-making processes (Oliver et al. 2014a, Head 2015). In light of this, a number of authors have recently concluded that, despite the quantity of research and analysis concerned with ‘evidence-based policy’, few empirical studies have explored evidence and policy *in vivo*, our understanding of how evidence and policy interact remains limited and there is a need for greater empirical situational (contextual) studies of evidence and policy (Oliver et al. 2014a, Head 2015, Huckel and Blyth 2017). My research seeks to rise to this challenge, using a contemporary public inquiry as a site of evidence exploration.

Public inquiries are useful and interesting sites for evidence exploration for a number of reasons. Typically, public inquiries include ‘expert’ members and undertake (with varying approaches, effort and rigour) processes of evidence-production, synthesis and analysis. As such, they could be portrayed as ‘evidence-based.’ The activities of public inquiries, which usually include collating and commissioning research as well as processes of public and stakeholder engagement, bring forth diverse forms of evidence. This includes research knowledge but can extend to experiential, practical, professional and political knowledge. Public inquiries are tasked with producing policy advice and, therefore, need to consider their collated evidence base, reconcile contested evidence and reach policy conclusions. Through studying an inquiry process, it is possible to witness how evidence is processed and negotiated, and how evidence is weighed up with competing policy and political pressures. A limitation of studying public inquiries is perhaps their advisory nature i.e. they are not decision-making bodies and are not directly involved in policy decisions. However, as my case-study illustrates, the influence of an

inquiry need not end when the final report is published and it can be possible to trace the role of evidence in the subsequent decision-making phase within government. The publicness of public inquiries (e.g. that they are publicly announced with public terms of reference and public documentation) also offer pragmatic advantages for a researcher that are not insignificant given the ‘closed’ nature of much policy-making.

Before progressing any further, it seems pressing to reflect on the term ‘evidence.’ As others have commented (e.g. Cairney 2016, Oliver et al. 2014a), ‘evidence’ as well as ‘policy’ and ‘evidence-based policy’ often go undefined in the literature, leading to ambiguity and confusion. Often it is assumed that evidence is research-based or scientific evidence, yet studies have shown that there are other types of (or lens on) evidence that are used in policy-making including professional and political knowledge (Head 2008). Evidence is not synonymous with knowledge (internalised learning) or data or information (being sources of knowledge acquisition). Majone (1989, p10) conceptualises evidence as “information selected from the available stock and introduced at a specific point in the argument in order to persuade a particular audience of the truth or falsity of a statement”. This paper does not offer an alternative definition of ‘evidence’ but works with this broad idea that evidence is essentially an argument backed by information. Part of the purpose of my research is to elucidate what counts as ‘evidence’ from the perspective of those actors engaged in policy processes.

Research approach

My research uses a case study approach which allows investigation within a real-life context using multiple sources of data (Yin 1993). The primary source of data was semi-structured interviews with a range of policy actors involved in the inquiry, including members of the Taskforce, the associated Reference Group and the departmental secretariat and officials working in government at the time of the inquiry. Other sources of data were published inquiry reports and papers, media reports and articles written by members of the inquiry.

The case-study explored in this paper is the Ministerial Taskforce on Child Support (referred to subsequently as the Child Support (CS) Inquiry) which was a federal policy-advisory inquiry that took place in Australia in 2004-05. This case was chosen following a wider review of social

policy inquiries in Australia since the 1970s. The CS Inquiry was purposefully selected because it was anticipated (on the basis of initial empirical observation) that it would allow an in-depth study of evidence. The inquiry was ‘evidence rich’ given it involved the collation and commissioning of extensive research and the experts involved were technical (the Ministerial Taskforce) as well as professional, practice-oriented or representing particular interests (the Reference Group). The CS Inquiry was exceptional in that the recommendations were adopted by government, virtually in full. This made it possible to follow the evidence through to the decision-making phase within government. Other pragmatic concerns also influenced case selection. The inquiry is contemporary but enough time has passed for actors to be open about the use of evidence (a subject not without sensitivity.)

The research can be seen as ‘policy process research’, defined as “the study of the interactions that occur over time between public policies and surrounding actors, events, contexts, and outcomes” (Weible and Carter 2017, p27) or “the systematic study of the interactions among people in the development of public policy over time” (deLeon and Weible 2010, p23). This fits with the gap in the evidence-based policy literature discussed above of needing to examine evidence and policy *in vivo*. I have therefore undertaken a temporal analysis of the case-study to illuminate how events unfolded, and evidence and policy interacted, over time. Before this analysis, I first set out below the background and context to the CS Inquiry and describe the main actors.

The Ministerial Taskforce on Child Support

Child Support is the payment that non-resident parents (usually fathers) make following parental separation to the costs of raising their children. Child Support policy is highly emotive, controversial and complex: emotive because it involves the well-being of children often caught in the middle of situations of parental conflict; controversial given it requires the balancing of the various competing interests and needs of children, resident parents, non-resident parents and the State; and complex because it sits at the intersection of the social security and tax systems (Smyth 2010, Parkinson 2007). Child Support has been the subject of much domestic and international scrutiny and reform (e.g. Skinner et al. 2008). In Australia, there have been many advisory groups and reviews of Child Support. These include reports and evaluations from the

Child Support Consultative Group (1988), the Child Support Evaluation Advisory Group (chaired by Justice Fogarty, 1992) and most recently the 2014-15 parliamentary inquiry (House of Representatives 2015).

A different parliamentary inquiry was instrumental in the genesis of the case-study inquiry. In December 2003, the House of Representatives Committee on Family and Community Affairs published a report of their review of child custody issues (House of Representatives 2003). This inquiry had involved extensive public consultations, hearings and site visits. The report made a number of recommendations pertaining to family law and advised that a Ministerial taskforce be set up to examine Child Support. This report gave further impetus to calls for a review of Child Support that had been made by fathers groups over many years, based on what they perceived as the unfairness of the Child Support scheme. The Prime Minister of Australia (John Howard) announced in July 2004 that the Government would be establishing a taskforce to review the scheme. In August 2004, the membership of a Taskforce and a separate Reference Group was announced. A notable feature of this inquiry is the complementary use of the Reference Group – discussed in more detail below. (This is relatively unusual with many (multi-member) inquiry bodies including advocacy and professional experts alongside researchers and academics, sometimes referred to in the literature as ‘hybrid advisory committees (Krick 2014)).

Exploring evidence in the Child Support inquiry process

The inquiry process is explored below using three phases: the Establishment phase; the Operational phase; and the Post-report phase. In each phase, I highlight features and incidents that are relevant to the exploration of evidence use, and include the perspectives of the policy actors. This analysis illuminates how policy actors saw evidence (or lack of) as an important motivation in the establishment of the inquiry; that developing and using evidence was a core activity during the operation of the inquiry; and that the evidence was considered to play a significant role in the adoption of the inquiry’s recommendations, after the inquiry had reported.

The Establishment Phase

On 29th July 2004, the Australian Prime Minister John Howard endorsed the recommendation of the recent parliamentary inquiry and announced a taskforce would be established. Part of the

motivation for establishing an independent ‘expert’ inquiry was to address a perceived ‘evidence gap’. As one policy actor commented “The inquiry had no pre-ordained recommendations, although the government did have a strong view about the necessity for research and evidence”². There was also an appreciation that the original Child Support scheme had been developed in the absence of a credible evidence base, and there was a desire “to do something better this time around”³. Following the Prime Minister’s announcement, a secretariat was formed in the Department of Family and Community Services (FaCS); drawing in staff from across the department, and the task of determining the chair and membership of the inquiry body was initiated.

The previous parliamentary inquiry had provided guidance on who should be involved in a proposed Ministerial Taskforce, citing: clients of the Child Support Agency, payer and payee representative groups, researchers and government and agency officials (House of Representatives 2003, p 175-176). The Taskforce and the Reference Group were chaired by an academic lawyer, Professor Patrick Parkinson of the University of Sydney, with David Stanton AM (a former senior public servant and former Director of the Australian Institute of Family Studies) as deputy chair. Professor Patrick Parkinson had been involved in the preceding parliamentary inquiry, giving evidence at a public hearing and had endorsed the need for a separate inquiry to tackle the child support system. On being approached by the Minister’s chief of staff, Professor Parkinson agreed to chair the inquiry but he was keen that an ‘expert’ group should be formed that would have no stake in the recommendations. For Professor Parkinson, the separation of the technical specialists (the Taskforce) and the advocates (who were included in the Reference Group) was an essential requirement for the inquiry to proceed successfully.

Over the next few months, the department secured the members of the Taskforce and the Reference Group. The Taskforce was an ‘expert body’ made up of people with expertise in social and economic policy, family law, family policy, and research. Membership of the Reference Group was drawn from advocacy groups and professionals with experience in issues relating

² Interview with policy actor F, conducted by author, 5 April 2017

³ Interview with policy actor G, conducted by author, 5 April 2017

parenting after separation, counselling and relationship mediation (Smyth 2005). It is also important to note that one member of the Taskforce was a senior public servant (Wayne Jackson) who navigated an ‘insider-outsider’ role throughout the inquiry. The members were announced alongside the inquiry’s terms of reference on 16th August 2004, which obligated the taskforce to have regard to “the available or commissioned research” (Parkinson 2005). At the initial meeting, Taskforce members met collectively for the first time and department officials gave a presentation about the interaction between the Child Support scheme and family payments, kicking off what the chair described as ‘the start of a learning curve for everyone.’⁴ This first meeting also set the tone for the inquiry with discussion focusing on the need for their work to be guided by evidence and to start from first principles. Several policy actors recalled that the initial conversations of the Taskforce concerned research-needs and what equity and fairness might mean in the context of their deliberations.

The Operational Phase

A primary focus of the Taskforce’s work during its operation was the creation of an ‘evidence base’. The Taskforce commissioned a series of major new research studies. This included assigning the Australian Institute of Family Studies (AIFS) to conduct a survey of community attitudes towards child support and the National Centre for Social and Economic Modelling (NATSEM) at the University of Canberra to develop a micro-simulation model to analyse the operation of variants of the Child Support Scheme and their interaction with the tax and income support systems. NATSEM’s model was able to show outcomes for both individual families and the general population of alternative policies. Existing research and practice from across Australia and overseas was collated. Three different approaches to assessing the costs of children were commissioned. Whilst the secretariat within the department gathered much of the existing evidence, it was members of the Taskforce themselves who undertook much of the commissioned research. I return to the significance of this in my discussion.

It should be noted that the Taskforce did not undertake a public consultation exercise as part of the inquiry. This is unusual for an inquiry of this type. As referred to above, the preceding

⁴ Interview with policy actor H, conducted by author, 11 April 2017

parliamentary inquiry had involved extensive public consultation and the Taskforce had access to this material. Despite not initiating a consultation, a high level of unsolicited written correspondence was sent to members of parliament and directly to the Taskforce secretariat. It was also clear that the Taskforce and secretariat saw the role of the Reference Group as being to provide ‘public input’ and to represent the interests of different groups. The Reference Group met regularly and was consulted throughout the inquiry. The Taskforce and Reference Group had the same chair (Professor Parkinson) and deputy chair (David Stanton), and in interviews both stressed that the Reference Group were highly engaged and listened to, that all the issues were ‘workshopped’ with the group, and that they played an important role in the inquiry.

During the inquiry, Professor Parkinson went to the United States and, whilst there, studied various US child support regimes (different states used different approaches and formulas). Professor Parkinson described this visit as catalysing the breakthrough moment for the inquiry⁵, moving the Taskforce’s mission from the ‘too hard basket’ to the possibility of significant reform. It was during this visit that Professor Patrick realised that the current Australian model could not be sustained. On returning to Australia, Professor Parkinson presented his analysis to the taskforce, thus opening the door for policy reform. Then, the ‘devil was in the details’⁶, and the task was to design a scheme that would work ‘practically and politically’⁷. There were no formal stages to the inquiry, but many actors reflected on the nature and quality of the policy process - that it involved evidence creation and consideration, a principles-based approach and a process of testing and adapting policy options. (The nature of the process, and the role of evidence, is considered in more detail below.) By March 2005, the Taskforce had developed its proposals and submitted its report to the government.

The Post-report Phase

On 14th June 2005, the Minister for Family and Community Services (Senator the Hon Kay Patterson) released the report of the Taskforce – ‘In the Best Interests of Children? Reforming

⁵ Interview with policy actor H, conducted by author, 11 April 2017

⁶ Interview with policy actor H, conducted by author, 11 April 2017

⁷ Interview with policy actor I, conducted by author, 11 April 2017

the Child Support System’ (Parkinson 2005). Professor Parkinson described the 48 hours after the report had been published as critical. He held a press conference, did many media appearances and briefed journalists, members of the government and opposition. Patrick Parkinson stressed in the press conference that their recommendations were ‘based on the best available evidence.’⁸ The following day, newspaper editorials were nearly universally supportive of the recommendations (with the Canberra Times offering a lone dissenting voice). There was broad stakeholder support, with the Reference Group endorsing the report.

Then the hard work within government began. The government member of the Taskforce (Wayne Jackson, a Deputy Secretary in FaCS) was tasked with leading the Inter-departmental Committee (IDC) to consider the report and develop the government’s response. The report was considered to be ‘a roadmap for a contested and complex issue’ and provided the government with ‘a social license to act’⁹. There was recognition within government that the process of the inquiry had had integrity, particularly in being transparent and considering the views of stakeholders, and that the ‘evidence base was sound’¹⁰. Following a process of internal cross-government consultation, the IDC agreed to proceed with virtually all the Taskforce’s recommendations and, ultimately, the Prime Minister’s approval was secured. During 2006-08, the proposals of the Taskforce were implemented in three stages with the reform process culminating on 1 July 2008 when the new Child Support formula became fully operational (Smyth 2010).

Findings: the high profile of evidence

Overall, evidence had a high profile in the inquiry. Policy actors referred to the imperative of creating an evidence base to inform their deliberations and to the role that evidence played in the subsequent adoption of the inquiry’s recommendations. This ambition to ensure advice was informed by evidence was manifest in the guiding terms of reference and was frequently cited by policy actors as a motivation for creating an expert group to review the policy. As one

⁸ Interview with policy actor H, conducted by author, 11 April 2017

⁹ Interview with policy actor I, conducted by author, 12 April 2017

¹⁰ Interview with policy actor I, conducted by author, 12 April 2017

interviewee commented, ‘the expertise and generation of evidence was very central, and unusual’¹¹ and another remarked that ‘the research and evidence base was one reason for the Taskforce’s success.’¹² There was strong endorsement across policy actors of the importance of evidence to the inquiry. However, the findings reveal interesting insights and nuance in what policy actors understood as ‘evidence’ and in how it was contested and used throughout the inquiry.

What did policy actors count as ‘evidence’?

Policy actors differed somewhat in their perceptions of what counted as ‘evidence’ in the inquiry, with one interviewee articulating the subjectivity of the term: “There is evidence and evidence.”¹³ Notwithstanding some variance, evidence was generally understood by policy actors in fairly narrow terms relating to research-based or ‘scientific’ knowledge. However this did not mean that other forms of knowledge (e.g. experiential and practical) were not valued in the inquiry. The research and modelling work that was conducted throughout the inquiry was referred to by policy actors as the ‘evidence’. The extent to which wider ‘public input’ was considered evidence was ambiguous; it was explicitly not seen by some actors as part of the formal evidence base.

This apparent dominance of the scientific evidence contrasted with the value that policy actors placed on the contribution of the Reference Group, being seen as the main conduit for public input, and recognition of the diverse knowledge that it brought to the inquiry. It also contrasted with the appreciation, cited by many policy actors, of how ‘evidence’ interacted with other things in the policy process. One actor pointed to the interplay between anecdote and evidence: “The anecdote is used as a stimulus for further inquiry. Impressions, anecdotal stuff, personal accounts – count as impetus to further inquiry.”¹⁴ Another actor referred to other knowledge that informed their work: “We used the evidence within the boundaries of the moral imperatives and other constraints such as what we knew would be politically acceptable and acceptable to

¹¹ Interview with policy actor D, conducted by author, 31 March 2017

¹² Interview with policy actor F, conducted by author, 5 April 2017

¹³ Interview with policy actor F, conducted by author, 31 March 2017

¹⁴ Interview with policy actor E, conducted by author, 3 April 2017.

stakeholders.’¹⁵ In this sense, there was a disconnect between what sources of information and knowledge were used in the inquiry and what most policy actors considered to be ‘evidence’; the latter drawing from research-based knowledge. However, as discussed, this did not mean that wider forms of knowledge did not have value in the inquiry process, with practical, professional, experiential and political knowledge seeming to inform the Taskforce’s deliberations.

How was evidence negotiated and used in the inquiry?

Whilst actors stressed the importance of the ‘evidence’, it was also widely acknowledged as ‘not enough’¹⁶. Actors talked about how the inquiry was a ‘principles-based’ policy process and they referred to the interplay between the evidence, the principles underpinning their policy analysis and values more generally. As one interviewee commented, ‘We had the foundation of evidence, but did not only rely on evidence. We spent a lot of time thinking about what fairness meant.’¹⁷ This interplay between evidence and values was recognised by others: ‘On wicked problems, there is the need to balance evidence with a deep appreciation of values and perspectives – need empathy.’¹⁸ An overarching moral imperative (that both parents are responsible for their children) also shaped the inquiry, and evidence, values and principles were interwoven in the process of making policy ‘judgements’¹⁹.

Many actors described the process of the inquiry and how the evidence was contested within the process of developing policy recommendations. The process was described by one actor as “an iterative process, going from impressions to evidence-based outcomes; a process that involves evidence-gathering and sifting, recommendations based on those findings, testing them, amending them in light of reactions.”²⁰ Others pointed to the interplay between the evidence, values, principles and interests and, ultimately, the need to make decisions and agree on

¹⁵ Interview with policy actor A, conducted by author, 22 March 2017.

¹⁶ Interview with policy actor I, conducted by author, 12 April 2017.

¹⁷ Interview with policy actor D, conducted by author, 31 March 2017.

¹⁸ Interview with policy actor D, conducted by author, 31 March 2017.

¹⁹ Many interviewees referred to the need to make ‘judgements’ in the process of formulating policy advice.

²⁰ Interview with policy actor E, conducted by author, 3 April 2017

recommendations: “In weighing up the evidence, we were obviously constrained by time. We had to work out what was defensible and ‘good enough’”²¹.

The ‘communicative’ requirements of the inquiry process also seemed well recognized by policy actors, with many interviewees highlighting how their work and advice were part of a process of building arguments and communicating them in such a way as to bring about policy change. In the words of one interviewee, ‘you need more than evidence, need to consider values and how to build consensus.’²² Another commented, ‘Very early on, we discussed that the issues were very complex and full of values. So the work had to be principles-based. And this made it easier to sell of course.’²³

These comments suggest that the evidence was serving different ‘uses’. Much of the research evidence was considered instrumental in helping the Taskforce design the Child Support formula. However, it was recognised that this and other forms of evidence (e.g. community and stakeholder views) also served a political function in bringing credibility and legitimacy to the Task force’s findings, and to “be able to *say* it was based on the best available evidence.”²⁴ One actor expanded on this aspect of the ‘political’ use of the evidence base: “Sometimes an inquiry gives political cover. It allows the evidence to be aired and tested publicly (without being government-endorsed).”²⁵ One actor also pointed to how the process of accumulating evidence fostered learning throughout the inquiry, as the Taskforce became more knowledgeable: “it was a learning journey for us all.”²⁶ That evidence has different uses in policy processes is widely acknowledged in the literature, often summarised as instrumental, conceptual and political uses (Head 2015). My findings suggest that the political use of knowledge is more than using evidence to support pre-determined positions (how it is often portrayed in the literature (e.g. Whiteman 1985). Policy actors reported how the inquiry did not have a pre-ordained outcome. The ‘political’ use of evidence in this case was more about the role that the evidence played in

²¹ Interview with policy actor A, conducted by author, 22 March 2017

²² Interview with policy actor D, conducted by author, 31 March 2017

²³ Interview with policy actor J, conducted by author, 1 May 2017

²⁴ Interview with policy actor H, conducted by author, 11 April 2017

²⁵ Interview with policy actor E, conducted by author, 3 April 2017

²⁶ Interview with policy actor H, conducted by author, 11 April 2017

making reform possible. As suggested by Daviter (2015), exploring the political use of knowledge and evidence has been relatively neglected in the literature and ripe for further research.

Discussion: strategies for raising the profile of policy evidence

The case-study reveals the diversity of what can count as ‘evidence’ and the way in which this is negotiated alongside, and interwoven with, values, principles and politically-constrained policy choices. In the introduction to this paper, I set out how in the policy studies literature there is increasing recognition of the breadth of information and knowledge that can count as evidence (Head 2008, 2015). My findings give further support to this assessment. Acknowledging these broader notions of what constitutes evidence has implications for the theory and practice of ‘evidence-based policy’. However, current theories of ‘evidence utilisation’ still rely heavily on research utilisation (with many still drawing on Carol Weiss’ seminal 1979 study), although recent work has adapted these in light of improved understanding of how contemporary policy making (Ingold and Monaghan 2016) or sought to adopt a much broader interdisciplinary approach (Huckel and Blyth 2017). The need to build more secure theoretical foundations for how evidence is used in the policy has been recognised by others (e.g. Cartwright et al 2010). In this paper, I focus on the practical implications for evidence-based policy. More specifically, I discuss some insights for how the profile of evidence (defined narrowly or broadly) might be elevated in policy processes. My empirical analysis suggests that evidence had a high profile in the inquiry with policy actors offering many examples of how evidence was created and deployed. By reflecting on the empirical findings, some possible enabling strategies emerge which I outline below.

Many of the strategies that have been proposed for increasing the use of evidence in policy-making have been informed by studies of ‘barriers and facilitators’ (Oliver et al. 2015b). Techniques that improve communication between researchers, experts and policy makers and various ‘brokering’ and ‘translation’ strategies to increase evidence use (usually meaning the increased uptake of social science research) have been put forward (e.g. Head 2015, Meager et al. 2008, Ward et al. 2009). Whilst these strategies have merit, my empirical work suggests some alternative strategies. Four possible strategies are outlined: a) integrating experts into the

process; b) designing-in temporality; c) airing evidence through public processes; and d) decoupling advice and decision-making. Each of these is explored briefly below. I am not claiming that evidence has a high profile in all public inquiries, or indeed in other institutions, that use these strategies: other policy and political priorities may win the day. However, I am suggesting that they may serve to raise the odds of policy being informed by evidence.

a) Integrating experts into the process

A defining feature of the Child Support inquiry, and indeed many public inquiries, is that experts become part of the process. They are enlisted not for one-off advice or to attend regular advisory meetings, but rather they are bound into a process which requires them to offer their expertise but also to work alongside executive government and to develop and publicly present policy recommendations. They are conscripted for the duration, and this may help the evidence to stay the course. In the CS Inquiry, the expert members were ‘put to work’ during the inquiry and were commissioned to undertake specific research projects in addition to contributing expertise during meetings.

The way in which experts are integrated clearly also has consequences. In the CS Inquiry, the technical experts (the Taskforce) were kept separate from the advocates (who were among the members of the Reference Group). This may have allowed the scientific evidence to have a louder voice or as one interviewee described, it prevented ‘advocates drowning out the evidence’.²⁷ However, ultimately the recommendations of the Taskforce were tested out and adapted in light of views of the Reference Group – the different forms of expertise were integrated and negotiated, but in a ‘controlled’ manner. Unlike the CS Inquiry, public inquiries frequently have a (unitary) advisory body that is made up of a mix of academics, practitioners, representatives and stakeholders.

b) Designing-in temporality

A characteristic of all inquiries is that they have a designated timeframe in which to operate. Whilst the timeframes given to inquiries might be very challenging (the CS Inquiry being a case

²⁷ Interview with policy actor G, conducted by author, 5 April 2017

in point), it is still the case that this provides a temporal space to gather and consider evidence. This notion of ‘designed-in temporality’ has been considered in recent literature on ‘slow democracy’ which endeavours to protect democracy from the ravages of ‘social acceleration’ (Saward 2015). Whilst motivated by different aims and normative concerns, it is a concept that has resonance here. In an era of fast politics (Stoker 2016), the ability to consider evidence effectively and to have a reflective policy process is similarly challenged. A couple of my interviewees commented that inquiries ‘buy time’²⁸ in a contemporary policy context.

c) ‘Airing’ the evidence through public processes

Various aspects of the inquiry process were public - the terms of reference, the membership of the Taskforce and Reference Group, the final report and the associated research reports. The final report was published by the government prior to any decisions being taken on the future of the recommendations, thus providing an opportunity for further debate on the evidence and the proposals. Inquiries employ a range of techniques to ‘air’ the evidence, most commonly through the use of interim reports or discussion papers. For example, the UK Pensions Commission published a ‘First Report’ (Pensions Commission 2004) which explicitly sought to present their analysis of the pension problem and establish the ‘fact base’ (Institute of Government 2010). In Australia, the Cass Social Security Review (1986-88) published six major ‘Issues Papers’ (in addition to 31 other research and discussion papers) designed to generate public discussion of the evidence and the policy proposals (see Foreword to Cass 1988). These public processes ‘air’ the evidence, raise its profile and may make it more difficult to ignore in subsequent decision-making.

d) Decoupling advice and decision-making

The very process of commissioning an external advisory body, to review a policy problem and provide advice, requires the separation of advice and decision-making within a policy process. It could be argued that this separation occurs in many different types of policy process (including routine policy-making processes within government); however, what is highlighted here is the

²⁸ Interview with policy actor B, conducted by author, 28 March 2017; Interview with policy actor E, conducted by author, 3 April 2017

‘physical’ separation with advice being formulated independently from decision-making authorities. It is this ‘decoupling’ of advice and decision-making that may enable evidence to have a higher profile. In effect, it allows evidence to ‘stay the course’ and progress in the policy process through to the policy formulation (advice) stage, without being crowded out prematurely by political or pragmatic pressures.

Conclusion

Forty years ago, Carol Weiss (1979, p428) suggested that “it probably takes an extraordinary concentration of circumstances for research to influence policy decisions directly”. Researchers and academics have consoled themselves that their research has an ‘enlightenment’ function (Weiss 1979), even if it does not directly influence policy. In the public inquiry studied in this paper (the Ministerial Taskforce on Child Support), the findings suggest that the research did directly influence the inquiry advice and subsequent decisions within government. However, it should be again acknowledged that the inquiry explored in this paper is exceptional – its establishment was partly motivated by the need to generate an evidence base, it placed great store in producing and collating research and it used the evidence directly in its advice. This advice and its evidence base were fully accepted by government, rare for a public inquiry (Stanton 2005). However, a research generation and synthesis function is a common feature of inquiries: studying inquiries may allow the exploration of more direct routes for research to influence policy, rather than through enlightenment avenues. Moreover, looking beyond *research* utilisation, public inquiries typically facilitate practitioner, stakeholder and public input and are, therefore, useful sites for considering broader notions of evidence and expertise.

Overall, the findings suggest that evidence had a high profile in the inquiry. Whilst policy actors generally understood ‘evidence’ in narrow terms (related to the research-generated knowledge), other forms of knowledge (experiential, professional and political) were valued and used in the inquiry. The findings also suggest that the evidence had various ‘uses’: it was used instrumentally in the design of the new Child Support scheme and it was used politically to build support for reform. However, policy actors shared the view that evidence is only one element of the policy process and that values, policy principles and political trade-offs were intertwined with the evidence and negotiated throughout the inquiry process.

The disconnect, illustrated in this research, between what actors call ‘evidence’ and the information and knowledge used in policy processes suggests that evidence in a broader sense may be routinely used in policy-making, but it is not perceived as such. Policy actors may be reserving the term ‘evidence’ for the use of ‘hard’, often quantitative, data rather than the breadth of practical, professional, experiential (as well as scientific knowledge) that can produce useful information for policy-making. Research based on surveying policymakers about their use of evidence in policy *in abstract* is unlikely to pick up this nuance. Further ‘situational’ analyses of the use of evidence in policy are needed to create a clearer picture of what counts as evidence and to what extent, and how, evidence is used in policy. Public inquiries are fertile ground for further evidence exploration and comparative studies would be particularly useful in this regard.

This paper offers novel insights into the use of evidence in public inquiries. It reveals the perspectives of policy actors, involved in a real-world policy process, and sheds further light on how evidence and policy interact. This paper argues that public inquiries can be important sites for promoting evidence in policy-making given their research, engagement and expertise credentials. This paper highlights some strategies for how evidence might be promoted in policy processes. Drawing on the case-study, four possible strategies are suggested: 1) integrating experts into the process; 2) designing-in temporality; 3) airing evidence through public processes; and 4) decoupling advice and decision-making. These strategies may allow evidence to achieve a higher profile in policy processes and thereby better inform policy decisions.

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