

Panel II: Quantification, Scope of Impacts and Proportionality

Better Regulation naturally raises demands for quantification and for the analysis of a broad range of impacts. Comparisons of impact assessments often rate them the better the higher the degree of quantification and the broader the set of impacts analysed. EU guidance qualifies the demands, insisting that the analysis has to be possible and proportionate. It is essential for scrutiny to understand how the demands can be made operational.

Magda Kopczynska (European Commission, Mobility and Transport DG) presented a particularly good example of how to define the domain of the impact analysis. The presentation made clear how limits to data availability, the need to generate data and to pick credible methods determine what is possible and proportionate. Clarity about how responses to these challenges have shaped reports greatly increases their quality.

Hans Bruyninckx (Executive Director, European Environmental Agency) focused on governance aspects of evaluation. The allocation of tasks to management and teams has to ensure that evaluation objectives harness data collection, the selection of methods and derivation of conclusions. A disconnect between the evaluation process and its strategic intent will violate proportionality.

Sofia Ranchordas (University of Groningen) illustrated the complexity of finding a precise definition of proportionality discussing the innovation principle. Taking incremental steps and using controlled experiments may help to avoid costs.

Robert Hahn (Institute of Technology, Smith School of Enterprise and the Environment at the University of Oxford) reminded us that the ultimate test of proportionality is how much decision-making rules have improved policies. Access of an interested public to the data and methods used for assessments reduces the risk that politics overrides policy analysis. Impact assessments and evaluations should inform policy makers about the limits of the analysis.