

CARR Seminar: 3 Feb 2015

Regulating fire safety building approval: expertise asymmetry and performance based design

Abstract

Regulation of fire safety is shifting from a prescriptive approach to one based on performance based design (PBD). Whereas prescriptive regulation only requires regulators to adjudicate on matters of rule compliance (e.g. whether stairway doors have a suitable fire resistance rating), PBD regulation depends on adjudication of techno-scientific knowledge claims (e.g. whether people have time to evacuate via stairways in case of a fire). However, because regulators typically have lower levels of this type of knowledge than those regulated, the resulting expertise asymmetry calls into question regulatory efficacy. This puts the onus on fire engineers to act as competent and ethical professionals, but there are doubts about whether the profession as a whole has yet achieved this status (and indeed whether it ever can).

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