Thursday 28 January

Panel 4: 11am-12.30pm

Policy Tools & Their Targets: Beyond Nudges and Utility Maximization in Policy Compliance

Michael Howlett

Studies of policy tools traditionally have focused on the effective use of governing resources to attain policy ends, without devoting a great deal of attention to the behaviour and characteristics of policy targets who were often assumed to simply act as rational utility maximizers susceptible to shifts in apparent gains and losses linked to policy interventions. Although this is beginning to change with recent work examining policy ‘nudges’ and the effects of co-production and social marketing efforts which suggest or are based on alternative logics of target behaviour, analysis of policy targets still all too often retains a crude concept of target behaviour inspired by utilitarianism and assumptions about self-maximizing activity on the part of citizens. This thinking has led to many considerations of policy design focusing on the calibrations of policy tools – such as the size of penalties or rewards - rather than upon the nature of the tools themselves and whether the appropriate type of tool is being used to match the nature of compliance and co-operation required or demanded of a design situation. This paper reviews the literature on the subjects of compliance and policy tools, pointing out their weaknesses and proposing a new research and practice agenda focused on better understanding and matching tool resources and target behaviour.

New Public Management and Information Asymmetries: An Australian employment services case study

Phuc Nguyen

The employment services sector in Australia has undergone four waves of radical changes since the 1990s: Working Nation (1994-1996), Job Network (JN) (1996-2009), Job Services Australia (JSA) (2009-2015) and Jobactive (July 2015-present). Key to the reform is the transformation of the purchasing framework, i.e. the governments’ approach to sourcing, procuring and managing the provision of
employment services. From a starting point where employment services were solely provided by a public agency, the government started contracting out service delivery to numerous private providers, and by 2003, the market was fully privatized when the only public agency was finally abolished. Contractors, either for profits (FPs) or not-for-profit (NFPs), have to compete for the right to provide service.

The reform of the Australian employment services purchasing framework was informed by changes in public management thinking, commonly grouped under the rubric of New Public Management (NPM). NPM are a series of government policies designed to reform the public sector, in particular to render it more effective at lower cost. However, operationalizing the NPM principles to achieve the expected outcomes has proved challenging. Investigating the NPM tenets and their associated information claims, we argue that underlying such operational challenges is the problem of information asymmetry which is present at different levels of the existing commissioning framework. Our arguments are further nuanced by the data we collected about the reforms for nearly two decades. We suggest greater emphasis by the government on measures to minimize information asymmetry among multiple parties within the commissioning framework for improved performance.

**Engagement with the public in policy making. Practices and Prospects.**

Robyn Hollander

In the Westminster tradition, the role of a good public servant was to be seen but not heard. They operated within a rule bound, strictly hierarchical organisation, where important policy decisions were the province of Ministers. In the 1980s, this ‘public administration’ model was increasing superseded by a ‘New Public Management’ which brought the public service closer to citizens, now conceptualised as customers, through the mechanism of the market. More recently, new paradigms, such as New Public Governance (NPG) have emerged. Unlike its predecessors, NPG emphasises the importance of networks, collaboration and other ways of engaging an active citizenry. Public servants are now expected work with the community directly without the mediation of elected political representatives. While NPG promises much including improved quality of decision making, enhanced trust in government, its success relies on profound cultural change within a ‘hollowed out’ service. Is there evidence such a change is underway? And can it translate into positive responses to notions of public engagement in the larger democratic project? Is there a confidence amongst policy makers in the community’s capacity to become partners in reforming and reinvigorating our institutions?

This paper uses the findings of the first large scale survey of public servants from across the country to address these questions. It examines their experience, and in particular, their engagement with the general public and contrasting this with their engagement with business and client groups. It begins by examining their current practice and then turns to what they think desirable.
Examining the tension between efficient service delivery and public benefit: The case of urban water governance and management.

Yvette Bettini and Brian Head

Water services were semi-corporatized under 1990s Australian competition policy, in line with shifts toward New Public Management. Concurrently, sustainable development policies required triple bottom line accounting in natural resources management. These tensions between delivering cost-effective water services while meeting environmental and social water use needs have not yet been resolved. Government-owned water utilities are licenced and regulated to deliver safe and secure drinking water, remove and treat sewerage, and in some jurisdictions manage stormwater quantity and quality. Additional benefits of water management activities, such as improving waterway health, cannot easily be costed or justified within least-cost business models. Moreover, utilities can be reluctant to deliver added benefits due to financial or perceived regulatory compliance risks. Few studies have examined the specific institutional constraints to delivering economic, social and environmental benefits through water management, within the regulatory context of hybrid government-corporate delivery agencies. This study remedies this gap, exploring the governance features which enable government-owned utilities in Victoria, QLD and WA to deliver broader benefits in the public interest, within the constraints of commercial prudence. The research highlights ‘soft’ institutional features such as executive leadership, organisational culture and networks assist with negotiating and sanctioning activities beyond ‘core business.’ Regulatory gaps can thus be overcome, but funding streams and accounting models pose the next ‘hard’ institutional barrier; when revenue must maintain current levels of service, and costing and benefit distribution models are not comprehensive or robust enough to satisfy price regulators. Clearly legislated public benefit principles provide the rationale for operating beyond commercial interest. These factors along with ongoing policy dialogue provide institutional capacity for utilities to embed public benefit outcomes into their water management operations, and avoid time intensive and ad hoc efforts to do so on a project-by-project scale. However, the study suggests that greater attention to policy development for ensuring public benefit delivery is embedded within institutional arrangements, alongside sound economic management. The paper explores some novel governance models and mechanism from international jurisdictions which may offer translatable solutions to resolving these fundamental tensions in contemporary public management.
Panel 5: 1.30-3.30pm

Accounting for controversy in public-private partnerships: two cases from Australia

Joshua Newman

Governments around the world are increasingly finding public-private partnership arrangements attractive for infrastructure delivery. And while alternative service delivery in general continues to gain ground in many jurisdictions, controversies surrounding the ability of these instruments to minimize costs, reduce risks to the public sector, and inspire accountability remain unresolved. Most intriguingly, some partnership projects tend to attract more controversy than others, for reasons that have not yet been sufficiently explored.

This paper compares two prominent transportation infrastructure projects in Australia, the Sydney Airport Rail Link and the Brisbane Airtrain, to investigate why some projects generate controversy while others do not. Despite being built around the same time, in the same country, and in partnership with the same private sector corporation, and despite encountering many of the same challenges, the Sydney Airport Link was a political fiasco and a public relations disaster while the Brisbane Airtrain escaped public and political controversy entirely. Using data collected from elite interviews and primary document analysis, this paper examines the historical, political, and local cultural factors that can cause one public-private initiative to experience controversy while another escapes unharmed.

Political science, public policy and policy influence

Linda Botterill and Alan Fenna

In 2015, Lawrence Mead published an article in Policy Sciences that was scathing about the influence of research on government. He argued that there was a growing gap between scholars and policy-makers and focused on what scholars needed to do to address this. In a subsequent issue, Joshua Newman and Brian Head responded, dismissing Mead’s approach, which they saw in terms of the ‘two communities’ thesis, and arguing that the answer did not lie in ‘fixing’ academia to meet the needs of policy but rather in improved collaboration. Whether or not it is useful conceptualising researchers and policy makers in terms of two communities or two worlds, there would seem to be little doubt that political scientists specifically, and social scientists more generally, have not been particularly successful in engaging with and influencing public policy practice. The only exception is economics which has been notably successful in convincing public servants particularly of the scientific nature and applicability of its approach to policy issues.

This paper builds on earlier work about the contribution of political science to public policy and considers the challenges and obstacles that political scientists face in the quest to be policy relevant;
including whether policy relevance matters or whether an enlightenment approach to academic research is more desirable both for academics and society more generally.

**What is “good” public policy?**

**Linda Hancock**

Public policy is diverse, has multiple meanings and draws on a range of disciplines. It is highly contested and frequently misunderstood. However policy practitioners and researchers need to draw on a range of tools and perspectives in our attempts at sense-making. Are there some conceptual tools that may assist?

Drawing on Curtain’s work (2000), this paper scopes the sorts of questions, filters or tests that researchers might draw on to assess the adequacy of public policy.

1. What evidence/research gives it coherence? What are the underpinning principles and values implicit in the evidence base? The evidence test.

2. Who are the policy winners and losers? Who benefits? Whose interests are being served? ‘The who benefits public value test.

3. Is it underpinned by principles of ‘good governance’? The good governance test.

4. Is it in the ‘public interest’ and how is the public interest framed and conceptualised? The public interest test.

5. Does it have policy coherence against broader government policy frameworks or proclaimed/underpinning values? How does it rate on joined up government or ‘whole of government’? The joined-up government test.

6. How does it stack up against principles of human rights, equity, fairness and social justice? The equity, fairness and social justice test.

7. Is it based on sound principles and practice of community participation? The community participation test.

8. How does policy support sustainability? What are the short term and longer term impacts? Are there intergenerational equity, social sustainability and wellbeing, cultural tolerance, environmental and ecological considerations? How robust are the indicators of sustainability? The sustainability test.

9. How does it stack up against the policy quadrant test?
Are such tests or filters useful? Do they serve to expose “bad” or “deficient” public policy, where do we take such arguments?

Three accounts of the emergence of the Remote Jobs and Communities Program: Applying Colebatch and Bacchi

Will Sanders

This paper applies Colebatch’s three accounts of policy and governing to the emergence of the Commonwealth’s Remote Jobs and Communities Program (RJCP) which began in July 2013. It quotes review documents in 2011/12 which constructed a clear problem and imperative for ‘authoritative choice’, Colebatch’s dominant first account. The Gillard government chose reform.

The paper then moves to a ‘structured interaction’ account in which Commonwealth departments are characterised as major players operating in distinctive policy domains and pursuing quite different agendas over a longer time frame of a couple of decades. Since the demise of the Aboriginal and Torres Strait Islander Commission in 2004/05, the employment and the social services departments have been manoeuvring over the policy space around remote Indigenous employment and community participation.

A third section looks back to the 1970s and the changing ‘problematisation’ of Indigenous employment in remote areas. This draws on Bacchi who has produced a book-length exposition of how to think critically about problematisation in policy and governing. Her ‘What’s the problem represented to be?’ approach is used to fill out Colebatch’s third account.

The final section of the paper thinks about relationships between the three accounts of the emergence of RJCP. It notes that moving from the dominant first account, to the second and third accounts has involved two significant increases in time scale. It agrees with Colebatch’s argument that the accounts are ‘not alternatives’, but rather draw our attention to ‘different dimensions of policy practice’ (p35). The accounts are complementary and good practitioners move between them. For a full analytic understanding, all three accounts and a quite long time frame seem needed. This is in line with Colebatch statement that ‘we need to use all three accounts to get a complete perspective on the policy process’ (p44).

Bacchi, C. 2009. Analysing Policy: What’s the problem represented to be? Pearson Australia, Frenchs Forest NSW.

Local government reform in Auckland: A scenic tour

Grant Duncan

The new Auckland Council was formed in 2010 through the unification of six and one half former local territorial authorities and one former over-arching regional authority, covering a large urban, rural and marine area (4,894 sq km of land; 3,702 km of coastline; encompassing 30% of New Zealand’s population). This significant reform of governance in Auckland was more than just an amalgamation. It introduced a structural model that is new to local government in New Zealand and represents a further departure from the new public management (NPM). A major aim of the reform was to ensure that Auckland could ‘speak with one voice’ in addressing its significant infrastructural, environmental, social and economic needs, both locally and in relation to central government in Wellington. Greater Auckland is now working to one plan, one set of policies and one long-term budget. This paper discusses the primary aims and principles of the unification, based on an independent evaluation of the Council, asking what we know, and what we do not know, about the success of the new model in meeting its stated aims. Particular matters for discussion include: Māori representation and co-governance; the executive powers of the Mayor; the relationships between the elected governing body and local boards and the unelected officials of the Council and its quasi-commercial entities (or council-controlled organisations, such as transport and water services); local community deliberation and representation.
Friday 29 January

Panel 7: 9am-10am

Panel Discussion: Teaching Public Policy: Issues, Challenges and Future Directions

Rob Manwaring, Brian Coffey, Lindy Edwards, Martin Drum

Given the diverse scope of the role of government, and ongoing challenges in the wider political world, it is probably something of an understatement to say that there is a growing need to effectively teach public policy. The aim of this panel is to enable a wider, informal discussion about the rewards, frustrations and challenges of teaching public policy. Public policy itself entails a wide range of different approaches, and following this, public policy can be (and is) taught in a range of different ways. The panel will identify ongoing issues of concern, and being to map out future directions for the teaching of public policy. The discussion will be shaped, but not limited to, the following core themes.

Presenters will offer a short overview of key themes and discussion items, and will cover the following topics:

Dr Rob Manwaring, Flinders University (Chair). Dilemmas of Teaching Public Policy. A number of core dilemmas will be posed for discussion. This includes how (best) to teach for students from a diverse knowledge backgrounds, and especially the challenges of CALD students, and those new to Australian politics. A second dilemma will focus on the the appropriate balance of teaching theory/practice issues. A third dilemmas is the ongoing challenge what constitutes the minimum expected learning outcomes for an undergraduate student. A fourth dilemma relates to the centrality of the ‘Policy Cycle’ and the extent it does and should anchor the teaching of Australian public policy.

Dr Brian Coffey, RMIT. Policy Textbooks and Policy Skill sets. This presentation focuses on the dilemmas and issues related to the current policy textbooks taught and used in Australian universities. The focus on textbooks will also draw upon other non-Australian variants such as the ones offered by Cairney, Hill and Dye. A related issue is to consider the different skills sets that underpin the teaching of public policy. For some, the focus is perhaps on greater applied policy skills, such as writing briefs and papers. For others, the focus is on critical analysis and policy research skills.

Dr Lindy Edwards, UNSW. Flipped, Blended and On-line learning. The focus of the presentation is to consider the pros and cons of using a blended/flipped approach to develop case study based learning in public policy. It looks at ways we can engage students by getting them to participate in researching the public policy process around topical issues that are important to them.

Dr Martin Drum, University of Notre Dame. This presentation will focus on the strengths and challenges of Project Based Learning. Project-based learning can give students the opportunity to apply core policy
ideas and concepts over a longer period of time, but there are some limitations in this approach. The presentation will contrast two different cases of PBL to illuminate the value and limits of the approach.

Panel 8: 10.30am-12pm

Australian as a ‘Radical’ Welfare State
Alan Fenna & Alan Tapper

Theories of the welfare state are still deeply influenced by Esping-Andersen’s ‘three worlds’ classification — social democratic, conservative and liberal. The liberal model he held to comprise those minimally redistributive welfare states of the man Anglo democracies (including Australia). Yet, following Castles, some scholars have argued that Australia and New Zealand constitute a fourth model, usually termed ‘radical’, combining low expenditure with high redistribution. Castles has since declared that Australia no longer fits this model, it having slipped into Esping-Anderson’s ‘liberal’ category. All this raises two questions: is the idea of a radical welfare state coherent? And is Australia still able to claim that title?

Human Services and Private Profits
Bob Davidson

The marketisation of human services and the extensive involvement private for-profit organisations in the provision of these services over the last thirty years across all developed nations has been underpinned in large part by orthodox market theory based on the potential for competition and the profit motive to drive improvements in quality and efficiency.

How does the profit motive apply in human services? What levels of profitability are being obtained? Are these levels justified by the resulting improvements in quality and efficiency resulting from the both the introduction of new FPO service providers and the transformation of traditional non-profit organisation (NPO) providers? And what levels of profit are acceptable in a fiscal environment where there are ultimately limited funds to meet a rapidly growing demand for these services?

This paper explores these questions, with a particular focus on the Australian experience in a number of sectors, including aged care, child care, and vocational training.
Generating political priority for regulatory interventions targeting obesity in Australia

Phillip Baker

Obesity – the leading cause of death and disability in Australia – is a formidable political challenge. It is commonly referred to as a ‘wicked policy problem’ with coordinated action required across many sectors of government and society. Experts argue that effectively tackling obesity requires a strong role for government, including legal and regulatory interventions targeting the marketing, labelling, and content of energy-dense foods. This presentation examines the factors that have enabled or hindered political priority for such ‘regulatory interventions’ by the Australian Government over a 20-year period. It engages with agenda-setting and social constructionist theory. In this view political priority is determined less by the issue’s material importance (e.g. attributable deaths) and more by how effective political actors are at interpreting and communicating (i.e. framing) the issue in ways that mobilize supporters, demobilize opponents and appeal to the beliefs and worldviews of political decision-makers. The research involved documentary analysis and 27 key informant interviews.

Despite two periods of sustained attention to obesity, political priority for such interventions ‘failed to launch’. The Government instead supported industry self-regulation and ‘soft-touch’ interventions aimed at informing and educating individual citizens (i.e. emphasising individual over corporate responsibility). The food and advertising industries powerfully shaped this outcome through their economic importance as large industries and employers (‘productive power’), good access to policy-elites, and their pre-emptive adoption of self-regulation. This finding is consistent with observations that the power of business to influence public policy has grown substantially in recent decades, alongside expanding government preferences for less punitive forms of regulation and hybrid (public-private) approaches to governance. In contrast public health advocates have lacked cohesion with divergent advocacy positions. Institutional norms within Government effectively ‘selected out’ regulatory interventions from consideration. These findings suggest several strategies by which political priority for such interventions may be generated and sustained in future.

The Oligarch’s – How powerful is big business in Australian government policy making?

Lindy Edwards

While Treasurer, Wayne Swan claimed the Australian economy was dominated by a dozen large corporations dubbed ‘the Oligarch’s’, who were “hell-bent on using their power over government to redistribute the national income to themselves”. (Swan 2014) This paper sets out a project to test this assertion. The project will analyse a number of high profile issues in which the Oligarch’s had significant interests, and test whether the Oligarch’s influence was able to dominate the public policy making process. It is notoriously difficult to identify direct evidence of corporate activity in this area. As a result, I will propose an innovative ‘multi-factorial decision making model’ approach to analyse these case
The approach posits politicians set out to balance a number of competing factors in making decisions. The competing factors to be taken into account are:

- Politician’s ideological values & goals
- Technical experts views of best practice policy
- Public opinion and public support for a policy
- Interests of different stakeholders
- Political donations and other expressions of stakeholder power
- Electoral politics (ie Marginal seats)

The analysis examines the pressures being placed on the decision maker by each of these factors, and the extent to which they were agitating for or against the final decision. A weighing of these competing factors enables an assessment to be made about the extent to which private corporate interests prevailed in the final decision, and to what extent they prevailed over the public interest.

**Panel 9: 1pm-2.30pm**

**Exploring the dynamics between integrity, trust, ethics and accountability across the Australian public sector**

Yvonne Haigh

This paper examines the relationship between trust, ethics, accountability and the role of integrity agencies across the Australian public sector. In Australia, integrity agencies include: Ombudsman offices, Auditors General, Public Sector Commissions, Information Commissioners and offices that focus on anti-corruption processes in each state. As agencies that specialise in scrutinising the behaviour of public figures, they constitute a form of accountability that is integral to the processes of modern democratic practice. While the main purpose of integrity agencies is to ensure the actions of political elites and public servants are legitimate and effective, their relationship to trust and ethical decision making practices within the public sector is not well understood. This paper draws on three regimes of trust – institutional, calculus and relational (Bouckaert 2011), as a way to explore whether different approaches to trust are employed across the public sector. The paper examines are range of departmental Annual Reports, the State of the Sector Report for each Australian public sector, and Parliamentary Reports from 2011 - 2014 as a primary data source. The paper argues that these agencies privilege calculus-based trust regimes, which provides a model of accountability measures, however these models cover over the relational aspects of trust – aspects that strengthen the importance of collective engagement.
and cooperation. The insights derived from this paper will provide the basis to conduct empirical research on the ways in which trust could be further embedded in public sector practices and frameworks.

Policy-making in Opposition: understanding the Policy Process

John Phillimore and Martin Drum

Policy-making in Opposition, especially the election promises which emerge as outcomes, plays an important but neglected role in the policy process. The Comparative Manifestos Project has shown that in many countries these election promises form an important part of what parties do when they are in government. Despite this, most prominent policy models and frameworks devote little or no attention to how policies are made in Opposition. Commonly emerging from a process lacking in resources and expertise, policies made in Opposition and then implemented – or attempted – in government, are open to criticism as poorly considered policy initiatives in what might ideally be a more rational process conducted within the public sector. This attitude is well exemplified by a 2012 discussion paper published by IPAA on Public Policy Drift: Why governments must replace ‘policy on the run’ and ‘policy by fiat’ with a ‘business case’ approach to regain public confidence. While undoubtedly true in many instances of Opposition election promises, such criticisms ignore the fact that some policies developed in Opposition are done so over many months, often in consultation with a range of external stakeholders, with the most prominent promises being subjected to extensive public debate and media scrutiny. Delivering on the election promises which emerge from these processes might be regarded as fulfilling a democratic mandate and keeping trust with the electorate. This paper examines why policy-making in Opposition is important. It also considers avenues for better understanding where Opposition policies come from, how they are developed and adopted, how their development differs between the major parties, and whether there is a place for public institutions and processes to assist Opposition parties to develop policy.

The impact of privatisation on public policy and management: Issues in analysing the consequences for the public sector

John Halligan

The paper revisits a number of questions that have been debated since the advent of new public management, including several that have received insufficient systematic attention. These include the hollowing out of the centre, the degradation of policy capability, the outsourcing of service delivery, the diminution of corporate capacity, and the casualisation and marginalisation of the public service. A longer-term perspective is taken that seeks to separate durable change from the cyclical and to explore the cumulative consequences of different trends for public governance. Several representations of the
architecture of the public sector ranging from the unexceptional to transformative forms of hybridity – based on different public, private and political mixes – will be examined. The paper draws on research on central governments in four relatively comparable Anglophone countries.

Will counter-advertising on social media change young women’s use of alcohol?:

Stakeholder’s Interests and Alcohol Consumption of Female University Students

Michael Wearing, Alyce McGovern, Rose Melville and Annette Riley

Social media has been used in recent years to communicate harm reduction messages to young women. Social media applications provide both avenues to encourage risky drinking and also potentially preventative warnings about such behaviour. This paper will use public policy analysis to assist an understanding of stakeholder’s involvement and perceptions (defined as ‘interests’ that shape decision making and action) in using harm prevention strategies through social media to counter alcohol use and advertising in the community i.e. ‘counter-advertising’. A range of issues will be discussed including ‘who benefits’ from alcohol distribution and what interests shape policy regulation and governmental action in the area. Key issues of public perception and government action on the social harms of alcohol use for young women are addressed using moral panic and agenda setting theory. Stakeholder perceptions of good practice in policy responses and of the effectiveness of social media harm reduction strategies are sought as part of the authors’ broad research strategy. We argue in line with literature that social media offers now a potentially untapped avenue to create harm reductions strategies and responses. Previously the use of media by institutions and organizations that seek to reduce alcohol consumption (‘counter-advertising’) has been found to have limited benefits, possibly due to the fact that it is irregular, and is generally considered to be of ‘low-impact’ by young people (Ayers and Myers 2012). Furthermore, many young people believe that counter advertising is ‘unrealistic’ because they consider drinking to be a culturally endorsed and pervasive social activity. Social media offers more direct and broader access to young women for example in targeting ‘preloading’ drinking today before young people go out to clubs or bars (Rosenbloom, 2015, Fazzino et al 2015). We are interested in finding out what the perceptions and understandings of stakeholders are in our research. These stakeholders include university administrators, hoteliers, local councils and other bodies involved in both the regulation and distribution of alcohol.