



**Deliverable D5.3 – *pending EC approval***

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**Research report:**  
**Citizen perceptions of regulatory  
instruments and enforcement styles**

Point of Contact	<b>Stephan Grimmelikhuijsen</b>
Institution	<b>Utrecht University</b>
E-mail	<b><a href="mailto:s.g.grimmelikhuijsen@uu.nl">s.g.grimmelikhuijsen@uu.nl</a></b>
Phone	<b>+31302531433</b>

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Authors	<b>Marija Aleksovska (UU), Stephan Grimmelikhuisen (UU), Judith van Erp (UU)</b> <b>With contributions by: Bjorn Kleizen (UAntwerpen), Bastiaan Redert (UAntwerpen), Rahel Schomaker (Uni-Speyer), Marko Hack (Uni-Speyer), Heidi Houlberg Salomonsen (AU), Sharon Gilad (HUJI), Libby Maman (HUJI), Tobias Bach (UiO), Silje Marie Thorstensen (UiO)</b>
Reviewer	<b>Edoardo Guaschino (UNIL), Yannis Papadopoulos (UNIL)</b>



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## Abbreviations, Participant short names

### Abbreviations

ABI	Ability, Benevolence, Integrity
BVL	Germany's Federal Office of Consumer Protection and Food Safety
EU	European Union
FASFC	Belgium's Federal Agency for the Safety of the Food Chain
NVWA	Netherlands Food and Consumer Product Safety Authority
WP	Work Package

### Participant short names

UNIL	Université de Lausanne
UAntwerpen	Universiteit Antwerpen
IBEI	Institut Barcelona d'Estudis Internacionals, Fundacio Privada
HUJI	The Hebrew University of Jerusalem
Uni-Speyer	German University of Administrative Sciences
AU	Aarhus Universitet
UiO	Universitetet i Oslo
UU	Universiteit Utrecht
Kozminski	Akademia Leona Kozminskiego
SCIPROM	SCIPROM Sàrl



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## Summary

This report presents the data collection and preliminary analysis of the twelve focus groups on citizens' trust in regulation, conducted as part of the TiGRE work package WP5 which focuses on regulatory instruments and enforcement styles of regulatory agencies and how they affect citizen trust in regulatory regimes. The focus groups explore citizens' views on what constitutes a trustworthy regulator, perceptions regarding the trustworthiness of the food safety regulator, and citizens' evaluations of particular enforcement styles in six countries: Belgium, Denmark, Germany, Israel, the Netherlands, and Norway. This data collection effort builds on the previous work in WP5, specifically, the survey experiment reported in the deliverable D5.2<sup>1</sup>, and aims to provide further insights on how citizens' trust in regulatory agencies is shaped by the behaviours of the regulators. In this report we first discuss the rationale of the focus groups, the data collection approach, and the structure of the focus group discussions. We then present six country reports, which provide summaries of the focus group discussions in each of the six countries. Finally, we provide a preliminary comparative analysis, outlining the similarities and differences emerging from the country reports, and discuss their implications.

The results show that citizens consider transparency, integrity, and expertise to be the key traits of a trustworthy regulator. The knowledge of citizens regarding the work of the food safety regulator in their country is rather limited, however, this does not appear to prevent them from placing high levels of trust in its work. When it comes to specific enforcement styles, it does not appear that they have a direct effect on citizens' trust. What citizens consider to be an appropriate regulatory action in a given situation, would largely depend on the specifics of the situation.

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<sup>1</sup> This research report is available for download on the TiGRE website at <https://www.tigre-project.eu/tigre-library/>



## 1. Introduction

### 1.1 Rationale of the focus groups

The goal of WP5 is to capture to what extent citizens have trust in regulatory agencies and in service providers within specific regulatory regimes; to identify the drivers of such perceptions, specifically with reference to the effect of different regulatory instruments and enforcement styles. The focus is placed on three dimensions of enforcement, or enforcement styles, which have emerged from the previous literature on regulation (Carter, 2017; De Boer, 2019; Lo et al., 2009; May & Winter, 1999; 2000; May & Wood, 2003), namely: formalism, coerciveness, and accommodation.

The dimension of formalism aims to capture the extent to which the regulator follows a strict or a lenient application of the rules. Coerciveness refers to the employment of sanctions by regulators in the face of identified violations: whether the regulators employ a more punitive or educational approach. Finally, the dimension of accommodation captures the degree to which the perspective of the regulatee who committed the violation is taken into account in the enforcement decision of the regulator.

An extensive survey experiment was conducted among citizens in six countries, aiming to test hypotheses and identify the influence of the different enforcement styles on citizen trust. The survey experiment presents three vignettes depicting situations requiring regulatory response in three domains: food safety, finance, and data protection. The survey experiment and underlying theory was reported in deliverable D5.2.

This research follows up on the survey experiment by using focus groups with citizens. Focus groups are a form of collecting qualitative data through an informal group discussion about a particular topic with a small number of people (Onwuegbuzie et al 2009; Wilkinson 2004). 'The purpose of a focus group is to better understand how people feel or think about an issue, idea, product or service' (Krueger & Casey 2015 p.2). Focus groups are particularly useful to discuss perceptions, attitudes, ideas and opinions, due to the social orientation of the group. The interaction between participants can be conducive to revealing perceptions and ideas on complex issues. Hearing other people's thoughts, can help participants to put into words their opinions that were previously implicit, and can help their ideas to crystallize. It is therefore important to distinguish group interviewing – with an emphasis on questions and responses between the researcher and various participants – and focus groups, that rely on interaction with a group based on topics supplied by the researcher (Morgan 1997). Focus groups intend to generate a multiplicity of views rather than consensus. Focus groups can be used during exploratory stages of a study or to complement other methods, upon completion of a study, to assist interpretation and further analysis (Onwuegbuzie et al 2009). This was the purpose of focus groups in the current study: to help make sense of the findings of the survey experiment and enrich our understanding of the influence of regulatory enforcement on citizens' trust through qualitative data collection.

Similar to the survey experiment, the focus groups aim to provide insights on how citizens make sense of the regulatory enforcement process, and also on the traits and behaviours of regulators they see as key in evaluating the trustworthiness of regulatory agencies. To this end, the focus groups largely mirrored the content of the survey experiment, including the same vignettes. Thus, the focus groups shed more light on the link between regulatory enforcement and citizens' trust in regulatory agencies. In addition, this data collection also has a more open-ended and exploratory component, exploring what constitutes a trustworthy regulator as well as the trustworthiness of the national food safety regulator in each country.

The current deliverable reports on the data collection, and findings of the focus groups. For the findings, we rely on a brief summary of the findings per country as reported by each country's primary moderator. A more in depth analysis will be provided in academic publications based on this deliverable.



## 1.2 Overview of the data collection

The focus groups have a much narrower scope than the survey experiment, as they are covering only citizens' trust in the regulatory agencies (and not the regulatees), and they are restricted to the food safety sector (while excluding the finance and data protection sectors). The restriction of scope should create room for more in-depth investigation, while at the same time keep the length of the focus groups manageable. The choice for the domain of food safety was made as this was thought to be the sector citizens would be the most familiar with, on the basis of the results of the survey experiment reported in D5.2. The focus groups were guided by the research question:

*How does enforcement style influence citizens' trust in regulatory agencies?*

The focus groups were carried out in Belgium, the Netherlands, Germany, Denmark, Norway, and Israel between June and December 2022 (specific dates provided in Table 1). To facilitate comparison between the focus groups carried out in the six different countries, a maximum uniformity was pursued in conducting the focus groups.

Table 1. Focus group dates

	Belgium	Germany	Denmark	Israel	Norway	Netherlands
Student focus group	01.07.2022	10.07.2022	27.09.2022	08.08.2022	14.10.2022	17.06.2022
Employees focus group	04.07.2022	21.12.2022	26.08.2022	15.12.2022	13.10.2022	22.06.2022

### 1.2.1 Recruitment of participants and composition of the focus groups

The participants in the focus groups are citizens in the respective countries where the focus groups are conducted. Due to the low sample size of participants, our objective was not to recruit a representative sample of the citizen population. For pragmatic reasons, we opted for the university setting as the basis for recruiting respondents. Each research team involved in the project recruited respondents at their own university. They recruited two groups that can be recruited relatively conveniently:

- **Group 1:** (advanced) students from a discipline related to the topic (public administration, political science, law). This group represents a population with a higher education level and a basic interest in governance and trust in public agencies, yet limited actual experience with regulatory issues (direct or via newspapers) due to their age.
- **Group 2:** support staff from the university, preferably from other faculties. This group represents a population with mixed education background, so more representative of the general population, yet more exposure to regulatory events (direct or via newspapers) than the student group. Also, their affiliation with the university makes them relatively easy to recruit as they can do the session in a lunch break and they can be recruited through staff networks.

This type of participant selection should result in a heterogeneous group of participants overall, but with more limited heterogeneity within groups. This is in line with best practices for participant recruitment in focus groups (Gibbs 1997).

Participants were recruited through a variety of university bulletin boards – the student association Facebook groups; intranet; email lists, faculty newsletters and through snowballing and via personal networks. The motivations for participation varied from an academic interest in focus groups as a research method; university support staff finding it interesting to participate in research in an academic environment, and an interest in the topic of food safety. Participants received a gift card to thank them for participation.

Recruitment resulted in group sizes between 3 and 9 participants (Table 2). This was relatively low in some of the meetings, yet in most meetings enabled a lively and in-depth discussion.



Table 2. Number of focus group participants

	Belgium	Germany	Denmark	Israel	Norway	Netherlands
Student focus group	9	9	4	6	3	5
Employees focus group	4	3	5	5	3	4

### 1.2.2 Focus groups setup

The focus groups were carried out in a face-to-face meeting as this was perceived as helpful in facilitating an open and engaging discussion. Each focus group was assisted by two moderators: one to lead the discussion, another to take notes and take care of the audio recording and photographing notes.

The focus groups were carried out during lunch time on the university campus, to facilitate participation. A light lunch was provided. Each focus group lasted for 1,5 to two hours. The focus groups were carried out in the native language of the participants, in order to make participants more comfortable. Audio records were made and transcripts were made and subsequently translated into English. The focus group conversation was guided with help of a PowerPoint presentation. The presentation is available in Appendix 1.

Prior to the discussion, each participant was handed a pre-focus group survey to fill in, which also included the consent letter. Consent was granted by all participants prior to the start of the focus group. The pre-focus group survey is available in Appendix 2 and the consent letter in Appendix 3.

### 1.2.3 Programme

Each focus group started by a round of introductions of the moderator and participants, followed by an explanation of the purpose and topic of the focus groups. The moderator then explained the rules of engagement: There are no right or wrong answers, all opinions are valid, and no consensus is aspired. The participants were reminded that participation is voluntary, and they could abstain from discussing certain questions if they did not feel comfortable with them. Last, they were requested to not disclose names or personal details of other participants in order to respect their privacy in case they would discuss details of the conversations later on.

The discussion started with an ice breaker question and then introduced the first general question: What makes a regulator trustworthy, in your opinion? Participants were asked to write down 3-5 characteristics of a trustworthy regulator. These were then displayed and served as the basis for an open discussion about trust. After this, participants were provided with a brief introduction of the food safety regulator in their country, and had the opportunity to ask questions.

Subsequently, the discussion moved to the question how participants evaluated the trustworthiness of the food safety regulator in their country, and the question what the food safety regulator would need to do to increase or gain the trust of the participants.

After a short break, the conversation continued with the displaying of the vignettes used in the survey experiment, and discussion of participants of these vignettes. Participants were first asked to consider the following situation:

*“A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.”*

Here, it was first asked how the participants thought the regulator should respond in an open question. Next, a variation of potential responses was presented and discussed, reflecting the formal, accommodating, and coerciveness dimensions. For each variation, the question was asked what the respondents thought about



the approach of the regulator and how this affected their trust towards the regulator. In the interest of time, not all variations were discussed in all focus groups.

Next, respondents were asked to consider additional information about the case:

*“The vegetable grower has been aware for at least three months that the levels of organic phosphorus in its products are often higher than the legal limit. Despite this, the producer did not take any action to remedy the situation by providing proper training to its employees on how to use the pesticide.”*

It was asked what, given this new information, would be the appropriate response of the regulator to the situation?

Finally, the moderator briefly showed the results from the survey experiment and asked for potential explanations for the findings. The participants were shown only the experimental results from the country where they are from.

### 1.3 Pre-focus group survey analysis

Prior to starting the focus group discussions, we asked all of the focus groups’ participants to fill out a short survey (Appendix 2). The survey consists of two elements: basic demographic characteristics, and knowledge or awareness of the work of the food safety regulator in the country in question. The results of this short survey are reported below.

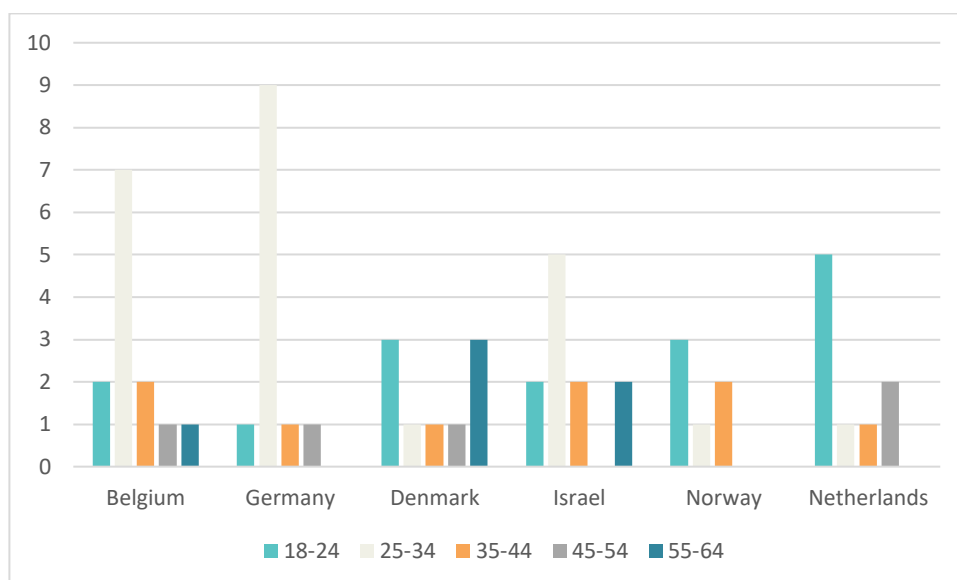
#### 1.3.1 Composition of focus groups

Participants were asked to report their gender, age group, and highest educational attainment. Figure 1, Figure 2 and Figure 3 report each of these demographic characteristics in turn. As Figure 1 indicates, there were many more women than men among the focus group participants. Only in Germany the focus groups were balanced in terms of gender. As for the age and highest educational attainment, we observe some variation between the participants in the six different countries: the Dutch participants were somewhat younger than the Danish and Israeli ones, and the Norwegian and Danish participants were somewhat lower educated than the participants in the other countries.

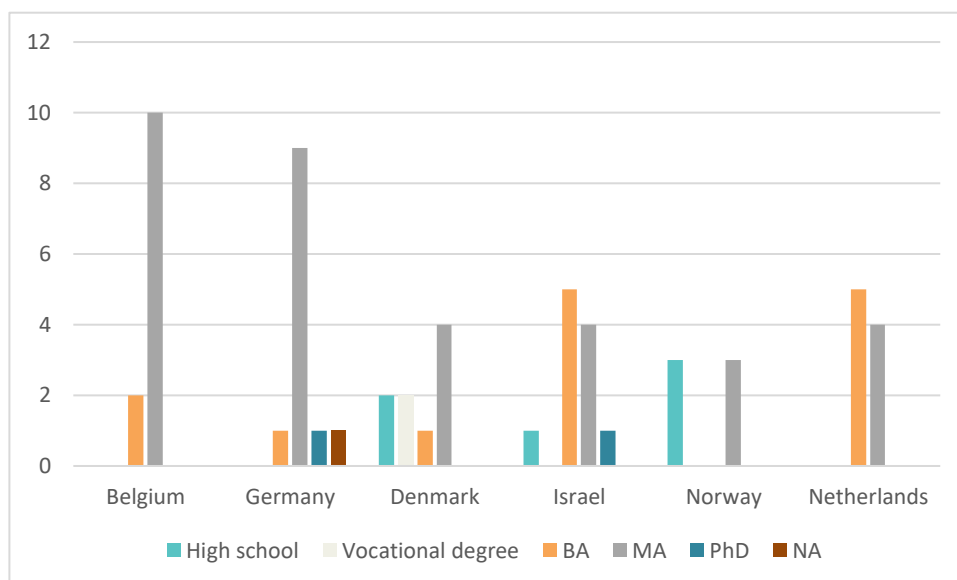


**Figure 1. Gender of focus group participants.** Note: the y-axis on the figure displays the number of participants belonging to each group.





**Figure 2. Age of focus group participants.** Note: the y-axis on the figure displays the number of participants belonging to each group.

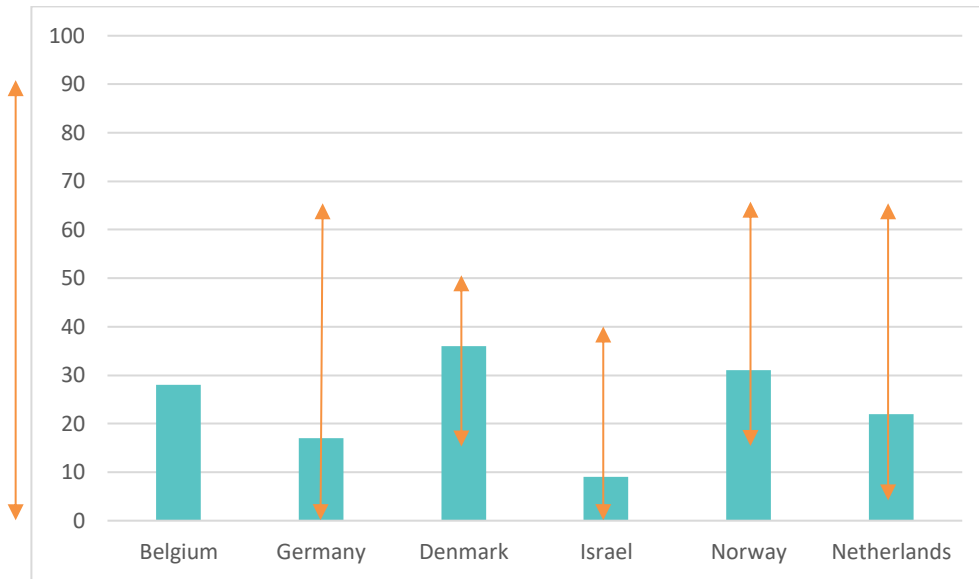


**Figure 3. Highest educational attainment of focus group participants.** Note: the y-axis on the figure displays the number of participants belonging to each group.

### 1.3.2 Focus group participants’ knowledge of regulation

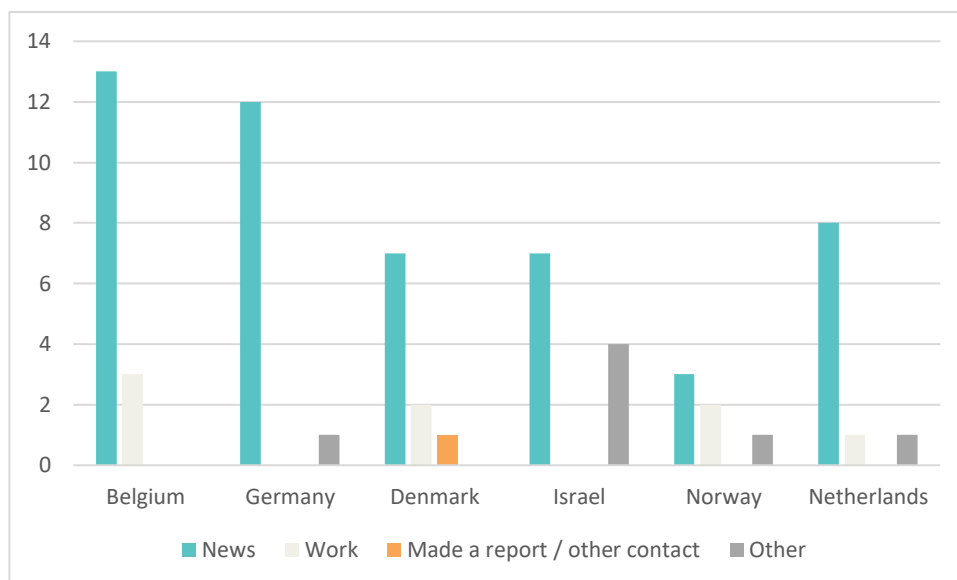
To get a better idea of how familiar the participants in the focus groups are with food regulation in their respective countries, we asked them a series of questions. First, we asked them to indicate their perceived knowledge of the work of the food safety regulator in their country. Figure 4 reports the answers to this question. In all countries, the average reported knowledge about the work of the food safety regulator was below the neutral 50-point mark on the 100-point scale. It was the lowest in Israel, on average 9 out of 100, and the highest in Denmark, 36 out of 100. It should be noted however, that there was important variation in the self-reported knowledge of the regulator among participants, as the range arrows in Figure 4 display.





**Figure 4. Self-reported knowledge about food regulation of focus group participants.** Note: the bars display the average self-reported knowledge among the participants in the national sample, while the arrows display the range of responses within the sample.

When asked about where do they get their information from about the work of the food safety regulator, most participants in all six countries pointed out to the news. Few focus group participants in Belgium, Denmark, Norway, and the Netherlands had learned about the work of the food safety regulator through their work, while only one Danish participant has made a direct contact with the regulator. Some of the participants had other sources of information. For example, in Israel, some participants have learned about the work of the food safety regulator through family or friends who had dealt with the regulator in one way or another.



**Figure 5. Information sources about food regulation of focus group participants.** Note: the y-axis on the figure displays the number of participants belonging to each group.

Finally, we also asked participants whether they recognize some relative recent food safety scandals or campaigns in their own countries. In Belgium, all focus group participants recognized the Ferrero Rocher salmonella scandal, that broke out only few months before the focus groups took place. Similarly, all but one



of the participants in Israel recognized the recent Strauss salmonella case too. Furthermore, all of the German participants indicated that they are familiar with the recent abuses in slaughterhouses, while among Danish participants, the “smiley scheme” of the food safety regulator was the universally recognizable. The Dutch and Norwegian focus group participants were somewhat less familiar with recent food safety scandals or initiatives of the regulator. Nevertheless, the majority of the Dutch participants recognized the fipronil egg scandal that occurred few years prior, and most of the Norwegian respondents have heard about the swine influenza outbreak in 2009 and the more recent wrongful judgement of a fur farmer.

Thus, all in all, the focus group respondents report relatively limited knowledge about the work of the food safety regulator. The majority of the participants inform themselves about the work of the regulator via the news, and recognize recent food safety incidents or initiatives of the regulator. In the next section we will zoom in on the qualitative results of the focus groups by presenting the country reports.



## 2. Country reports

### 2.1 Belgium<sup>2</sup>

#### 2.1.1 Process

The focus groups among Belgian respondents were held on 1 and 4 July 2022 at the University of Antwerp. Both focus groups lasted approximately 1 hour and 30 minutes, with a brief break around half of the protocol. Focus group 1 was held among students and contained 9 respondents. Given the student population, respondents were on average relatively highly educated and young (mostly in the 25-34 category), although several older students were present. Noticeable was that 8 out of 9 participants were women. Focus group 2 was held among 4 members of UAntwerpen administrative staff. Respondents were again relatively highly educated, although the distribution on age was greater. Discussions in focus group 1 were generally more interactive than in focus group 2, although interactions in both groups were generally friendly and interested.

#### 2.1.2 Characteristics of trustworthy regulators

The most frequently mentioned characteristics of a trustworthy regulator in focus group 1 were transparency and expertise. Other factors mentioned by multiple respondents were sanctioning, communication and integrity. The discussion then centred around the ability, benevolence and integrity dimensions. Several focus group members indicated that benevolence is less of a concern for them, as 1) they simply assume a government should normally be benevolent as it serves its people and 2) if a regulator sticks to its assignment (integrity), it should not matter so much how benevolent they are. After some discussion, the group mostly reached the agreement that integrity is the most vital aspect of trustworthiness a public regulator should possess, closely followed by ability (often understood in terms of domain-specific expertise by respondents of focus group 1. Members of focus group 2 brought up similar matters, focusing on terms such as independence, objectivity, assertiveness, efficiency and knowledge, aspects that again mostly seem to be categorizable in the dimensions ability and integrity. After we introduce them to the ability, benevolence and integrity dimensionality, members in this focus group again largely seem to agree that as long as ability and integrity are ensured, benevolence is of less importance.

Focus group 1 members generally seemed to share the idea that communication was important to improve trust in public regulators. One member shared the following quote that seems to capture the notion quite well when speaking about an EU advertisement campaign for Apple customers that could request refunds for apps that were overcharged in the app store:

*“that type of communication is relevant to me and then I don't get the feeling of information, information overload, then I really just get the feeling of wow they're making an effort, they're looking out for us.”*

Other respondents agreed that communication that is useful or necessary to address specific issues is an important determinant of trust. For regulators and supervisory organizations, that may come in the form of adequate, timely and concise crisis communication when an infringement takes place that threatens citizens' well-being. Communication is also discussed in focus group 2, but with a different emphasis. Although one focus group member initially stresses its importance, another focus group member suggests that as long as a public organization does its job and no major issues arise, communication is not always necessary. The focus group member that initially stresses communication is convinced by this argument, in particular when the agency is doing its job well. When the discussion subsequently moves to food and animal feed crises, the group agrees that crisis communication is relevant to trust under such conditions. The important factor therefore seems to be variation between salient and non-salient situations: when crises or issues relevant to citizens emerge, public organizations must be able to flexibly adjust and provide necessary information to maintain or improve trust (as discussed in focus group 1 and in the later sections of focus group 2). On the

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<sup>2</sup> Report written by Bjorn Kleizen and Bastiaan Redert





other hand, when no major issues are ongoing, communication is perceived as less necessary and its effects on trust may be less pronounced (as discussed in focus group 2). Other drivers of trust mentioned during the focus groups include the complexity of the Belgian multilevel administration (which seems to adversely affect trust and makes government opaque) and information on the capacity and manpower of governments.

### 2.1.3 Assessment of the trustworthiness of the food safety regulator

The Belgian food regulator's (FASFC) trustworthiness is rated highly in both focus groups, which seems related to the high level of trust in government that most (with one or two exceptions) focus group respondents reported. The general perception in both focus groups seems to be that the FASFC responds quickly and adequately when it needs to (which is deemed important to avoid major public health concerns), that it has performed well in recent crisis situations, and seems to perform well generally. Members of both focus groups, as mentioned previously, seem to agree that adequate communication during crisis situations may further improve trust. Tangibility of the consequences for respondents also seems important in terms of the trust formation process for FASFC, as is summarized well by a respondent in focus group 2:

*“if, for example, this would also be about the hygiene in my own refrigerator, then I am directly involved and I think that my trust would fluctuate much more quickly, depending on the person who then comes to check my refrigerator at the time when I had not yet cleaned it. So, I don't come into contact with it much in my daily life and I just assume, maybe naively, that it will be okay.”*

Using this analogy, the respondent summarizes the view of multiple respondents that as soon as there are direct consequences for citizens, trust in FASFC will be updated to a greater degree.

### 2.1.4 Enforcement styles and trust in the regulator

For focus group members in both sessions, preferences for supervisory and enforcement styles seem to depend strongly on context. Respondents seem to expect formalism in the shape of standard protocols and quick communication when crises emerge, which should allow the supervisor to act decisively to take away public health risks. Similarly, in terms of preventive policies, which are deemed essential by members of both focus groups, a strict enough focus should be taken so that most risks are avoided. Formalism can thus act as a way to prevent trust breaches in high-risk contexts (such as violations of phytosanitary standards).

Accommodation is not necessarily mentioned as a factor that may increase citizen trust, but respondents do not always consider accommodation a negative to trust either. Focus group 1 members for instance note that, where a single employee of a company is involved in a minor, first-time infraction, accommodation might be the appropriate response for authorities (e.g. by providing a company the chance to respond). Nonetheless, where there is a tangible public health risk, the regulator's first actions should be formalistic, for instance by immediately coordinating and communicating product recalls. As one respondent states:

*“It's really purely about, okay how much harm can this do to people. To me that's really the only factor in deciding whether or not something should be recalled”.*

Only once immediate health risks are taken away can follow-up actions by the regulator be more accommodating. Thus, what is considered the 'correct' appropriate approach is partially dependent on context (is there a risk for citizens?) and partially dependent on the phase of a procedure (is urgent action required?). Accommodation is considered more suitable when the answer to these questions is no. As mentioned by a respondent in focus group 2, if only a warning is given for a serious violation, some respondents do consider this a risk to trust (although other respondents in both groups note that their trust in government is so high that they assume that, if an agency merely issues a warning, this is probably the right course of action).

Similarly, the perceived need for coercive action (e.g. punitive fines) is considered dependent on what is proportionate to the actions of the company violating regulations. In case of repeated infringement, one respondent in focus group 1 for instance notes that fines, shutting down production facilities etc. becomes more acceptable, even though the regulator should start with something lighter. Respondents in both focus



groups add that the intent of the regulatee is important, bringing in the element that coercive enforcement approaches may sometimes be considered desirable from a justice perspective. Coercive approaches were not mentioned as a factor with a positive effect on trust in government across the board. Rather, neglecting to be coercive in contexts that warrant punitive action (either from a justice perspective or because lighter measures such as warnings were ineffective) may be considered a potential risk to trust in the regulator.

Noticeable in responses to all vignettes was that respondents were looking for additional context that would justify or invalidate the regulator’s course of action. Without such context (e.g. whether a recall was issued, the extent of public health risks, whether the company committed earlier violations, whether it had already received warnings, etc.), respondents in both focus groups found it difficult to evaluate a regulator’s conduct in terms of trustworthiness.

## 2.2 Germany<sup>3</sup>

### 2.2.1 Process

The focus groups took place on July 10th and December 21<sup>st</sup>, 2022 at the German University of Administrative Sciences in Speyer; the long time period between the two focus groups was caused by the duration of the semester break in Speyer (from August until the end of October) and a strong home-office orientation of the institution due to the ongoing Covid-19 pandemic. Both focus groups had the duration of almost exactly 1.5 hours.

The student focus group (July) consisted of 9 students, 4 female, 5 male that are currently in the last year of the Master of Public Administration or Public Management. None of them were familiar with regulation or food safety regulation. The staff focus group (December) consisted of 3 university staff members, 2 female 1 male. The staff had only very little prior knowledge of the food safety regulation due to their professional background in law, management or science.

In sum, the discussion was very lively and engaged; very different points were raised. The discussion was most active when more open questions were discussed, while somewhat “closed questions” (as e.g. what could be done to increase the trustworthiness) were answered relatively briefly and not by all participants.

The introduction of the vignettes was initially characterized by a lot of clarifying questions and need for additional information in both groups. The following discussion repeated previous points and opinions that had been mentioned before, but also was complemented with some examples from other sectors or countries.

### 2.2.2 Characteristics of trustworthy regulators

Both groups independently named the same characteristics to be relevant: transparency, evidence-based work that is informed by experts and the latest scientific state-of-the-art, a close contact to and target-group specific information for consumers and producers, as well as consistency and equal treatment in the regulatory process.

Interestingly, both groups state that not only transparency towards the consumers, but also the producers is relevant:

*“Information prior to any steps taken by the regulator. The institution should make it transparent and plausible what it’s planning on doing, and not leave people guessing after it’s done. So I’d say transparency in the decision making process towards consumers as well as producers.”*

Nonetheless, a specific “proximity to the consumer” was asked for,

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<sup>3</sup> Report written by Rahel Schomaker and Marko Hack



*“the authorities should think about the level of education or income of consumers and then consider how they can communicate well with people and protect them. The authorities can gain trust if they are close to the consumers and understand them better.”*

### 2.2.3 Assessment of the trustworthiness of the food safety regulator

Overall, both groups, students and staff, had a rather high confidence in the regulator. Being introduced to the ABI-concept, the participants indicated that all aspects – Ability, Benevolence, and Integrity – are of importance for their judgement, and that in general they see all factors being given at the BVL.

When being asked about potential actions the BVL could take to increase trust, the participants strongly recommended more transparency. While in general public information, e.g. via the website or social media was named, some more “educational aspects” were also mentioned, inter alia to invite schools to the BVL.

Being ambitious about the goals was mentioned as important, according to the participants the BVL should strive to protect citizens as good as possible, avoiding any harm or danger that could originate from products regulated by them. Nonetheless, “overenthusiasm” was being judged as potentially harmful – it was the general conclusion that there is hardly a 100% safety given, and overregulation in terms of unrealistic goals was seen as potentially problematic:

*“I think it’s important to keep in mind that more goals you set, the more you miss, unfortunately, so we quickly have another capacity problem with the authorities.”*

### 2.2.4 Enforcement styles and trust in the regulator

The immediate reaction when confronted with the vignette was the same in both groups:

*“Recall the product and issue a warning for the consumers.”*

There was some dissent if the producer itself, the retail companies, or the regulator should inform the public, but there was consent that the information has to come quickly and cover all potential consumers.

All participants had the opinion that the liability is with the producer in such cases, and there was a broad consent that there should be a difference depending on whether the producer is negligent or grossly negligent in legal terms.

While there was no real between-group difference in the further evaluation of the scenarios, too, there were some in-group differences: in both groups, a bimodal distribution could be found, with some participants being strict, arguing that from a legal point of view, it is the duty of the authorities to allow the producer to explain what happened,

*“but of course, you have to make sure that accountability is possible and that the company doesn't just dismiss everything and just waits for the story to disappear from people's minds.”*

Other participants tended to have a looser approach:

*“I think that if you don't listen to the parties, then you can't uncover what the reasons are for the misconduct.”*

Overall, a primarily solution-oriented attitude rather than a coercive attitude was found in both groups, and style was less important than expected from the theoretical analysis.

It has to be mentioned that not only the initial situation in the vignette, but also the adjustments/changes later left the participants with questions that had to be answered by the focus group team, e.g. on how dangerous the pollution is for human health, or how easy it would have been to avoid the pollution (in terms of costs and effort).



## 2.3 Denmark<sup>4</sup>

### 2.3.1 Process

The focus group interviews in Denmark took place on August 26th 2022 (the administrative staff) and September 27th 2022 (the students). Both interviews were conducted at Arhus University and lasted two hours including a brief break. The staff focus group consisted of 5 female administrative university staff members of which 1 had prior knowledge of the food safety regulation due to her professional background. The student focus group consisted of 4 female students of Business Administration. None of them were familiar with regulation or food safety regulation apart from one having had a student job in a supermarket which had experienced the need for withdrawing food products due to error in the production.

Although members of both focus groups were eager to contribute with their perspectives, the interview with the administrative staff were more lively and respondents were more engaged in discussions across the group, commenting upon each other's perspectives. Also in Denmark, the open discussion on trust and factors determining trust were taking up the majority of time, where again the discussion of the vignettes triggered more confirmative statements of perspectives already raised and voiced during the more open discussion. For the open discussion the part where participants were asked to reflect on what makes a regulator trustworthy and note them on post-its triggered some good discussions and comments afterwards when we discussed the participants post-its comments across the group.

### 2.3.2 Characteristics of trustworthy regulators

When looking at the aspects mentioned in terms of what makes a regulator trustworthy the similarity in perceptions across to two Danish focus groups as well as across the Danish and other focus groups are striking. The aspects noted down on the post it and subsequently elaborated in the discussions where the same three characteristics relating to ability; transparency and communication and credibility.

For the ability emphasis on the regulators' expertise and professional knowledge were mentioned both in terms of being noted down on the post-its and in the subsequent discussions. As one of the respondents being a student put it:

*"...it really depends on the fact that we trust what they say, doesn't it. And what creates trust, as I've also written, is precisely that you believe in and know that they use experts in the areas they regulate within..."*

For the transparency and communication, it was emphasised that transparency in both the enforcement procedures, as well as in cases of regulatory failures (for example unsafe food entering the market and reaching the consumers), were crucial. To ensure transparency and open communication, targeted ordinary citizens or laypersons were mentioned – the regulator should communicate 'at eye level' with the citizens.

For the credibility aspect emphasis was placed upon the regulator not giving priority to financial, but purely consumer and food safety considerations when making decisions about enforcement etc.

### 2.3.3 Assessment of the trustworthiness of the food safety regulator

In general, the focus group participants all expressed a high degree of trust in the food safety regulator when asked to reflect on the trustworthiness of The Danish Veterinary and Food Administration reflecting the comparatively high trust Danish citizens has in public institutions in general.

As noted by a respondent from the focus group with the students:

*"Well I find that in Denmark, there is quite a lot of focus on not consuming food that may contain harmful substances. So, in that way, I think that for me at least, The Danish Veterinary and Food Administration is quite high, so there is a high degree of trust..."*

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<sup>4</sup> Report written by Heidi Houlberg Salomonsen



However, some participants also pointed to the potential conflict of interest inherent in the task portfolio of the Danish Veterinary and Food Administration having a mission to work “...for sustainable food production with focus on healthy animals and people.”<sup>5</sup>

As one respondent from the administrative staff group put it:

*“I sometimes find that there’s a bit of, what do you say, conflict of interest in The Danish Veterinary and Food Administration, because the new rules are recommendations about what we should eat and so on as well. They also have a lot to do with the environment and that doesn’t necessarily have anything to do with our health. So I also think that they have a difficult task, they are in charge of many things where they have to take many things into account. And what is most important? Is it the healthiest choice? Or is it welfare? Or is it the climate? So that is where I have a hard time thinking, when they come up with a recommendation, well what have they put the most emphasis on?”*

What came up in the discussion adding to the immediate positive perception of the trustworthiness of the Danish Veterinary and Food Administration was the public displaying of inspection reports for guiding consumers about hygiene and food quality and safety at restaurants (the so-called ‘Smiley system’). Such ‘simple’ communication was used by the respondents as a heuristic or a simple cue or sign of competence of the regulator, adding to the more general perception held by the participants of the trustworthiness of the regulator and adding to the expressed experience of a regulator having ‘control’ over the areas they are supposed to regulate. As a respondent from the administrative staff focus group put it:

*“It is probably also difficult to look at it in general. Because I also thought about all those labels. Well I actually have complete trust in them and so on, maybe the daily stuff that you see, right. But when you look at it very generally, then it might be a bit difficult, also because you don’t have a lot of knowledge about it. So maybe it gets a bit more fluffy, but I don’t know but for me, maybe it rubs off a bit from all of those control measures and all the labelling, that it might rub off so I have more trust.”*

#### 2.3.4 Enforcement styles and trust in the regulator

When the Danish participants were confronted with the vignettes, they asked several follow up questions, and needed guidance in order to be able to respond to, and form their opinions about the cases.

Participants in both focus groups pointed to the need for the regulator to act and withdraw the food immediately, ensure that they communicated in the right way and in the appropriate media to the consumers about potential risks and what the consumers were to do. In addition, the respondents in the focus group with the students pointed to the need for the regulator to ensure first that the mistake was indeed due to lack of competence among employees and second that employees were educated in other companies to ensure that the same mistake would not happen again. Points, which are reflected in the quotes below from two different students:

*“...[the regulator should] talk to these employees or who was it? Yes, the Danish producer. To make sure that their employees know it in the future. And to make sure that it is – not a random mistake – but that it happened because they didn’t know, and that it’s not because they just don’t care. Or like to find out where the mistake was made and then to fix it.”*

*“Maybe they should also consider that if the employees in THAT company didn’t know about it, maybe it could be a general problem that people don’t know which amount of phosphorus is allowed.”*

Hence, also in Denmark does the respondent seem to prefer an accommodative and educational approach from the regulator to begin with, however, as noted by a student such actions towards the company should be initiated after the safety and health of the citizens had been taken care of, that is informing the citizen on the situation and informing about risks etc.

<sup>5</sup> [https://www.foedevarestyrelsen.dk/english/Aboutus/Mission\\_and\\_vision/Pages/default.aspx](https://www.foedevarestyrelsen.dk/english/Aboutus/Mission_and_vision/Pages/default.aspx), visited January 6th 2022



However, when discussing the situation in which the regulator took a more formalistic approach, that was also considered appropriate as well – in case the regulator deemed it necessary, but not something that added to the trustworthiness of the regulator. As some of the respondents from the administrative staff focus group noted:

*“I don’t think it [a formalistic approach] strengthens my trust but it...maintains the level of trust I already had.”*

*“I also have faith in that they [the regulator] do what they believe is correct. The damage has been done. What punishment they get, they can’t fix it, so I think they know what’s fair.”*

## 2.4 Israel<sup>6</sup>

### 2.4.1 Process

Focus groups were carried out at the Hebrew University of Jerusalem. The first focus group took place on 8 August 2022, with 6 BA Political Science students (2 female, 4 male), and the second on 15 December 2022 with five university administrators (all female). The student focus group lasted 2.15 hours, and the administrator focus group 1.20 hours. Of the students, 3 of 6 indicated some or significant familiarity with food regulation, and 3 had some experience of working in government (Israeli agencies often hire students in non-tenured part-time positions). Of the five administrators, only one indicated some (low) familiarity with food regulation. The participants of both focus groups were highly engaged with the topic and with one another’s comments.

### 2.4.2 Characteristics of trustworthy regulators

Participants suggested that a trustworthy regulator is one that exhibits the following values and behaviours:

- Technical professionalism: an expert, which has the necessary technical knowledge, alongside practical knowledge of the industry.
- Integrity: impartial, not corrupt, guided by professionally relevant as opposed to extraneous motives, does not practice ‘revolving doors’, did not previously work at the industry, neutral, does not use dirty tricks and dubious means.
- Transparency: communicates with the public; open to questions from the public; reports its actions and their results to the public.
- Flexibility and reasonableness: acts only where necessary [Comm.: raised by just one participant].
- Independence of both politicians and the industry; works for the public; appointments are professional and not political.
- Performance: acts on time and shows results as opposed to just making statements, is pro-active, initiates and decides.
- Enforcement capacity: is legally and politically capable of enforcing its decisions, has authority.
- Accountability: Takes responsibility for its mistakes or is compelled by external scrutiny to do so.

Of the above, the values and behavioural demonstration of integrity, performance (together with enforcement capacity) and transparency came up as key themes in both focus groups. The following discussion among the students represents their perception of the importance of regulatory performance in terms of taking timely and effective action on behalf of the public:

*“Participant A: I think that [scientific knowledge] ... must come together with a public perception of an organization that does not stay only at the level of scientific knowledge but also knows the field ... Another thing ... is the aspect of “teeth” [=having the power to enforce the rules]. For us to trust a regulatory body, we need to know that it can act and cannot be silenced. The fact that it is quiet is because everything is fine-*

*Participant B: and not that it is not checking.*

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<sup>6</sup> Report written by Sharon Gilad and Libby Maman



*Participant C: It has to do with [] being active.*

*Participant D: There are [governmental] bodies that engage in public relations all day long, and there are those that act, do things.*

*Participant C: ... Active means that it [the regulator] works, uncovers things, does things ... you need to do things, and to have 'teeth'."*

### 2.4.3 Assessment of the trustworthiness of the food safety regulator

A central theme that came up in both focus groups, and propelled a dispute, was a few participants' position that their trust of the Israeli food safety regulator is based on their personal experience of Israeli food as safe. Hence, whilst in theory participants considered trustworthiness a function of multiple abstract values, in practice they judged it on the basis of their personal experience of food consumption as safe. Likewise, when assessing the trustworthiness of other government authorities, participants related to their first-hand experience of agencies' performance and whether or not "things are managed" and "functioning". The following assertion of a student illustrate this theme:

*"All in all, I trust it [the Israeli food regulator]. When I go to the supermarket and buy things, I just look at the date [of the product] and if the date is OK then I trust the food and eat it. This is the ultimate test [for trust] in my opinion. I just believe it will be fine.... I don't even think about it."*

Likewise, the following administrator suggested:

*"Actually yes [I trust the food regulator] ... All in all, we [in Israel] have healthy food, there is transparency and its safe, we are OK ... [the regulator] have a high level of trust [on my end] ... there are signs [stickers] on the food so we know what is in it. They recently added the stickers indicating high amounts of salt and sugar, so yes [I trust them]."*

### 2.4.4 Enforcement styles and trust in the regulator

Participants' expectations for coercive regulatory enforcement, and thereby their trust in the regulator, were shaped by whether they perceived the regulated firm's actions as intentional or inadvertent, and by their individual perceptions of the potential damage of organic phosphorus to human health. Some participants believed that in cases of risk to the public's health, as in the case of organic phosphorus, the firm should be punished regardless of its intentions, and that it is only the severity of the enforcement that needs to be adjusted, if at all.

Others thought that if this was an accident, and the first time that such failure has occurred, then a warning is sufficient. Providing the firm with the opportunity to explain itself was perceived by participants as good regulatory practice, and one that should be carried for the stake of regulatory learning and effectiveness as well as for tailoring the severity of enforcement to the firm's motivations (i.e., accident vs. intentional action) and the gravity of the outcome.

The following student exemplifies the harsh position:

*"Since this is the food market and ... they [the firm] didn't just take three more shekels than they should have [on the vegetables], but harmed the health of the citizens, then there is no room here for left or right [i.e., for regulatory discretion]. No matter what the circumstances were. The step of listening to the manufacturer is to verify that the regulator has not failed in its supervision, but beyond that if the incident has happened, you don't need to listen to the [mitigating] circumstances ... the grower has to take responsibility for the products it markets at ... No matter what has happened along the way ... a toxic product reached the market".*

The following administrator, conversely, represents the more flexible approach:

*"I see it as [equivalent to] a car accident where someone does not intentionally run over someone [else], but there is an element of negligence and this is still an accident, but he [the vegetable grower] acted*



*negligently and he needs to be warned because of his lack of knowledge. But this is negligence, so I would not go straight to punishment. I would educate [first].”*

## 2.5 The Netherlands

### 2.5.1 Process

The focus groups took place on June 17 and June 22 at Utrecht University in Utrecht. The student focus group consisted of 5 female students of Public Administration. None of them were familiar with regulation or food safety regulation. The staff focus group consisted of 4 university staff members, 3 female 1 male. They had some prior knowledge of the food safety regulation due to their professional backgrounds.

The discussion was engaged and participants brought up a number of different angles. The open discussion on trust and factors determining trust in the regulator took up most of the time. The discussion about the vignettes brought further focus, but confirmed previous points of view rather than introducing any new viewpoints. What stood out in the discussion about the vignettes was that respondents felt a need for more detailed information about the exact nature of the offense and the circumstances under which it happened, before being able to make a judgement about their trust in an accommodating, punitive, or formal enforcement style.

### 2.5.2 Characteristics of trustworthy regulators

What makes regulators trustworthy? Both groups indicated that they value the regulator for finding and solving problems before they get out of hand, without being too fearsome. They should be open and approachable for the sector rather than being aggressive.

*‘Not only must it indeed be the strict watchdog and slap on the wrists, but also be able to think along with the company’.*

When asked to write down important characteristics of a reliable regulator, both groups mentioned the same three categories of characteristics, and seemed to value each of them equally. A first important category was transparency, and being clear and consistent. Second, the regulator is trustworthy when they are decisive, and having knowledge and expertise. Third, integrity, neutrality and impartiality were mentioned.

In the discussion that followed, some characteristics were added and the first items were deepened.

In the student group, transparency was related to openness to consumers/citizens, in the sense of findability and visibility. Respondents also related openness to businesses, where an open attitude and approachability of the regulator was valued. Inspectorates should be solution-oriented and think along with the business under inspection.

In the staff group, related to decisiveness, the detection skills of a regulator were mentioned: they should have sufficient expertise to know ‘where to look’ and also be capable to intervene. Here, respondents had a preference for a regulator that is solution-oriented, in the sense of being knowledgeable and engaged with the topic and not just ticking the box.

For the staff group, legality was also important. The regulator should not impose their own views. Yet, after some discussion the idea emerged that if new issues arise in society, the inspectorate should be able to place these on the policy agenda. Nevertheless it was found important that in applying regulation, they should remain strictly within the protocols. The student group came up with the same dilemma between rule-orientation, and being somewhat understanding. If the judgement of the regulator is based on expertise, they felt the regulator could be relied on to move beyond checking the boxes, yet they agreed that there should be a bottom line.





### 2.5.3 Assessment of the trustworthiness of the food safety regulator

Both students and staff participants had a rather high confidence in the NVWA – the students indicating that as Public Administration students, they may have been biased towards trusting the government and not representative for the general public. But they also indicate that at NVWA ‘they supervise so many things and a lot is actually going well’, and that one should look past the negativity with which government agencies are often portrayed in the media.

When asked about potential actions NVWA could take to increase the NVWA’s reliability, both groups strongly recommended more transparency, showing results, and telling what NVWA does and how it works. If NVWA is more open about what they achieve on a regular basis and on what goes well, the focus will become less on incidents and scandals.

To a certain degree, inspectorates should also be responsive to what the public wants. In discussing this, the student group brought up the idea of political responsiveness, and saw a risk in a regulator ‘swinging’ with political coalitions. The presence of the Animal Rights Party in the Netherlands, for example, should not influence inspection policy. The professionals group valued a regulator that is responsive to societal developments, without becoming political. Predictability and consistency are also important and integrity was mentioned again.

### 2.5.4 Enforcement styles and trust in the regulator

When confronted with the vignette with a real life example, respondents had some trouble responding and asked numerous questions, and expressed assumptions, about the precise nature of the situation. They later indicated that this need for more information before being able to judge the case, might explain the relatively weak outcomes of the survey experiment research.

They expressed a preference for immediate action in recalling the product; informing consumers about whether consumption constitutes a risk for them, and further investigating and monitoring pesticide levels. This all points to a primarily solution-oriented attitude rather than a coercive response. Continuous monitoring and frequent follow up inspections, were considered much more important than a punitive response.

*‘And the moment that vegetable grower comes up with a good plan and... I think there should be quite a bit of scope for customization’*

All respondents indicated that an accommodating and responsive style was preferred over formalism, as they mentioned that it mattered a lot to them whether the offense was a mistake, a human error, or deliberate neglect. They also stated that a first-time violation should not deserve a coercive response.

*‘Take measures that protect public health, but at the same time choose to be lenient in imposing fines if there are mitigating circumstances at play’.*

Accommodation, an educational approach, and responsiveness are valued over formalism and coerciveness. Especially the students valued a listening and responsive attitude, in line with their perception of regulators as societal problem solvers. A coercive approach was not seen as helpful to solve the problem of pesticides in consumer products.

The student group, in particular, added that knowing that the NVWA was helping the offending vegetable grower to improve the knowledge of their employees, would increase their trust. They also added that NVWA should address the more structural problem underneath low-paid seasonal work in the food production industry.



## 2.6 Norway<sup>7</sup>

### 2.6.1 Process

The focus groups took place on October 13 and 14 2022 at the University of Oslo. The staff focus groups consisted of three staff members from different departments, one male and two females. They did not have much prior experience with the food safety regulator (Mattilsynet) apart from being citizens. The student focus group also consisted of three participants, all females. With this group there were several registered participants who did not show up. Some of the students had more first-hand knowledge and experience with the regulator through jobs in the service industry or agriculture. All participants received a free lunch before and a voucher after the focus groups.

Both focus groups had lively discussions where participants interacted with each other and built on each other's opinions. While the general assumption was that the regulator enjoys an inherent high level of trust, factors that reduce trust were also reflected on and discussed. The vignette experiment showed that consistency and equal treatment stood out as important drivers of trust. However, several respondents felt they needed more information about the cases to produce a fair opinion of the regulator.

### 2.6.2 Characteristics of trustworthy regulators

When asked about different characteristics deemed important for trustworthiness among citizens, both focus groups came up with several suggestions. Three qualities were pointed out as particularly relevant in both focus groups and were emphasized during the discussions on which characteristic is more important. Both groups engaged in deeper conversations regarding these categories and what they entail.

The first category mentioned was professionalism and expertise, which pointed to the agency's ability to not only have expertise within the sectors they regulate, but also pay close attention to developments within legislation and research.

Second, transparency and openness were mentioned as important factors for a trustworthy agency. The students also related this to the agency's interactions with different businesses and regulatees, where transparency regarding expectations and guidelines was important for trust between regulator and regulatees. Furthermore, transparency surrounding regulatees breaking the law, and outbreaks of diseases, but also honesty about the agency's own resource management and results, were deemed essential to gain trust among general consumers.

The third category was independence and objectivity, understood as being free from financial or self-interests. Participants believed being financially self-sufficient and independent from political influence would lead to regulation based on fair judgement.

None of the groups were able to agree on just one characteristic considered most important, but in both cases a discussion about how they can be dependent on each other unfolded. For example, being independent from self-interest leads to the perception that the agency is professional, and transparency and communication shows how knowledgeable and independent the agency is.

*"(...) If you base yourself only on knowledge-based decisions, then you probably want to be independent as well."*

### 2.6.3 Assessment of the trustworthiness of the food safety regulator

A positive attribute of the agency that both groups mentioned multiple times was the smiley face arrangement<sup>8</sup>. This arrangement, introduced in 2016, means that the results of inspections should be visually visible for customers via a sheet with either a smiley face, a sad face, or something in between, which is to

<sup>7</sup> Report written by Tobias Bach and Silje Marie Thorstensen

<sup>8</sup> [https://www.matportalen.no/verktoy/tilsynsresultater/slik\\_forer\\_mattilsynet\\_smilefjestilsyn\\_paa\\_serveringssteder](https://www.matportalen.no/verktoy/tilsynsresultater/slik_forer_mattilsynet_smilefjestilsyn_paa_serveringssteder)



be hung up at all service points such as restaurants. Both groups believe this arrangement ensures more transparency for citizen-consumers.

Within the student group there were several participants who had personal experience with Mattilsynet, and they had mostly positive views of the agency. They pointed especially to guidance and communication as important for their trust levels. Moreover, the students also engaged in a discussion regarding how the agency must be consistent and ensure the same guidance and regulation for all regulatees. In relation to this, recent scandals, particularly regarding animal welfare, were brought up as negative to the reputation of the agency, something that was also discussed among staff. In the view of both groups, transparency also about mistakes and shortcomings is important to retain the trust of citizens.

#### 2.6.4 Enforcement styles and trust in the regulator

Both groups struggled with the vignette questions, mostly because they did not think they had enough information about the case and the context surrounding it to make a proper conclusion. They also pointed out that their initial trust in the expertise and knowledge of the agency probably affected their reflection.

We do see differences between the two groups in responses to the different dimensions presented. The staff group did not seem to mind any of the approaches as long as regulation is consistent and equal for all regulatees and that some type of reaction is set in motion. The staff group said they trusted that the agency knows the best way of action given the circumstances, and that the initial response does not affect trust as much as the follow-up response and consistency. It seems the lack of more specific information about the case had a larger influence on staff's judgement than students. The biggest point of discussion for the staff group happened when additional information about the regulatees' intent was added, where there was some disagreement on whether or not the accommodation aspect should be present in this case and that an accommodating response could be considered as a weak reaction by the agency.

The student group also pointed to an initial trust in that the agency knows best what action to take, but in the discussion that followed was revolving around the intent and flexibility of the agency. Also here, the issue of consistency and equal treatment was mentioned, but some participants also pointed out that the agency needs to be flexible and open to other opinions.

*“If you treat each case equally, you show a lack of reflection in the supervision.”*

Even when presented with the additional information about the vegetable producer's intent, corrective and accommodating measures were preferred over formalism as the agency should understand the root of the problem in order to prompt more lasting change. However, other participants in the student group disagreed with this approach and highlighted the importance of food safety on consumer health.

*“When it comes to such cases, we must be quite straightforward and actually carry out the measures regardless of whether it was on purpose or not because one is talking about health.”*

Finally, the issue of resource management and efficiency was mentioned as the agency does not have sufficient resources to fully investigate the root causes of all cases and accommodate all regulatees. Some basic regulation needs to be in place to ensure as wide supervision as possible.



### 3. Comparative analysis

This section compares and integrates findings from the six participating countries, by integrating the findings from the focus group discussions with the pre-focus group survey results. We first present some methodological remarks about the focus groups. This is followed by findings on factors that influence trust in regulators; the assessment of the trustworthiness of the regulator; and the impact of enforcement styles on trust.

#### 3.1 Process and method

The focus group discussions in the six countries displayed several commonalities in terms of their process. First, most of the respondents indicated quite limited familiarity with the topic of food safety regulation. This is also visible in the results of the pre-focus group survey (section 1.3.2). Most of the focus group participants learn about the work of the food safety regulator in their country by following the news, while a smaller proportion have come to a closer contact with the regulator via their work or in other circumstances. This relatively low familiarity with the work of the regulator did not prevent the development of a lively discussion in most of the focus groups. The participants interacted with each other's ideas, which helped them to express their own (normative) views about the regulator's work. Many of the participants did not come in with very developed opinions about the food safety regulator to the focus group meetings. The exchange of ideas with the other participants helped them to formulate clearer views about the regulator's work. One of the risks of conducting a focus group is that group dynamics foster consensus rather than the expression of genuine opinions of group members. The moderators paid explicit attention to preventing this, and we have no indications that participants were limited in expressing their views. If there would have been particular group dynamics this would have shown with dissonant results from one group, but this did not occur.

It was remarkable that in most focus groups, the open discussion on factors that influence trust in regulators, and about the trustworthiness of the national food regulation, flowed more easily than the discussion about the vignettes. Participants found it difficult to form a judgement on the appropriateness of the enforcement style in specific circumstances, and asked for context information. Enforcement style did not seem to directly impact their trust in the regulator; the main answer here was that 'it depends'. This is a valuable insight as it may indicate that respondents to the vignette experiment may have had similar questions, and therefore puts the findings of the vignette experiment into perspective.

#### 3.2 Characteristics of trustworthy regulators

When it comes to identifying the traits and behaviours that make a regulator trustworthy in the eyes of citizens, we note a great deal of overlap in the views of the participants from the six countries. Three regulators' characteristics, in particular, were brought up in the focus group discussions in all six countries: transparency, expertise, and integrity.

A regulator that is trustworthy is open and *transparent* about its work. However, different aspects of transparency were stressed in the different focus group discussions. In Israel, Belgium, Denmark, Germany, and Norway clear communication on part of the regulator towards citizens and consumers is seen as very important for fostering trust. This is especially the case in crisis situations, when citizens' wellbeing is potentially at risk. In the focus group discussions in the Netherlands, Germany, and Norway, transparency not only towards citizens and consumers was deemed important, but also towards regulatees. This implies certain clarity in the expectations towards regulatees, and transparency in the undertaken activities of the regulator.

High *expertise* is another key characteristic of trustworthy regulators. On the one hand, focus group participants in Germany, Israel, and Norway stressed the importance of possessing state-of-the-art scientific and legal knowledge on the subject matter. On the other hand, the domain expertise and the knowledge of the industry were highlighted in the focus groups in Belgium, Israel, Netherlands, and Norway. Thus both the



technical expertise and knowledge of the industry were seen as closely linked to the ability of the regulator to effectively enforce rules and standards.

*Integrity* is the last characteristic of trustworthy regulators on which all focus groups agreed. In Belgium, integrity was seen as the most important aspect of trustworthiness. In the focus group discussions in Israel and Norway, the independence of the regulator and its freedom from political influence were brought up as highly relevant. In the Netherlands, Denmark, Norway, and Germany, the integrity of the regulator was expressed as the need of the regulator to remain neutral and consistent in its enforcement, and thus not biased by business considerations, or own beliefs and vested interests. Respondents also indicated that different tasks imposed on food safety regulators may pose conflicting goals and therefore require prioritization. This makes them less transparent in the perception of some respondents, as it is less evident what values are behind priorities.

In addition to these three main factors, a number of other regulatory characteristics were highly valued by focus group participants. In the Dutch and Israeli focus group discussions decisiveness and proactivity on part of the regulator were seen as important. In Belgium and Israel, the enforcement capacity of the regulator was also brought up as relevant to their trustworthiness. In Belgium the issue of enforcement capacity was primarily linked to resource constraints, while in Israel to legal and political ones. Lastly, in the focus group discussions in Israel, the accountability of the regulator, or its openness towards external scrutiny and taking responsibility for its mistakes was also seen as important aspect of its trustworthiness.

### 3.3 Assessment of the trustworthiness of the food safety regulator

In all six countries focus group participants expressed relatively high confidence in the national food safety regulator. The Belgian and Dutch focus group participants expressed that, even though there have been some scandals with food safety in the last few years, the regulator generally does its job well (Netherlands) and it has responded well in those crisis situations (Belgium). The Israeli focus group participants have justified their trust in the regulator on the basis of their own experiences and perceptions with the safety and quality of the food in Israel. In Denmark and Norway, the straightforward act of informing consumers about the results of the last inspection of service businesses, such as restaurants, via simple labels at the entrance of their premises, has been perceived as a powerful signal of trustworthiness of the regulator. This indicates that the type of information citizens use to evaluate the trustworthiness of the regulator could differ greatly.

To improve their trustworthiness, almost all focus group discussions suggest that regulators would need to invest in enhancing their transparency. In the German and Dutch focus group discussions, the need for more information on the role and work of the regulator, even in “quiet” times was emphasized. Improving the quality of the information during crisis situations was highlighted in the discussions in Belgium and Norway. Finally, the Danish and German focus group participants brought up the dangers of overextending the responsibilities of the regulator for the effectiveness of the regulatory enforcement, but also for the perceived trustworthiness of the regulator.

### 3.4 Enforcement styles and trust in the regulator

We presented all focus groups with a description of an imaginary situation of a non-compliant agricultural producer. In this situation, the priority of Dutch, Belgian, Danish, and German focus group participants lies in protecting and informing consumers. If the products sold by the regulated organization in question pose a danger to public health, the regulator’s first course of action should be recalling the product and informing citizens about the dangers of the product.

Beyond this first course of action, all focus groups expressed a strong need to consider the *specific context of the offense*. Thus, which enforcement style would be seen as appropriate is largely context dependent. Here, we saw more variation between the national settings. The Dutch, German, and Danish focus group discussions pointed out to a preference for solution-oriented, rather than punitive approach. An educative and accommodative enforcement style was preferred, in order to resolve the compliance issue, especially if



mitigating circumstances are at play (first time offenders, genuine mistake). Generally speaking, across the focus groups an accommodative enforcement style was not considered as potentially harmful to trust, and respondents valued the purposes of educating the regulatees and solving the problem at hand. While the Dutch focus group respondents and one part of the Norwegian respondents preferred flexibility, the Belgian respondents, and another part of the Norwegian respondents preferred a formal approach to enforcement. They stressed the importance of the regulator following standard protocols in the initial response to the situation, especially when there is a danger to public health. Once the immediate risks are managed, the regulator could proceed by customizing its approach to the situation in terms of considering mitigating circumstances and tailoring the sanction to the offence. A part of the focus group respondents in Germany and Israel insisted that, regardless of the circumstances of the incident, the regulated organization should be held accountable for the mishap.



## 4. Conclusion

In this conclusion we will answer the research question, discuss limitations and implications of our findings. The central question we posed was *How does enforcement style influence citizens' trust in regulatory agencies?*

First, we find that when participants were explicitly asked about what determines the trustworthiness of regulatory agencies, they consistently mention three principles: transparency/communication, integrity (which also includes independence) and technical expertise. These principles are deemed important in all six countries. Interestingly, the enforcement style does not come up as a relevant issue in the open discussion.

A second conclusion is that focus group participants in all six countries mostly have limited and passive awareness of the work of a food safety regulator and display only latent perceptions of their trustworthiness. It is remarkable in this light that the food safety regulators enjoy high trust among focus group participants in all six countries. This resonates with the survey experiment findings from D5.2, which showed high levels of overall confidence in regulatory agencies. Participants indicated various sources for determining their trust assessment, but mostly indirect experiences such as news messages were mentioned.

Third, there seemed to be no clear-cut relation between enforcement styles and trust in case of a regulatory intervention in the context of an offense. Most respondents indicated that the priority of a food safety regulator should lie with consumers in case of a violation that entailed a food safety risk. In conditions of acute public health risk, part of the focus group participants indicate preference for strict and formalist regulatory approach, such as a recall and public warning, to protect the public. This is in line with the importance that participants attach to transparency – yet, in practice, regulators often direct their attention to the offending company rather than to informing the public. Once the risk to public health has subsided, participants see much greater room for customization of the regulatory response to the specifics of the situation.

As the conversations unfolded, participants indicated that the context of the offense should determine the regulatory response. For instance, 'first time violators' and benevolent violators should be handled more flexibly, while purposeful and repeat offenders were expected to be met with stronger regulatory response. The harmfulness of the offense was also mentioned as a factor here. This is in line with responsive regulation theory (Ayres & Braithwaite 1992) and could also explain why we found such subdued effects of enforcement style on trust in the D5.2 survey experiment. In terms of our theoretical assumptions, this indicates a preference for an accommodating enforcement style. Yet, no clear relation between an accommodating enforcement style, and trust was put forward in the focus groups. A coercive (punitive) or formal (strict) enforcement style was not a priori preferred by participants although most did support that sanctions would be imposed to purposeful offenders who inflicted harm on consumers. The nature of the regulator's reaction to the violation, was the subject that respondents differed the most on – both within focus groups and between countries.

A limitation of our study is that focus groups do not lend themselves to generalizable conclusions. It should also be noted that we selected respondents with a relatively high level of education and, at least for the students of public administration, probably a positive orientation towards government. In addition, the findings from this analysis are primarily exploratory in nature, both due to the composition of the participants, and the method used. Future research could follow up on the current study by testing specific hypotheses about relevant conditions, for example the nature of the offender and the offense.

Despite these limitations, the present study still provides some insight in the question how trust in regulators is formed and perceived by citizens. A common observation in the focus groups was that even with limited knowledge and awareness of regulatory actions, citizens place confidence in the expertise of regulators and are willing to trust the regulator's judgement. The work of a regulator is often perceived as very distant to them, which explains their preference for transparency, but also why they find it difficult to evaluate regulatory decisions.



When learning more about the work of a regulator, they expressed a preference for a context-sensitive regulator that improves compliance and food safety, rather than punishes offenders. All in all, citizens don't seem to base their trust on specific regulatory interventions or style, but attach more value to process variables such as transparency, expertise and integrity. This concurs with the findings of the survey experiment reported in deliverable D5.2.

For regulators, it appears from our findings that there is leeway to stimulate compliance and educate the sector through a responsive approach without damaging citizens' trust – although it should be noted that regulatees may view this differently and attach more value to a punitive and formal enforcement style than citizens. In addition, our findings remind of the importance of transparency in regulatory enforcement processes, and clear communication towards the public in situations when food safety has been compromised. Even though citizens' place relatively high trust in the food safety regulator, they also point out to deficiencies in communication with the public, and general openness about the regulator's work. Investments in greater transparency and effective communication could potentially strengthen their image as trustworthy actors.





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## Appendix

### Appendix 1. Focus group presentation



Welcome!



## Rules of engagement

- There are no right or wrong answers, all opinions are valid.
- Please respect the opinions of others even if you disagree with them.
- Please be comfortable to discuss issues freely.
- Your participation is voluntary, and you can abstain from discussing certain questions if you do not feel comfortable with them.
- Should you discuss details of our conversations here outside the group, please do not mention names or personal details in order to respect the privacy of the other participants.

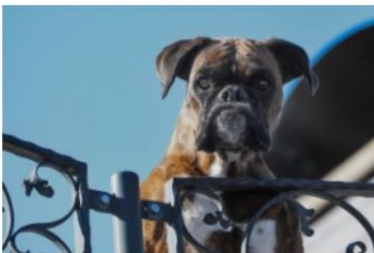
12/16/2022

Focus groups

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## What kind of regulator would you prefer working in the area of food safety?



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Focus groups

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## The Dutch food safety regulator NVWA

The Dutch food safety regulator, the “NVWA” is tasked with promoting compliance with food safety standards among companies. The NVWA is also concerned with issues of animal welfare and nature protection, as closely connected issues to the food production chain.

To ensure compliance with the relevant regulation, the NVWA conducts inspections and investigations into the working of companies in the food sector. If the NVWA inspectors record practices which are in conflict with the relevant regulatory standards, then the NVWA can employ one of its interventions to bring the company into compliance with the regulation. These interventions include warnings, suspending or withdrawing licenses, product recall, stop of production, transition to criminal enforcement.



Source: bnr.nl

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Focus groups

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What makes a regulator trustworthy, in your opinion?

Please write down 3-5 characteristics of a trustworthy regulator.

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Focus groups

6



Which characteristics are the most important for a regulator to be seen as trustworthy by you?

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Focus groups

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How would you evaluate the trustworthiness of the NVWA?

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Focus groups

8



What does the NVWA need to do to increase/ gain your trust?

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Focus groups

9



How much do you trust your country's institutions?

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Focus groups

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How important, in your opinion, is regulation and the work of regulatory agencies?

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Focus groups

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10 min break

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Focus groups

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Consider the following situation:

*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

How should the regulator approach the situation?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator decided to allow the vegetable grower to explain the situation before taking any further action.*

What do you think about the approach of the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator decided to allow the vegetable grower to explain the situation before taking any further action.*

How does this affect your trust towards the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator did not consider any mitigating circumstances when deciding which action to take towards the vegetable grower.*

How do you evaluate the approach of the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator did not consider any mitigating circumstances when deciding which action to take towards the vegetable grower.*

How does this affect your trust towards the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator decided to give the vegetable grower only a formal warning for the violation.*

How do you perceive the decision of the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

*The regulator decided to give the vegetable grower only a formal warning for the violation.*

How does this affect your trust towards the regulator?

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Focus groups

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*A large vegetable grower in the country treated its vegetables with too much organic phosphorus over the past four months, because employees were not trained to work with this type of pesticide. The products were marketed to consumers, even though organic phosphorus in vast measures is toxic to the human body.*

Consider this additional information about the case:

*The vegetable grower has been aware for at least three months that the levels of organic phosphorus in its products are often higher than the legal limit. Despite this, the producer did not take any action to remedy the situation by providing proper training to its employees on how to use the pesticide.*

Given this new information, what would be the appropriate response of the regulator to the situation?

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Focus groups

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## Survey experiment results (Denmark)

- Accommodation  
... regulators who gave the vegetable grower the opportunity to explain the situation before taking any further action were **trusted less** by citizens.
- Formalism  
... regulators who had a strict interpretation of the rules (as opposed to more lenient) were **trusted more** by citizens.
- Coerciveness  
... whether the regulator gave the vegetable grower a harsh or softer punishment had **no effect** on citizens' trust in the regulator.

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Focus groups

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## Survey experiment results (Germany)

- Accommodation  
... whether the regulator gave the vegetable grower the opportunity to explain the situation before taking any further action or not had **no effect** on citizens' trust in the regulator.
- Formalism  
... whether the regulator had a strict or lenient interpretation of the rules had **no effect** on citizens' trust in the regulator.
- Coerciveness  
... regulators who gave the vegetable grower a harsher punishment were **trusted more** by citizens.

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Focus groups

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## Survey experiment results (Belgium)

- Accommodation  
... whether the regulator gave the vegetable grower the opportunity to explain the situation before taking any further action or not had **no effect** on citizens' trust in the regulator.
- Formalism  
... whether the regulator had a strict or lenient interpretation of the rules had **no effect** on citizens' trust in the regulator.
- Coerciveness  
... whether the regulator gave the vegetable grower a harsh or softer punishment had **no effect** on citizens' trust in the regulator.

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Focus groups

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## Survey experiment results (Israel)

- Accommodation  
... whether the regulator gave the vegetable grower the opportunity to explain the situation before taking any further action or not had **no effect** on citizens' trust in the regulator.
- Formalism  
... regulators who had a strict interpretation of the rules (as opposed to more lenient) were **trusted more** by citizens.
- Coerciveness  
... regulators who gave the vegetable grower a harsher punishment were **trusted more** by citizens.

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Focus groups

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## Survey experiment results (Norway)

- Accommodation  
... whether the regulator gave the vegetable grower the opportunity to explain the situation before taking any further action or not had **no effect** on citizens' trust in the regulator.
- Formalism  
... whether the regulator had a strict or lenient interpretation of the rules had **no effect** on citizens' trust in the regulator.
- Coerciveness  
... whether the regulator gave the vegetable grower a harsh or softer punishment had **no effect** on citizens' trust in the regulator.

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Focus groups

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## Survey experiment results (Netherlands)

- Accommodation  
... whether the regulator gave the vegetable grower the opportunity to explain the situation before taking any further action or not had **no effect** on citizens' trust in the regulator.
- Formalism  
... whether the regulator had a strict or lenient interpretation of the rules had **no effect** on citizens' trust in the regulator.
- Coerciveness  
... whether the regulator gave the vegetable grower a harsh or softer punishment had **no effect** on citizens' trust in the regulator.

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Focus groups

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*Thank you very much for your time and your input!*

*If you are interested in the outcomes of this research project, you will find the results of our study published on: <https://www.tigre-project.eu/>*

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Thank you!



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## Appendix 2. Pre-focus group survey

1. What is your age?

- Under 18
- 18 – 24
- 25 – 34
- 35 – 44
- 45 – 54
- 55 – 64
- 65 – 74
- 75 – 84
- 85 or older

2. What is your gender?

- Male
- Female
- other
- prefer not to say

3. What is your highest educational qualification?

- Not completed primary education
- Primary education
- Secondary education
- Technical/vocational degree
- Graduate degree (BA level)
- Postgraduate degree (MA level)
- PhD/doctoral degree
- Other, please explain \_\_\_\_\_

4. How knowledgeable would you say you are about the activities of the food safety regulator(s) in your country? Please answer on a scale from '0' to '100', where '0' is "not knowledgeable at all" and '100' is "complete knowledge".

\_\_\_\_\_





5. Please tell us in few sentences, what do you know about food safety regulation?

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6. What kind of experience do you have with food safety regulation? Please tick all options that apply to you.

- I have followed food safety incidents in the news.
- I have direct experience with food safety regulation via my work.
- I have made a report/ personally contacted the food safety regulator.
- Other, please specify \_\_\_\_\_

*(options of question 7 are adapted to the national context)*

7. Are you familiar with (please select all that apply):

- The fipronil in eggs incident
- The horsemeat scandal
- Inspectieresultaten horeca
- Msstanden sloutherhuizen



### Appendix 3. Consent form

The goal of this study is to increase our understanding of the relationship between citizens and regulatory agencies. The information you provide in the focus group and in the short pre-survey will directly contribute to scientific knowledge and will help regulatory agencies to improve how they interact with citizens. For this study, we approach people of 18 years and older in six countries: Belgium, Denmark, Germany, Israel, the Netherlands and Norway.

The short survey has the goal of collecting some background information on the participants of the focus groups. You will be asked about your level of educational attainment, gender, age, knowledge and experience with food safety regulation. In the focus group session, you will be asked a series of questions about your perceptions of the work of the food safety regulator in your country. You will be asked to evaluate the trustworthiness of the food safety regulator, and your perceptions of specific actions the regulator might take.

Please make sure you understand the following:

- Your participation in this study is voluntary, and you have the right to terminate your collaboration without reason at any point.
- The data collected as part of the survey will be used to describe the composition of the focus groups, and will not be linked directly to your individual answers provided within the focus group session itself. The data collected from this short survey will only be reported aggregately for the whole focus group.
- The focus group will be audio-recorded and the discussion transcribed. All personal identifiers (such as names and other information through which a person can be identified) will be removed from the transcript. The audio files will be deleted after the discussion is transcribed. The audio files (prior to deletion) and the transcripts will be stored securely.
- You can always withdraw your consent to use your data for the purposes of this study. You can do so by contacting the moderators or project leader. However, after the discussion of the focus groups is transcribed and the audio file deleted, you may need to provide some additional information which would help identify which data is yours, as all personal identifiers would be removed from the transcript and the audio file will be deleted.
- Your contact information which we collected to organize the focus group session will not be combined with the responses you provide during the focus group discussion, and will be deleted within a week after the focus group is conducted.
- We may publish the results of this study in a report, one or more scientific articles. The information which we will potentially publish in scientific reports or articles will not contain any personally identifiable information.

I confirm that I understand the above stated and consent to the collection and use of my data for the purposes of this scientific project.

YES / NO

Date:

In case of questions about this study, please contact the project leader Dr. Stephan Grimmelikhuijsen (Utrecht University), [s.g.grimmelikhuijsen@uu.nl](mailto:s.g.grimmelikhuijsen@uu.nl). If for any reason you do not wish to contact the project



leader with concerns over the use of your personal data, you may always contact the Data Protection Officer of Utrecht University at [privacy@uu.nl](mailto:privacy@uu.nl).

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