Rick Haythornthwaite Chairman, Better Regulation Commission

Speech to The Foundation for Science and Technology on 9th May, 2007

Introduction

- Every day, individuals make complex risk trade offs as part of their daily lives

 today I ate a yoghurt two days past its sell-by date and ran across a road to get to a meeting on time.
- Yet at what level do we start to manage those risks, and how often do we struggle to get this right?

Who are the BRC

- I am chair of the BRC, we have 15 volunteer members made up of professionals, large and small business people, the Trade Unions and local authority representatives.
- We look for the most effective way to reach the agreed policy outcome. Some
 of this is through red tape reductions but we think that more can be gained
 through re-thinking how we really protect those who are most at risk.
- Clear value of report is when the Royal Society for the Prevention of Accidents supports our views - it is right for children to get bumps and bruises so that they can learn about risks.
- What did we ask for in the risk report? We asked, as we always do, for a balanced approach to policy making. We are focused on the desired outcome, we wish society to recognise the trade offs that it makes.

Positive signs

- I should present a balanced picture following our report, there are good signs of an increasingly risk based approach to regulation from Government
- On Farepack government waited, did not respond immediately to the 'national emergency' but actually waited to see the risks that it was dealing with, and responded with a voluntary code.
- On the 'over 30 month rule' for beef where the costs per life saved was
 proved to be disproportionately high, FSA carefully decided to replace the rule
 with a less costly regime, and focus on higher priority risks

Risk averseness

- Select Committees and the Public Accounts Committee can seek to pin the blame on individuals, which deters officials from taking risks. This drives regulation, which is often the safer option.
- Our report talks a lot about 'flawed conversations' and one came up just a
 week ago the issue of 'wi-fi' in schools. "The Independent" led on this,
 followed by the expected tabloids. Now, all of this is important we need to be
 careful around exposing individuals to new and un-quantified risks.
- When this happens you tend to find concerned scientists and lobby groups expressing their fears- yet they often have their own vested interests.
- Now, this is not to say that there may not be dangers associated with wi-fi-however, it is irresponsible for us to live in a world where we start these debates without recourse to the evidence. Appropriate checks should be in

place to check the impact of low-level radiation on individuals, but these discussions should not start in a hysteria of misquoted facts.

Our recommendations and response

- The BRC urged the government to come clean with the public about risk and regulation, about where ownership and responsibility should start and stop. It needs to spell out that there are costs as well as benefits of risk reduction measures. It must explode the myth that the government can and should manage all risk. It must admit that zero risk is unachievable, unattainable and undesirable.
- The report calls for a campaign against inconsistencies and absurdities, where regulations and those implementing them have lost the focus on the desired outcomes. It demands that the Government commits to re—examine areas where the state is considered to have gone too far in its interference of our freedoms. A similar campaign in the Netherlands identified over 800 areas for the Dutch government to examine.

Where now

- Now working to make this real the area is becoming more interesting. Find UK is a fertile ground for these discussions.
- What do we wish for the future expansion of risk into other areas:
 - Priority 1) active review of where the interventions do not justify the
 opportunity costs very difficult for ministers to remove protections as has been done in removal of fire closures in houses, but it has
 been done. We need to generate a momentum in this area.
 - We want more consistency across government; some departments are making real progress, others less so. For example, DfT decree that protective clothing for motorcyclists is a matter of personal choice whereas DCMS state that while offering football spectators a choice is desirable, ensuring their safety is the priority.
 - Priority 2) how do we target regulation in a more effective way? We aim to re-inject caveat emptor/ trust into relationships and consider who would really be put at risk. We should then define regulation that protects this group in a targeted way.
 - Priority 3) a longer term objective is to pick up the opportunity for government and policy makers to learn from their policy development. You don't need me to tell you that policy interventions are increasingly complex, and require fine tuning to make work. However, we appear to have double standards - we would expect a well run organisation to continually learn and adapt its strategy to the circumstances, yet we criticise governments for u-turns when they do respond to past interventions.
 - How do we apply this to climate change policy, how do we apply this to the challenging areas of public health - obesity

Call to action

 So what now - what do I ask of you? Consider the challenges, don't expect certainty - and the next time a train operator following a crash, politician following an incident, newspaper after a circulation grabbing campaign ' demands or promises that it will never happen again' ask at what we are losing - what will happen as a consequence. Will individuals move to a cheaper, but more dangerous form of transport, will consumers really gain additional protection or merely have to bear the cost of the new regulations and will society really be a better place?