

Cross Party Group on Smoking & Health

Key details

- **What:** Cross Party Group On Smoking & Health, Chaired by John Griffiths MS
- **When:** 10.00 – 11.00, Thursday 20 January 2022
- **Where:** Teams meeting

Purpose: To explore the illegal tobacco market, and the rollout of the new campaign and reporting website to tackle this market in Wales. The meeting will also uncover international laws which safeguard governments and health policy from the commercial interests of the tobacco industry. The meeting will also relay how this area is applies to the illegal tobacco landscape.

Apologies

- Deb Sugrue, Cardiff & Vale Health Board; Joseph Carter, Asthma UK/BLF; Peredur Owen Griffiths MS; Simon Wilkinson, WLGA; Marie Boffey, Fostering Network Wales; Wallis Jones, Welsh Government; Ann Hughes, Public Health Wales

Attendees

1. John Griffiths MS (Chair)
2. Suzanne Cass (ASH Wales)
3. Simon Scheeres (ASH Wales)
4. Allan Frost (ASH Wales)
5. Jacqueline Hotchkiss (speaker)
6. Dr Raouf Alebshehy (speaker)
7. Roger Mapleson, Trading Standards
8. Andrew Bettridge (support staff)
9. Julie Edwards (Secretariat)
10. Jason Williams, Police Liaison
11. Judith Parry, RCT TS
12. Lee Gonzalez (support staff)
13. Mike Davies, Vale of Glamorgan
14. Emma Coopey, Gwent Police
15. Nicola Sutton, Denbighshire TS
16. Endaf Lloyd Williams, Gwynedd TS
17. Andrew Meaney, Torfaen TS
18. Laura Willis, Cardiff & Vale UHW
19. Dara O'Hare, Bath University
20. Alison Dally, Torfaen Healthy Schools
21. Kathryn Davies, RCT TS
22. Claire Howells, Torfaen TS
23. Altaf Hussain MS
24. Charlotte Meller, SW Police & Crime
25. Bethan Jones, Public Health Wales
26. Sandra McSparron, Pembrokeshire TS
27. Sarah Smith, Illegal Money Lending
28. Yasmin Zahra (support staff)
29. Helen Poole, Cardiff & Vale NHS
30. Alaw Davies, CRUK
31. Hayley Fry, Crimestoppers
32. Laura Wilson, Public Health Wales
33. Kate Thompson, CIEH
34. Stephanie Barnhouse, Welsh Gov
35. Gemma Roberts, BHF
36. Philip Garrod, Public Health Wales
37. Barry Jackson, Trading Standards
38. Megan Elliott, Cwm Taf Public Health
39. Ed Wilson, Welsh Gov
40. Lee MacGregor, Dyfed Powys Police
41. Olivia Cheek, CRUK
42. Liz Western, Healthy Schools
43. Torin Greenhill, CRUK
44. Heledd Roberts (support staff)
45. David Edwards, Flintshire TS
46. Brody Anderson (support staff)
47. Ian Millington, Denbighshire TS
48. Rhys Harries, Swansea TS
49. Owen Jones (support staff)
50. Amy Lewis, Public Health Wales
51. Angie Contestabile, Tenovus
52. Rhys Taylor (support staff)
53. Helen Cunningham (support staff)
54. Simon Bromley, North Wales Fire
55. Anne Wilson, Hywel Dda
56. Julie Powell Jones, Healthy Schools
57. Ryland Doyle (support staff)
58. Lucy Duncanson, Hywel Dda

59. Cath Einon, Hywel Dda
60. Ioan Bellin (support staff)
61. Eric Kendall, GAIN

62. Emma Coopey, Gwent Police
63. Stuart Phillips, BWY Canine

- **Agenda**

Time	Item
10.00	1. Welcome from Chair
10.05	2. Introduction by ASH Wales
10.10	3. Presentation by Jacqueline Hotchkiss and questions
10.30	4. Presentation by Dr Raouf Alebshehy and questions
10:50	5. Summary and Close

Speakers

Jacqueline Hotchkiss, is a trading standards officer who is on secondment to the Welsh Government to lead the illegal tobacco programme. Jacqueline will be discussing the new Welsh Illegal Tobacco campaign and sharing the campaign's assets. She will be also discussing:

- Campaign channels.
- Mapping against the WIMD to demonstrate relationship between areas of multiple deprivation and illegal tobacco.
- Links to crime.
- Upcoming work.

Dr Raouf Alebshehy, formerly of the World Health Organization, is a medical doctor by training. He currently leads on monitoring the tobacco industry for the Tobacco Control Research Group at the University of Bath, the research partner for the global tobacco industry watchdog STOP. TCRG is an internationally recognised research group. It focuses on the commercial sector and its impacts on health, exploring how companies seek to influence science and policy, and evaluating the effectiveness and impact of public health policies. His talk will cover:

- An overview of how the tobacco industry operates.
- The UK government's responsibilities (outlining the WHO Framework Convention on Tobacco Control, and article 5.3).
- Understanding the illicit trade.
- What needs to happen?
- Reflections and Questions.

Meeting notes

Item 1: The Chair, John Griffiths, MS for Newport East, welcomed everyone to the meeting. He began by setting out how Illegal Tobacco remains a problem in Wales.

- In 2021, HMRC and Trading Standard teams across Wales seized an estimated 2.84 million cigarettes and 404 kg pouches of hand-rolling tobacco from the Welsh illegal market¹.

¹ Latest Operation CeCe stats retrieved by ASH Wales, provided and checked by HMRC and Trading Standards.

- Beyond enforcement activity, it is crucial to see how this illegal market impacts the general population in Wales.
- According to ASH Wales' latest survey on illegal tobacco, 1 in 4 Welsh smokers were classified as 'illicit buyers', and almost half of current Welsh smokers had been offered the sale of illegal tobacco².
- The illegal market plays a critical role in undermining key tobacco control measures and holds the potential to harbour other areas of crime.

Item 2: Suzanne Cass, CEO ASH Wales

SC shared details of the Welsh Government's ambition to reduce smoking prevalence to 5% by 2030, which is just 8 years away. In order to achieve this we need everyone – politicians, public bodies, health workers and enforcement officers, to pull every lever to keep tobacco out of the hands of children and to help those who are addicted to stop. Everyone at the meeting was invited to get behind the Illegal Tobacco campaign and to report any activity they know about using the new website and portal No Ifs.No Butts - [NINB website](#)

- Smoking is still the leading cause of avoidable death in Wales
- 17% of all adults in Wales smoke - 440,000 and the cost to the NHS is staggering £302 million a year plus additional resources to treat those with long term health conditions as a result of smoking
- 5,000 deaths every year, as well as readmissions that are affecting our NHS.
- Illegal tobacco undermines every single measure that we have put in place in the last 20 years to stop children from accessing tobacco.
- 8% of 15-16 year olds still smoking and this figure hasn't fallen since 2013.
- According to a survey from the North East **illegal tobacco purchases can be as high as 55%, for children who smoke**, and within certain regions **73% of children have been offered illegal tobacco**.

To keep tobacco away from children ASH Wales is calling for

- Coordinated efforts to curb the sale of illegal tobacco to prevent criminals selling cheap fags
- Increased penalties for those selling and further up the supply chain
- Raising the age of sale
- Full implementation of the Public Health Wales Act to include the Track and Trace System

SC introduced Jackie Hotchkiss from Welsh Government to explain some of the decisive measures that are now being taken:

Item 3: Presentation from Jacqueline Hotchkiss, Illegal Tobacco Lead, Welsh Government

- WG has provided funding for a new multi-media campaign and more recently Operation CeCe - disruption and enforcement work carried out by Trading Standards Wales and funded by HMRC.
- The new campaign has a health focus and calls on the public to report illegal tobacco.
- WG is funding training for PCSOs and school community police officers across the whole of Wales, so they can identify illegal tobacco in the community, understanding

² [illegal tobacco report.indd \(ash.wales\)](#) (NEMS Survey 2014- ASH Wales uses this as a baseline, which we will update in the new ASH Wales NEMS survey released later this year)

the effect of IT on young people, the links to crime and how they can report it. ASH Wales will host the training; it will begin in March with a series of webinars followed by some online training. The training is backed by DCC Parmenter, lead of PCSOs across Wales. JH currently in the process of contacting police leads across the different forces in Wales to identify support and dates when officers can attend.

- Funding from WG has also facilitated the first Illegal Tobacco Wales website that has a central reporting platform and includes latest news and case studies about illegal tobacco. The website is hosted by ASH Wales.
- JH shared details of the new Illegal Tobacco campaign – No Ifs.No Butts - [NINB website](#) Previous evidence tells us that the most effective campaigns are those that show the impact on children; availability of Illegal Tobacco makes it much easier to start because it's so cheap and for those that already smoke it makes it easier for them to continue and to smoke more; children are vulnerable to being exposed to other types of criminal activity.
- JH shared examples of the bilingual creative assets that have been developed for the campaign; radio adverts and out of home campaigning including at the Principality Rugby Stadium for the 6 Nations home games; train stations and train carriages in the areas that are most effected by IT; beer mats in pubs in target areas during same time period. The social media campaign will shortly be live across all channels and will continue over a wide range of platforms for the next few weeks.
- Partner packs will be distributed shortly so that stakeholders can push the messages out across all of their platforms.
- JH shared maps of where illegal tobacco is most prevalent combined with decile groups 1-10 on the index of multiple deprivation. There is a clear correlation between deprivation and illegal tobacco – seizures, intelligence and test purchases. 86% of intelligence reports were gathered in the first 5 most deprived areas in Wales. 92% of seizures and test purchases were carried out in the first 5 most deprived areas in Wales.
- JH explained the connections between illegal tobacco and serious organised crime. She recommended people read the following publications for concrete evidence of the issue; RUSI on TAP Europe [E-Commerce, Delivery Services and the Illicit Tobacco Trade | Royal United Services Institute \(rusi.org\)](#); HMRC – From Light to Leaf – [Tackling illicit tobacco: From leaf to light \(publishing.service.gov.uk\)](#)
- JH explained that there is an ongoing review of Tobacco Regulation – Tobacco Products and Tracing and Security will give HMRC regulating powers to introduce tougher more visible street level sanctions to tackle tobacco duty evasion – HMRC can give enforcement powers to local trading standards.
- Welsh Government are going to support Operation CeCe for the next three years and engage with stakeholders to deliver the next Tobacco Control Delivery Plan
- JH gave a demonstration of the website; the purpose and focus is on reporting as the primary function - fields will record information which will be sent through all Trading Standards Wales regional intelligence teams and then local authority enforcement for action. The website will highlight personal case studies and will relay the latest news on illegal tobacco across Wales.

Questions

Simon Scheeres (ASH Wales)- SS noted that there are a lot of stakeholders on the meeting who have strong social media platforms and networks, and asked if it would benefit the campaign if they shared the campaign material.

JH said it would benefit the campaign, and that a partner pack would be sent out when ready.

Owen Jones (Jayne Bryan support staff) – OJ is a councillor for the Adamsdown community – OJ said in his community Clifton Street is a well known hub for Illegal Tobacco – they are regularly searched and taken to court but fines are not big enough– it’s in their business model – what do we do when we know they are there?

JH said trading standards are very aware of Clifton Street and that the current sanctions do not work. Taking forward a prosecution is very resource intensive. The Tobacco Control regulations currently being considered would give additional powers to trading Standards that will bring about significant fines for the illegal tobacco criminals.

Altaf Hussain MS – commented on the forthcoming PCSO training – he felt that local shopkeepers should be involved in that training – PCSOs need to bring this training to the attention of local community meetings so that word can be spread wider – he felt there was a lack of knowledge of who PCSOs are in communities and a list of trained PCSOs would be useful to filter down to the local community.

JK said that PCSOs were the eyes and ears of the community, and that the Association of Convenience stores have shown interest.

Sarah Smith from Illegal Money Lending Unit – commented that trading standards recognise how difficult enforcement is; they have so many competing pressures and not enough resources- taking offences through to the courts is not going to get the penalties that they desire – it’s not a stand alone issue; it’s linked to other serious crime with long term complex investigations that take 1,2 or even 3 years or longer.

SS thanked JH for her contribution and introduced the next speaker.

Item 4: Dr Raouf Alebshehy, leads on monitoring the tobacco industry for the Tobacco Control Research Group at the University of Bath.

As the Welsh Government embarks on plans to be smoke-free by 2030, attendees were reminded that our efforts are at odds with the commercial interests of an industry whose products kill half its users.

- RA explained how the tobacco industry has developed tactics to impact public health measures and the UK responsibilities under international law
- There is a burden of illicit trade in the UK
- Deception from the tobacco industry goes back 50 years – public health is developed on evidence – Tobacco industry pays to publish their own evidence
- 2005 – The Framework on Tobacco Control came into force
- 2012 the Protocol to Eliminate Trade in Tobacco Products was adopted
- 2018 the protocol came into force
- UK is party to the two treaties and must therefore comply
- Article 5.3 ‘to protect policies from commercial and other vested interests of the tobacco industry’ is the minimum that should be implemented
- There should be ‘maximum possible transparency with respect to any interactions they may have with the tobacco industry’
- The Article covers all levels of government, including local authorities

What does article 5.3 mean in practice?

- Raise awareness of risks of tobacco, and tobacco industry tactics
- Reject partnerships with the tobacco industry

- Be transparent and accurate about Tobacco Industry interactions – when interaction is necessary it should be disclosed – not just the agenda, details of what was discussed
- No preferential treatment to be given to the Tobacco Industry
- Limit interactions – necessary meetings only – operational not policy
- Avoid conflict of interest – no payment of gifts-in-kind; no contributions to political parties
- Don't accept 'CSR' – we shouldn't give them publicity

How do we measure how the UK is doing?

- An annual Progress report and the Global Tobacco Index Score – in the last 3 years UK has gone from 1st to 3rd.
- The measure related to 'prevents industry influence' – UK has consistently scored an unacceptable 11, so this is a particular area of concern.

RA suggested we take care when we read publications and accept them as evidence as often they are paid for by the Tobacco Industry, such as the RUSI report mentioned earlier.

Finally, there is good guidance in the UK but often it is only partially implemented. There is not yet a law banning contributions from the Tobacco Industry to government. There is a lot of potential for conflicts of interest. Disclosure should be the minimum but ideally an outright ban would be better.

RA concluded that by the force of international law-Article 36 of the Protocol- parties should ask the tobacco industry to pay for anti-illicit trade measures that meet the objectives of the Protocol.

What do they need to do next?

- Clear and consistent guidelines
- Ban CSR activities
- Transparency about Tobacco Industry responses to regulatory consultations
- Legally binding, publicly accessible register of lobbying activity across UK administrations
- Prohibit tobacco industry contributions (monetary or otherwise) to political parties and public officials
- Prohibit public officials from holding positions in the Tobacco Industry for at least 5 years after leaving office (and vice versa)

Questions & Comments

SS shared how article 5.3 had been included in the last Tobacco Control Plan for England and asked how we can ensure the protocol is included here. RA reminded that the protocol include obligations to devolved nations and that all government officials working at all levels need to avoid the tobacco industry and ensure they are not the target of the tobacco industry.

SC asked RM of Wrexham Trading Standards how the Tobacco Industry uses its position to in Wales. RM said they have always tried to make opportunities to involve themselves in trading standards enforcement work by using CSR tactics and showing themselves to the good guys. However, RM pointed out that data from 2016 shows that two thirds of the illicit market is made up of genuine smuggled product – the tobacco industry provide that product.

Item 5: – Final comments and actions

- The campaign materials and Partner packs to be circulated to everyone
- Invite everyone to share the assets of the campaign – particularly in the run up the Six Nations rugby
- ASH Wales to create a stakeholder group that will meet and regroup in 6-9 months to report back on campaign progress
- ASH Wales to distribute Tobacco Control Research Group policy guidelines

JG thanked everyone for their attendance at today's meeting and reiterated the message that we must do all we can to undermine the demand for illegal tobacco. He then closed the meeting.

END