



## **Newsletter Chair in Regulatory Practice #8 (April to June 2020)**

### **Welcome from Professor Jeroen van der Heijden, Chair in Regulatory Practice**

Welcome to the eighth quarterly Regulatory Practice Newsletter highlighting recent activities, research and news from the Chair in Regulatory Practice (April – June 2020).

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.

### **Research**

#### *Responsive regulation*

From March to June 2020, the Chair in Regulatory Practice will focus on “responsive regulation” as a regulatory strategy and philosophy. “The basic idea of responsive regulation is that governments should be responsive to the conduct of those they seek to regulate in deciding whether a more or interventionist response is needed” (Braithwaite, 2002, 29). Responsive regulation is one of the most discussed regulatory theories and approaches to regulation discussed in the academic literature. It is also widely followed in regulatory practice around the world. Yet, it remains unknown whether responsive regulation performs better than other approaches to regulation. To gain a better understanding of the performance of responsive regulation, we have sifted through over 1,000 peer-reviewed articles to find those that have “measured” its success or lack thereof. This has resulted in a series of blog post on the *From the Regulatory Frontlines* blog (<https://regulatoryfrontlines.blog/>), and by late July 2020, a full research paper on the topic will be available.

#### *Regulators’ Discussion Series*

Initiated by Keith Manch (Maritime NZ), Jeroen has been chairing a series of discussion meetings focussed on core elements of successful regulatory activity. Participants are senior policy (regulatory design) or operational (regulatory delivery) practitioners. In each session, a chapter from the book *Regulatory Delivery* (2019) frames the discussion. This book is a product of the International Network for Delivery of Regulation at Oxford University. It is written by and for regulatory practitioners (at all levels of government) building on a decade of experience in improving regulation in the UK. We envisage that the results of the *Regulators’ Discussion Series* will be used to inform the re-write of the *Achieving Compliance – A Guide for Compliance Agencies in New Zealand* (2012) to capture the knowledge and experience shared in a way that is accessible to the regulatory policy and practice community in New Zealand. The two final meetings in this series are planned for July and August.

### *Handbook on Regulatory Failure*

Jeroen has been invited by Edward Elgar Publishing to edit a handbook on regulatory failure. The ambition is to bring together some 20 chapters by leading academics to map, explore, and interrogate various aspects of regulatory failure. Jeroen has accepted the invitation and accordingly will make 'regulatory failure' the central theme of the Chair in Regulatory Practice for the second half of 2020 (July – December). This will involve a systematic reading of the broader academic literature on regulatory failure, which will result in a series of blogposts and a future research paper in the *State of the Art in Regulatory Governance Research Paper Series* (<https://www.wgtn.ac.nz/sog/researchcentres/chair-in-regulatory-practice/working-papers>).

### *COVID-19 and regulation*

With the COVID-19 crisis in full force, this period has been a little different than what we had expected it to be. We have had to cancel some of the G-REG continuous education workshops, the start of a new PhD student is delayed, and so on. During the lockdown, Jeroen has kept an eye on the latest (international) academic research on regulation and COVID-19 and shared relevant publications through his LinkedIn profile (<https://www.linkedin.com/in/heijden/>). He will keep doing this over the months to come.

### **Outreach**

As a result of the COVID-19 crisis, we have had minimal opportunities to engage with the New Zealand regulatory community through workshops and lectures this period. We have however rescheduled the seminars as part of the G-REG Continuing Education program on:

- Risk governance and risk-based regulation
- Behavioural science and regulatory governance
- Systems thinking and regulatory practice

### **Education**

Jeroen continues supervising the MSc thesis of Michael Howden at VUW, and he is looking forward to welcoming Geetanjali Sharma in October as the first PhD student of the Chair in Regulatory Practice. He has completed supervising the PhD theses of Ryan Wong, Australian National University, and continue working with his PhD students Adriana Sanchez Gomes at the University of New South Wales, and Sayel Cortes Berrueta at Wageningen University.

### **Publications/output**

- *Academic*
  - [Jeroen van der Heijden \(2020\) "Urban climate governance informed by behavioural insights: A commentary and research agenda."](#), *Urban Studies*, 57(9), 1994-2007.
- *Blogs*
  - 29 June 2020, [Responsive regulation \(4\): Evidence and findings](#)
  - 23 June 2020, [Responsive regulation \(3\): Examples](#)
  - 20 June 2020, [Responsive regulation \(2\): Evolution and success](#)

- 15 June 2020, Responsive regulation (1): A review of the international academic literature
- 8 April 2020, Brief book review – Government and Markets: Toward a New Theory of Regulation
- *Guest blogs by Keith Manch, Chief Executive and Director of Maritime New Zealand*
  - 14 June 2020, Exploring issues about regulation – chapter review of the book Regulatory Delivery (on risk-based prioritisation)
  - 6 May 2020, Exploring issues about regulation – chapter review of the book Regulatory Delivery (on outcome measurement)