

## **Policy making - are we looking forwards?**

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### **Abstract**

"The amount of noise made over economic and social change is determined, not by the extent and importance of the changes that actually occur, but by the reaction of contemporary opinion to the problem." Trevelyan G M (1948) English Social History, London: The Reprint Society, p.218.

Significant policies in relation to the labour force and aspects of family law have been shaped by aggregate measures that describe the present and have arisen from people's decisions and actions over many years. This is essentially a backward-looking approach that ignores identifiable trends that will shape the future. Moreover, the aggregate measures commonly used can obscure significant impacts on sub-groups. In particular, policies may have disproportionate effects for some age and sex cohorts.

In this presentation I will give some examples in relation to education, labour force structure, pay and family law that indicate that current policies may be misdirected. Specific concerns can be identified for younger age groups.

### **1. Background**

"The amount of noise made over economic and social change is determined, not by the extent and importance of the changes that actually occur, but by the reaction of contemporary opinion to the problem." (Trevelyan, 1948, p. 218)

Several policy issues have been given prominence in recent years. They include:

- Women in work, including senior positions in education and elsewhere
- Gender pay gap
- Family law changes (Property Relationships Act)
- Work-life balance, paid parental leave

While these have received much attention, we could ask whether they are the right issues, if they have been properly considered, and have policies have been properly formulated. As Trevelyan suggests, a concern's public prominence does not necessarily correlate with underlying importance.

In this presentation I shall first illustrate some of these issues. Then the requirements for a good policy making process will be considered, followed by a description of some aspects of actual policy debate.

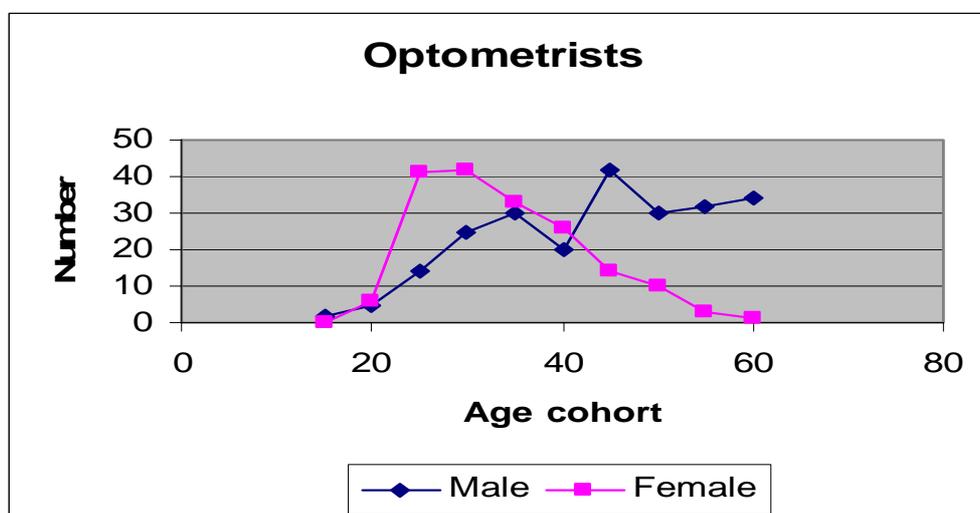
## 2. Illustrations

Issues such as the gender pay gap and senior workplace positions are commonly presented in relation to the whole population. Problems are expressed in terms of such measures. A different picture can be observed when the data are broken down by age cohorts, especially if rolled forward 10 or more years (given the time it takes for things to change and for changes to show up).

### 2.1 Women in work and education

#### 2.1.1 Optometrists

Some interesting data from the New Zealand Health Information Service can be found in “Optometrist and Dispensing Optician Workforce — Summary Results from the 2005 Workforce Annual Survey” (NZHIS, 2005). They show active optometrists in 2004 by age and sex, as in the following graph.



While the overall data show something rapidly approaching gender balance, men dominate in the older age groups and women in the younger ones. If we roll this forward 20 years, rather than gender balance, we will have a predominantly female workforce. Those who are looking at data overall may be pleased with the current situation, but if we break this down by age cohort, it would appear that apparent gender equality overall is being achieved through high levels of inequality for the younger age groups. If gender inequality is considered a problem to be overcome, as has been strongly promoted in policy circles, shouldn't we be concerned that we may simply be reversing the problem rather than eliminating it?

#### 2.1.2 Education

This is just one sign of a reversed imbalance. For example, women now significantly outnumber men in tertiary enrolments, and men's proportion of the school teaching workforce has shrunk markedly over the past thirty or so years, along with their virtual elimination from the early childhood sector.

Here are some Ministry of Education tertiary education data from:

<http://educationcounts.edcentre.govt.nz/statistics/tertiary/participation.html>

## Participation rates by ethnic group, age group, gender and qualification level 2005<sup>1</sup>

Percentage of the population aged 18-24 enrolled in 2005

European			
	Bachelors	Total	Total numbers
Female	23.0%	39.6%	54,180
Male	16.2%	34.9%	49,373

Maori			
	Bachelors	Total	Total numbers
Female	11.0%	38.7%	14,305
Male	6.9%	25.3%	9,261

The right hand columns above are “Domestic and international students enrolled by ethnic group, age group, gender 2005” from Table 3 of: <http://educationcounts.edcentre.govt.nz/statistics/downloads/Provider-based-enrolments.xls>

While a gender distinction is readily apparent in the above data, the issue is accentuated by some other data in the same file. This describes domestic tertiary 5-year qualification completion rates by gender for 2005 (in table 1):

Female	42%
Male	35%

In other words, not only is there an imbalance of enrolments, but there is also an even larger imbalance in completions.

### 2.1.3 Medical

From *An Analysis of the New Zealand General Practitioner Workforce: A Report from the New Zealand Medical Association* (NZMA Workforce Sub-Committee, 2004, p. 20):

*Women GPs have traditionally worked fewer hours than male GPs and fewer on call hours...The 2000 MCNZ Medical Workforce Report identified that women GPs work an average of 33 hours/wk compared to 48 for male GPs.20 If the proportion of female GPs continues to increase and the pattern of women working fewer hours persists, this will mean that more GPs will be required to maintain the same level of service (or male GPs will need to work an increasing number of hours to cover, which anecdotal evidence suggests is occurring currently.)*

<sup>1</sup> From Table 2 at: <http://educationcounts.edcentre.govt.nz/statistics/downloads/Participation-rates.xls>, the difference between Bachelors and Total is largely certificate enrolments.

On the same page, a table showed that the proportion of GPs who were female increased from 27.0% in 1992 to 37.4% in 2002, and, “of the 2003 class of doctors in the GP Vocational Education Programme...53% were male and 47% were female”.

Also, a survey of rural GPs found that 90 percent of men and 45 percent of women were in full time practice (Janes, Elley, & Dowell, 2004).

In addition, from an Australian study (McRae, 2006):

**Results:** *Overall, if GPs of a given age-sex-education/training category had continued to provide services at the same average level in 2003 as in 1996, the change in composition from 1996 to 2003 would have led to increases in the levels of services per GP of 3.9%. This is 11.4% above the level of services per GP actually observed.*

*We have examined changes in the number of services per GP within ‘pseudo cohorts’ of GPs, and observe that young cohorts of GPs provide fewer services on average than previous young cohorts. Middle-aged GPs, particularly middle-aged male GPs, have reduced the number of services they individually provide. While this reduced level of activity of individual GPs could be due to changes in the underlying need for services, it is more likely to be as a result of reduced demand due to higher prices being charged (consistent with the observed increases in charging levels), or to changing attitudes of GPs seeking more family time.*

**Conclusion:** *In planning for the future GP workforce, policy makers need to consider many factors. These include not only the demographic factors that influence the volume of GP activity, but also the changing behaviour of GPs and the factors that influence this behaviour.*

(McRae, 2006, p. 117)

In summary, an increasing proportion of newly qualified GPs are women. These are not willing to work as much as GPs in the past. We are now also observing a change in work patterns of younger male GPs. As a consequence, a larger number of GPs is required to do the same amount of work. This also suggests a lower return on the investment by taxpayers in the training of GPs.

#### **2.1.4 The Gender Pay Gap**

While there has been much political and media attention given to the gender pay gap, this is an overall measure that is the cumulative result of career and lifestyle decisions made by many people over several decades. It could conceal significant differences by age cohort, and policies to close the overall gap may result in marked differences by age cohort. Table 1 on p.23 of the Department of Labour’s Taskforce report (Taskforce, 2004) gives average hourly earnings by age group, from the June 2003 quarter Income Survey. It is notable that, for the 25-29 age group, women’s pay was, on average, 3.1% higher than men’s.

## **2.2 Population**

Even in population numbers, there are some younger cohorts where women outnumber men to an extent similar to that after the First World War. What are the men doing, and where are

they going? What effect will the imbalance have for those age groups in ten, twenty or thirty years? Are there issues here that merit attention?

This indication of future problems has also been identified by Paul Callister. His paper to the Men's Issues Summit (Auckland, 6 May 2005) looked at population numbers by age. He included a table in his paper indicating a shortfall of males in key age groups arguably more significant than the shortfall after the First World War (Callister, 2005, p. 61). Numbers refer to the ratio of women to men. Here are the figures:

age	1921	1926	2004
25-29	1.10	1.00	1.03
30-34	1.01	1.09	1.09
35-39	0.94	1.01	1.08

Note that there appeared to be just one 5-year cohort where women greatly outnumbered men after WW1, but there are two cohorts in this position now.

### 3. What requirements are there for making good policy?

For some analysis I am currently undertaking, I have been looking for criteria to apply as a basis for a systematic assessment. There are certain standard criteria that economists might consider:

- Look forward (and take into account the implications of past and current decisions);
- Consider behavioural responses;
- Consider effects on sub-groups of the population.

MED, in March 2007, brought out some new documents on Regulatory Impact Analysis to supersede the previous system of Regulatory Impact Statements. They are *Guidelines on Assessing Policy Options* and *Guidelines on the Regulatory Impact Analysis Requirements* (Regulatory Impact Analysis Unit, 2007a, 2007b). This is a development on the previous approach that emphasised Regulatory Impact Statements, and follows an international trend. From second document:

*In the international context, RIA has taken on a wider meaning, and refers to all of the elements of policy development – **problem definition, setting objectives, considering options...**The **RIA principles** of defining the problem, setting objectives, considering the full range of feasible options, and so on, should be applied from the beginning of the policy development process.*

(Regulatory Impact Analysis Unit, 2007b, pp. 3-4) [my emphasis]

Also note:

#### ***Appropriate level of RIA analysis***

*The level of analysis needs to be enough to enable the decision-maker to be confident about which option is best and the impacts this will have. It should be commensurate with the significance/magnitude of the proposal. There are four parts to this:*

- *identify the range of feasible options (ie the possible options that would meet the public policy objective and solve the problem)*
- *identify the impacts of each option*
- *assess the magnitude of each impact*
- *choose the preferred option.*

(Regulatory Impact Analysis Unit, 2007b, p. 16)

In the section on “*Topics you should cover in your draft RIS or discussion document*”, under “*Impacts*”, it states:

*All costs and benefits that are likely to be experienced by each affected group should be given consideration... You should ask the following sorts of questions around impacts: Are the costs and benefits attributed to the correct sector (i.e. government, industry, the environment, consumers, society in general)? Are there any additional sectors or sub-sectors that will be affected, and if so, to what extent?* (Regulatory Impact Analysis Unit, 2007b, p. 29)

In other words, it is expected that a range of options would be assessed, and a disaggregated approach taken to determine the effects of the policies. It could be reasonably be assumed that “*problem definition*” and impacts on “*each affected group*” would entail a forward-looking assessment as policies will have an impact in the future.

While these documents apply only from 1 April 2007, there are indications of related thinking as long as ten years ago. Appendix 4 of the second document (Regulatory Impact Analysis Unit, 2007b, pp. 31-33) contains the *Code of Good Regulatory Practice* as endorsed by Cabinet in 1997. This covered *efficiency, effectiveness, transparency, clarity* and *equity*. Under *efficiency* there are requirements of *Minimum necessary regulation* and *Reasonable compliance cost*. The first of the transparency guidelines is *problem adequately defined*. The second is that the policy goal should be clearly specified (“*clear identification of the objective of the regulation*”).

It could therefore be reasonably concluded that a requirement existed of systematic analysis of policy options and a multidimensional evaluation of alternatives. Further, this requirement was set by Cabinet, indicating a political interest in such processes. However, the practice may have deviated be far from the stipulated approach. At least, there is not much sign of that these considerations were taken into account in the debate leading up to the Property Relationships Act and several other policy areas.

## **4. Examples from policy debate**

### **4.1 Lack of research underpinning the PRA**

There were several occasions in the parliamentary debate leading to the Property (Relationships) Amendment Act being passed in 2001 where the lack of necessary research is mentioned. Here are three illustrations:

Example no.1, Wednesday, May 31, 2000:

Marie Hasler, Matrimonial Property Amendment Bill; S.O.P. 25, Referral to Justice and Electoral Committee:

I cannot emphasise too much the utter disregard for normal parliamentary protocol that exists. If ever a bill required extensive scrutiny, this one does. It is hard to think of a bill that affects personal lives to such a great extent as this one will. From a parliamentary point of view, why has the Government not supplied information on the enormous economic consequences? As the bill is all about money and what people are owed, why has the Government not supplied the information from the Ministry of Justice on the enormous economic consequences that will flow from the enactment of this bill?

There will be tremendous economic adjustments to make for every person involved in the dissolution of an enormous number of partnerships, yet there is still very little data available on how this is to be handled.

Example no.2, Tuesday, November 21, 2000:

Stephen Franks, Property (Relationships) Amendment Bill, in committee:

First, we do not know the facts. This is social legislation of a kind that this Parliament would normally try to approach on as bipartisan a basis as could be achieved. That is presumably why agreement was reached for a conscience vote on the bill. But we do not know the demographics underlying it. Mention was made of Sandra Coney's material in the Sunday Star - Times. At the very first select committee hearing that I went to involving the Ministry of Justice this piece of legislation came up. I asked what research had been done into the effects of what were then separate bills. I asked what the incentive effects were likely to be of telling people who had not consented, who did not know, necessarily, what their future would hold, that they were to be put into a compulsory equal-sharing regime. We were told there was no research of that kind. Although the select committee asked for it, we never got any.

Example no.3, Tuesday, November 21, 2000:

Anne Tolley, Property (Relationships) Amendment Bill, in committee:

What is more outrageous than this arrogant attitude is the absolute lack of any research, foundation, or fact driving this legislation. This bill is based on assumptions, on anecdotal evidence, and on the personal circumstances of one or two members of the Government. We have seen no research from the Ministry of Justice. In fact, some of the papers presented at the selected committee particularly talked about the lack of research available in New Zealand.

These indicate not only that the politicians did not debate the issues in an informed manner, but also that the analysis requirements within the public sector were ignored. Moreover, while the three examples above indicate a lack of research, where their concerns are stated they refer to existing relationships, rather than any possible impact of the legislation on relationship formation in future. A preliminary assessment of the full parliamentary debate suggests that it had a very narrow focus, emphasising

asserted historical injustices for selected subsets of the population, while failing to consider the perspectives of others (including other parties to the relationships), or the broader implications for heterosexual relationships in future. (While there was speculation on the signals given by recognising same sex relationships and giving equal treatment to de facto relationships, this was more in terms of debasing the meaning of marriage than an assessment of possible behavioural responses.)

#### **4.2 Historical institutionalism, the PRA and the Human Rights Act**

Paul Pierson describes historical institutionalism as, “a range of scholarship that has tried to combine social science concerns with a recognition that social processes must be understood as historical phenomena” (Pierson, 1996, p. 131). This is a particularly telling criticism of static analysis, because it suggests that the present depends not only on current structures, but on the paths taken to get here. He suggests, giving an example of gender policy in the European Union, that a general statement of intent, thought to be “merely hortatory”, can be made to assume greater significance later. In other words, an apparently innocuous agreement to move in a general direction can be turned, a few years later, into an obligation to pass legislation.

There are some important implications that arise from this perspective. Rather than policy decisions being based on expressions of exogenous preferences, for example, they may be path-dependent, with current preferences being influenced by past decisions made with limited foresight. Pierson also makes a more general statement, “*Complex social processes involving a large number of actors always generate elaborate feedback loops and significant interaction effects that decision makers cannot hope to comprehend*” (ibid, p. 136).

One possible illustration of an unanticipated implication of past decisions is in the parliamentary debates on relationship legislation where there were repeated references to the Human Rights Act to justify equal treatment of marriage, de facto relationships and same-sex relationships. We see this, for example, by Leanne Dalziel, Phil Goff, and Jeanette Fitzsimons on 6 May 1998; by Margaret Wilson, Keith Locke and Tim Barnett on 4 May 2000; by Tim Barnett again on 31 May 2000, by Keith Locke on 1 June 2000, and by Nandor Tanczos on 14 November 2000. Two examples are given below. The legislation was also alluded to by Belinda Vernon (4 May 2000) and Richard Prebble (21 November 2000), although the latter was in the context of proposed different treatment for Maori and appears to be the last time the point was raised. Richard Prebble’s reference to human rights is included as example no.3.

Example no.1

Jeanette Fitzsimons, De Facto Relationships (Property) Bill, Matrimonial Property Amendment Bill : Second Readings, Wednesday, May 06, 1998:

Tim Barnett has argued that the different treatment of same-sex partnerships is contrary to the Human Rights Act and is clearly discrimination on the grounds of sexual orientation. I think that the select committee should also look at whether the Human Rights Act, which prohibits discrimination on grounds of marital status, is contravened by the different standards for the sharing of property that this legislation proposes for de facto couples as compared with married couples.

## Example no.2

Keith Locke, Matrimonial Property Amendment Bill: Instruction to Committee, Thursday, May 04, 2000

...I wish to convey to the House that every Green MP will be voting for this motion because it is a matter of principle for the Green Party that the Human Rights Act should apply to all legislation and to all people regardless of marital status or sexual orientation. Without this bill today we would be breaching the Human Rights Act and our legislation on property division at a time of relationship breakdown. We, in this House, are supposed to be moving towards a situation whereby our legislation is consistent with the Human Rights Act.

## Example no.3

Richard Prebble, Property (Relationships) Amendment Bill: In Committee, Tuesday, November 21, 2000:

I raise this matter with members opposite, who talk about closing the gaps. If this bill is so good, if it is something that from a human rights point of view ought to apply, then why, I ask the Minister, are we not prepared to extend this new justice to Maori? Why is a Maori woman or a Maori man, or a non-Maori married to a Maori woman or man, suddenly to discover that he or she is excluded from this measure because of clause 7, "Maori land not affected"? Why is Maori land not affected? That will mean that there are people in de facto relationships who are not given the so-called protection of this Act, but if one is non-Maori, or if one is Maori and owns general land, one is protected by it. The Minister says the reason she does not extend this measure to Maori land is that that would not be just, that would not be fair to Maori. I say to the Minister that if it is not fair to Maori, then the rest of the bill is not fair to non-Maori. That shows the contradictions that are contained in this bill.

While the parliamentary debates leading to the Property Relationships Act contained little mention of impacts of the proposed legislation on future behaviour, many potential problems were identified by individual examples and hypothetical cases. The legislation has been passed and is now in effect. This raises some questions. In particular: Is the legislation being monitored to see if the suggested problems emerge, or to see how behaviour might change? If difficulties are identified, how long will it take for Parliament to revisit the legislation?

### **4.3 Questions for written answer on employment**

Four parliamentary Questions for Written Answer asked by Judy Turner at the end of September 2006 gave answers suggesting two distinct sets of criteria for essentially similar issues. The Questions and answers are included in full in Appendix 1.

The first two questions were asked on 26 September 2006 of Steve Maharey and relate to employment of male teachers in early childhood and primary education. The gender imbalance in these areas has long been recognised, with an increasing shortfall

of men. The imbalance is much greater than was the case 30 or 40 years ago. The answers to both questions were almost identical, stating:

*ERO's focus is on the quality of education and care provided in the service. ERO does not collect information about teacher gender and is not in a position to comment on any teacher gender disparity...*

Clearly it is presumed in the answer that the gender disparity has no impact on the quality of teaching and care.

The second two questions were asked of Mark Burton in relation to female representation on boards of directors and in the judiciary. Both answers refer to monitoring female representation and an Agenda for Change. There are “proposals to promote gender balance in governance, professional and public life”, and a suggestion that “the Ministry of Justice considers the issue of female eligibility for judicial appointments, given the emphasis on gender balance in the judiciary in the Beijing Platform of Action”.

In the latter two areas, either efficiency is not an issue, or gender disparity is assumed to be inefficient. This is quite different from the approach in education. It might be illuminating to see what assumptions or evidence underlie the contrasting government positions. It might be that the positions are not fundamentally conflicting. If, for example, the primary objective is to favour women, then the different choice of criteria could be seen as rational.

#### **4.4 In summary**

There may be:

- a lack of systematic analysis
- possibly unanticipated consequences of past decisions/commitments
- inconsistent reasoning (perhaps to support a policy agenda)

Basic requirements for policy development and selection that might be suggested by economists and are incorporated into public sector guidelines appear to be overlooked in parliamentary debate.

### **5. Reality**

There is a distinction between the requirements for good policy making and both what is observed in relation to identification of policy issues and the debate on the policy response to those issues. On the former, we could ask, are we focusing on foreseeable future issues, or is attention too heavily concentrated on current indicators? For some significant issues at least, it could be argued that:

- the dominant view is based on current averages, moral panics (and “traction”), and special cases (these having undue influence)
- issues are identified by actually looking back, not forward (given that the current situation is based on past decisions/events)

We could also ask why there appears to be a lack of regard for basic analytical requirements. Some possible clues were found in some texts on policy and policymaking. I consulted these in the hope of finding criteria for evaluating policy debate. Instead, I found perspectives far removed from, and dismissive of, economics. The description of policy making in this literature places the emphasis on groups competing for power, and the dominant paradigm is the paradigm of the dominant group. Hence policy making is seen as the imposition of the dominant paradigm. It is a power struggle between groups, rather than assessment of alternative issues/options/interests in a rational way (Colebatch, 1998; Considine, 2005). A parallel can be drawn with the concept of identity politics.<sup>2</sup>

The critical views on rationality in this literature are noteworthy. For example, Considine writes:

*Some [policy] text books can also provide a version of rational choice theory (or economic choice theory) to contrast with these other types, although interestingly there are few texts which recommend rational choice as a method... (Considine, 2005, pp. 4-5)*

Grofman describes the strong objections to rationality and gives a qualified defence of this assumption (Grofman, 1993). Economists should be concerned that the identification of weaknesses in economists' approaches may be considered sufficient to dismiss the use of economics outright. At the very least, as Grofman suggests, a valuable contribution can be made not necessarily through answers to questions, but by the choice of questions raised (Grofman, 1993, p. 242).

The issue of problem definition and policies designed to benefit target populations is described by another writer who is critical of the perceived limitations of an economic approach (Bosso, 1994). Hence, for example:

*A sharpened focus on problem definition may also have roots within social science itself, as part of a broader rebellion against the seductive but simplistic determinism embodied in the more economics-based theories of policymaking that have dominated academic and political discourse over the past three decades. (Bosso, 1994, p. 183)*

Somewhat more detailed consideration of the reasoning involved in the policymaking process can be found in Dunn (2004). He presents eleven approaches, or "Modes of Policy Argumentation and Characteristic Reasoning Patterns" (Dunn, 2004, pp. 395-396). They are listed in Appendix 2. Of the eleven, only numbers two and five might be considered to refer directly to the approaches used in econometrics and economics:

**2. Method:** *Reasoning from method is based on warrants about the approved status of methods or techniques used to produce information. The focus is on the achieved or ascribed status or "power" of procedures, rather than persons.*

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<sup>2</sup> Defined in Wikipedia: "Identity politics is political action to advance the interests of members of a group because of a real or supposed shared identity or characteristic (such as race or gender), usually in response to the perception that certain human rights have been denied to them." [http://en.wikipedia.org/wiki/Identity\\_politics](http://en.wikipedia.org/wiki/Identity_politics)

*Examples include approved statistical, econometric...methods and techniques. (Dunn, 2004, p. 395)*

**5. Cause:** *Reasoning from cause is about the activity of generative powers (“causes”) and their consequences (“effects”). For example, a claim may be made based on general propositions, or laws, of economics that state invariant relations between cause and effect... (Dunn, 2004, p. 395)*

Dunn is arguing against making too much of the results of our analyses. However, his comments could be taken as reasons for dismissing our work due to it being based on overstated claims about the value of our techniques and the generality of our findings. He does not attempt to rank the alternative modes of argumentation on their accuracy, legitimacy, or desirability.

It would be prudent for economists to note the criticisms being raised about our work. We are participating in a multidisciplinary environment where, to be heard, we must share the platform with our critics. Even if we could dismiss the criticisms as overly negative and biased (a tempting but not entirely justified reaction), the literature may still be of significance. Theoretical analysis can present or focus on any of three things:

- 1) What is
- 2) What should be
- 3) How people perceive things to be (perhaps as a result of knowing the theory)

Economics sometimes appears confused about whether it is doing the first or the second, but less often considers the third. However, behaviour is based on perceptions. If those involved in policy decisions accept a policy paradigm that emphasises competing power groups while dismissing formal analyses, that perspective may come to dominate actual events and outcomes. Economists may have criteria (as suggested in part 3 above) that could be used as a basis for policy making and assessing the policy making process. However, the act of policy making could be guided by totally different criteria, as parts 1 and 2 above might suggest. While the examples in part 4 suggest poor policy debate according to economic criteria, they may illustrate good policy making strategies according to a competing power group model. We may choose to view the economic criteria as setting useful requirements for a policy making process to provide desirable outcomes. If so, the failure to meet those requirements should be taken as a limitation on the potential of policy making to yield benefits for society.

## **6. Concluding remarks**

Policy is about the future. People adapt to changing environments. For some things, the seeds are sown now, as can be observed by considering a breakdown of the population into age and sex cohorts. Errors will be made if these aspects are not considered in policy formulation and debate. Laws that are made by politicians subsequently shape future behaviour. Moreover, there are other, changing factors that affect the environment in which laws will apply. Consequently it would be unwise to expect same sort of people reacting in the same way to laws in the future. Generations are different in experience, perception, aspiration and behaviour.

Economics has weaknesses in some of its assumptions and perspectives, but it does specify some useful criteria for policy development. It would appear that policy development in practice, at least in the areas covered in this paper, falls short on these criteria.

This leads me to pose two general questions:

- How much can we actually achieve with policy (or laws to affect society/the economy)?
- How, if at all, might we change political reality so as to take more account of the requirements for good policy?

## Appendix 1

### Some Questions for Written Answer on Employment

**13388 (2006). Judy Turner** to the Minister responsible for the Education Review Office (26 Sep 2006): Is the Education Review Office concerned with the gender disparity in teaching staff in early childhood education; if so, what priority has been given to addressing this disparity?

**Hon Steve Maharey** (Minister responsible for the Education Review Office) replied: ERO's focus is on the quality of education and care provided in the service. ERO does not collect information about teacher gender and is not in a position to comment on any teacher gender disparity in the early childhood education sector.

**13390 (2006). Judy Turner** to the **Minister responsible for the Education Review Office** (26 Sep 2006): Is the Education Review Office concerned with the gender disparity in teaching staff in primary schools; if so, what priority has been given to addressing this disparity?

**Hon Steve Maharey** (Minister responsible for the Education Review Office) replied: ERO's focus is on the quality of the teaching provided in the school. ERO does not collect information about teacher gender and is not in a position to comment on any teacher gender disparity in the primary sector.

**13639 (2006). Judy Turner** to the Minister of Justice (29 Sep 2006): What projects, if any, has the Human Rights Commission been engaged in over the last 5 years to raise the level of female representation on board of directors?

**Hon Mark Burton** (Minister of Justice) replied: The Human Rights Commission has published two benchmark reports in response to CEDAW and the Beijing Platform for Action that recommends monitoring and evaluating progress through the regular collection of data on women and men at all levels in various decision-making positions. The Census includes an Agenda for Change with proposals to promote gender balance in governance, professional and public life.

**13643 (2006). Judy Turner** to the Minister of Justice (29 Sep 2006): What projects, if any, has the Human Rights Commission been engaged in over the last 5 years to raise the level of female representation in the judiciary?

**Hon Mark Burton** (Minister of Justice) replied: The Ministry of Justice provided figures to the Human Rights Commission, which were published in the "New Zealand Census of Women's Participation 2006". The accompanying Agenda for Change suggests the Ministry of Justice considers the issue of female eligibility for judicial appointments, given the emphasis on gender balance in the judiciary in the Beijing Platform of Action.

## Appendix 2

### Modes of Policy Argumentation and Characteristic Reasoning Patterns

- 1) Authority (status of individuals)
- 2) Method (status of techniques)
- 3) Generalization (from a sample)
- 4) Classification (group characteristic assumed for each members)
- 5) Cause (cause and effect relationships)
- 6) Sign (associated phenomena, not necessarily causal, e.g. leading indicators)
- 7) Motivation (assumed support because of shared interest)
- 8) Intuition (“tacit knowledge”)
- 9) Analogy-Metaphor (it works for one situation, so will work for another)
- 10) Parallel Case (copying somewhere else)
- 11) Ethics (right or wrong – “In public policy, many arguments about economic benefits and costs involve unstated or implicit moral and ethical reasoning”)

(Dunn, 2004, p. 396)

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