



Newsletter Chair in Regulatory Practice #6 (October - December 2019)

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

Welcome to the sixth quarterly Regulatory Practice Newsletter highlighting recent activities, research and news from the Chair in Regulatory Practice (October – December 2019).

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

Inaugural lecture

On 22 October, the Chair in Regulatory Practice, Professor Jeroen van der Heijden, has given his inaugural lecture at the Victoria University of Wellington. The public lecture, *Regulatory philosophy, theory, and practice: Ka mua, ka muri*, touched on the long, and often remarkable, history of regulatory reform to lay out the main regulatory challenges of today, and explored how they can be best addressed in the future. With an audience of approximately 140 people, the lecture was very well attended. For those who were not able to attend, the lecture is available online as a [recording of the full lecture](#), and in writing as the latest [Chair in Regulatory Practice Research Paper](#). An [opinion piece summarising the lecture](#) is available also.

Systems theory and regulatory practice

This year, two themes are central to the Chair's research program: systems theory and regulatory practice (July – December 2019) and responsive regulation (January – June 2020). Both themes will result in State of the Art in Regulatory Governance Research Papers. Jeroen has completed reviewing the systems literature as it relates to regulatory governance, including more than 600 peer-reviewed articles and some 30 books. The general literature turned out to be more extensive than anticipated, with no less than seven different strands that are of interest if we want to use systems thinking to help improving regulatory design and regulatory practice. That being said, the application of systems thinking has had very little attention in the broader regulatory literature. Much of the work traced is conceptual and highly normative, with limited practical examples available of how and with what results systems thinking has been used to improve regulatory governance. Between December and January, Jeroen will bring together the core findings from this review of the literature in a series of blog posts and a State of the Art in Regulatory Governance Research Paper.

G-REG Qualifications evaluation

New Zealand has in place a unique qualification framework to provide people employed in, or who want to go into, the regulatory compliance sector with core knowledge of regulatory compliance. This framework helps to build out the regulatory profession in New Zealand and serves as a world-leading (and to the best of our knowledge, world-first) example of a systematic approach to the training of staff in government and non-government organisations working in a regulatory compliance environment. Over the last months, Jeroen has carried out interviews at eight government agencies and local governments as part of an evaluation of these 'G-REG Qualifications'. Unfortunately, the evaluation is a little slower than initially anticipated due to some challenges we experienced in planning interviews.

Palgrave Handbook of the Public Servant

Jeroen acts as editor of a section in the *Palgrave Handbook of the Public Servant* (Section 7, *Public servants as regulators*). All chapters for this section are now completed and are in the process of being copy-edited. The chapters in this section, including a contribution by a group of G-REG representatives, will be available in early 2020. Topics addressed in this section are range from reviews of central themes in regulatory scholarship, via the role of frontline regulatory staff in achieving regulatory outcomes, to direct applications of regulatory governance as they relate to ongoing digitisation, environmental problems, and the use of non-state regulation in achieving societally desirable outcomes.

Outreach

In last months, Jeroen had various opportunities to introduce G-REG and the New Zealand regulatory community more broadly to various national and international audiences. These included participants at

- *What activate cities in climate change-oriented networks?*, University of Melbourne, Australia – 2 December 2019
- *Global trends in regulation: A future outlook*, Office of the Privacy Commissioner, Wellington, New Zealand – 25 November 2019
- *Global trends in regulation: A future outlook*, Land Institute of New Zealand (LINZ), Wellington, New Zealand – 22 November 2019
- *Global trends in regulation: A future outlook*, WorkSafe, Wellington, New Zealand – 30 October 2019
- *Regulatory philosophy, theory and practice: Ka mua, ka muri*, Inaugural lecture, Victoria University of Wellington, New Zealand – 22 October 2019
- *How to maintain the social license to regulate?*, Government Regulatory Practice Initiative Annual Conference, Wellington, Christchurch, and Auckland, New Zealand – 17, 24 and 29 October 2019
- *Governing urban resilience: Facilitation, coercion and mixed incentive models*, International Urban Resilience Forum (Seoul Metropolitan Government/UN Office for Disaster Risk Reduction), Seoul, South Korea - 23 September 2019
- *Voluntary programs for regulatory flexibility: Insights from urban sustainability and resilience governance*, Korean Institute for Public Administration, Seoul, South Korea – 20 September 2019
- *Global trends in regulation: A future outlook*, Senior Public Service Operational Leaders Board, Wellington, New Zealand – 2 September 2019

From the Regulatory Frontlines blog and the Research Paper Series

The blog *From the Regulatory Frontlines* has seen continued success as a highly promising means of communication. Since launching it in September 2018, it has had over 6,500 views from over 1,900 visitors. The three State of the Art in Regulatory Governance Research Papers, *Behavioural insights and regulatory practice*; *Risk governance and risk-based regulation*; and, *Regulatory Philosophy, Theory and Practice*, published since the launch of the Chair, have also proven to be a promising means of communication with close to 300 downloads from the [Social Science Research Network](#).

Education

Jeroen has completed supervising the MSc thesis of Craig Hobbs, General Manager Licensing and Regulatory Compliance, Auckland Council, and continues supervising the PhD theses of Ryan Wong, Australian National University, Adriana Sanchez Gomes at the University of New South Wales, and Sayel Cortes Berrueta, Wageningen University.

Publications/output

- *Academic*
 - Ryan Wong and [Jeroen van der Heijden](#) (2019) "Avoidance of conflicts and trade-offs: A challenge for the policy integration of the United Nations Sustainable Development Goals.", *Sustainable Development*, 27(5), 838-845
 - [Jeroen van der Heijden](#), Harriet Bulkeley, and Chiara Certomà (2019) "Promises and Concerns of the Urban Century: Increasing Agency and Contested Empowerment." In: van der Heijden, J. et al. (eds), *Urban Climate Politics: Agency and Empowerment*. Cambridge: Cambridge University Press, 1-20.
 - [Jeroen van der Heijden](#), Harriet Bulkeley, and Chiara Certomà (2019) "The politics of urban futures: recognition, experimentation, orchestration." In: van der Heijden, J. et al. (eds), *Urban Climate Politics: Agency and Empowerment*. Cambridge: Cambridge University Press, 231-242.
- *Blogs*
 - 16 December 2019, [Systems thinking and regulatory governance: A review of the international academic literature \(1\)](#)
 - 22 November 2019, [Brief book review – Regulatory Delivery: Introducing the Regulatory Delivery Model](#)
 - 21 October 2019, [Regulatory philosophy, theory and practice: Ka mua, ka muri](#)
 - 17 October 2019, [How to maintain the social license to regulate? \(G-REG conference transcript\)](#)
 - 4 October 2019, [Brief book review – Governing through regulation: Public policy, regulation and the law](#)
 - *Guest blogs by Keith Manch, Chief Executive and Director of Maritime New Zealand*
 - 4 November 2019, <https://wordpress.com/block-editor/post/regulatoryfrontlines.blog/232> Exploring issues about regulation: reflections on the management of regulatory systems
- *Other media*
 - 22 October 2019, opinion piece, [What to do about NZ's regulation failures?](#)