

# **Adversarial Policies and Evidence Utilization: Modeling the Changing Evidence and Policy Connection**

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## **Abstract**

That policy should be based on some kind of evidence, research or expertise has for a long-time seen to be common-sense in most parts of the ‘West’. Starting in the UK, in recent years this has come to fruition under the banner of evidence-based policy-making and the quest for establishing ‘what works’ in public service delivery. Yet at almost the same time that evidence gained currency in the policy process, significant criticisms of the endeavor emerged, challenging the whole movement. Somewhat paradoxically, in recent years the evidence movement is branching out from the ‘what works’ agenda and is a key component of policy debate in many areas. This paper charts the shift in this paradigm to consider the role of evidence in adversarial policy domains. Adversarial policies present a distinct challenge for the evidence movement. Because of their sensitive nature, debates over the evidence base in such domains are usually partisan and misinformed. Adversarial policy formulation is typically seen as being evidence free because political imperatives override the evidence-base. By reviewing the recent literature in one notorious adversarial domain—UK drug policy—and the literature on research utilization, the paper argues that the reality is much more complex and that in most cases policy is usually a blend of evidence-based policy and policy-based evidence. Explaining this is a difficult task. Existing models of research utilization have been employed to this effect, but tend to offer only limited descriptions of the evidence and policy connection. This paper puts forward a newer processual model which it claims can account for the many subtleties involved in explaining the evidence and policy connection in adversarial domains.

## **Zusammenfassung**

In weiten Teilen des „Westens“ gehört es zum „Common-Sense“, dass Politiken auf Evidenz, Forschungserkenntnissen oder Expertise basieren sollten. In den letzten Jahren wurde dies ausgehend von Großbritannien mit dem Konzept der evidenzbasierten Politikgestaltung und der Forderung nach der Berücksichtigung von „what works“ (was funktioniert) bei der öffentlichen Leistungserbringung zu verwirklichen gesucht. Beinahe zur selben Zeit in

der Evidenz im politischen Prozess an Bedeutung gewann, sah sich die Evidenzbewegung („evidence movement“) enormer Kritik ausgesetzt, die das gesamte Vorhaben in Frage stellte. Paradoxe Weise hat sich die Evidenzbewegung trotzdem über die „what works“ Agenda hinaus verbreitet und gilt inzwischen als Schlüsselement in politischen Debatten in vielen Bereichen. Dieser Beitrag beschäftigt sich mit diesem Paradigmenwandel am Beispiel des polarisierten Politikfelds der Drogenpolitik Großbritanniens. Solche Politikbereiche stellen eine erhebliche Herausforderung für die Evidenzbewegung dar. Aufgrund einer Analyse der neueren Literatur zum polarisierten Bereich der Drogenpolitik Großbritanniens und der Literatur zur Nutzungsforschung wird in diesem Beitrag argumentiert, dass die Realität viel komplexer ist und dass in den meisten Fällen, die Politik eine Mischung aus evidenzbasierter Politik und politikbasierter Evidenz ist. Die entwickelten Modelle der Nutzungsforschung bieten nur eine limitierte Beschreibung der Beziehung zwischen Evidenz und Politik. Dieser Artikel schlägt deshalb ein neues prozessuales Modell vor, das den Anspruch erhebt, viele Feinheiten einer Erklärung für die Beziehung zwischen Evidenz und Politik in polarisierten Politikfeldern abzudecken.

## 1 Introduction

It is difficult to provide an overview of the current condition of evidence-based policy-making in any nation state, but the United Kingdom presents some distinct challenges. First and foremost, as a result of devolution there are four seats of power to consider; the United Kingdom government in Westminster; the Scottish government in Edinburgh and the Welsh and Northern Irish Assemblies in Cardiff and Belfast, respectively. To greater or lesser degrees, there has been critical commentary on the nature of evidence-based policy-making in each jurisdiction<sup>1</sup>. The situation is then made more complicated by the diversity of the policy areas in which evidence-based policy is applied, for instance education, health, criminal justice, housing, transport and so on. As this is the case, the current contribution does not attempt a broad overview of the ‘state-of-play’ of evidence-based policy in the UK. Instead, it concentrates on a narrower, but no less important, set of issues. These are emerging trends that appear to be unique

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<sup>1</sup> As an introduction, for issues specific to Scotland see Jung et al, (2010), for Wales see Quinn, (2002) and for Northern Ireland see Knox, (2008)

to evidence-based policy-making and commentary thereon in the UK. These relate to: (a) the broadening scope of the evidence movement and; (b) new attempts to model the evidence and policy connection. They provide the context for the following discussion.

Although there are still large discrepancies over access to knowledge, the Western hemisphere can be characterized as being information rich (Anderson 2003). Consequently, that policy should be based on some kind of evidence, research or expertise has for a long-time seen to be common-sense in most parts of the 'West'. In recent times, particularly in the UK, this has not been without drama and much debate has arisen about the relationship between evidence and politics (Monaghan 2011). Head (2010: 80-1) comments that the influence of politics has been seen as one stumbling block to the realization of the ideals of evidence-based policy-making, particularly in what he refers to as 'turbulent' policy domains, but what are referred to here as adversarial or politicized areas (Monaghan 2010). Elsewhere (Monaghan 2008), it has been suggested that adversarial policies are not usually the remit of evidence-based policy-making, as in such circumstances policy seems to be more 'muddled through' (Lindblom 1959). This contrasts, with the rational model of policy-making implied by the ideal-type of evidence-based policy, epitomized by Plewis' (2000: 96) assertion that evidence-based policy must be taken to mean that 'policy initiatives are to be supported by research evidence and that policies introduced on a trial basis are to be evaluated in a rigorous way as possible'.

According to some commentators (see for example Mulgan 2005) when it is not expedient, the government is not fully committed to its pledge of developing policies on the back of sound evidence instead of dogma. This is an 'established criticism' of the evidence-based policy agenda. In simple terms, the idea is that politics and not evidence is the main driver of policy and in policy areas where there is intense media scrutiny, this is especially so. This article seeks to examine this issue in closer detail. In doing so, it questions the somewhat accepted wisdom that that politics and evidence are juxtaposed as drivers of policy. It suggests that a solid case can be made that evidence is embedded in

the decision-making process even in heavily politicized or adversarial policy areas and it should be the task of analysts to uncover the role it plays. Fortunately, some help is at hand here. Over the past three decades and more, attempts to model the research and policy connection have been developed (see for example Weiss 1977; 1986) to help illustrate the role of evidence in policy. It will be argued that the established models, although useful, cannot fully explain the evidence and policy connection as it applies in adversarial domains, but newer additions to the literature do have more potential.

Consequently, the remainder of the article is organized as follows. The following section provides an outline of some of the key issues that have arisen since evidence-based policy-making gained currency in policy circles. This documents some of the challenges to the endeavor and attempts to overcome these. It is suggested that some of the proposed solutions do not translate to adversarial areas, because of the unique challenges to which the latter give rise. The following section focuses on adversarial domains and presents some of the challenges for the evidence movement in this context. This is followed by a case study; that of UK drug classification policy that teases out some of these issues. On the back of this the penultimate section looks at the models of evidence utilization including some of the recent literature as an attempt to explain the relationship. Finally some concluding remarks are offered.

## **2 The Origins, Development and Criticisms of Evidence-Based Policy**

Although there is a long history and geographical spread of knowledge speaking to power (Parsons 1995; Anderson 2003), evidence-based policy-making in these terms was, at the outset, primarily an Anglo-Saxon development (Solesbury, 2001; Boaz, et al. 2008), intrinsically tied to the incoming New Labour government elected in 1997. A key pledge of New Labour was to ‘modernize’ policy-making by promising more accountability in the decision-making process (Bullock et al. 2001; Cabinet Office

1999a; Cabinet Office 1999b). Key personnel including, analysts, policy-makers, researchers were charged with the task of finding out ‘what works’ in mainly public service policy domains. The modernizing agenda has been described as a ‘pragmatic approach’ to policy-making; being output driven as opposed to dogmatic. It was central to New Labour’s ‘Third Way’ philosophy and their commitment to providing more efficient public service delivery under the auspices of new public management (Hudson and Lowe 2004: 223). The quest for finding out ‘what works’ is very much the orthodoxy in evidence-based policy-making. In recent times, the principles of evidence-based policy-making have branched out into other areas, but this has not been a smooth transition as the cases of Nutt and Wynne demonstrate.

Taylor (2005: 601) speaks of an ‘evidential turn’ in the language of public policy that accompanied the election of New Labour, making a connection between this and the ascendancy of neo-liberalism, public choice theory and new managerialism in the 1980s and 1990s. Taylor (2005: 602) further states that accompanying these developments was a concerted effort to promote objective, scientific evidence in decision-making at the expense of political values. In effect, the goal was the development of ‘value-free’ policies, through a rigorous evaluation infrastructure. One of the earliest statements on the origins of evidence-based policy was made in the Cabinet Office White Paper outlining the modernizing agenda:

This government expects more of policy-makers... better use of evidence and research in policy-making and better focus on policies that will deliver long term goals (Cabinet Office 1999: 6).

By placing research and analysis at the centre of decision-making, it was a desire of New Labour to move away from the era of ‘conviction politics’ associated with the governments of Margaret Thatcher and (to a lesser extent) John Major, although adherence to the principles of new public management suggest lines of continuity. Despite early promise, the evidence-based policy movement has become somewhat pensive. Commentators describe how the ‘first flush of enthusiasm has given way to disillusionment’ (Stevens 2007: 25) or that now EBPP ‘has come to

be less lauded and more pragmatically engaged with in the UK' (Pearson 2010: 77).

Campbell (2002: 89), suggests that evidence-based policy-making has, in fact, been used by the government as a way of neglecting the skepticism that exists within the public towards the scientific community. It has long been recognized that, particularly in the social sciences, inconsistent and often contradictory findings from the research process are commonplace. As a consequence, for certain thinkers, this critique of the nature of science has gone unnoticed by the government in their quest for finding out 'what works and why'. Rosenthal and Di Matteo (2001: 60), meanwhile, have pointed out that in recent times the expansion of scientific research in nearly every area has created a situation when 'new findings daily "overthrow" old ones'. These findings often mystify central issues in both theory and practice.

Sanderson (2002: 6) meanwhile suggests that lessons learned from the constructivist and interpretivist traditions, which demonstrate that the social world may be 'socially constructed and culturally and historically contingent' are sidestepped by the rational approach to decision-making outlined by the 'what works' agenda. A further key criticism of the evidence movement has been the claim that poor scholarship has resulted from the system in which evaluators or evidence-suppliers are working. Phrases like 'quick and dirty' reviews become disparaging references for work frequently commissioned by government departments or agencies that rely on speedy access to information. As Weiss, et al, (2008: 31-2) illustrate, 'evaluators often work under limited time constraints with insufficient funds for good comparative design and longitudinal follow up.' To lay these charges solely at the door of 'government' and the demands they place on the research community is somewhat misleading. It downplays the fact that most government departments, particularly in the UK (including the devolved administrations) have a bespoke research section staffed by individuals and teams with significant experience in designing, conducting, analyzing and disseminating social research.

Arguably, a more pressing problem relates to how policy-makers and politicians understandings of what constitutes rele-

vant and useable research is at odds with what is generally seen as good practice by research communities. A good example of this relates to the speech given by David Blunkett to the UK Economic and Social Research Council (ESRC) in the early days of the New Labour. Here Blunkett (2000), stated that he ‘felt frustrated’ by the tendency for research:

...when it does try to be directly relevant to the main policy and political debates, to be seemingly perverse, driven by ideology paraded as intellectual inquiry or critique, setting out with the sole aim of collecting evidence that will prove a policy wrong rather than genuinely seeking to evaluate or interpret impact. A number of studies have tried to claim evidence of poor outcomes when policies have barely been implemented...we need to be able to rely on social science and social scientists to tell us what works and why and what types of policy initiatives are likely to be most effective. And we need better ways of ensuring that those who want this information can get it easily and quickly (Blunkett 2000: 7).

Blunkett (*ibid.*) goes on to suggest that studies which combine ‘large scale, quantitative information on effect sizes, which allow us to generalize, with in-depth case studies which provide insights into how processes work,’ are welcome. In response to this, Hodgkinson (2000) pointed out that Blunkett’s understanding of social research is inherently positivist and is akin to social engineering. It furthermore neglects the fact that the research design should be a product of the research issue under consideration. Selecting the methodology before considering the nature of the problem is to get the method cart ahead of the problem horse.

A further reason for animosity between research and policy communities relates to the respective time-frames in which the protagonists work. This is a discrepancy between the compatibility of evidence production (in-depth, detailed and time consuming analyses of problems) and those of policy-making (quick-fix solutions to problems). Yet in most cases social research is arduous and is often typified by lengthy, verbose reports, which are frequently of little use for policy-makers who require clarity and concision with the key recommendations clearly obtainable. This is because, as Weiss (1993) famously noted, politicians and/or policy-makers spend very little time in their working day read-

ing. Mulgan (2005) also points to the nature of ‘democracy’ as to why there is often a vexatious relationship between policy-makers and the research community. Ultimately, politicians have every right to ignore evidence and to follow their instinct. To illustrate this, he cites the example of the paucity of evidence for increasing police numbers ‘on-the-beat’ in reducing the amount of crime in any given area. He suggests that politicians frequently ignore this as the public’s perception is that this is the ideal way to solve the problem.

Political concerns are seen to ‘trump’ the evidence-base as two-recent high-profile cases in the UK demonstrate. The first involved the sacking of the UK government’s chief drugs advisor Professor David Nutt and the second concerned the resignation of Professor Brian Wynne a recognized expert in the public understandings of science and the Vice Chair of the Food Standards Agency (FSA) Steering Group on genetically modified (GM) food. Both advisors found themselves at odds with the way that policy debates were being conducted in their relevant areas, suggesting that scientific advice was being either distorted, manipulated or ignored to protect and justify pre-existing policy stances. In the case of Nutt this related to the classification of cannabis and ecstasy within the wider framework—the 1971 Misuse of Drugs Act—that regulates illicit drug use in the UK. He claimed that the current classifications of cannabis as class B and ecstasy as class A were not warranted on the grounds that neither drug is as harmful as their legal status implies. This is returned to below, but for now it is apt to state that Nutt’s advice was not wholly endorsed by the government of the time.

The essence of Wynne’s complaint was that the character of the public dialogue relating to the efficacy of GM crops was very much being shaped by the pro-GM lobby. The steering group was charged with the task of overseeing a public consultation on whether the use of GM crops should be more widespread and what the implications of this might be. One of the guiding principles was to ‘allow the dialogue to be conducted with no built-in bias, non-confrontational, with no faction allowed to dominate’ (Food Standards Agency, no date). For Wynne, this was clearly being usurped and was also contrary to the agenda established by



the FSA. It was, furthermore, a resigning matter. These episodes pushed the relationship between the government and its scientific advisors towards the top of the news headlines. In effect, both events serve as examples of what happens when politics comes face to face with science. These are issues that are central to the contemporary evidence-based policy endeavor.

The bold claims once made of a new, modern policy-making agenda have been watered down as political realities have taken hold. Instead of dampening the mood, there are signs that evidence-based policy is increasingly the standard-bearer for the development of all policies. In other words, the discourse is increasingly permeating the entire discipline of policy-making and analysis and attempts are continuously being made to bridge the gap between the two communities. Indeed, various thinkers have highlighted how one way of increasing the potential for evidence to impact on policy is to employ intermediaries (Sin 2008). Many labels are employed to describe this, including knowledge transfer and knowledge exchange. These activities are undertaken by a knowledge broker, intermediary, boundary spanner or research translator (Ward et al. 2009: 268).

Knowledge brokering theory takes as its starting point the view that there is a missing connection in the research/evidence to policy/practice/action chain. It advocates the use of key actors 'positioned at the interface between the worlds of researchers and decision makers' (Ward et al. 2009: 267) who can act as envoys between the two constituencies. These may be individuals but can also be collectives. The emphasis on brokering is significant as it serves to create an equal balance of power between the two communities; this is made possible by their being a shared appreciation over the nature of the problem that requires a solution. The broker is supposed to favor neither and represent the interests of both. In this way, it differs from consultancy as there is doubt about a consultant's capacity for impartiality due to their occupational function in the context of a customer-client relationship (Ward et al. 2009: 268). Although there is more than one way to achieve knowledge brokering (Oldham and McLean 1997, Ward et al. 2009), the activity is still beset by problems. Ward et al. (2009: 273-4) highlight the key drawbacks. Many of

these mirror the stumbling blocks of evidence-based policy-making. In the first instance, knowledge brokering is time consuming and labor intensive. This is because in many policy areas the 'evidence-base' is often unwieldy and disparate. Consolidating this into a useful package for decision-making is bound to be a laborious process, yet decision-makers require knowledge immediately (hence the emergence of the rapid evidence review as a new methodology in recent years).

Advocates of knowledge brokering have prescribed a number of means to improve communication and dialogue between the two communities. To paraphrase Ginsburg and Gorostiaga (2001: 186-91), these include amongst others: (a) continuous 'translation/mediation of the data produced and data required by each; (b) role expansion which advocates a continuing erosion of the boundaries between the practices of the differing groups and; (c) collaborative action research which again tries to blur the boundaries between the two groups. This follows on from (d) decision-oriented research which is a collective term for various activities that again challenge the general division of labor between the two groups. This involves creating more 'clinical partnerships', doing more evaluation research and policy relevant research. The overall aim is to try and understand the information requirements of the client and to meet these.

It is claimed here that there is still little guarantee that these will translate into evidence-based policy-making. This is primarily because the evidence and policy connection is difficult to predict. In adversarial areas, as we shall see, the evidence to action barriers are magnified and amplified due to entrenched normative beliefs about the way that policy is or should be made (Monaghan 2008; 2011). With this in mind, it is suggested that alternative explanations of the evidence and policy connection should be pursued as it is unlikely that shared appreciations of policy problems will be reached. The following sections turn to this, locating the explanation in the long-standing tradition of modeling research utilization. Before this, it is worth exploring the nature of adversarial policy areas.

### **3 Adversarial Policies: Broadening the Scope of the Evidence Movement**

As suggested in the previous section, despite the many limitations of evidence-based policy-making, it remains a driving force in many policy debates becoming the yardstick by which policies are judged and made. As this is so, the lure of evidence has reached into policy areas typically seen to be driven by political imperatives and not by evidence. These are referred to here as ‘adversarial policies’ a term that can be interchanged with ‘politicized policies’. As will become clear, such contexts present a further set of challenges for evidence-based policy, particularly calling into question its applicability in such circumstances.

Elsewhere (Monaghan 2011), five key tenets of politicized policy areas have been outlined which also serve as an overview of adversarial domains. Many of these overlap and have been touched upon already. They relate to: (a) issues where there is prolonged conflict between competing interest groups and a lingering sense of crisis; (b) policy domains where there is a lack of consensus on the nature and direction of policy which again impacts on the understandings of evidence used in decision-making; (c) policy areas that often lie at the intersection of autonomous disciplinary boundaries. This means that there can be differing bodies of evidence from differing disciplines drawn on to support or critique the same policy; (d) policy areas where there is intense media scrutiny of decision-making which raises an issue for evidence utilization and production and has a knock-on effect for how evidence utilization is analyzed; (e) sensitive policy areas where evidence often has to jostle for position with what is politically expedient;

For these reasons a sixth criterion can be added that in such areas policy formulation is much more ad hoc, piecemeal or ‘muddled through’. As this is so, they do not correspond to the ideal type of evidence-based policy-making where evidence is used either in the formulation of policy or in the evaluation of policy in a straightforward relationship. This also makes adversarial areas inherently unstable and unpredictable, thus calling into question the applicability of knowledge brokering as a

means of transcending the evidence and policy divide. In effect, in adversarial areas politics is juxtaposed to evidence as the driver of policy to the extent that if a policy stance is seen to be politically unpalatable then no matter how much evidence there is, it will not be enacted. In other words, if evidence or research is pointing in the direction of potentially controversial or even unpopular policies then it is likely to be trumped by the occupational conventions of politicians. In most cases, a politician's ultimate goal is re-election in the long-term and favorable press in the short-term.

It is with this in mind that consummate sound bites, such as 'policy-based evidence' have been coined (see for example Marmot 2004). Here, policy formulation precedes the search for evidence that is then carefully selected to support the initial stance. This pessimistic view of the research evidence and policy relationship has a long history (Weiss 1998). It is frequently used to account for the evidence and policy relationship in adversarial domains where it sits alongside those which claim policies to be un-evidenced or evidence free. The problem with such accounts is that they actually say very little about the minutiae of the evidence and policy relationship. At best, they factor out of the equation the positive influence that evidence can have on policy and at worst, factor evidence out of the policy process altogether. The true picture is more complex. Indeed, precisely because we can make a good claim to be in the 'evidence age', it is suggested that policies are often an admixture of policy-based evidence and evidence-based policy. Thus, even when it is not immediately apparent evidence is embedded in the policy process and it is the mechanisms of its selection that need to be considered and not factored out of the analysis.

To illustrate this, recent developments in UK drug classification policy-making are documented. This case study spans roughly the last ten years—the time it takes, according to Sabatier (1993), for a policy cycle to work its course. Drug policy has typically been an area viewed as being devoid of evidence for the reasons listed previously, but there are signs of change here. As a snapshot, consider the following. Evidence commissioned by the House of Commons Science and Technology Committee into the

evidence-base for the UK drug classification system suggested that research was now ‘feeding in’ to this area of policy, particularly where cannabis was concerned (Levitt et al. 2006). In the aftermath of the publication of Committee’s Report (House of Commons Science and Technology Committee 2006), however, MacDonald and Das (2006) claimed with some assertiveness that the UK drug classification system was, in effect, an ‘un-evidenced-based mess’. The defining features of adversarial policies can be witnessed in this case study and are used to structure the following discussion. For the sake of convenience some are grouped together.

#### **4 The Evidence and Policy Relationship in UK Cannabis Classification Decision-Making**

The Misuse of Drugs Act (MDA) 1971 is the main piece of legislation regulating illicit drug use in the UK (more specifically England and Wales). It replaced the various drug control acts of the 1960s; the Drugs (Prevention of Misuse) Act 1964, and the Dangerous Drugs Acts 1965 and 1967. Primarily, it introduced a classification system for drugs by placing them into a hierarchy based on their perceived harms and dangers. Criminal penalties relating to drug offences are relative to the perceived harm of the substance. Under the Act controlled drugs are assigned to class A, B or C depending on their perceived harms; heroin, cocaine and ecstasy are located in class A (the most harmful), cannabis and certain amphetamines in class B and anabolic steroids in class C (the least harmful). Since inception, the MDA 1971 has remained relatively stable with few drugs moving up or down the classes. That was until 2004 when cannabis was downgraded from class B to C, opening the potential for a lighter sanctions regime.

The 2004 cannabis reclassification was linked to changes in policing occurring in Brixton, London at the start of the twenty-first century. The ‘Brixton Experiment’<sup>2</sup> as it became known, effectively replaced the threat of arrest with informal disposal and

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<sup>2</sup> This is sometimes referred to as the ‘Lambeth Experiment’

a formal on-the-spot warning for those caught in possession. This would not form part of a national record. There is some debate as to the origins of this initiative (Crowther-Dowey 2007) and to its success in reducing bureaucracy (PSS Consultancy Group 2002). It was, however, subsequently evaluated and judged a success by both the Metropolitan Police Authority (Metropolitan Police Authority 2002) and the local community (MORI 2002). On the back of these findings, the then Home Secretary David Blunkett, told the House of Commons Home Affairs Committee<sup>3</sup> in October 2001 that he was ‘minded’ to downgrade cannabis and would seek advice from the ACMD, on the possibility of reclassification. Both parties reported back in early 2002, that cannabis should be reclassified (May et al. 2002). In July 2003, it was announced that cannabis would be reclassified to a class C drug, coming into force in January 2004.

With the benefit of hindsight, this episode has raised a number of issues for evidence-based policy-making. For current purposes, one key development was the resignation of a previous chief government advisor on drugs policy—the so-called ‘drug-tsar’—Keith Hellawell. Blackman (2004: 183), described Hellawell’s resignation as a ‘piece of theatre’, stressing that by claiming not to know where the policy of reclassification stemmed from, the drug tsar ‘made a fool out of himself’ as ‘government drug advice comes from numerous official sources; the Police Federation, the House of Lords Select Committee on Science and Technology, the ACMD, medical experts, DrugScope and lawyers’ (Blackman 2004: 183).

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<sup>3</sup> The Select Committee system is a key feature of UK Parliamentary democracy. Membership of committees usually reflects party strength in the House of Commons—the elected chamber. The primary purpose of Select Committees is to investigate the application of policy-making in any given area. This is generally done by calling ministers, civil servants, advisors, advocacy groups and other interested parties to give evidence or commission reports or papers. The work of each committee usually relates to that of a specific government department. They are generally seen to improve the debate over the issues they deal with (Kavanagh 1997: 290-1).

Additionally, Levitt, et al. (2006: 2) state that work produced by the European Monitoring Centre for Drugs and Drug Addiction is also pertinent and other sources of evidence include the annual British Crime Survey, the Health Statistics Quarterly, the Home Office Research Programme. Organisations such as the Association of Chief Police Officers and various other government department research units also play a key role (House of Commons Science and Technology Committee 2006). The main source of government advice, however, is from the ACMD, partly because this is built into the statute of the MDA 1971, but also because there has traditionally been shared appreciation and philosophy on what the drug classification system is and should be between the ACMD and the government. In effect, this vignette supports the point that sources of evidence are embedded in the policy process and are not conspicuous by their absence.

#### ***4.1 Prolonged Conflict and a Lack of Consensus on the Nature and Direction of Policy Stemming from its Location at the Intersection of Autonomous Disciplinary Boundaries***

There have been many calls for a relaxation of the drugs laws in the UK before and since the enactment of the 1971 Misuse of Drugs Act. Some have been more vociferous than others. By the same token, the call to resist change has also been just as vocal, if not more so, and it is this lobby that has traditionally won out. Towards the end of the twentieth, and into the twenty-first century, there was a tacit realization that with new knowledge of drugs emerging, the current classification system may not be fit for purpose. It was increasingly clear that some substances may be in the wrong category on the grounds that the harms associated with them were not equivalent to other substances in that group.

Monaghan (2008; 2010) has demonstrated how the reform of UK the cannabis laws were contingent on two main factors: (a) that reclassification would help free up police time as the assumption would be against the police using the powers of arrest for most cannabis possession offences. This provision would enable the police to concentrate on the problems associated with so-

called ‘harder’ drugs such as heroin and crack cocaine (May et al. 2002)<sup>4</sup>; (b) in terms of its toxicity or harmfulness, cannabis was not comparable with other class A or B drugs. On the back of these findings, but primarily because of its crime reduction potential, the then Home Secretary David Blunkett oversaw the change in policy in January 2004. A significant development, following reclassification, was the (re)discovery by various charities and academics of the link between cannabis use and mental illness. A study by New Zealand scientists (Fergusson et al. 2005) suggested that smoking, particular potent strains of cannabis—‘skunk’—virtually doubled the risk of developing certain mental illnesses such as schizophrenia. This was particularly where there was a family history of the illness although the risk was increased where this was absent. Research from the Netherlands (Henquet et al. 2004) and the UK (Arseneault et al. 2004) around the same time reported similar findings.

Such was the public and media attention of this issue that in March 2005, the then Home Secretary Charles Clarke announced that the reclassification, undertaken by his predecessor David Blunkett, would be placed ‘under review’. In doing so, he asked the ACMD to return to the issue. Justifying this move, the Home Secretary cited further evidence from the continent to back up his proposals. He stated that the Dutch government was recently looking into the issue of whether skunk above certain strength, should be given a higher classification. In January 2006, the ACMD (2005) published its review, stating that class C was appropriate as they had previously (ACMD, 2002). This decision was accepted by Clarke thus maintaining cannabis as a class C substance.

At this stage a good argument can be made to justify Levitt and colleagues assertion that the initial reclassification was evidence-based or that evidence was feeding into policy. The true picture is that this is not so straightforward and neglects the fact that there is clear contestation surrounding the concept of ‘evidence’. It is clear, for example, that both Blunkett and Clarke

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<sup>4</sup> This was unless there were ‘aggravating’ factors such as smoking cannabis in the vicinity of legal minors, for instance, near a school.



used different rationale when defending their stances towards cannabis, Blunkett favoring criminal-justice evidence with Clarke being swayed by the medical and public health literature. It was no surprise, however, that both criminal-justice- and medical/public health-related evidence was cited as justifications for the initial reclassification and subsequent review. It has been widely documented that these two constituencies have been at the forefront of global attempts to regulate drug use from the nineteenth century onwards (see for example Berridge and Edwards 1981; Shiner 2003; Seddon 2010) and they provide the lenses through which the drug problem is frequently viewed.

Even when one area of the debate is isolated, however, there is still little agreement on the role of evidence in the decision-making process. Indeed, previous research in this area (Monaghan 2008, 2010, 2011) has uncovered many paradoxes in the interpretation of evidence of the initial cannabis reclassification and first review. From 2006 to 2007 the author conducted 24 qualitative interviews with key personnel in the domain, including MPs, civil servants, NGOs, law enforcement and public-health organizations. This was combined with documentary analysis of evidence supplied to Parliamentary Select Committee hearings available to the public.

Taking the example of cannabis toxicity, a key aspect of evidence cited by David Blunkett for this decision was that in respect of toxicity, cannabis was less harmful than other class B drugs such as amphetamines (May et al. 2002). This calculation related to the purity of the substance and the levels of Tetrahydrocannabinol (THC), the main psychoactive ingredient found in cannabis. Such a benchmark, however, soon became hotly contested and the inevitably incomplete nature of such evidence was revealed. For supporters of the policy change, evidence was referenced pointing to the fact that the purity and potency of 2004 cannabis obtained on street was much the same as twenty years previously. For detractors of the policy change this was a misreading of the science, which discovered levels of THC in genetically modified and hydroponic cannabis some four times higher than the strains previously used. A third significant voice in the debate claimed that this ‘evidence’ was actually ‘non-

evidence', on the grounds that to understand the effects of drugs on human subjects, data is not only required on the properties of the drug itself, but also on supply, uptake and modes and means of ingestion. Here we witness how policies can be viewed as being evidence-based or evidence-free depending on the nature of the policy change in question and whether one agrees with it or not.

#### ***4.2 Intense Media Scrutiny of Policy Creates Sensitive Policy Areas Where Evidence Jostles for Position with What Is Politically Feasible***

It has been shown how differing views of policy change serve to muddy the waters in terms of explaining the evidence and policy connection. This section primarily concentrates on the role the media plays in influencing policy debates and the challenges this poses for evidence-based policy-making. It is accepted that there are variations in the way that different medium report certain issues. Even within one subsection, such as print journalism, there are clear differences between the broadsheet and tabloid press. Chibnall (2004) points out how it is only possible for the media to report some events some of the time. These events become 'the news'. Choices have to be made about what is covered and how, in effect, these are choices about what is 'newsworthy'. This choice is frequently governed by the need to search for sensational, unusual or dramatic occurrences precisely because this leads to more sales copy.

The media furore surrounding changes and debates in UK drug policy over the past few years highlights how the drugs issue is sensationalized. Although some of the press were in favor of the move at the time Acevedo (2007: 178) points out how in the aftermath of the reclassification of cannabis, there were numerous media reports of the drug being a contributory factor in many high-profile, violent crimes including the murder of Scottish teenager Jodi Jones in 2004 and the attempted murder of Abigail Witchalls in 2005. This created an environment in which rational decision-making became challenging. For Chibnall (2004) there

are several ‘professional imperatives’ that govern journalistic practice and contribute to the creation of such a situation.

To illustrate how this works in practice, Chibnall suggests that there are certain ‘professional imperatives’ that informally govern much journalistic practice. Two of these imperatives are ‘dramatization’ and ‘simplification’. Both are frequently employed in the reporting of drugs stories and the reclassification of cannabis was no different. Dramatization refers to how the newspapers make stories more spectacular by tying them to other events. Linking cannabis use with murder is indicative of this. Simplification meanwhile eliminates shades of grey from stories. Changing the classification of substances is a complex legal process. In recent years the ACMD have advocated various policy changes including the downgrading of cannabis and ecstasy within the MDA 1971. The reporting of these debates in the press has tended not to focus on the complex scientific deliberation and the evidence-base underpinning these proposals, instead the issue is boiled down to one of politicians being ‘hard’ or ‘soft’ on drugs.

Another pertinent issue that remains, however, concerns the power the media have to undermine key agencies of the state, or indeed, other actors by directing ‘flak’ (Herman and Chomsky 1988) or ridiculing their stances on particular issues (Reiner 2007). This is particularly true when perceived lenient sentences are handed out to the perpetrators of serious crimes or, for instance, when advocates of drug legalization or prostitution decriminalization are dismissed as ‘woolly liberals’ or ‘dangerous radicals’. Media power, can therefore, influence the policy process via impacting on public opinion and further entrenching the deeply held beliefs of policy actors. Such conditions make politicized policy areas inherently unstable or dynamic. The cannabis issue is again an exemplar.

For a short time the cannabis issue was quiet as attention turned towards the evidence-base for the wider classification system. Within weeks of assuming office, the policy landscape changed again as the then Prime Minister, Gordon Brown announced that, in light of continuing interest in the link between cannabis use and mental health, the classification of cannabis

would be referred back to the ACMD. In May 2008, against the prevailing advice from the ACMD (2008), the government signaled its intention to reclassify cannabis back up to a class B drug. The decision to maintain cannabis as a class C drug was based on the fact that although there is recognition of a ‘consistent (albeit weak) association from longitudinal studies between cannabis use and the development of psychotic illness’, little evidence exists of the social harms associated with cannabis use, particularly its association with ‘acquisitive crime and anti-social behaviour’ (ACMD 2008: 34). As this is the case, the report suggested that cannabis currently resides in the correct class, as class C, as the harms caused by cannabis are ‘not considered to be as serious as those of drugs in class B’ (ACMD 2008: 34). In 2009 it was announced, however, that cannabis would be reclassified back up to class B. This was the origin of the dispute between Professor Nutt and the New Labour government documented at the outset. This episode highlights the point about the inherent fluid nature of politicized policy areas and the connection therein between evidence and policy, which is likewise unpredictable and non-linear.

### ***4.3 ‘Muddled Through’ Policy***

Whereas a good case can be made that evidence was used in the 2004 cannabis reclassification, the same evidence was not enough to prevent a policy u-turn in 2009. This adds credence to the view that when political imperatives are strong—such as in the run up to political elections—policies can quickly change. This adds credence to the notion that much adversarial policy formulation is as much ad hoc as rationally thought out. Thus although evidence is embedded in the policy process, its utilization is not a level playing field (Stevens 2007; Monaghan 2010). For evidence to stand any chance of being selected in policy it generally has to be consistent with the policy view of the key decision-makers as was the case with the initial cannabis reclassification, but as it has also been demonstrated, this is not a foregone conclusion.

Drug classification is a thorny issue. It returned to the media headlines in March 2009 as the advisory council considered the legal status of ecstasy, reporting shortly after (ACMD 2009). Among its many recommendations was the call to reclassify ecstasy as a class B substance; a call promptly sidestepped by the government. The government's decision to seemingly ignore outright this advice led to a row—played out in the media—between the chair of the council Professor David Nutt and the then Home Secretary, Jacqui Smith. This had been simmering for some time. In an article published in the *Journal of Psychopharmacology*, Nutt had previously suggested that ecstasy was no more dangerous than horse riding (Nutt 2009). In response, Smith retorted that this was 'trivializing' the dangers of the drug (BBC 2009). The episode was a rare public disagreement between the government and the ACMD, who generally share a similar philosophy on the nature of drug classification policy. To reiterate, this maintains that the classification system should regulate drugs by placing them into a hierarchy based on their perceived harms and dangers and that criminal penalties relating to drug offences should be relative to these. The difference of opinion related to the location of certain drugs within this framework and what should be done about it.

Later in 2009, relations between members of the ACMD and the government further deteriorated, culminating with the removal of Nutt by Alan Johnson who by this time had replaced Smith as Home Secretary. Johnson accused Nutt of overstepping his remit and of 'campaigning against' government policy. In a lecture delivered in July Nutt claimed that based on the existing science both cannabis and ecstasy are less harmful than legal drugs such as alcohol and should, therefore, be downgraded, thus reducing the criminal penalties for offences relating to mainly the possession and supply of these substances. Part of the evidence-base cited for this claim was research co-authored by Nutt (Nutt et al. 2007). This outlines an alternative classification system based on a reworked spectrum of drug harms where alcohol and tobacco were ranked alongside the main illicit substances of abuse. Of the 20 substances listed, ecstasy was ranked eighteenth in terms of harm, with cannabis eleventh and alcohol fifth.

In response to his ‘sacking’, Nutt pointed out how the government had ‘devalued’ the science in their decision-making process. What materialized was widespread condemnation of the government by a large section of the policy community over its evidence use in drug classification policy. On one level, the government actions are understandable. The drugs issue is divisive and politicized. The impact that politics, in the broadest sense, or political expediency more specifically, has on the policy-making process is clear. Political expediency is captured effectively by Melrose’s (2006: 31) intuitive assertion that often policy development is contingent on the ‘politics of electoral anxiety’. If evidence or research is pointing in the direction of potentially controversial or even unpopular policies then it is likely to be trumped by the occupational conventions of politicians. In most cases, a politician’s ultimate goal is re-election in the long-term and favorable press in the short-term. This point also casts doubt on the efficacy of knowledge brokering in this context, as brokering relies on the premise that shared ground can be found between the evidence and policy communities.

For current purposes, what the episode also neatly illustrates how the links between evidence producers and policy formulators is rarely straightforward especially in heavily politicized areas. In adversarial policy areas for various reasons, statements abound that evidence usually has little impact in policy formulation because of political expediency. But the true picture is more complicated. It is fair to say that for evidence to be utilized it has to be amenable to decision-makers and that if the conditions are right then it may be used. There is, however, still no guarantee that this will translate into straightforward utilization as the cannabis reclassification back to class B testifies. Prior to this, the Government had accepted the findings of the ACMD on classification matters, but chose to overrule them eventually. That said, it would be inaccurate to describe the cannabis policy subsystem as evidence-free. When viewed over the course of the policy cycle, it is clear that a variety of evidence has been drawn on at various junctures. The question is how to explain this in detail. In essence, the issues that remain are: a) how can we explain the situation where evidence is embedded in the policy process but

there is debate over how, if at all, it is utilized? In addition, how can we explain evidence utilization in a politicized area which means the nature of debates is in constant flux because policy-making is ad hoc?

## 5 Modeling the Evidence and Policy Connection

There is a long history of attempts to model the evidence-policy nexus, in the form of models of research utilization (see for example Weiss 1977; 1986). For the sake of brevity, all models are premised on a distinct understanding of the wider policy process, which can be scaled from the more static to the more dynamic. Static conceptions assume there is more a direct link between evidence and policy. This is a short-term perspective on the relationship between evidence and policy, where policy-making is straightforward and sequential and research findings, once known, inform policy. Dynamic views of policy are underscored by an indirect link between evidence and policy. This is often accompanied by a long-term view of the relationship between evidence and policy, where research findings impact on policy over time and where policy-making is *ad hoc*, complex and almost defies neat categorization.

Stevens (2007), drawing on the work of Weiss has produced a typology of evidence utilization. This includes the 'linear model', the 'political/tactical model' and the 'enlightenment model'. These models are established in the literature. To these he adds a fourth 'evolutionary' model which he claims to be pre-eminent. Also referred to as the 'rational model', the 'common-sense model' and the 'purist model', the linear model depicts a direct link between evidence production and policy decision-making. In this model research has two potential functions; firstly, to highlight existing problems and secondly to fill the gap where problems exist. In this model, there are also two main ways in which research enters the domain of the policy maker, firstly, the research antedates the policy problem and can then be drawn on if required, secondly, research may also be specially commissioned to fill the knowledge gap. There is an assumption of clear corres-

pendence between research production and policy formulation. By depicting a direct almost causal relationship between evidence and policy, the linear model is premised on a static view of the policy process.

The political/tactical model relates to the careful selection of data to satisfy the 'short-term' interests of policy-makers. Here research is either used to justify a pre-existing policy position or the research process is used as a delaying tactic for government to avoid implementing potentially unpopular or controversial policies. This model is also premised on a similar logic to the linear version, assuming a direct association between research production and policy formulation and, therefore, also views the policy process as being static. The enlightenment model, meanwhile, focuses more on ideas rather than research or data. The guiding metaphor here is percolation as research filters down into the public and policy-makers consciousness over time. The idea is that it can change the landscape of a policy area. The significance of the enlightenment model, for current purposes, relates to the dynamic view of policy-making on which it is premised and, therefore, it has some potential in the analysis of evidence utilization in adversarial domains. The connection between evidence and policy, furthermore, is not linear. The flip side is that it does not show how certain evidence is always privileged over others. There is no filtration mechanism to siphon out unhelpful research. Consequently, there is a built in assumption that in evidence-based policy-making all kinds of evidence have an equal chance of being utilized. As the drug classification debate illustrates, this is not always the case.

Although they were not developed with this task in mind, it is suggested here that the established models of research utilization are incapable of comprehensively explaining the nuance of the evidence and policy relationship. There have been recent additions to this area with Stevens advocating an 'evolutionary model' and Monaghan (2010; 2011) favoring a 'processual model'. Stevens' (2007) evolutionary model focuses on how evidence selection in government decision-making occurs. Drawing on the work of John (1999), he maintains that the selection of evidence centers on 'classic' evolutionary social theory of 'survival of the



fittest' (Spencer 1891). Evidence and policy intertwine when there is a shared appreciation, between evidence producers and policy-makers, of the nature of the policy issue in hand and the kind of evidence needed to shape the policy. These negotiations under which an idea or evidence survives (or not) are detailed in what Stevens calls the 'mechanisms of selection', they are documented in Table 2 below:

**Table 2:** The Mechanisms of Evidence Selection

<b>Mechanism</b>	<b>Explanation</b>
Trawling	Policy-makers search for pre-existing evidence, select the useful and useable data and dispense with that which does not support the policy in question.
Farming	Research is specifically commissioned to provide evidence for a proposed policy. Generally, only evidence which is sympathetic to the policy in question is released. Various maneuvers are used here such as making repeated assertions in a range of outlets that there is an evidence-base that buttresses a said policy.
Creating Flak	Serious reservations are generated by often powerful actors (politicians, newspaper editors) over evidence in the public arena that is unfavorable to a chosen policy direction.
Imposing Strain	Sanctions are imposed on organizations or individuals who produce and advocate 'unhelpful' evidence to those in power.

*(Adapted from Stevens 2007)*

The idea of mechanisms of evidence selection represents advancement on other models of evidence utilization operating at a lower level of abstraction and pinpointing the power differentials involved in policy formulation. There is not the room for a detailed overview of them all. For the sake of the current discussion, it can be maintained that a certain amount of flak and strain were directed at Professor Nutt by the government when his research became unpalatable to them. As we have witnessed, in interviews with the media, then Home Secretary Jacqui Smith had accused Professor Nutt of 'trivialising' the dangers of drugs and the ultimate strain was imposed on him by Alan Johnson

who removed him from his role as chair of the ACMD. The utility of the evolutionary model is that through its mechanisms of evidence selection, it starts to descend the ladder of abstraction to explain the ways in which evidence plays a role in policy.

There are, though, also drawbacks with this explanation. At its most simple level, the evolutionary model assumes that the ideas that survive because of their utility to powerful groups will be used in policy outcomes. Based on the findings of the evolutionary model, then, the evidence of the ACMD should have a direct and consistent bearing on UK drug policy. As we have witnessed this has occurred in the past, but as the cannabis (and ecstasy) debate shows, it is far from straightforward. The key issue is that the evolutionary model, although offering potential, is still premised on a static view of the evidence-based policy-making process with a linear connection between evidence and policy. Consequently, a useful way of viewing the utilization of evidence in heavily politicized areas is to use a processual model (Monaghan 2010). The processual model offers a view of the wider policy process that is consistent with what Hall and colleagues have termed 'bounded pluralism' (Hall et al. 1975). Here a range of groups compete in shaping the policy agenda. This is open competition but it is unequal and unpredictable. This takes as its starting point the evolutionary view that for evidence to be used in policy it must survive the filtration processes outlined in the evolutionary model. This is one reason why evidence provided by the ACMD has been the dominant evidence in UK drug classification decisions and not evidence from other scientific or advocacy organizations

Unlike the evolutionary model, however, it does not maintain that there is any inevitability about this then playing a role in decision-making. Thus its departure from the evolutionary model is at the point of connection between evidence and policy. The processual model accepts that evidence is embedded in the policy process and could percolate into decision-making but that this is always contingent on numerous factors including the impact of the wider political process. If the evidence points towards a policy that is likely to receive vilification in the media, such as lo-

wering the criminal penalties associated with controlled drugs then more often than not the policy will not be implemented.

In sum, the departure of the processual model from the evolutionary model lies with the analogy of evolution. The analogy of evolution, in this sense, assumes culmination in a fixed point and a neat, sequential form of policy-making. Instead, a model is required that can account for the back-and-forthness of policy decision-making. Again this has been seen in the recent history of UK cannabis regulation with the move from class B to class C and back again. The blueprint for this can be found in Elias' (2000) notion of the 'civilising process', which can incorporate a simultaneous decivilizing process. This challenges the unidirectional assumptions of the progress of knowledge and human society. Kilminster (2007: 135) effectively makes this point claiming that when formulating the theory of the civilizing process, Elias anticipated the accusation of evolutionary determinism by making a distinction between 'largely irreversible biological evolution and potentially reversible social development':

The life cycle of stars and the development of societies are not of the same kind: unlike a star, it is possible for social development to go into reverse and go back to an earlier stage, say, to feudal social relations or to a stage where mutual identification is less. With this point in mind, Elias thought of civilizing and decivilizing processes, for example, as going hand in hand (Kilminster 2007: 135).

Although Elias (2000) was concentrating on large-scale, macro social processes, this provides a useful model or analogy for policy development and the evidence and policy relationship. The key phrase in the quotation above is 'potentially reversible social development'. In effect, the policy process is a social phenomenon. As this is the case, there is always the potential for policy metamorphoses, which could see a reversal of previous developments—a frequent outcome of sensationalist media reporting—or a move forward, in light of any subsequent evidence, new or re-worked, that emerges.

Consequently, the processual model is a hybrid. It is put forward as a dynamic, long-term view of the policy process, where policies are in a constant state of flux. What is clear is that under the current conditions of policy-making, decisions will not be

made in an evidential vacuum as the evidence infrastructure is ingrained into the psyche of decision-makers. How this is utilized is another question. The likelihood is that it will be a complex and messy process and it is this that the processual model explains. In doing so, it is guided by Rein's (1976: 12) intuitive assertion that 'social science does contribute to policy and practice, but the link is neither consensual, graceful nor self-evident'. Like Stevens' evolutionary version, the processual model is put forward for critical engagement. It is accepted that the model is developed off the back of one case study and thus makes no grand claim to be the explanation of evidence utilization in any context, it merely adds to the explanatory imbroglio.

## **6 Conclusion**

The study of policy-making is subjected to ever-changing forces and fashions. In recent years, the research and policy communities mingle under the banner of evidence-based policy-making. Traditionally associated with the quest for finding out 'what works' in public service delivery, the evidence movement has been the subject of much criticisms, but at the same time, it has become the yardstick by which more areas of policy are made. One paradox of the widening scope of evidence-based policy-making is precisely that it occurred on the back of widespread skepticism of its efficacy in its traditional base. Unraveling and explaining the evidence into action or policy chain has concerned a number of scholars before and since the onset of the evidence-based policy movement. In terms of recent comment, there is an industry springing up, and this is not restricted to the UK, that no longer focuses on the analysis of the policy-making process per se, but as an alternative concentrates on the evidence-based policy-making process (see for example Culyer and Lomas 2006; Dobrow et al. 2004; Dobrow et al. 2006; Jewell and Bero 2007; Jung and Nutley 2008; Monaghan 2008, 2010; Nutley et al. 2007; Stevens 2007). This represents a delicate but significant shift in the paradigm and the current paper is a further contribution to this literature.

It has been suggested throughout that the skepticism that accompanied the initial evidence turn has been fuelled by the new directions the movement has gone in. In short, adversarial areas present almost the ultimate challenge for evidence-based policy-making and when evidence appears to fall short of directly influencing policy, it is dismissed as being utopian. In these areas, where evidence is frequently factored out of the analysis, statements like policy-based evidence or un-evidenced policy become widely used. These are misleading, however, as policies are increasingly an admixture of evidence-based policy and policy-based evidence. Although policy-makers frequently trawl or cherry-pick for evidence favoring their existing plans, or squeeze funding, load advisory committees and procrastinate over publication, evidence is still there playing a role in the policy process. It has been suggested that it is misleading to juxtapose evidence and politics when trying to explain policy decision-making. Instead, a more fruitful line of enquiry is to look at how evidence is utilized in policy development and to focus on the mechanisms of its selection and application. This paper has put forward a processual model to this end. This affords the most potential in explaining the evidence and policy connection in adversarial domains. This is because, like the evolutionary version, it offers an explanation of how certain kinds of evidence gain prominence in policy. It does not, however, suggest that this is any guarantee of utilization as adversarial policies are notoriously unstable and difficult to predict. It is hoped that this realistic account of the evidence and policy nexus will generate discussion thus contributing to the longevity of evidence-based policy analysis in the UK, Europe and beyond.

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