

BOOK REVIEW

Meta-regulation in practice: Beyond the normative views of morality and rationality, Hardback and eBook versions. Edited by F. C. Simon. (231 pp.) ISBN: 978-1-138-23372-0 (hbk), ISBN: 978-1-315-30891-3 (ebk). Abingdon, Oxon: Routledge (2017)

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This is a fascinating book on a topic of increasing debate and relevance. It takes a detailed, longitudinal and objective look at the regulation of the Australian State of Victoria's energy supply market over a 17-year period. Such studies are rare and this one is especially valuable because of the often contentious price of energy to consumers was at the heart of it. However, it is the critique of how energy costs were regulated that reveals considerable insights but also an appreciation of the complex forces at work when lawmakers decide to regulate.

The energy supply market might seem a narrow concern but this book sets what is, in effect, a very extensive case study into a theoretical, comparative and sociolegal framework. The issues around regulation have been receiving much increased attention, due in part to the power of some multinational organisations using advanced technology to aggressively promote their businesses and their apparent wish to avoid any constraints on how they operate. There are also mounting global concerns about tax evasion but also about appalling working conditions in some countries, along with how best to ensure safe food, safe travel and safety in a wide range of consumer products. This agenda is growing and sometimes producing major controversy and conflict. As a contrast to the energy supply market and frequent allegations that companies 'fix' prices to the detriment of consumers, we currently have the global issues around a company like Uber that aims to compete with other taxi services, but without the 'burden' of the regulations they have to comply with. This is a very timely book of much relevance to these types of issues.

The book has a logical format. It starts with an overview of approaches to regulating and contrasts 'command and control' regulation, which is detailed and keenly enforced (but which has alienated many in business), with meta regulation which aims to provide a co-operative structure and processes, by bringing together the regulator, the regulated and stakeholders. It is a form of self-regulation, whereby organisations produce their own rules and procedures for the regulators to assess. The focus is on compliance outcomes, not just compliance itself. This approach is grounded in a considerable theoretical and practical literature, which is considered in the first two chapters. The benefits of meta regulation are stated to be its intrinsic flexibility, dependence on agreed principles rather than rigid rules, the active involvement of, say, NGOs, community groups so as to help embed values, and transparency. Other policy makers have promoted 'smart regulation', 'management-based regulation' and other titles, whereby regulation is more sensitive and sensitively enforced and has wider acceptance among the population that is regulated. Whatever title is given to the approach, the book clearly shows how difficult it is to develop effective regulation and the need for even more debate, research and studies such as in this book.

Chapters 3 to 6 provide the detailed analysis of the creation of the regulatory framework for the retail energy market in Victoria. It then monitors the various challenges and changes the regulatory system faced. It is a salutary tale, with many disagreements between the parties, interference by external bodies and a questioning of the basic principles being applied. The regulators themselves went through

difficult times, and it was clear that hoped for increased coalescence between the public views and the views of those in the market would be hard to achieve. This is a fascinating read and no review or overview can really do it justice.

The concluding chapter, entitled 'Re-thinking meta regulation' is invaluable. It returns to the earlier debate on command and control versus meta regulation and concludes they both have drawbacks, drawbacks that are probably hard to overcome by any regulatory system. Figure 7 on page 224 is especially useful in providing guidance about the 'best' system to adopt in any given market/issue/problem. The role of consumers (critical in many of the new digital and global businesses) emerges as being of great importance, though highly complex.

This book is a very important contribution to what can be seen by some as a rather negative or abstruse topic. I would have liked more practical examples of regulation in the early chapters in order to fully appreciate the conflicts, tensions and difficulties in drafting and applying regulations. When the book deals with this lengthy period of regulation history of the energy market it really comes to life. The author has also skilfully abstracted the key issues for the future.

Who should read this book? It has considerable value for social researchers in applying a very interesting research methodology, but it is likely that the main readerships will be the growing number of academics concerned with this complicated yet vital topic, policy makers and managers who are responsible for compliance and, ideally, positive outcomes.