

On Rational Advocacy

A response to the discussion paper entitled
Reform of Australian Government Administration: Building the world's best public service

Angela O'Brien-Malone *BSc, BA(Hons), PhD*

and

Mark R. Diamond *MPsych, PhD*

Background of the Authors

We are both social scientists who are currently employed within the APS. We each have a previous long record of employment as academics in Australian universities. Our research expertise has largely focussed on the use of various methodologies in the social sciences, particularly the methodologies which are used within the disciplines of psychology and education. Since these methods also form the foundation for much of program evaluation, our research expertise is also the basis for our roles working on program evaluation and related matters within the APS. This submission is informed by our experience as experts within the APS, and particularly by our experience of being evidence-makers and evidence-assessors within the APS.

Abstract

In this submission we argue that significant in-house expertise is required by the APS if it is to fulfill its responsibilities as a professional and rational advocate of ideas that are in the best long-term interests of Australia. Currently, the APS has limited capacity to evaluate essential evidence from the social sciences and it relies largely on non-experts to do so. If the APS is to recruit, retain, and effectively utilize in-house expertise then it must: develop a research culture, value 'in-house' expertise, and actively engage in helping in-house experts to maintain their expertise. It must also develop a career path that rewards expertise. We suggest strategies by which the APS might achieve these important goals.

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1 Introduction

The *Reform of Australian Government Administration* (ROAGA) discussion paper describes a fundamental purpose of the APS as being to serve “the government of the day, including by striving to be a professional and rational advocate of ideas that are in the best long-term interests of Australia” (p. 1, emphasis added).

What does rational advocacy, in the context of evidence-based policy, actually mean? What is the basis of rational advocacy? What are the prerequisites for it to occur within the APS? What consequences are likely to ensue for the Australian Government and for the Australian people if rational advocacy in the APS fails? It is to these questions that this submission is directed.

Rational advocacy has two aspects: first, domain-relevant knowledge and expertise; second, skill in the formulation of a rational argument. Without the former, *any* argument will fail for want of a solid foundation. Without the latter, it will be impossible to present a defensible case for a particular position. Without a combination of expertise and argument, it will be impossible to develop credible, defensible, evidence-based policy.

Since knowledge and expertise play a central role in rational advocacy and the development of evidence-based policy, they form the subject of this submission. In particular, we address:

- the necessity for expertise
- current capacity within the APS to judge the quality of evidence
- barriers to collaboration between academics and other experts and the APS.

We note that the KPMG report¹ entitled *Benchmarking Australian Government Administration Performance* uses the UK Civil Service as a comparator for the APS. We do likewise in this submission. We also note that the KPMG report concluded that the APS performs “comparatively poorly” in:

- *its capability for coordinated, informed and strategic policy;*
- *its tools, methods and institutions for integrating external expertise...* (p. 2)

This, broadly, is also our conclusion, but our discussion of the problems and possible solutions goes beyond that contained in the KPMG report.

2 Rational Advocacy

2.1 *Is expertise really necessary?*

During the past three decades, the UK has experienced several crises that have highlighted the need that the civil services of all developed countries have for

- the capacity to evaluate knowledge from the sciences and the social sciences
- the capacity to understand the nature of scientific expertise.

At least two of those crises—namely the emergence of Bovine Spongiform Encephalopathy (BSE) in the 1980s and the outbreak of Foot and Mouth Disease in

¹ KPMG (2009).

pigs, sheep and cattle in 2001—led to the establishment of formal Inquiries. The reports that eventually issued from those Inquiries included the conclusions that Government Departments must:

... retain 'in house' sufficient scientific expertise to enable them to understand and review advice given by advisory committees.

... review advice given by advisory committees to ensure that the reasons for it are understood and appear to be sound. (Inquiry into BSE and variant CJD in the United Kingdom, 2000, Vol 1, Chapter 14, p 256)

[b]ase policy decisions on best available science and ensure that the processes for providing scientific advice are widely understood and trusted. (Foot and Mouth Disease 2001: Lessons to be Learned Inquiry, 2002, p. 11, emphasis in original)

In November 2005 a broad inquiry into the UK Government's handling of scientific advice, risk, and evidence in policy making was launched by the House of Commons Science and Technology Committee. The inquiry addressed the social, physical and natural sciences and described the situation in the UK in 2005 in these terms:

Many of the most high profile policy issues are critically dependent on the input of scientists. These include: securing the economic development of the UK through the knowledge economy; protecting the population of the country against an avian influenza pandemic and other infectious diseases; mitigating and adapting to climate change; safeguarding the UK's energy supply; detecting and averting potential terrorist threats; and tackling obesity. In each case, effective policy development requires both an effective scientific advisory system and appropriate use of evidence and advice on science and risk by Government. This Government has repeatedly stated its commitment to pursuing an evidence based approach to policy making and placed great emphasis on the role of science in informing policy. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 2)

The comments also represent a fair summary of the current position in Australia—we are critically dependent on the input of scientists and experts from many disciplines to meet the Australian Government's objective of developing and using evidence to address significant policy issues.

What was the outcome of the 2005 inquiry by the House of Commons Science and Technology Committee? Detailed recommendations from the report which address, for instance, structural issues, might not translate straight forwardly into Australian circumstances but the tenor of comments in the report is nonetheless revealing:

Experts in the civil service (and from outside) need to work closely with civil service generalists if scientific advice and evidence are to be effectively incorporated into policy. William Solesbury, Senior Visiting Research Fellow at the Centre for Evidence Based Policy and Practice, told us that it was in this area—the competence of the generalist staff—that the civil service's weakness lay: "I do not think there is, as yet, very much, or at least not a very sophisticated understanding of the occasions when evidence is useful, the sort of evidence to be obtained, how to evaluate evidence when it is available, how to interpret it, and how to weigh it." (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 48)

So, the conclusion of the House of Commons Science and Technology Committee, together with the earlier inquiries in the UK, was that knowledge and expertise from the social sciences was essential for evidence-based policy development. They further concluded that the UK Civil Service had significant problems with regard to understanding or evaluating evidence, and valuing or incorporating expertise within the Service.

Is the APS better-positioned than the UK Civil Service? No. Australia has simply benefited from luck in that no similar crisis has yet happened here. The APS currently suffers from many of the same weaknesses as those that placed the national good of the UK at such grave risk during those periods of crisis, and it would behove the APS to learn from the UK experience.

2.2 The APS has limited capacity to evaluate essential evidence from the social sciences

Folk explanations abound in the social sciences. Ask anyone in the street how to prevent domestic violence, reduce the crime rate, improve literacy, stop truancy, reduce traffic accidents, decrease unemployment, prevent child-abuse, or put an end to problem gambling, and you are sure to have found someone with “the answer”. People are willing to tout their solution to social policy problems in the absence of any serious evidence,² yet those same people would be most unwilling to repair their microwave oven without employing an expert or seeking expert advice—even though social phenomena are considerably more complex than a microwave oven.

Unfortunately, the same mindset is found within the APS. The call for evidence-based policy has resulted in the proliferation of what is best termed “advocacy research”.³ A viewpoint about how to solve a particular policy problem seems “obviously” reasonable,⁴ and evidence is then accumulated to provide a case for supporting that solution.⁵ In its most blatant forms, it is the activity of advocacy research that has come to be facetiously referred to as “policy based evidence”, but in most instances, advocacy research is simply a consequence of (a) failure to recognize the immense complexity of human behaviour, (b) failure to understand that, despite its complexity, human behaviour and societal behaviour is open to empirical inquiry, (c) failure to understand that evidence and opinion are not the same and that appropriate empirical inquiry leads to evidence rather than opinion, and (d) a lack of expertise in evaluating evidence.

An evidence-based approach requires a policy-making process that is receptive to evidence; a process that begins with a question rather than an answer, and that has institutions to support such inquiry.... The joke about ‘policy-based evidence’ has not been made in abstract — we have long observed such an approach in operation through the lens of regulation-making in Australia. (Banks, 2009, p 18)

Unfortunately, the same causes as have led to the proliferation of policy solutions based on “obviousness”, also lead to problems with evaluating evidence. If you are not well-versed in the social sciences then you might believe that evaluating

² “Science is a method to keep yourself from kidding yourself” — Edwin Land

³ For a detailed discussion of the distinction between advocacy research and scientific research, see [Firebaugh \(2008\)](#).

⁴ One well-known example is the “Scared Straight” programs run with adolescents whose delinquent behaviour places them at risk of ending up in juvenile detention. The Scared Straight approach is based on the idea that if these juvenile delinquents visit a juvenile prison of some kind it will make them aware of how unpleasant it is and scare them out of their delinquent behaviours. Sounds like common sense. But juveniles who are put through these programs show a pattern of an *increase* in reoffending ([Petrosino et al., 2002](#)). Far from helping, the programs make things worse.

⁵ As Brian Head from Queensland University has noted: “Relatively few research and consulting projects are commissioned without some expectation that the reports may assist in upholding a certain viewpoint.” ([Head, 2008, p. 1](#))

evidence is easy. Just read what's on the web, listen to what "practitioners on the ground" are saying, and draw a conclusion. Would that it were so simple—but it is not. Evaluating evidence in the social sciences is difficult, as is reflected in the suggestion that that the soft sciences be renamed the *hard* sciences.⁶ But, despite the difficulty of evaluating social science evidence, the capacity to do so is vital to the proper functioning of the APS and to the realisation of the government's desire to formulate robust, evidence-based policy.

2.3 The APS needs in-house expertise to evaluate evidence

One approach to the problem of obtaining expert advice has been to use scientific advisory committees. Although the solution is not without value, it is, at best, only a partial solution.

What can be achieved using in-house experts is different from what can be achieved using advisory committees. Put bluntly, for advisory committees, it's not their main job. As a consequence, the greater part of the intellectual endeavours of the members are not directed towards fulfilling the needs of the APS. Further, advisory committees do not generally leave—nor even have the opportunity to leave—a legacy of increased understanding in the APS. Nor do they have significant influence on internal agency processes.

In contrast, in-house experts would

- have an integrated understanding of the needs and culture of their agency
- understand the nexus between their APS agency and the broader political process
- allow all levels of agency staff to access expertise, as needed
- leave a legacy of understanding in the generalist staff
- be in a position to build relationships of influence within their agency
- contribute to building a culture of evidence-based policy, and a research culture, within the APS.

2.4 Becoming an APS generalist is not conducive to developing domain-specific expertise

Flexibility and agility are the buzzwords of the modern APS. They form the title of Chapter 7 of ROAGA and are touted as being essential attributes of the APS organization. However —

[w]hile it is, of course, understandable that the Government seeks to develop civil servants with transferable skills, it is short-sighted if that precludes highly-skilled experts who wish to remain experts within their field from progression to the upper echelons of the civil service or if its view of which transferable skills are valuable is too narrow. The tendency for civil servants to rotate between jobs on a regular basis (often in order to broaden their experience) can also be detrimental in specialist areas where accumulation of knowledge and experience is particularly important. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 52)

Expertise takes a long time to develop and a great deal of effort to maintain.

⁶ Leigh (17–18 August, 2009).

On what basis do we make that assertion? Answer: evidence. A universal conclusion from studies of expertise in a wide variety of domains is that the development of expertise requires around 10 000 hours, or ten years, of practice.⁷ After 10 000 hours of attentive practice within the APS one can expect that a person will approach being an expert in the workings of the public service. But it is only with a similar degree of experience in acquiring knowledge and skill in the social sciences, together with practice in the exercise of that knowledge and skill, that expertise in the evaluation of social scientific evidence is likely to develop.

Consequently, the APS needs to acquire well integrated, in-house expertise—but that requires that it be able to attract and retain experts. There are a number of barriers which the APS must address if it is to make itself an attractive place for experts to work.

2.5 The APS must develop a research culture and value 'in-house' expertise

A member of the APS Senior Executive Service once suggested to us that we move out of doing evaluation-related work. When we remarked that it was in the area of program evaluation that our expertise lay, their response was to say that they felt strongly that no one in the APS should lay claim to any form of expertise!

It might be astonishing that such an opinion could be held by someone in a position of influence within the APS but it simply reflects the fact that *in-house* expertise is neither well recognised nor particularly valued within the Service. In situations where expertise might be found in-house or procured through a consultancy, the consultant is frequently perceived as having superior skills and knowledge, whatever the objective reality. The in-house problem has long historical antecedents⁸ and is certainly not unique to Australia. It was commented on, for example, by the House of Commons Science and Technology Committee in the following terms:

Determining which expertise should be retained in-house and which sought externally is of critical importance but there are many compounding factors that render this process extremely challenging. Most departments have not been particularly effective at collecting data on the skills and experience of their employees in a way that facilitates assessment of the overall expertise held in-house—a problem exacerbated by the fact that... employees may not advertise their specialist skills in a generalist oriented civil service. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 60)

As Gary Banks, Chairman of the Productivity Commission, put it in his address to the Australia and New Zealand School of Government in February 2009:

Any agency that is serious about encouraging an evidence-based approach needs to develop a 'research culture'. Establishing dedicated evaluation units, achieving a critical mass of researchers, strengthening links with academic and other research bodies, are all integral to this. (Banks 2009, p 21)

⁷ Ericsson, Krampe & Tesch-Römer (1993).

⁸ "A prophet is not without honour except ... in his own house," (Matthew 13:57, Revised Standard Version). Curiously, the opposite problem—[Not Invented Here](#)—besets many private sector organizations.

2.6 The APS must actively engage in helping in-house experts to maintain their expertise

If the APS is to be an attractive employer for social scientists then it must enable them to: (a) maintain and develop their expertise, and (b) maintain a *claim* to recognition of that expertise within the wider community of scholars.

These two ingredients are linked but are not identical. An in-house expert who fails to maintain and develop their expertise will be of ever decreasing value to the APS. Their knowledge will become dated, their skills will decline, and their real contribution to policy formation will plummet. On the other hand, an expert who cannot maintain an ongoing claim to expertise within their wider community of scholars will continue to be of value to the APS but will run the very real risk of being unwanted by any other employer!

For most scientists and social scientists, it is the process of researching, writing, and ultimately publishing which significantly contributes to sustaining and developing their expertise⁹—but APS agencies are renowned for not publishing. The reasons for not publishing are as creative as a schoolboy's excuses for unfinished homework—the Minister needs to make a decision, the information is confidential, the material is being considered by Cabinet, the report is commercially sensitive, the research isn't relevant to policy, the research is *too* relevant to policy, the research is too old, too new, and so forth. The end result is that little is published, and the APS can turn out to be an efficient machine for turning experts into non-experts, or, at the very least, into experts who cannot substantiate their claim to expertise.

Needless to say, that is not the most desirable of outcomes.

2.7 The APS must develop a career path that rewards expertise

Without a career path which values and rewards their expertise, why would scientists and academics undertake periods of work within the APS? They won't—or not sufficient numbers of them.

We remain concerned that despite the introduction of PSG [Professional Skills for Government], the civil service is still likely to be a place where generalist skills are valued more highly than specialist ones. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 52)

In policy-making, scientific literacy must be given equal value to economic knowledge and drafting ability... (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 53)

... reform of the civil service is essential to bring about a cultural shift: specialist skills must be given equal value to generalist skills and this should be reflected in rewards structures. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 53)

It is also essential that more opportunities are created for scientists to progress to the most senior positions without being required to sideline their specialist skills. (Scientific Advice, Risk and Evidence Based Policy Making, paragraph 53)

⁹ Publication is a critical step because both the *process* and *fact* of publication opens the research to peer review and comment.

Reward is more than remuneration. One glaringly obvious problem that the APS must overcome if it is to succeed in attracting experts into its workforce is the lack of commensurate structures of remuneration *and* responsibility in universities and the APS.

The education of a social scientist is directed towards developing independent mastery of their domain of expertise—the ability to think independently, and to make and be responsible for their own judgements, is central to their expertise and effectiveness. Independence of thought is also highly valued by researchers. But while the remuneration offered to EL1s¹⁰ is broadly commensurate with the remuneration offered to the top end of the Senior Lecturer range or the bottom of the Associate Professor range,¹¹ the duties and *responsibilities* of EL1s are not commensurate with this academic comparison group. Thus there is a disjunction in the way that remuneration and responsibility are interlinked in the APS and the way they are interlinked in universities. Transferring into the APS from a university at the same level of remuneration will considerably reduce individual responsibility—and independence. This is likely to be a severe disincentive for many experts who might otherwise consider joining the APS.

The APS must develop career paths which recognise and reward expertise. This requires creating the circumstances where internal experts can influence decisions, make judgement calls, and think independently. It will not be simple and it might require some experimentation. However, there are relevant Australian models which could provide a place to begin, the Reserve Bank Service¹² being one such example.

2.8 Other approaches to gaining in-house expertise

In addition to building expertise in the APS by direct recruitment, another avenue would be to improve the exchange of ideas and people between the APS, universities and other research institutions. Academics could be seconded into the APS—as Professor Andrew Leigh of the ANU Research School of Social Sciences was seconded to Treasury in 2008. Similarly, postgraduate researchers could be encouraged to undertake their PhD research on topics of importance to the APS thus yielding doctoral graduates who are ‘tailor-made’ to fit the APS’s need for expertise.¹³

¹⁰ Our choice of EL1 is motivated by the fact that EL2 and SES members in almost all departments are employed as generalists, not experts.

¹¹ See, for example, [Murdoch University](#) (2006).

¹² The Reserve Bank Service, established under Part VII of the Reserve Bank Act (1959), is the employer of staff at the Reserve Bank of Australia.

¹³ The Reserve Bank Service utilises a variety of similar approaches ([RBA](#), 2008).

3. Summary

Solving many of the current policy problems that Australia faces will require the input of scientists and experts from many disciplines. If the APS is to fulfil its responsibility to act as a professional and rational advocate of ideas that are in the best long-term interests of Australia and thereby develop the evidence-based policy which is the objective of the Australian Government, then the APS must have the capacity to interpret and evaluate evidence from all branches of the sciences.

Currently, the APS has limited capacity to evaluate essential evidence from the social sciences and it relies largely on non-experts who do not have the requisite skills and knowledge. The process of developing domain-specific expertise is diametrically opposed to the processes that are involved in acquiring the depth of generalist skills which the APS requires in the majority of its staff. Consequently, the APS needs the advice of experts. One approach to the problem of obtaining expert advice has been to use scientific advisory committees but that approach provides only a partial solution to the problem. A much more complete solution would be for the APS to attract and retain, in-house, the expertise it needs but there are a number of barriers that it must overcome if it is to succeed.

If the APS is to make itself an attractive place for experts to work, then it must

- nurture a culture of research that values expertise
- enable experts to maintain and develop their expertise and to maintain a claim to recognition of their expertise outside of the APS
- develop career paths that recognise and reward expertise.

These would be significant changes. They will not be easy to achieve and some experimentation will be required. The reward will be a much improved APS with the capacity to achieve its fundamental purpose.

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