In a recent book, *Achieving Regulatory Excellence*¹, Cary Coglianese likened regulators to parents. What Coglianese was getting at is that the success of regulators, like that of parents, “*is in an irreducible sense out of their hands.*” The success of professional regulatory bodies is in the behaviour of those under regulation, and since regulatory bodies can only have a limited influence on the professionals they regulate, the success of professional regulatory bodies is, to a large extent, out of the hands of the professional regulatory body.

The parent analogy does have its drawbacks. For one it casts regulated professionals as children, but for voluntary professions, it fails to capture an essential component of voluntary regulation—that professionals in voluntary professions chose to be regulated. In voluntary professions, this element of choice is an essential component of the relationship between regulated professionals and their professional regulatory body. With this in mind, a different analogy is proposed—that of personal trainer or performance coach.

Personal trainers and performance coaches can yield power over their clients, but this is because this power was granted to the personal trainer or performance coach by the individual.

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Personal trainers and performance coaches are given license by their clients to push them beyond their comfort zone, to impose training regimes, to give candid feedback about performance, and to hold them accountable to the commitments they made to their training and performance.

The paradox is that, in the moment, individuals do not always appreciate what their personal trainers or performance coaches are telling them to do. Individuals don’t always agree with what the training regimen their personal trainers or performance coaches have put in place on their behalf. Indeed, individuals have the choice to terminate the relationship with their personal trainers and performance coaches (subject, of course, to the terms of the contract between the individual and their personal trainer or performance coach).

So why do we put up with it? Often, it is the realization that personal trainers or performance coaches can get us to perform better than we could on our own. Even the most self-disciplined among us will recognize that a personal trainer or performance coach will push us to better performance than we would achieve on our own.

“Especially in voluntary regimes, regulation is not something that a professional regulatory body does to professionals—it is something that professionals do to themselves.”

Professional regulatory bodies work in much the same way. Especially in voluntary regimes, regulation is not something that a professional regulatory body does to professionals—it is something that professionals do to themselves. Professionals establish and join professional regulatory bodies because they keep members of the profession honest in ways that would not quite happen if professionals were left to their own devices. The reason professionals do it to themselves is that in the end, it makes them better professionals.

And yes, there is a bit of a taskmaster in all professional regulatory bodies. Professional regulatory bodies push for compliance to continuing professional development (CPD) requirements. Professional regulatory bodies conduct practice inspections and establish other quality assurance programs. Professional regulatory bodies consider where problems seem to arise and provide professional guidance to help members avoid putting the public at any greater risk than is inevitable. Professional regulatory bodies act as a constant reminder to do the right thing. Professional regulatory bodies encourage and sometimes prod members of the profession to maintain the highest standards of professional conduct.

At the time, this is not always enjoyable, but it is all done with the goal of ensuring that the services provided by members of the profession are at a level of quality and consistency that best serves the public interest.

The personal trainer or performance coach analogy maintains the idea that (1) success is through others, and (2) that can influence but not entirely control the behaviour of their members.

Interestingly, analogies can also give rise to insights that are not necessarily apparent otherwise. Personal trainers and performance coaches are accepted because their clients believe that they are better off for having a personal trainer or performance coach. That is not always the case with
regulated professionals. There are many professionals that feel that their level of performance is just fine and that the interventions of their professional regulatory body have done nothing for them or for the profession at large. This would be like someone who believes that they have nothing to benefit from a personal trainer or performance coach because there is nothing that a personal trainer or performance coach could add to what they already do. Unfortunately, we know from the research of David Dunning, Justin Kruger, and others\(^2\) that most individuals are not good at self-assessment and that there is a widespread bias in the direction of overestimating one’s competence and ethical behaviour.

The above does suggest that professional regulatory bodies in voluntary professions should make the case as to their impact on member behaviour not only to government and other stakeholders but to their members as well.