

Newsletter Chair in Regulator Practice #2 (November 2018 – January 2019)

Welcome from Professor Jeroen van der Heijden

Welcome to the second quarterly Regulatory Practice Newsletter highlighting recent activities, research and news from the Chair in Regulatory Practice. The Chair is based at the [School of Government](#), in the [Victoria University of Wellington](#). It is part of the [New Zealand Government Regulatory Practice Initiative \(G-REG\)](#), a network of central and local government regulatory agencies established to lead and contribute to regulatory practice initiatives.

Over the last three months, we have continued laying the foundations for the Chair for the next years. This involved fine tuning the five-year research plan, trialling different formats for the Regulatory Clinics, and reaching out to the regulatory community in New Zealand. This newsletter touches on a few of the activities undertaken.

Research

Behavioural insights informed regulatory practice in New Zealand

This year, the central focus of the Chair is to understand whether, how and with what results insights from the behavioural sciences are applied in New Zealand and elsewhere. To this end, Jeroen has carried out an extensive systematic review of the international literature on the use of behavioural insights in regulation published over the last decade. He has brought these insights together in a working paper that will be made available as the first Chair in Regulatory Research Paper in February 2019. Jeroen has continued his interviews with regulatory professionals and others in New Zealand who are or have been involved in experiments and trials to use insights from the behavioural sciences in regulatory practice, and he has begun exploring possibilities to carry out research with the Behavioural Insights Team.

Urban climate governance

Jeroen is working on a Marsden Research Grant application (due February 2019) to deepen and broaden his research on urban climate governance across the world to inform policymaking and regulatory practice in New Zealand. The proposed Marsden research seeks to understand what promotes the scalability of local urban climate action both geographically and across administrative levels. If successful, the Marsden funding will allow for hiring two PhD students and a Post-Doctoral researcher within the Chair of Regulatory Practice. Related to this research, Jeroen is now in the final stages of editing a book on urban climate governance with Prof Harriet Bulkeley (Durham University) and Dr Chiara Certoma (Ghent University). The book, *Urban Climate Politics: Agency and Empowerment*, will be published with Cambridge University Press later in 2019. He has also finished chapters for a book edited by Dr Viveka Hocking and Prof Steve Dover (both Australian National University), *Untaming the Urban*; and a book edited by Prof Cor van Montfort and Prof Ank Michels (both Utrecht University), *Partnerships for Liveable Cities*. Both book chapters are expected to be published later in 2019 or early 2020.

Palgrave Handbook of the Public Servant

Prof Helen Sullivan and Prof Helen Dickinson (both Australian National University) have invited Jeroen to act as editor of a section in the *Palgrave Handbook of the Public Servant* (Section 7, *Public servants as regulators*). After a successful call for contributions in 2018, this section will bring together eight chapters from internationally leading regulatory scholars and give space to G-REG as an internationally leading example of the professionalization of regulation. A group of G-REG representatives is working on the first draft of their chapter in the Handbook.

Regulatory stewardship

The notion of stewardship is common to legal scholars (e.g., constitutional stewardship), environmental scholars (e.g., environmental stewardship) and management scholars (e.g., stewardship theory). The concept has, however, not had much attention in regulatory scholarship. That said, New Zealand is a world leader in that it has made 'regulatory stewardship' a statutory obligation for all government departments. This provides the Chair with a unique opportunity to bring the New Zealand experience with regulatory stewardship to the international academic and policy community, *and* to explore the international scholarship on how the notion of stewardship has developed over time, is applied in various disciplines, and with what effect. Jeroen has suggested the Advisory Board to focus the Chair's research activities on regulatory stewardship to bridge academia and practice. He feels this further focus is necessary to achieve a high impact research product in the 5-year funding period, with value well beyond the initial funding period of the Chair. Ideally, this research product is a book with an academic publisher—working title: *Regulatory Stewardship: The New Zealand Experience*. The Advisory Board has approved of this suggestion (Advisory Board Meeting, 17 December 2018).

Outreach

Intrusive regulation and cultural change workshop by Prof Femke de Vries

On 10 December 2018, G-REG in collaboration with ANZSOG and the Chair in Regulatory Practice hosted a workshop on Intrusive Regulation and Cultural Change led by Prof Femke de Vries. Femke de Vries is a professor by special appointment in Supervision at the University of Groningen. She has worked in financial supervision for 15 years and was one of the architects of the re-designed financial supervision of DNB (the Dutch Central Bank and Prudential supervisor) after the financial crisis. Between 2015- 2018, Prof de Vries was a member of the Executive Board of the Authority for Financial Markets, the regulator of business conduct in the Netherlands. Jeroen wrote a brief summary of the workshop on the *From the Regulatory Frontlines* blog: [Intrusive regulation and cultural change workshop](#).

Regulatory Clinics

Between November and January, Clinics were organised at the Commerce Commission, the Financial Markets Authority, and WorkSafe. Together with the Clinics at the Treasury, MBIE and Martime NZ earlier in 2018, Jeroen has been able to reach out to approximately 200 staff at these agencies. While this is a positive outcome, Jeroen is concerned that the Clinics as organised in the first half year of the Chair will be a 'one-off' engagement with a specific regulatory topic for participants, rather than the type of management/executive training the sponsors had in mind when setting up the Chair. In the second half of the first year, he will explore another mode of delivery of the Clinics.

From the Regulatory Frontlines blog

The blog *From the Regulatory Frontlines* has seen continued success as a highly promising means of communication. Since launching it in August 2018, it has had some 1,800 views from over 550 visitors. For a blog as young and specialist as this one, these are promising numbers. The blog has traction outside of New Zealand also, with some 20% of overseas views. Between August 2018 and January 2019, Jeroen has provided in-depth discussions of the use of behavioural insights in regulation on the blog. He has also begun a series of brief book reviews to discuss classic and contemporary books that make up the canon of regulatory scholarship. He addresses their guiding idea or core notions. Between February and June 2019, Jeroen will provide in-depth discussions on risk regulation on the blog.

Presentations and key-notes

Jeroen has presented at the three G-REG conferences in Wellington, Auckland and Christchurch (1, 6 and 21 November 2018) and at the Government Economics Network (GEN) conference in Wellington (9 November 2018).

Education

Regulatory Compliance Qualification

Jeroen has completed Level 3 in the Regulatory Compliance Qualification. He has received his certificate at the NZTA graduation ceremony for the Wellington cohort on 3 December 2018, where he also gave a brief lecture to the other graduates.

Publications/output

- *Academic*
 - Marc Wolfram, Jeroen van der Heijden, James Patterson, and Sirkku Juhola (2019) “Learning in urban climate governance: Concepts, issues and challenges.”, *Journal of Environmental Policy and Planning*, 21(1), 1-15.
 - Jeroen van der Heijden (2019) “Using qualitative comparative analysis (QCA) logic and tools for theory testing and development in a medium-n urban climate governance research”, *SAGE Research Methods Cases*, Part 2(1), DOI: 10.4135/9781526466259.
 - Jeroen van der Heijden, James Patterson, Sirkku Juhola, and Marc Wolfram (2018) “Advancing the role of cities in climate governance: Promise, limits, politics.”, *Journal of Environmental Planning and Management*, 61(S), 1-9.
- *Blogs*
 - 31 January 2019, [Brief book review – Achieving Regulatory Excellence](#)
 - 26 January 2019, [Brief book review – The Behavioural Insights Team Annual Report](#)
 - 17 December 2018, [Brief book review – Regulatory Crisis](#)
 - 10 December 2018, [Intrusive regulation and cultural change workshop](#)
 - 19 November 2018, [Behavioural insights: Ethical and epistemic challenges](#)
 - 12 November 2018, [Behavioural insights: Evidence and experiments](#)
- *Other*
 - 26 January, [Stuff interview](#), <https://i.stuff.co.nz/business/110184236/exclusive-sports-events-risky-for-regulators-expert>

- 15 January, *Stuff* interview, <https://www.stuff.co.nz/national/crime/109928104/a-single-sentence-in-a-letter-could-earn-ministry-of-justice-17-million>