Evidence-Based POLICY-MAKING in Canada

Edited by Shaun P. Young

A Multidisciplinary Look at How Evidence and Knowledge Shape Canadian Public Policy

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This book is dedicated to my mother, Eleanore Leet; my aunt, Agnes Dotzko; my wife, Kate Bird; and my daughters, Amy and Faith: your love and support has made this possible.

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Foreword



Mel Cappe

This book is an important contribution to the public debate on the role of evidence in the public policy development process. The essays contained herein address an array of public policy issues of significance to Canadians, from early childhood development, through education to crime and punishment, and, in so doing, consider the use of evidence in the formulation and analysis of public policy.

Until recently, government has had an important role to play in producing and marshalling evidence in the process of public policy research, analysis, development, and implementation. Many government departments had large policy research units composed of social scientists with graduate degrees whose time was dedicated to long-term research projects. They studied problems of Canadian society and the economy, refining problem definition and exploring policy options for addressing challenging issues of public import. They maintained relations with research institutes, academics, and scholars who shared their interest and passion for policy and making Canada a better place. And they helped identify and develop sources of data that contributed to the understanding of Canada, our problems, and their potential solutions.

However, in the recent past, some governments have privileged ideology and doctrine over evidence. In turn, we have witnessed an evolution toward policy-based evidence. That phenomenon was astutely captured in a clever *New Yorker* cartoon that depicted a policy manager handing a sheet of paper to an underling and saying, "Here are my policy conclusions. Go find some evidence to base them on."

Public servants continue to have the capacity to undertake deep analytic and evidentiary studies. But some ministers have taken to offering answers to policy problems without ever having asked any questions about those problems. And if ministers get out of the habit of asking questions about policy problems and demanding serious analysis to inform their decision-making, then public servants will get out of the habit of considering such questions and, consequently, will lose the capacity to do the necessary analysis. Governments will then lose the best policy analysts, who will pursue opportunities elsewhere—namely, in organizations that value and utilize their skills. The end result will be

that governments' capacity to address challenging policy questions will be critically undermined.

Such a loss of capacity is extremely disconcerting, given that the issues faced by Canadian society are becoming increasingly complex and multi-disciplinary in nature. Consequently, few policy challenges can be satisfactorily dealt with by a single department of government. More often than not, these challanges transcend multiple departments and disciplines and require deep analytic capacity in a variety of fields-such as sociology, economics, political science, and other social sciencesin order to understand the problems correctly and develop viable and effective responses. Hence, gone are the days of reasonably expecting that analysts who are specialists in a particular field, such as economics, and possess a smattering of knowledge of another field, such as political science or sociology, will be able to fully understand and address all or even most policy dilemmas. However, this book demonstrates how scholars in several different disciplines, from legal scholarship through education, political science, and economics, can utilize their substantial professional expertise in one discipline to engage perspectives from other disciplines and sectors to contribute to a more comprehensive and complete analysis.

And just as most public policy challenges are multidisciplinary and multi-sectoral in nature, it is also true that most are multinational or global in scope and/or impact. Several of the chapters in this book engage the international dimension of many contemporary policy challenges and demonstrate the value of comparative inter-country analysis for Canadian policy-makers. Similarly, several of the chapters allude to one of the growing issues in public policy discourse: namely, the increasing challenges associated with the use of big data and meta data and their application to the policy development process.

Finally, this book shows how the academy can productively fill the gap left as governments withdraw from their privileged position in evidence production and policy analysis and development.

Kudos to the editor and authors for a timely and useful contribution to the public debate on the use of evidence in the public policy development process.

Mel Cappe, O.C. Professor, School of Public Policy & Governance University of Toronto

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Introduction

Evidence-Based Policy-Making: The Canadian Experience



Shaun P. Young

Policy-making is *the* fundamental activity of governments. It is through the public policy-making process that governments establish the framework within which all citizens (human and corporate) must function; and it is the process via which governments decide both which societal goals to pursue and how to (best) pursue them—essentially, deciding "who gets what, when, [and] how" (Lasswell 1936). Unsurprisingly, then, it is a process characterized by conflict and disagreement.

Diverse groups of stakeholders compete with one another to have their respective interests addressed in the manner in which they deem most desirable or appropriate. Of course, it is impossible to accommodate completely or equally the entire range of interests associated with any given issue. In general, such disparity results from the fact that the objectives of different stakeholders regularly conflict with one another, sometimes irresolvably. Arguably, within contemporary pluralistic societies such divergence is both unavoidable and ineliminable. As Isaiah Berlin famously observed, conflicts of values are "an intrinsic, irremovable element in human life" (Berlin 2002, 213). Moreover, as John Rawls has argued, the diversity of views that characterizes contemporary liberal democracies is a reasonable pluralism; that is, it is primarily composed of beliefs which, though often conflicting and irreconcilable, are reasonable—in other words, they allow for the presence and public affirmation of a multitude of divergent opinions and accept that it is unreasonable to use state power to enforce a single perspective (Rawls 2001, 33-34).

Reasonable pluralism produces "reasonable disagreement" (Larmore 1990, 340), a difference of opinion among reasonable people as to the character and precise content of the "good" life. Importantly, the presence of reasonable pluralism and, consequently, reasonable disagreement precludes the possibility of securing an "overlapping consensus"—i.e., a voluntary and stable public agreement among a substantial majority of the citizenry (Rawls 1996, 15; see also Rawls 2001, 32)—on what constitutes an acceptable or proper understanding of the "good" (i.e., the rational). That fact has significant consequences for public policy-making,

especially in liberal democracies. Among other things, the presence of reasonable pluralism and reasonable disagreement means that debate regarding which issues are important and warrant immediate attention should be expected—it will be the norm rather than the exception.

Furthermore, even in those rare instances when all involved agree upon the ultimate goal—for example, a decrease in violent crime—there frequently remains problematic disagreement regarding the appropriate means for pursuing it. When a conflict of ends or means occurs, often-difficult decisions must be made respecting the policy direction that will be pursued and, subsequently, the interests that must be partially or, if necessary, completely forsaken (at least temporarily). Expectedly, those whose interests are only marginally reflected or completely unrepresented in public policy will seek—indeed, demand—explanations as to why their "needs" or recommendations have been ignored.

In turn, policy-makers will seek to provide a justification for their actions that is acceptable to the majority of the citizenry (or, at least, the majority of the *electorate*¹). However, their ability to do so is complicated not only by the presence of reasonable pluralism and reasonable disagreement, but also by the uncertainty that plagues the policy-making process: decisions about which challenges to address or opportunities to pursue and the means to be used to do so unavoidably involve speculation. Though one can examine how others have addressed identical challenges or opportunities elsewhere and adopt any existing "best practices," there can never be any guarantee that the results achieved elsewhere or in the past will be identically replicated in the time, place, and circumstances in question (e.g., Cartwright and Hardie 2012). Moreover, the degree of uncertainty is only escalating (e.g., Wilson and Sheldon 2006).

The ongoing generation of new scientific knowledge and the development of new technology(ies) continues to increase not only the number and variety of potential policy issues and challenges, but also the difficulty associated with clearly identifying the most appropriate and/or effective response to associated problems, thereby producing an evermore complex and controversial policy-making environment. It might be argued that policy issues have always been complex relative to their time. However, while it is certainly true that governments in all eras have been confronted with significant policy challenges, it seems unjustifiably dismissive to suggest that the policy challenges facing many currently existing governments are no more daunting than those confronting

governments sixty years ago, for example. Mel Cappe, an ex-Clerk of the Privy Council—the most senior position in Canada's federal public service—has offered an effective rebuttal to those who would suggest such a relative comparability, noting: "There is a significant difference between complicated and complex [emphasis added]. Complicated is calculating the trajectory of a missile. Complex is raising a child. Complicated is building a railway. Complex is bringing democratic development to developing countries. Feedback loops, interdependence and linkages among issues make the problems we face now even more challenging and the requirement for solutions even more exacting" (Cappe 2011, 3; see also, for example, Burton 2006; Himelfarb 2013). The often emotional and rancorous debates surrounding the issue of global warming and the acceptability of, for example, genetically modified foods and stem-cell research are representative of this phenomenon.

The end result is that the ineliminable presence of reasonable pluralism, reasonable disagreement, and uncertainty leaves policy-makers constantly searching for justifications for policy choices that will not only be satisfying in the immediate term to the majority of the electorate, but also effective with regard to addressing the issues in question. But how does one locate—or, more accurately, generate—such justifications?

SCIENCE, EVIDENCE, AND DECISION-MAKING

Many believe that "science" is the tool that is best equipped to produce the information required to make sound decisions, especially with respect to complex policy problems. Science, it is argued, generates information that is free of personal prejudices and manipulation; in other words, science generates evidence. Consequently, evidence provides—and is typically presented as—a scientific and, by extension, impartial basis for decision-making. In turn, decisions that reflect the conclusions of the best available evidence are believed by many to offer the greatest promise for successfully addressing the expanding myriad of "wicked" challenges—challenges that involve a number of interdependent variables and are extremely difficult or impossible to address completely (e.g., Churchman 1967)—that confront contemporary societies.

Of course, the idea that scientific evidence is the preferred foundation for decision-making is not new; it is the premise that animated the Age of Enlightenment, the instigators of which argued that predictable and continuous human progress can be achieved only if we abandon the irrationality of relying upon superstition and religion to direct our behaviour and embrace science and its conclusions as the basis for our decisions. Advances in science and technology since the beginning of the Enlightenment have substantially improved the ability to produce "evidence," while the development of information and communication technologies (ICTs) and their increasing sophistication and proliferation has meant that access to information continues to expand at a genuinely astounding rate. Concomitantly, though, as already noted, the continuous march of science and technology has also increased the complexity of the challenges confronting humans; and that situation has, in turn, increased the desire for evidence.

The result is that, within contemporary liberal democracies, "sound" public policy decisions are generally expected to be "scientific" and "rational" in character (e.g., Neylan 2008; Mulgan 2005; Parsons 2002; Harries, Elliott, and Higgins 1999, 32; Evans 2007, 135; Martens and Roos 2005, 82; Pielke 2007; Daniels 2000a, 2000b; and Lasswell 1971, 37).3 Satisfying such a condition is typically understood to require that the advice provided to decision-makers reflect the conclusions of the best available evidence (e.g., Marston and Watts 2003; Mulgan 2005; Tilley and Laycock 2000; Clarence 2002; Parsons 2002, 57; Cappe 2013; Rivlin 1984, 18-19; Blunkett 2000; and Boaz et al. 2008, 235). Indeed, all efforts to define the problem under consideration and identify the "goals to be achieved . . . and the instruments or means chosen to address the problem and to achieve the goals" (Dyck 2008, 507) are expected to be guided by the best available evidence. Fulfilling such an expectation will enable the generation of the type of defensible and "reasonable" justifications typically sought by policy-makers, or so many believe. The aforementioned beliefs have resulted in evidence achieving a pride of place (at least, rhetorically) for many in contemporary society, including many policy-makers and governments (e.g., Cartwright 2009, 127; Laforest and Orsini 2005, 481). Enter the concept of evidence-based policy-making.

EVIDENCE-BASED POLICY-MAKING

The concept and practice of evidence-based policy-making (EBPM) is premised upon the idea that "at the heart" of properly developed public policy is "the best available evidence" (Davies 1999); it is often juxtaposed against what some have labelled opinion-based policy-making, which involves decisions based "on either the selective use of evidence

(e.g., on [a] single survey irrespective of quality) or on the untested views of individuals or groups, often inspired by ideological standpoints, prejudices, or speculative conjecture" (Segone and Pron 2008, 1).⁴ An increasing number of governments around the world are explicitly and energetically embracing EBPM.⁵

Policy-makers' concern with evidence is certainly not a new phenomenon. Indeed, though many identify the release of the *Modernising Government* White Paper (Cabinet Office 1999a) as the signal (contemporary) moment, one can locate in Aristotle's *Politics* (350 BCE), for example, arguments supporting EBPM. Accordingly, there are those who have suggested that the current fascination and engagement with the idea of EBPM represents not "a new chapter in public policy, so much as 'déjà vu all over again'" (Parsons 2002, 57; similarly, see Campbell et al. 2007, 33; Nutley, Davies, and Walter 2003; Zussman 2003; and Banks 2009, 2). Regardless of one's conclusion regarding the innovativeness of the concept of EBPM, it cannot be denied that "the scale of the current interest is impressive" (Clarence 2002, 2; similarly, see Evans 2007, 135; Cartwright 2009, 127; and Nutley, Walter, and Davies 2003, 143).

The contemporary project of systematically transforming policymaking into an evidence-based, genuinely "scientific" endeavour was most famously articulated by Harold Lasswell. Thanks to Lasswell and Daniel Learner, in 1951 the term "policy sciences" entered the lexicon. In an essay entitled "The Policy Orientation," Laswell referred to "a science of policy forming and execution" (Lasswell 1951, 3)—a rigorous and purposeful framework for establishing a public policy development process that employs "scientific decision methods and the behavioral sciences" (Quade 1970, 1), "with particular emphasis on determining . . . policies that will achieve given goals" (Ray 1999, 48). Arguably, the present (i.e., post-1999) fascination with EBPM was precipitated by the contemporary interest in evidence-based medicine (EBM), which has been defined as "the conscientious, explicit, and judicious use of current best evidence in making decisions about the care of individual patients" (Sackett et al. 1996). The term evidence-based medicine is believed to have first appeared in 1992 in an article published in the Journal of the American Medical Association, in which EBM is described as a "[n]ew paradigm for medical practice" (Guyatt et al. 1992, 2420). However, like EBPM, use of the fundamental principles animating EBM has a lengthy history (perhaps millennia in duration). In 1996, Sackett et al. suggested that EBM

is neither "old hat" nor "a dangerous innovation" (i.e., something so new that it is impossible for it to be widely practiced properly).

The perceived success and value of EBM stimulated an increasingly widespread interest in applying its fundamental principles to other fields and, indeed, to the realm of public policy-making in general. In turn, researchers in fields such as education, criminal justice, social care, transportation, and urban renewal began to pursue projects that adopted the approach of EBM in order to produce EBPM. In particular, they embraced the idea of using the best available systematic research about the effects of different responses to a given problem (e.g., youth crime, traffic congestion, etc) to identify the most effective policy for addressing that problem. The "gold standard" for systematic research is generally understood to be systematic reviews, studies that "synthesize the results of an assembly of primary investigations using strategies that limit bias and random error" (Cochrane Musculoskeletal Group). In so doing, systematic reviews amalgamate "the results of several studies into a single estimate of their combined result" (Cochrane Musculoskeletal Group).

The support for transplanting the general methodological framework of EBM into other policy fields has been significant, and resulted in the establishment of the Campbell Collaboration, an analogue to the Cochrane Collaboration—an organization created specifically to facilitate the production and dissemination of systematic reviews targeting medical treatments—and numerous other organizations and initiatives dedicated to supporting the pursuit and realization of EBPM, including the Centre for Evidence and Policy (UK), the Coalition for Evidence-Based Policy (USA), and the Policy Research Initiative (now entitled Policy Horizons Canada). Arguably, the recent global economic crisis has served only to increase interest in, and support for, EBPM. The crisis has provoked many governments to reconsider existing policy/program regimes within the context of seeking greater operational and structural efficiencies that will enable them to respond effectively to current and projected fiscal challenges while also continuing to provide essential public services in a manner that satisfactorily addresses citizens' expectations and demands. Insofar as EBPM is believed to offer the best hope for delivering an effective response to a given challenge, it has been presented and embraced as the preferred mechanism for helping to achieve the desired efficiencies (e.g., Glennerster 2012; Jennings and Hall 2012, 248). However, despite the apparent increase in support for EBPM,