



Something in the air?

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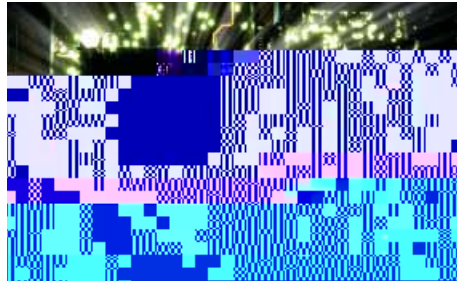


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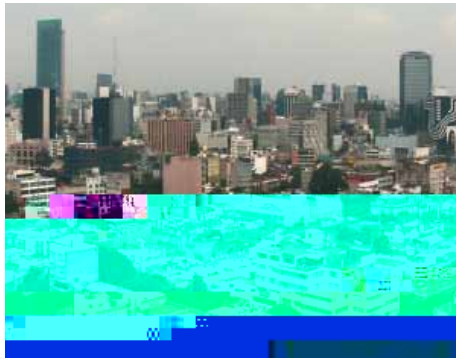
ACADEMIC AB AD

Bridget Hutter and **Javier Lezaun** represented the UK at the OECD Global Science Forum Workshop on Science and Technology for a Safer Society in Tokyo in December, where they presented a paper on 'Social Science Perspectives on the Governance of Science and Technology'. **Bridget Hutter** also chaired a session on interdisciplinary approaches to managing societal risks.



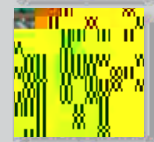
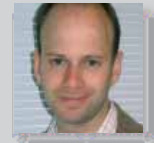
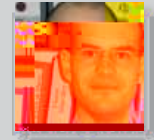
Martin Lodge visited the Centre d'Etudes et de Recherches de Science Administrative (CERSA) from late March to late April.

In April, **Colin Scott** presented a paper on 'Regulating Private Legislation' at *The Making of European Private Law: Regulation and Governance Design*, a conference held at the European University Institute, Florence.

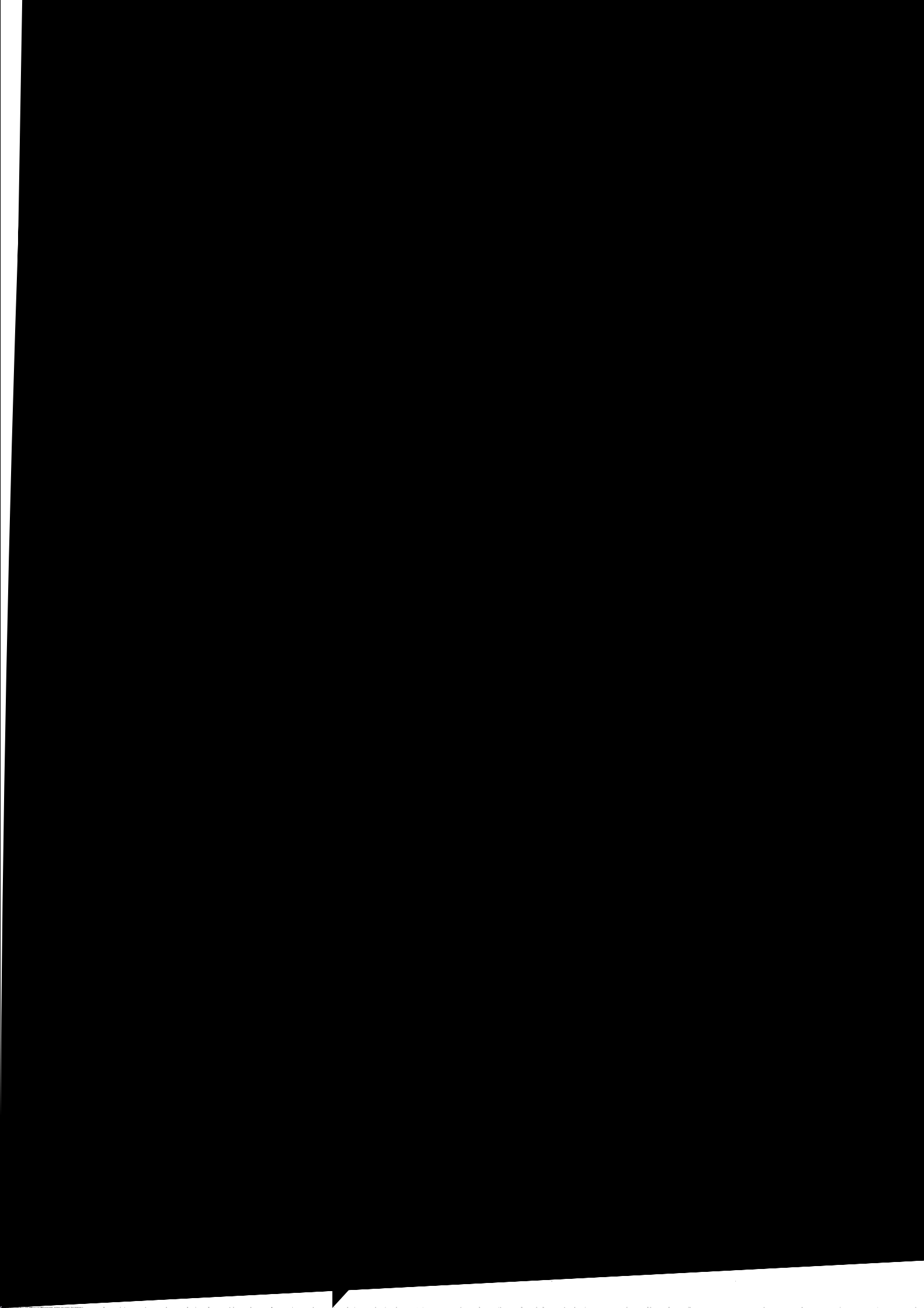


In March **Robert Kaye** spoke on the regulation of conflict of interest in the modern state at UNAM, Mexico City, at a conference sponsored by the World Bank.

Javier Lezaun spoke on 'The Life of Patents' in









...SOMETHING WENT
BUT AS WE LANDED

Operational breakdowns are serious in any industry, but in airlines they can be catastrophic. Air accidents, like any

and failures are a normal feature of operations: people





The regulation of genetic testing – a case study in the difficulties of constructing and operating risk-based regulatory regimes

Stuart Hogarth, Cambridge University

17 January 2006

How risky are genetic tests and how should those risks be regulated? In recent years there has been both optimism about the promise of personalized medicine based on a detailed understanding of our genetic predisposition to disease, and concern about the harms which may arise from the widespread use of poorly evaluated genetic tests. Fears that new tests are evading proper regulatory processes have been countered by concerns that over-regulation may hamper innovation. One proposed solution has been to focus regulatory scrutiny on those tests which pose greatest risks

genetic tests is? This seminar explored the
which influence risk-based regulatory regimes in Canada

John Oxford predicted
that the outbreak would



Bird flu, smoking bans, or 'may contain' food labelling, are for many people an expression of our contemporary preoccupation with risk and our urge – for good or for bad – to regulate ever further threats to health, safety and the environment. But in recent years, risk has also emerged as a central organizing principle of public policy and corporate governance; from New Labour's endorsement of 'risk-based' regulation to the requirement that publicly listed companies have risk management systems. Indeed, it seems that the regulation of risk is turning into regulation *by* risk.

There is no shortage of explanations for these developments. For Ulrich Beck, this is the 'Risk Society' in which we face risks that are qualitatively different to those of the past. Conversely, for others, such as Frank Furedi, the Risk Society is an illusory product of a 'climate of fear' peddled by

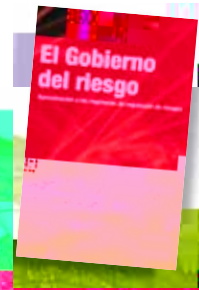
encounter a number of problems. Risk assessment, for example, often proves to be an inexact science. Assessing risks as small when events prove otherwise may do little to manage institutional risk. Risk assessment and management can also strain institutional capacities and can conflict with other organizational constraints and ways of working. Risk may consequently provide a lingua franca for decision-making while making little impact on actual organizational practices. Moreover, framing governance problems as risk poses normative challenges if stakeholders weigh the value of risks differently. The public, for example, may be more averse to low probability / high consequence risks than high probability / low consequence risks, even if, from a risk perspective, the collective consequences are identical.

Such challenges may make institutional risk an object of risk management in its own right. Risk communication strategies to persuade audiences of the legitimacy of decision-making, passing the buck and other blame-avoidance strategies have received much attention recently. But decision-makers may develop more formal institutional risk management techniques that subtly shape societal risk management. The HSE, for example, has developed the concept of 'societal concerns' as an attempt to quantify and respond to public anxiety generated around issues that the HSE considers well managed but create reputational concerns, such as children's activity centres.

The management of institutional risk can improve the management of societal risk if, for example, regulators are encouraged to improve the robustness of decision-making. But eliding distinctions between societal and institutional risk may dangerously obscure the way in which trade-offs are made between the two. Institutional risk management, for example, has potentially negative consequences if regulators manage their own institutional risks at the expense of societal risks. Spiralling feedback loops between societal and institutional risk may even emerge in which the management of institutional risk brings ever more domains into the realm of risk governance.

Such dynamics suggest a need to investigate the factors that shape the balance between the management of societal and institutional risk. One possibility is that just as public perceptions of risk are held to be shaped by 'dread' and 'familiarity' characteristics, so regulators' perceptions of risk may be modulated by analogous institutional factors. It's not hard to imagine how the 'dread' of a front page exposé may amplify regulators' attention to policy problems, while lack of public salience may attenuate their risk perceptions. Institutional risks may even be misperceived. Local authorities removing hanging baskets in the absence of any accidents, or increased rates of caesarean sections despite fewer legal claims against the NHS suggest that there is a lot to learn about responses to institutional risks.

Risk colonisation is an attempt to unpack the close relationship between risk and regulation by showing how events brought into the realm of regulation are constituted as risk. Risk colonisation is based on an idealised model of regulatory regimes as tight systems of control where all gaps have to be recorded, anticipated and accounted for within rational bureaucratic terms. In practice, however, regulatory regimes are looser and more patchily scrutinised and held to account, so we might expect a varied topography of risk to emerge across domains. Moreover, there is a need to account for the emergence of risk concepts within extended governance systems. Such



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CARR research staff

Bridget Hutter



William Jennings



Clive Jones



Robert Kaye



Javier Lezaun



Martin Lodge



Carl Macrae

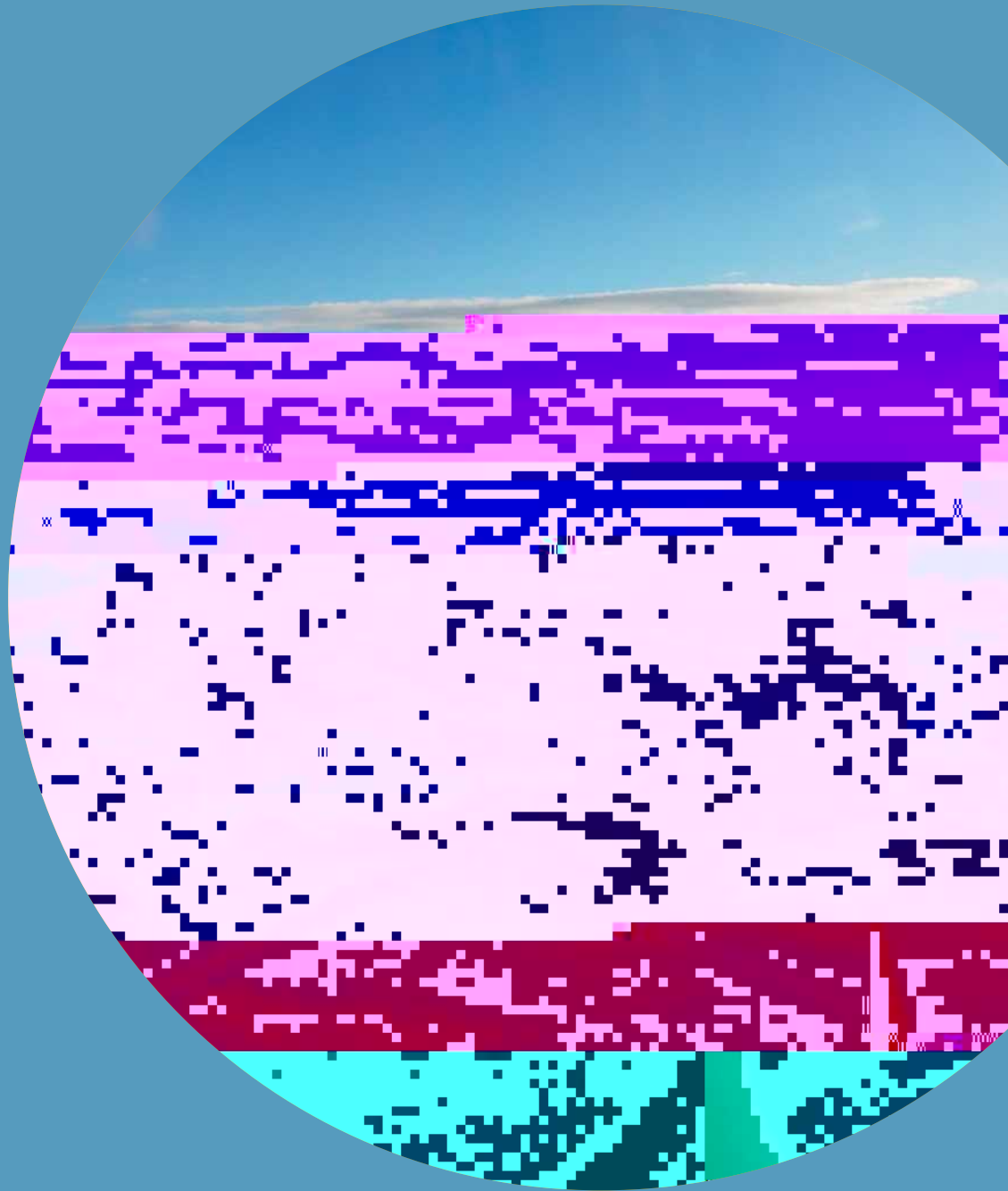


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