

HANDS OFF OUR PACKS

SAY NO TO PLAIN PACKAGING

Diary of a Political Campaign

Simon Clark



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About the author

Simon Clark is director of the smokers' lobby group Forest and founder of The Free Society which highlights excessive regulation in areas including tobacco, food and drink. He has worked in public relations, political and media research, magazine publishing and event management. For 15 years he has lobbied on behalf of smokers and tolerant non-smokers. He appears regularly on radio and television and is frequently quoted by the UK and international media.

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About Forest

Founded in 1979 by Sir Christopher Foxley-Norris, a former Battle of Britain fighter pilot, Forest represents adults who choose to consume tobacco and non-smoking adults who are tolerant of other people's enjoyment of tobacco.

Forest spokesmen appear regularly on British TV and radio and are often quoted by local and national newspapers. Popular annual events include Smoke On The Water and The Freedom Dinner in London. Publications include *The Bully State: The End of Tolerance* and *Civil Liberties: Up In Smoke*.

In February 2012 Forest launched the Hands Off Our Packs campaign to fight proposals to introduce standardised packaging for tobacco. In August that year, in response to a 16-week public consultation on plain packaging, the group submitted the names of over 250,000 adult consumers who signed petitions opposing the measure.

In August 2014, in response to a final six-week consultation, Forest submitted the names of over 150,000 people opposed to plain packaging. Responses included 53,000 letters to the prime minister, 97,000 petition signatures, plus an estimated 8,000 emails.

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Introduction

Since 2002 successive UK governments have banned tobacco advertising and sponsorship, prohibited smoking in all enclosed public places (including every pub and private members' club in the country), outlawed cigarette vending machines and banned the display of tobacco in shops. Other anti-smoking initiatives have included graphic health warnings and substantial increases in the duty on tobacco.

Plain packaging is the latest battleground in the war on tobacco, a legal product that raises over £10 billion a year for the Treasury. In 2012 a four-month government consultation resulted in over 665,000 responses. Over 250,000 were generated by the Hands Off Our Packs campaign, owned and managed by the consumer group Forest. Overall there was a huge majority opposed to standardised packs, 427,888 against, 238,101 in favour.

In May 2013, when standardised packaging was omitted from the Queen's Speech (aka the government's programme of legislation), it seemed ministers had accepted the overwhelming result of the consultation and the argument there was no credible evidence plain packaging would stop children smoking. Six months later prime minister David Cameron took everyone by surprise when he announced the government was to commission a new review on plain packaging, to be conducted by leading paediatrician Sir Cyril Chantler.

On April 3, 2014, Sir Cyril published his report. Despite the absence of hard evidence that plain packaging would prevent

Hands Off Our Packs

children from smoking, Sir Cyril recommended its introduction. The same day public health minister Jane Ellison issued a statement in which she declared the government was “minded” to introduce standardised packaging subject to a “final short” consultation.

A six-week consultation “on the regulations on standardised packaging of tobacco” began on June 26 and closed on August 7, 2014. On Tuesday August 5 Forest delivered to Downing Street more than 53,000 letters addressed to the prime minister opposing plain packaging. Two days later a duplicate set of letters plus 97,000 petition signatures were delivered to the Department of Health. An estimated 8,000 consumers also sent emails to the DH opposing the policy.

This book is a diary of Forest’s two-and-a-half year campaign against standardised packaging. Originally written for my blog Taking Liberties, posts record not only the nuts and bolts of the campaign but also the reasons why this apparently dull issue matters to so many people.

Finally, an apology. The Head of News Development at The Times and Sunday Times recently described as “Pooterish” one of my blog posts (in which he featured quite heavily!). I am conscious this entire book might be similarly described. Truth is, it’s not intended for a broad readership. The target audience is one that has a specific interest in standardised packaging or, more generally, an interest in the political process. If you fall into either category, I hope you enjoy it!

Simon Clark
Director, Forest
September 2014

January-February 2012

Coloured packs are a threat to kids, says Lib Dem MP

January 16, 2012

Get ready for an all out assault on cigarette packs. Earlier today Stephen Williams, Liberal Democrat MP for Bristol West and chairman of the All Party Parliamentary Group on Smoking and Health, helped launch “Europe’s first major campaign to raise awareness of the dangers of glitzy tobacco packaging to children”.

Writing on his blog, Williams, a close confidante of Deborah Arnott, chief executive of Action on Smoking and Health, declared:

The primary aim of the campaign to introduce plain packs of cigarettes will be to protect children and young people from the subtle marketing techniques of the brand owners ... Plain packs would be the same size, same colour, same font for the product name and nothing else other than the health warning. The Silent Salesman would not just be mute, he’d look very dull and lonely.

Funny, isn’t it, that when campaigners demanded a ban on tobacco advertising and sponsorship in the Nineties no-one thought to mention the humble cigarette pack. There’s a simple reason for that. Packaging is not advertising in the accepted sense of the word. Like many other forms of packaging, cigarette packs are designed so that consumers can distinguish between one brand and another and make their choice accordingly.

Hands Off Our Packs

There is not a shred of evidence that ‘plain’ packaging will deter teenagers from smoking which is why anti-tobacco campaigners like Williams want to go even further and introduce not ‘plain’ packs but grotesque packs featuring larger graphic warnings, most of them disproportionate to the actual risk. If they get their way every pack will be a uniform colour – not white or black but a colour that, they say, appeals least to smokers. If they use Australia as a role model it will be drab green.

Only one word to describe Stephen Williams MP

January 18, 2012

You’ve got to laugh. When Stephen Williams, Lib Dem MP and chairman of the All Party Parliamentary Group on Smoking and Health, sat down to write about the new Plain Packs Protect campaign on Monday he must have thought he was on pretty safe ground. After all, he had just come from a tobacco control conference on his home patch (Bristol) where he would have been surrounded by anti-smoking campaigners. Voices querying their grand plan to rid the world of smokers would have been non-existent.

You see, tobacco control activists live in a bubble. They don’t invite opponents to their shindigs, they refuse to share a platform with “pro-smokers”, and contrary opinions are actively discouraged. So what happened next may have surprised the MP for Bristol West. His blog post provoked a response, most of it hostile. In fact, as I write, there are 148 comments on this particular thread. Previous posts in January attracted two, nine and 15 comments. In December the most comments he got was 31.

I estimate that 99 per cent of the comments are opposed to his vision of a smoke free world. So what does he do? He falls back on the age-old fallacy that anyone who disagrees with the anti-smoking industry must be in the pay (or a stooge) of Big Tobacco. Pathetic.

Diary of a Political Campaign

Head-to-head on plain packaging

January 27, 2012

The Times has published a head-to-head article about plain packaging. It features the views of Maura Gillespie, head of policy and advocacy at the British Heart Foundation, and me, representing Forest and our new campaign, to be announced next week. Here's a taste:

Gillespie: "To prove just how powerful branding can be, more than a quarter of young regular smokers we surveyed thought one brand was less harmful than another based on the packet design alone ... Our survey also showed that one in six young people would consider the pack design when deciding which cigarettes to buy ..."

Me: "Campaigners insist that 'plain' packs ... will discourage children from smoking. But where's the evidence? Apart from speculative opinion polls there is nothing to suggest that uniform packaging will make smoking less attractive to children and young people. Campaigners said the same thing about graphic health warnings but the impact has been marginal."

Gillespie: "Adult smokers will probably think that plain packs won't have an impact on them or their smoking habits. They're probably right. But plain packaging isn't aimed at your 20-a-day smoker who has been smoking much of their life. This is aimed at those children and young people that are yet to become smokers."

Me: "Plain packs will do nothing to protect children. Laws to deter children from smoking or gaining access to cigarettes already exist. Tobacco vending machines were outlawed in England last year and since October 2007 it has been illegal to sell tobacco products to anyone under 18 in the UK. Shopkeepers and proxy purchasers who flout the law should face serious penalties but the law isn't rigorously enforced. Before government introduces more legislation, adding to the burden of regulation, it should enforce those laws that already exist."

The article is online but you need a subscription. Or (radical thought) you could buy a copy of the paper from a shop.

Hands Off Our Packs

“Satisfied customer” responds to anti-smoking zealot

January 28, 2012

Artist David Hockney, a good friend of Forest, has responded to Australia’s leading anti-smoking activist Simon Chapman who was interviewed in the Guardian on Tuesday. Hockney wrote:

Why doesn’t Mr Chapman debate with a good and satisfied customer of the tobacco companies (Plain packs will make smoking history, 25 January)? Someone who has seen what will replace it as a soothing, calming contemplative helper. Someone whose friends died of alcohol consumption, not tobacco. Someone who has smoked for nearly as long as he has lived. Someone who knows about the fanatical attitude of haters of tobacco. Someone who is not so naive about advertising and packaging.

Someone who has almost outlived a fanatical anti-smoking father. Someone who is fed up to the teeth with people who think they really know what health is. Someone who is not afraid of the cowardly, crooked politicians who stifle the debate about pleasure in the now. Someone who knows that time is elastic. Someone who knows how easy it is to lie with statistics. Someone who is not a professional agitator, who knows there is no such thing as a professional smoker but knows there are hundreds of dreary, professional, highly paid anti-smokers.

Someone who thinks laughter is good for you as it drains fear from the body. Someone who has something better to do than to try and control the quiet lives of others. Someone who knows we are all a bit different and is fed up with the growing regimentation of people. Someone who knows that smokers can live perfectly average-length lives but heavy drinkers rarely.

Someone who is shocked by the growing conformity among people, and what that might mean for a reasonable free society. Someone who prefers the centre of Bohemia to Australian suburbia. Someone who knows we have to die.

I couldn’t agree more.

Diary of a Political Campaign

Hands off our packs!

January 30, 2012

Two weeks ago Stephen Williams MP, chairman of the All Party Parliamentary Group on Smoking and Health, wrote on this blog, “Whether you like it or not the coalition government is about to launch a consultation on plain packs. I hope you and your friends will be able to rise to the debate.”

Now I always like a challenge and in response to Stephen’s comment I am delighted to report that Forest has today launched a brand new website, HandsOffOurPacks.com. I invite you to pop over there now. You’ll find the latest news about plain packaging (it’s more interesting than you think) plus a dedicated blog featuring initial contributions from Chris Snowdon (Velvet Glove Iron Fist) and me. You’ll also find some well-known names lending their support, plus a page with links to articles, blogs and websites.

Later this week we’ll reveal the Hands Off Our Packs campaign team (recruited at vast expense!). The team will be responsible for keeping the Hoops blog up-to-date but we’ll be introducing some guest bloggers too. It’s only a start but I hope we have made our intentions clear. More important, if Stephen Williams was worried that we might not “rise to the debate”, I hope we have put his mind at rest.

How does a worm wriggle?

February 3, 2012

On January 16 Stephen Williams, MP for Bristol West and chairman of the All Party Parliamentary Group on Smoking and Health, wrote that he was “pleased to help launch Europe’s first major campaign to raise awareness of the dangers of glitzy tobacco packaging to children. The coalition government will shortly launch its consultation exercise on whether to follow the example of Australia

Hands Off Our Packs

and introduce the plain packaging of cigarettes” ... blah blah, blah blah blah.

I mentioned it here and invited people to add a comment on Williams’ blog. To date there are 958 comments. At the time I estimated that 99 per cent of the comments were strongly opposed to Williams’ vision of a Utopian smoke free world. So what did he do? He fell back on the desperate argument that most of his detractors must be in the pay (or a stooge) of Big Tobacco. Back on this blog I described this response as “pathetic”. To my surprise he responded with a comment of his own:

“Oh Simon, I’m disappointed. Pathetic is such a mild insult. Your mates have gone rather further on my blog. It’s been at least a few hours since someone alluded to my neo-Nazi cum fascist opinions. Anyway, on a serious note, whether you like it or not the coalition government is about to launch a consultation on plain packs. I hope you and your friends will be able to rise to the debate.”

Well, I couldn’t resist that challenge so this week, following the launch of the Hands Off Our Packs website, I emailed the cheerleader for plain packaging as follows:

Dear Stephen,

We have just launched a website, Hands Off Our Packs, to counter the arguments put forward by the Plain Packs Protect campaign, among others. During the course of the consultation on plain packaging we will be organising a number of events including a panel discussion and debate at a central London venue close to Parliament Square.

We would welcome the opportunity to have a public debate on this issue and I would therefore like to invite you to speak on a date – probably in March – that is convenient for you. Our proposed format is a debate with four speakers, split 2:2 for and against plain packaging, and a chairman. Alternatively we will invite 4-5 panellists with a variety of opinions. I look forward to hearing from you.

No reply. So yesterday I rang his Westminster office and spoke to an assistant who thought he had seen my email but asked me to

Diary of a Political Campaign

re-send it so he could bring it to Williams' attention. I sent the invitation again and here is the (very efficient) researcher's response:

Many thanks for sending that information through to me. I do recall seeing this invitation now, and I did in fact show it to Stephen earlier this week. He informed me that although he would ordinarily be happy to speak in such a debate, he is reluctant to take part in this particular discussion because he believes that it would be preferable if the debate were organised and hosted by an independent body, rather than by Forest. Unfortunately therefore Stephen does not feel that he would be able to participate in this discussion.

So having challenged us to "rise to the debate" on plain packaging, Stephen Williams couldn't be bothered replying in person to our invitation and he is now trying to wriggle his way out of a public debate on the feeblest of grounds. I guess we'll just have to find an "independent body" to organise and host the debate. Can't wait to hear what his excuse will be when that happens!

Update – Thanks to those who have pointed out that since this post was published Stephen Williams has added the following comment to his own blog:

I am happy to debate the full range of tobacco control issues. I will of course be doing that in the House of Commons. But if an independent forum wishes to organise a debate between me and Simon then I'm sure that could happen. A newspaper, think tank or university debating society would be good hosts.

That seems pretty clear. Perhaps I was too harsh on him. Perhaps.

Hands Off Our Packs

Plain packaging sets dangerous precedent, says new report

February 20, 2012

Interesting. The Adam Smith Institute, one of the world's leading free market think tanks, has today published a report slamming the proposal for plain packaging of tobacco.

Written by Chris Snowdon, the report finds that there is no evidence the proposals will reduce consumption or give any public health benefits; plain packaging may lead to an increase in the counterfeit cigarette trade, making cheap tobacco more easily available to young would-be smokers; and the policy creates a dangerous precedent because plain packaging could be extended to other products such as alcohol and fatty foods. According to Snowdon:

It is extraordinary that a government which claims to be against excessive regulation should be contemplating a law which even the provisional wing of the anti-smoking lobby considered unthinkable until very recently.

It seems that fanaticism has become institutionalised and a handful of extremists have become the de facto policy makers in matters related to tobacco. The public are gradually waking up to the fact that these neo-prohibitionists will never be satisfied. There is always another cause to campaign for, always new demands to be met. If it is not smoking, it is drinking. If it is not drinking, it is eating.

Plain packaging is the most absurd, patronising and counterproductive policy yet advanced under the disingenuous pretext of 'public health'. It will serve only to inconvenience retailers, stigmatise consumers and delight counterfeiters. Those who would dictate what we eat and drink are already incorporating plain packaging into their plans. It's time to say 'enough'. The monomaniacs have had their own way for too long.

The report has been widely reported in this morning's newspapers. Chris was also on the Today programme with Deborah Arnott, chief executive of ASH. More on that later.

Diary of a Political Campaign

ASI acting as “mouthpiece for the tobacco industry” says ASH

February 20, 2012

They can't help themselves. Anyone who contradicts the tobacco control industry must be a stooge of Big Tobacco. Responding to the ASI report on plain packaging, Deborah Arnott, chief executive of ASH, says:

The Adam Smith Institute, by publishing this report, is acting as the mouthpiece for the tobacco industry, as it has done on many previous occasions. It should come as no great surprise that the Institute takes a pro-tobacco line but it should be more transparent about its association with Big Tobacco.

According to ASH the ASI has close ties with the tobacco industry. “Close ties”? “Many previous occasions”? ASH offers just two items of evidence. The first – the minutes of a tobacco industry meeting – is dated September 8, 1992. It appears to suggest that 20 years ago the companies funded “a two-phased Adam Smith Institute project on a counter-defence of the traditional values of European individual freedom”. The second barely qualifies as evidence. It's merely an allegation that:

According to an internal Philip Morris International memo, the Institute would conduct training for journalists on free market principles that would be “ideologically consistent with [Philip Morris'] issues and interests”.

And with that a world famous think tank, founded in 1977, is dismissed as a “mouthpiece for the tobacco industry”. It would be laughable if it weren't so pathetic.

Curiously the Department of Health has also responded to the ASI report by issuing this statement by public health minister Anne Milton:

Hands Off Our Packs

We know there is not one simple answer to reducing smoking rates - that is why plain packaging is one part of a range of initiatives we are looking at. We are looking at whether the plain packaging of tobacco could be effective in reducing in particular the number of young people who take up smoking plus also to help adult smokers to quit. Anyone with views on the idea is encouraged to take part in the consultation when it is published.

OK, it's pretty bland but why would the DH feel the need to issue any response to the ASI report unless they perceive it to be a threat to their grand plan? Surely Milton and her cronies should be adopting a studiously neutral role prior to the consultation?

Update – the ASI has responded as follows:

“We commissioned this report ourselves because it reflects our free market, libertarian principles. Indeed, the Adam Smith Institute does not do commissioned research. However, there are a couple of tobacco companies that have corporate subscriptions at the Institute. The revenue from this – while welcome – is not terribly significant. It amounted to less than three per cent of our 2011 income. Moreover, neither of these companies has played any role whatsoever in the production or editing of this report. We take our independence very seriously.”

Plain packaging proposals “may harm the public”

February 20, 2012

Further to my previous posts, Chris Snowdon discussed his plain packaging report on the Today programme (Radio Four) and on Five Live. He has also written an article for ConservativeHome, ‘Plain packaging proposals for cigarettes may actually harm the public’. You can comment.

Diary of a Political Campaign

More statistical trickery?

February 22, 2012

Cancer Research UK claims that “around 157,000 children aged 11-15 start smoking every year - that’s enough to fill 5,200 classrooms or make up nearly 14,000 junior football teams”. In a press release issued yesterday Jean King, CRUK’s director of tobacco control, said, “Our research has shown that selling all cigarettes in standardised packs will help reduce the appeal of smoking and give children one less reason to start smoking.” But wait. Look again at those “start smoking” figures. According to CRUK:

The “started smoking” figure is calculated by comparing the smoking rates at each age with the smoking rates of the same group in the year before. There were an additional 2 per cent smokers in 2010 than 2009 (regular smokers from 1 per cent to 3 per cent) but in addition 2 per cent of the 12 year old smokers in 2009 gave up (used to smoke up from 2 per cent to 4 per cent) so an equivalent number of smokers must have started (or else the 2 per cent smokers giving up and starting would cancel each other out) so there are actually 4 per cent new children smoking.

The four per cent is applied to the UK population to give a number of new children age 13 who start smoking in the UK. This is repeated for the other age groups and the totals added to give a figure for the number of new children. Previous research has only been done for England and on the number of children who try smoking for the first time. So 13-year-olds in 2010 are compared with 12-year-olds in 2009. Both regular – one or more cigarette per week – and occasional smokers – less than one cigarette per week – are included ...

Well, that’s clear. Not. For the record Forest released a brief statement in response to CRUK’s press release:

“There is very little evidence to suggest that children are encouraged to smoke by the sight of a branded packet. Children start smoking for many reasons but it is mostly due to peer pressure and the influence of family members.

Hands Off Our Packs

“Plain packaging could be counter-productive. Counterfeit cigarettes are a big problem in Britain and standardised packs will make life much easier for criminal gangs who don’t care who they sell to, adults or children.

“Instead of introducing yet another law that will hit retailers and adult consumers, the government should enforce laws that already exist and crack down on those who sell cigarettes to children.”

I understand we were quoted on ITV’s Daybreak but that’s about it. Not for the first time the media chose to run a tobacco control story without a single balancing comment. Fancy that!

Hands Off Our Packs launch party

February 28, 2012

Well, that went pretty well. A full house (150 guests) celebrated, if that’s the word, the launch of Forest’s Hands Off Our Packs campaign at St Stephen’s Club in Westminster last night. The trade press was particularly well represented. Other journalists included the Daily Mail’s Tom Utley, Simon Hills of The Times and Mick Hume, founding editor of Spiked.

There were one or two MPs, several parliamentary researchers, plus numerous think tank types including Eamonn Butler and Tom Clougherty (Adam Smith Institute), Matthew Elliott (Taxpayers’ Alliance), Shane Frith (New Direction), Donna Edmunds (Progressive Vision) and Patrick Hayes (Institute of Ideas).

Bloggers were represented by Paul Staines and Harry Cole (Guido Fawkes), Dick Puddlecote and Chris Snowdon, among others. Chris was one of two guest speakers, the other being Mark Littlewood, director-general of the Institute of Economic Affairs. We also premiered a new campaign video, ‘Welcome to Nanny Town’, featuring contributions from Mark, Angela Harbutt, and several more.

March-April 2012

Campaign off to “rousing start”

March 1, 2012

Tobacco Reporter has a nice piece about the Hands Off Our Packs launch party on Monday night:

The Hands Off Our Packs campaign got off to a rousing start in London. Angela Harbutt, who is leading the Forest-managed campaign aimed at countering attempts at importing ‘plain packaging’ legislation from Australia to the UK, told an audience of about 150 people that she believed the proposal was the most ill-conceived, idiotic and illiberal idea that had come out of any UK government during the past five or 10 years. She said that it was a fight that had to be won, and she asked those present to sign up to the campaign and to spread the word.

The launch was addressed also by Christopher Snowdon, the author of *Plain Packaging: Commercial expression, anti-smoking extremism and the risks of hyper-regulation*, which was published recently by the Adam Smith Institute. Snowdon described the plain packaging proposal as one that even among the “intensive care contingent” of the anti-smoking movement was thought to be unmentionable five years ago.

Finally Mark Littlewood, the director general of the Institute of Economic Affairs, reminded the UK’s top politicians of their commitments to reducing the burden of unnecessary regulations. He told an appreciative audience that, in the early days of the present coalition, Nick Clegg, the deputy prime minister, had launched his

Hands Off Our Packs

Your Freedom website and encouraged people to have their say. “You can sure count on that, Nick ...” Littlewood said.

And he said that David Cameron, the prime minister, could make a start to his commitment to tackle regulation with vigour by calling a halt to bringing in any more pointless, ludicrous, expensive and nannyng rules.

Online ad campaign goes live

March 13, 2012

Check out our new online ad campaign. It’s being promoted by the Message Space network that includes Guido Fawkes and numerous other blogs across the political spectrum. If you haven’t registered your opposition to plain packaging please visit the Hands Off Our Packs website now.

Andrew Lansley: pride before a fall

March 16, 2012

Health Secretary Andrew Lansley is “proud” that the UK is to be the first country in Europe to consult on plain packaging. Addressing the Royal College of Physicians, Lansley said: “Being the first will give us a great chance to shape policy.” Not a ringing endorsement for leaving well alone, is it?

And why the obsession with being first? Tobacco control advocates seem to think it’s a badge of honour, whatever the impact. If Britain becomes the first country in Europe to introduce plain packaging it would mean that consumers and retailers are effectively guinea pigs for what is little more than a vanity project.

Surely we should wait, observe and learn from what happens elsewhere? But no, Lansley (like other politicians before him) wants to be associated with a “first” so this bland career politician can put it on his CV.

Diary of a Political Campaign

The good news is that “Everyone will be able to respond to the consultation, including manufacturers and retailers”. That’s good of him! But wait, that’s not the full quote. What Lansley actually said was:

“Everyone will be able to respond to the consultation, including manufacturers and retailers, but everyone who responds will be asked about their links with the tobacco industry. We won’t be engaging with manufacturers on this as we don’t have any common ground. Tobacco is not like alcohol. There is no responsible level of tobacco consumption. There are no two ways about it - smoking kills and we have to reduce it.”

Does that sound like a man who is approaching the ‘public’ consultation with an open mind? Answers, please, on a postcard to the Department of Health.

Easter eggs to be sold in plain packaging

April 1, 2012

Easter eggs could be sold in plain packaging from next year. Public health campaigners want all seasonal confectionary to be sold in uniform beige packs which research has shown is the colour that is least appealing to children and the obese. Proposals being considered by the government would remove all branding and colourful packaging in an attempt to reduce indulgence levels.

Under the proposals, to be discussed in Parliament, no brand logos will be permitted on any Easter egg although companies will be able to print their name and the brand in small, standardised font on the box. The packaging will also feature a stark health warning that will cover 75% of the front of the pack and 90% of the back. Graphic images will feature double chins and belly fat.

Public health groups have welcomed the proposals. “If this legislation stops one young person from picking up a shiny, glitzy

Hands Off Our Packs

Easter egg and prevents them becoming addicted to chocolate then it will have been worthwhile,” said Candy Barr, chief executive officer for Action on Eating and Health. We would also like Easter eggs to be sold behind closed doors in retail outlets. At present they are on open display which is far too tempting for customers.”

Campaigners say that a recent survey based on interviews with 13 children aged 8-15 showed that underage consumption has increased by 650% over the last five years. “Binge eating of chocolate has been a problem for years,” said Barr. “People, children especially, are particularly vulnerably to temptation at Easter. If we are to tackle the obesity epidemic we have to do something now.”

How public money is influencing plain pack consultation

April 2, 2012

Unlike the previous post this is not an April Fool. Hundreds of thousands of pounds of public money is being spent to influence the public to support plain packaging of tobacco. Freedom of Information requests have revealed that Smokefree South West (SFSW) has budgeted over £450,000 for its Plain Packs Protect campaign. This includes £100,398 for billboard advertisements, £127,685 for digital advertising, almost £100,000 for “community events”, and £141,000 for other social marketing initiatives.

Smokefree South West is funded by all 14 local Primary Care Trusts (PCTs) which are funded by central government via the NHS. At least eight of the 20 organisations supporting Plain Packs Protect receive (or have received) public money. They include ASH, ASH Scotland, ASH Wales, Fresh (Smokefree North East), Smokefree Lincs, Tobacco Control Collaborating Centre and Tobacco Free Futures (Smokefree North West).

Forest has released a press release: ‘FoI requests reveal extent of public money being used to lobby government on plain packaging’.

Diary of a Political Campaign

Here are a couple of quotes:

Hands Off Our Packs campaigner Angela Harbutt said, “£468,000 is a lot of money to be spent by just one region to lobby government to promote plain packaging. When public money is used by public bodies to lobby the public to lobby government, you have to ask what is going on.”

Simon Clark, director of Forest, said, “Since its launch Plain Packs Protect has been actively promoting plain packaging online and through billboard advertisements that have sprung up all over the south west of England. We wondered how they could afford to pay for them. Now we know. It is scandalous that public money is being used to manipulate the result of a government consultation.”

Obviously we can't rely on the mainstream media to run this story so it's over to you and the blogging community. Please download the Hoops press release. Send it to your MP, your local newspaper and anyone who may be interested.

The “unconventional libertarian campaign”

April 7, 2012

Love the intro to a report in today's Financial Times:

The footage resembles a music video for an anarchist punk-rock band. Policemen, warning signs, CCTV cameras and spiked fences appear in a rapid sequence of black and white shots. A thrashing guitar soundtrack begins – cue the message: Welcome to Nanny Town.

You have to register to read the full article (‘Big Tobacco campaigns on freedom’) but it focuses on an “unconventional libertarian campaign” and features quotes from me, Mark Littlewood (Institute for Economic Affairs) and Deborah Arnott (ASH). My only complaint is the FT didn't mention exactly how much public money (hundreds of thousands of pounds) is being used to fund the pro-plain packaging campaign Plain Packs Protect.

Hands Off Our Packs

Plain packaging is pointless

April 12, 2012

The Yorkshire Post published an article by me about plain packaging on Tuesday. It's not available online so I am publishing it here:

To mark the government's launch of a public consultation on plain packaging of tobacco, we published a spoof story with the headline: "Easter eggs to be sold in plain packaging."

We reported: "Public health campaigners want all seasonal confectionery to be sold in uniform beige packs which research has shown is the colour that is least appealing to children and the obese."

It was a joke but not as far fetched as it sounds. Tobacco may be the number one target today but it's only a matter of time before other products that are considered "unhealthy" are in the firing line.

Plain Packs Protect, the campaign that supports plain packaging of tobacco, denies this. Campaigners argue that "plain packs for tobacco will not set a precedent for other consumer products". The very suggestion, they sniff, is a "myth".

Really? The government recently published its new Alcohol Strategy. This was followed by an announcement that the Commons Health Committee will hold an inquiry into the proposals.

The inquiry will examine "international evidence of the most effective interventions for reducing consumption of alcohol and evidence of any successful programmes to reduce harmful drinking". This includes, wait for it, "plain packaging and marketing bans". Not such a myth now, is it?

Meanwhile, what about plain packaging of tobacco? As the father of two teenagers, I can't imagine anyone wanting children to smoke. Smoking should be restricted to adults who are old enough to make an informed choice about a potentially addictive habit that is associated with a number of serious illnesses. Any reasonable measure to discourage under-age smoking is welcome.

But plain packaging is not reasonable. To start with, there's nothing plain about plain packaging. In Australia, which will become the first country in the world to put cigarettes in standard packs, cigarettes are to be sold in uniform packaging whose colour (drab

Diary of a Political Campaign

green) has been chosen because research suggests that it is the colour that consumers find least attractive.

In addition to imposing a dull uniform colour on all packaging, graphic health warnings are to appear on both sides of the packet. Logos will disappear and brand names will be printed in a standard font. That's not plain, that's grotesque.

The argument that “glitzy”, colourful packaging encourages children to smoke is weak. For years, even anti-smoking campaigners agreed that the main reasons why teenagers smoke are peer pressure and the influence of family members who smoke. What's changed?

The claim that dull standard packaging will reduce youth smoking rates is equally flawed. No good evidence exists because plain packaging has never been tried. At the very least, the government should wait and see what impact it has in Australia.

After all, there are well-founded fears that plain packaging could have serious consequences for consumers and retailers if it fuels black market trade in illicit and counterfeit tobacco.

Meanwhile, there is the important matter of public money being used to influence the outcome of a government consultation. Freedom of Information requests have revealed that large sums of public money are being used to lobby the government to introduce plain packaging in the UK.

Smokefree South West, a publicly-funded tobacco control group based in Bristol, has a current budget of £468,462 to run the Plain Packs Protect campaign. Since its launch, it has been promoting plain packaging online and through billboard advertisements that have sprung up all over the south west of England. It is scandalous that public money is being used to influence the result of a government consultation.

Ultimately, though, this debate is not about tobacco or the alleged misuse of taxpayers' money, serious though that is. It is about excessive regulation and the infantilisation of society. If public health lobbyists get their way on this alcohol will follow tobacco as night follows day. After that it will be fast food and, yes, even confectionary.

Welcome to a brave new world in which personal choice and individual responsibility are replaced by government diktat imposed by unelected mandarins and supine politicians in Whitehall. Now that's plain stupid.

Hands Off Our Packs

If Lansley is “open-minded” on plain packaging I’m a turnip

April 13, 2012

We were expecting the Department of Health to launch its consultation on plain packaging on Monday. However the announcement has been reported early after health secretary Andrew Lansley gave an interview to The Times for the Saturday edition which the paper then brought forward 24 hours, perhaps because the story had leaked. The Independent is one of many newspapers to feature the story online:

The government will pave the way for cigarette packets to be stripped of all branding, Health Secretary Andrew Lansley has said. The coalition’s public consultation on plain packaging will launch on Monday, with Mr Lansley telling The Times attractive packaging enticed smokers.

He said he was “open minded” about the consultation, but added: “We don’t work in partnership with the tobacco companies because we are trying to arrive at a point where they have no business in this country.”

Deborah Arnott, chief executive of campaigning charity Action on Smoking and Health, said: “The consultation is just the first step, putting us in pole position to be the first European nation to put tobacco in plain, standardised packs. Now that cigarette advertising, promotion and sponsorship and tobacco displays have all been banned this is the obvious next step if the government truly wants to make smoking history.

“Cigarettes are not like sweets or toys and should not be sold in fancy colourful packaging which make them appealing to children. Cigarettes are full of toxins and cause fatal diseases: plain, standardised packaging makes this explicit.”

Pro-smoking group Forest, the Freedom Organisation for the Right to Enjoy Smoking Tobacco, has launched a Hands Off Our Packs (Hoops) campaign.

Director Simon Clark has described plain packaging as “the persecution of a minority lifestyle choice”. He said: “Plain packaging is yet another attack on retailers and adult consumers. People are sick of

Diary of a Political Campaign

being nannied by government. Britain needs to be protected from excessive regulation, not controlled by more and more legislation.”

Here’s Forest’s response in full:

Simon Clark, director of the smokers’ group Forest which runs the Hands Off Our Packs campaign, said:

“The consultation on plain packaging threatens to be a farce. Andrew Lansley says he is open-minded yet he clearly supports plain packaging even before the consultation has begun.

“Hundreds of thousands of pounds of public money has been spent in one region alone trying to persuade people to support plain packaging. government is effectively using taxpayers’ money to lobby itself. This scandalous abuse of public money must stop now.

“Plain packaging is another step towards the denormalisation of a legal product. It is yet another attack on ten million adult consumers. The consultation has nothing to do with health. It’s all about Andrew Lansley. The health secretary is using the consultation to curry favour with health professionals, many of whom are less than impressed with the changes he is making to the NHS.

“He possibly believes that by extending the war on tobacco he will buy himself some time to win their support. Despite our cynicism we urge consumers and retailers to make their voices heard and help defend Britain from excessive regulation.”

Plain packaging: the glitz and the glamour

April 16, 2012

The government’s consultation document on plain packaging will be published at 9.30 this morning. I was on ITV’s Daybreak at 6.45 with Deborah Arnott, CEO of ASH but the producers asked me to arrive at the London Studios on the South Bank at six which meant getting up at 3.30. I am now sitting in my car in a car park close to Festival Hall waiting to do an interview for BBC Radio Cambridgeshire. On the railway bridge above me early morning

Hands Off Our Packs

commuters are arriving for work on South Eastern Trains. Believe me, the job doesn't get much more glamorous (or should I say "glitzy"?) than this!

ASH and a previous plain pack survey

April 16, 2012

There was some discussion on this blog at the weekend about the nature of a YouGov poll, commissioned by ASH, which found a significant majority of people in favour of plain packaging. The Observer (part of the holier than thou Guardian Media Group) ran the story under the headline 'Public backs plans to remove branding from cigarette packets'. The paper began its report with the statement that 'Almost two thirds of people support moves to sell cigarettes in plain packaging, suggesting tobacco companies will soon lose the battle to protect their brands' identities.'

This morning, as we were leaving ITV's Daybreak studio, ASH's Deborah Arnott turned to me and reiterated the message that a majority of people support plain packaging. "I'd love to know what question was asked," I replied. Unfortunately I can't pass on that information because I don't have it. Instead, let me share with you an earlier YouGov/ASH survey on plain packaging conducted in March 2011. Participants were asked:

If there was evidence that plain packs were likely to discourage children and young people from taking up smoking, how strongly, if at all, would you support or oppose making tobacco companies sell their cigarettes in standard plain packs?

If there was evidence that plain packs make health warnings more effective, how strongly, if at all, would you support or oppose making tobacco companies sell their cigarettes in standard plain packs?

It is now against the law to use terms like "light" and "mild" on cigarette packs because they give the misleading impression that these types of cigarettes are less harmful than full strength ones. However,

Diary of a Political Campaign

colour coding can still be used to signal the strength of cigarettes, as in the image above.

If there was evidence that plain packs were less likely to give the false impression that one type of cigarette is safer than another how strongly, if at all, would you support or oppose making tobacco companies sell their cigarettes in standard plain packs?

If there was evidence plain packs were less attractive to children and young people than branded packs, how strongly, if at all, would you support or oppose making tobacco companies sell their cigarettes in standard plain packs?

As you can see there are a lot of 'ifs' in those questions. In fact, if we were so inclined I'm sure we could make up questions that would get a very different response. For example, 'Would you support plain packaging if there is evidence that it will encourage illicit trade, making it easier for children to have access to cheap cigarettes? Would you support plain packaging of tobacco if there is evidence it will lead to plain packaging of alcohol and fast food? Would you support plain packaging if there is no good evidence it will have any impact youth smoking rates?'

Yes, anyone can play that game. I'm just surprised they didn't ask 'Would you support plain packaging if there is evidence it will lead us to the Holy Grail and the promise of eternal life?'

Update – I have re-written this post because Deborah rang to point out that the questions I was referring to were from an ASH/YouGov survey published in March 2011, not the poll published over the weekend. My mistake. To clear up any confusion Deborah has offered to send me the details of the latest ASH poll. I have since been told that only one question was asked but I am still waiting to hear what it was. As soon as I find out I will update this post accordingly. Watch this space!

Hands Off Our Packs

That ASH/YouGov survey – so that’s how they did it!

April 17, 2012

Yesterday I asked Deborah Arnott, CEO of ASH: what question did ASH/YouGov ask to get the response that “Almost two thirds of people support moves to sell cigarettes in plain packaging”. Well, this is how they did it. Researchers showed people an image of a standardised pack featuring an image of a baby in hospital and the warning ‘Smoking when pregnant harms your baby’. They then asked:

The image above is an example of a ‘plain standardised pack’ based on Australian legislation passed last year (source: ASH, 2012). Thinking about the packaging above, to what extent would you support or oppose the following? Requiring tobacco to be sold in plain standardised packaging with the product name in standard lettering.

Doh! The manipulation is so over the top you have to laugh. My next question is, will tobacco control stop at nothing to denormalise smokers?

Source: YouGov/ASH Survey Results. Sample size: 10,000 English adults, fieldwork: 27th February to 16th March 2012.

Update – I have just picked up a voicemail from Martin Dockrell of ASH. It must have been left before he read the post above. According to Martin, the new survey contains “*none of the hypothetical stuff* [my italics] that we did in our previous survey”. He then recites the question (which I already knew, having got it from another source) followed by the result, and adds, a little cheekily, “I guess we’re going to see a correction on your blog. Or not.” I don’t know about a “correction”, Martin. I’m happy to put the record straight and demonstrate how ASH goes about its business.

Diary of a Political Campaign

Tobacco control, experts in hypothetical scenarios

April 17, 2012

ASH says their latest poll contains “none of the hypothetical stuff that we did in our previous survey”. Other tobacco control campaigners however remain hopelessly addicted to what they euphemistically call “hypothetical scenarios”. Take the Department of Health’s long-awaited review of the evidence relating to plain packaging, published yesterday as part of the launch of the public consultation. Back in December health secretary Andrew Lansley promised us an “independent academic review”. Independent? Believe me, there’s nothing “independent’ about this review.

Look at the ten-man review panel. Some names – Professor Gerard Hastings, Linda Bauld and Ann McNeill to name three – will be familiar to readers of this blog because they are leading members of the tobacco control industry. A further three are colleagues of Prof Hastings at Stirling University. The remaining four work at the EPPI-Centre, Institute of Education, University of London, where they work in children’s health. There is not a single marketing, communications or branding expert on the panel.

As for “evidence”, give me strength. My colleague Angela Harbutt read the report last night and this is her conclusion:

The review is a joke. When the authors themselves admit that ‘Many of the studies use hypothetical scenarios, and are therefore not truly able to test how individuals would react or behave if plain packaging was to be introduced’, you have to wonder why they even bothered publishing this document. The only part of the 126-page report worth reading are the two pages where the authors list over a dozen limitations to their study. The evidence in favour of plain packaging is clearly inconclusive. Everything else is just conjecture.

Hands Off Our Packs

Communists support plain packaging

April 24, 2012

Well, fancy that, the Communist Party of Australia has thrown its weight behind the campaign for plain packaging of tobacco:

The sovereignty of countries should be absolute and not influenced by multinational companies with complex accountability. This laudable move towards plain packaging must not be derailed by veiled tactics from companies with vested interests ...”

As a companion piece you might like to read an article by Simon Hills, associate editor of The Times Magazine. Writing for The Free Society, Forest’s sister campaign, Simon commented:

One of the most informative journeys I ever made was across the then Soviet Union when Gorbachev was in power. It was a nation for whom big business, whether it was tobacco or life-saving pharmaceuticals, was as desirable as sick. Everything therefore, was sold in plain packaging. No advertisements, no colours. Often, of course, no products – a bit of a drawback when the product was food.

Tough choice – communism or the free market. ASH must be so proud.

Update – The online magazine Spiked has today joined forces with Hands Off Our Packs to oppose plain packaging. Editor Brendan O’Neill said:

Plain packaging is a free speech issue, plain and simple. In demanding that cigarettes be stuffed into boxes with no branding or logos on them, the authorities are denying companies the right to publish perfectly reasonable and inoffensive material: the names of their products. In any other area of life, such a heavy-handed obliteration of the freedom to state one’s name in public would be frowned upon.

Diary of a Political Campaign

And so it should be frowned upon here too. Anyone who believes in liberty, democracy and choice should support the campaign to get the state's hands off our packs.

Stephen Williams agrees to plain packaging debate

April 27, 2012

I am pleased to report that Stephen Williams MP has agreed to take part in a debate on plain packaging. You may recall that following the launch of Plain Packs Protect in January the MP for Bristol West, who is chairman of the All Party Parliamentary Group on Smoking and Health, wrote a blog on the subject. In the ensuing uproar (over 1300 comments were posted on his blog alone) Williams invited Forest to “rise to the challenge”. I took this at face value and invited him to take part in a public debate. He accepted on condition that the debate was organised by a third party - a think tank or university debating society.

As luck would have it the University of Bristol Debating Society has decided to organise a discussion entitled ‘Plain packaging: sensible health policy or nanny state nonsense?’ Speakers include me, blogger Chris Snowdon and ... Stephen Williams. The event takes place on Thursday May 10 at the Faculty of Arts. Members of the public are welcome so if you live near Bristol do come.

May-June 2012

Tonight's the night

May 10, 2012

If you live in the Bristol area and want to see a debate about plain packaging, Chris Snowdon and I will be addressing the Bristol Debating Union on the subject tonight. The event takes place at the Faculty of Arts from 7.30-8.30pm. There will be free drinks from 6.45 so my advice is, arrive early. Our opponents are Stephen Williams MP, chairman of the All Party Parliamentary Group on Smoking and Health and a leading cheerleader for the taxpayer-funded Plain Packs Protect campaign, and Dr Gabriel Scully, retired director of public health in the South West.

Tobacco control campaign “victim of sabotage”

May 10, 2012

BBC Points West, the local evening news programme, has been in touch. They are broadcasting an item about Plain Packs Protect, the pro plain packaging campaign run by Smokefree South West which claims to have been “inundated by pro-smoking/choice organisations such as Forest, backed by the tobacco industry” with FOI requests in relation to their campaign.

The BBC has interviewed Professor Gabriel Scully, recently retired head of public health for the South West, and they also want

Hands Off Our Packs

to interview someone from Forest. Dr Scally, I am told, is critical of the tobacco industry and campaigners like Forest for their FOIs about plain packaging not only in the UK but also in Australia, “in particular the expense and time it is causing them in having to respond to some 35 FOI requests including very detailed ones for emails”. How dare campaigners ask questions about the use of public money to fund anti-tobacco campaigns!

Update – I have just watched the local lunchtime news in which I made a fleeting appearance justifying the use of FOI questions to find out how much public money is being used to promote plain packaging. The report began with the extraordinary claim, by Smokefree South West, that the “NHS-funded campaign” is a “victim of sabotage”. Sabotage! The report also referred to the “big debate” on plain packaging in Bristol tonight.

The “forces of darkness” and Chris Snowdon’s vagina

May 12, 2012

If you were unable to attend the debate on plain packaging in Bristol on Thursday you could follow much of it on Twitter. Ahead of the debate, Stephen Williams MP tweeted, “Debating cigarette plain packs tonight with pro tobacco lobby, Forest. An encounter with the forces of darkness!”

Another speaker, Dr Gabriel Scally, retired regional director of public health for the South West, also went on Twitter to say, “My MP, Stephen Williams (LD), and I are debating plain packaging with apologists for #tobacco industry at Bristol Uni this evening.”

He later tweeted, “#tobacco industry people out in force at plain packaging debate at Bristol Uni. They have no arguments and will lose!” After the debate he took to Twitter again, “Great debate this evening in Bristol Uni about plain packs. Industry stooges out in force but seen off! #tobacco”.

Diary of a Political Campaign

Needless to say it wasn't quite like that. Anti-tobacco campaigners live in a parallel universe where truth plays second fiddle to rampant egos and unrelenting propaganda. Frankly, it's a bit embarrassing. The reality was this. The event – Plain Packaging: Sensible Health Policy or Nanny State Nonsense – began as a debate but finished as a heated exchange of views between four equally combative speakers, although Williams appeared slightly uncomfortable as fingers were pointed and accusations started to fly!

It was lively and a bit shouty with plain pack supporters very well represented in the audience. Scally will have you believe that “tobacco industry people” were “out in force” but I counted just five representatives of Imperial Tobacco and no-one else from the tobacco industry. Imperial is based in Bristol and employs hundreds of people in the city. Five people is hardly “out in force”. In contrast the tobacco control lobby had clearly rallied their own troops and there were many, many more of them in the audience, including Fiona Andrews, director of Smokefree South West.

We could have tweeted “Tobacco control industry out in force” but that would have been petty. Accurate, but petty. That said, I thought Scally was the best speaker during the formal part of the debate. He came across as authoritative if a bit dour. Williams had a less fanatical gleam in his eye (which I would normally applaud) but he was surprisingly weak on plain packaging. Far from making a “powerful case”, as Scally tweeted during the debate, the chairman of the All Party Parliamentary Group on Smoking and Health seemed to offer very few arguments to support his case.

Overall I think the outcome was a draw. (No vote was taken but unlike some people I'm trying to be objective.) In my view Scally gave the most focused speech, and delivered it with passion. Chris Snowdon and I had our best moments, I thought, during the Q&A session. We had them on the back foot several times and I put this down to the fact that we were able to challenge them directly. I don't think it is an exaggeration to say that they found this a bit uncomfortable.

Hands Off Our Packs

Chris, for example, challenged the idea that he or anyone else who challenges the tobacco control industry must be an apologist for Big Tobacco. He didn't get the apology he demanded but the point was made and, in my view, he won that particular argument. I would have responded to the "stooge" slur as well but there were other points I wanted to make in the limited time we had. Instead I challenged Scally on the report that the Smokefree South West campaign is the "victim" of "sabotage" inspired by, you guessed, the tobacco industry.

Again, this seemed to make our opponents (Scally in particular) quite defensive. Afterwards he was anxious to tell me he had never used the word "sabotage". I accepted this (it would have been rude not to) but someone used the word. After all, it was a direct quote used by the BBC in the headline of its report (Plain cigarette packet 'sabotage' claim).

One more thing: in the course of the debate Chris and I discovered that anti-smoking activists like Gabriel Scally find it really, really irritating to be labelled the "tobacco control industry". I'll remember that in future. More significant, perhaps, was the confession – elicited by a member of the audience – that there is no end to this nanny state nonsense. After tobacco it will be something else. Scally, in particular, didn't deny it. This 'revelation' seemed to surprise some members of the audience and it marked the moment when I felt the tide begin to turn, ever so slightly, in our favour despite the very best efforts of the tobacco control cheerleaders in the audience.

Of course you don't expect people to change their minds at events like this. People usually leave with the same opinions they had at the beginning. Interestingly however one member of the audience told me afterwards that before the debate he was in favour of plain packaging but he was now against it because he found our opponents (Scally in particular) too aggressive.

Scally's attitude reminds me of Professor Simon Chapman, the Australian anti-tobacco campaigner. Like Chapman, this is a man

Diary of a Political Campaign

with a powerful ego who seems to live in a bubble surrounded by like-minded activists. He therefore believes that people who disagree with him must be stooges of Big Tobacco or what Williams more humorously called the “forces of darkness”.

Fair play, incidentally, to Stephen Williams. He said he would debate with Forest if we could find an independent third party to host the event. We did and he stuck to his word. I may disagree with his views on tobacco control but I give him credit for that.

Thanks too to Helen Skinner and Jennifer Salisbury-Jones who made the event possible. Helen founded the Freedom Society at Bristol University (Jennifer will keep it going after Helen graduates in the summer) and it was following a talk I gave to a handful of members in February that they approached the Debating Union and suggested a discussion about plain packaging. The Debating Union ran with the idea but it was Helen who encouraged them to invite Williams.

More reports about that plain packaging debate

May 26, 2012

Further to my report about the plain packaging debate in Bristol, Chris Snowdon has published his own review. Readers will recall that Chris and I locked horns with Stephen Williams MP and Dr Gabriel Scally, retired regional director of health for the South West. Chris writes:

Scally portrayed the tobacco control industry as a shoestring operation staffed by selfless volunteers who were prevented from carrying out their essential work by fantastically rich and malevolent industrialists ...

I discovered that Scally very much resents the term ‘anti-smoking industry’ to describe the multi-billion dollar enterprise that spans the globe employing thousands of petit prohibitionists, so I must remember to use it more often.

This is a man who is so self-righteous that the idea that ordinary people might oppose an idea that - never forget - was not on the radar

Hands Off Our Packs

of the most extreme anti-smoking zealots five years ago has probably never even occurred to him.

I don't think Chris liked him! Plain Packs Protect also has a review of the debate. Reading it you could be forgiven for asking whether the writer was at the same event. Take this comment:

Overall, the debate was a huge success for all those interested in the Plain Packs Protect campaign, as it brought to light the core reasons why this is such an important issue. There was no hiding from the facts that plain packaging could help stop children smoking - and it was clear to see for everyone who attended.

Yes of course plain packaging "could" help stop children smoking, but there's no good evidence that it will. It "could" be counter-productive, fuelling illicit trade and cheap counterfeit cigarettes that end up in the hands of children. (Prosecuting children who smoke "could help stop children smoking" too but that's no reason to introduce such a draconian policy.)

Comments like this do however demonstrate what we're up against, one-eyed fanatics who see only what they want to see. It reminds me of the "confidence trick" that ASH performed on MPs prior to legislation being passed to introduce the smoking ban. The tactic seems to be: repeat something often enough, while exuding an air of confidence that you are right, and people will eventually believe it.

Prior to the smoking ban it was "passive smoking kills". Now it's "plain packaging will stop children smoking". It wouldn't surprise me if the tobacco control industry is using the same template all over again.

Diary of a Political Campaign

Did plain pack campaigners target Olympic torch spectators?

May 30, 2012

I am told Smokefree South West were asking people to sign their pro-plain pack petition when the Olympic torch arrived in Bristol last week. “Tens of thousands of people lined the streets of Bristol on Tuesday evening” reported the local paper, and what better opportunity to get signatures for a petition in favour of plain packaging!!

Can you imagine the furore if the Hands Off Our Packs campaign had petitioned spectators? Cue faux outrage and public health officials railing against the “evil” tobacco lobby. Even if we had wanted to (we didn’t), I don’t imagine for one second that we would have been allowed to promote our campaign anywhere near an Olympics-related event.

What interests me is whether Smokefree South West were given permission to petition spectators because London 2012 – including the Olympic torch relay route – is such a tightly managed event. Nothing, for example, must compromise those all-important sponsorship deals which is why the government introduced legislation to ban ambush marketing.

Personally I see little difference between private businesses employing ambush marketing at an Olympic event and campaigners using similar tactics to target crowds on the Olympic torch relay route. The only significant difference is this: Smokefree South West is funded not by the private sector but by the taxpayer via the same government that introduced legislation to outlaw ambush marketing!!

Thankfully the plain packs consultation ends on July 10 and the Olympics doesn’t start until July 27 otherwise I could well imagine pro-plain packs campaigners outside every stadium and arena. The government missed a trick there.

Hands Off Our Packs

Meet the Rt Hon Peter Perfect MP

June 22, 2012

The new Hands Off Our Packs campaign video is entitled ‘Plain Packaging? No, Minister!’ and features a spoof Secretary of State for Health, Peter Perfect MP. Devised by my colleagues Angela Harbutt and Amul Pandya, it was directed by Carlos Boellinger, a filmmaker from Brighton, and his company Visual Dreams Production. The five-minute video features a conversation between a fictional health minister and his chief civil servant. It also includes a spoof “partly political broadcast”. The closing date for submissions to the public consultation on plain packaging is July 10. If you haven’t signed the Hands Off Our Packs petition please do it today and encourage friends and family to do so too.

The cover that rocked The House

June 23, 2012

Last week’s issue of The House magazine which goes to all MPs and many civil servants featured an unusual ‘plain’ cover wrap. By coincidence someone who works for Dods, the company that publishes The House magazine, was a guest at the Forest boat party on Wednesday evening. He brought with him a copy of the relevant issue. It has caused quite a stir, apparently.

Hilariously, the ‘real’ cover featured former public health minister Caroline Flint who helped introduce the smoking ban. Oh, to have been a fly on the wall when Ms Flint discovered that her cover girl moment had been completely obscured by an anti-plain pack campaign advertisement!! I am led to believe however that the politician with the most steam coming out of his ears was our old friend Stephen Williams, chairman of the All Party Parliamentary Group on Smoking and Health.

July-August 2012

Government extends plain pack consultation period

July 5, 2012

Unbelievable! Three days after shop workers demonstrated overwhelming opposition to plain packaging of tobacco by submitting 30,000 signatures to the government consultation, the Department of Health today issued a statement extending the deadline for submissions by four weeks. The full statement by Anne Milton, Parliamentary Under Secretary of State, Department of Health, reads:

My Rt Hon Friend the Secretary of State for Health (Mr Andrew Lansley) announced on 16 April the government's consultation on standardised packaging for tobacco products, Official Report, col 11ws. A large number of responses have already been received from a variety of individuals and organisations.

The government has been asked to provide more time for people to respond to the consultation [my emphasis]. We want to maximise the opportunity that people have to provide their views and evidence. The government is, therefore, extending the consultation period for an extra month. The new closing date of the consultation is Friday, 10 August 2012.

Through this consultation, we are exploring whether action on tobacco packaging has the potential to bring public health benefits over and above those from our current initiatives. The government has an

Hands Off Our Packs

entirely open mind on standardised packaging, and want to know more about the possible benefits and consequences of taking action in this area.

Any decisions to take further policy action on tobacco packaging will be taken only after full consideration is given to consultation responses, evidence and other relevant information.

The big question is, who asked the government “to provide more time for people to respond to the consultation”? It wasn’t Forest. (Can you imagine the response if we had asked for “more time”?) It wasn’t the retailers (so far as I know). Nor was it the general public, most of whom are blissfully unaware that a consultation is taking place. Whoever is responsible the government has shamelessly moved the goalposts. I’m not a conspiracy theorist by nature but occasionally events speak for themselves.

Update – Well, that’s a turn-up. The All Party Parliamentary Small Shops’ Group (chairman: Priti Patel MP) appears to be the party responsible for the consultation period being extended. A press release issued by the APPSSG this afternoon reads:

After successfully lobbying the Public Health Minister to extend the tobacco packaging consultation deadline by a month to 10 August 2012 so that shopkeepers can respond to recently translated versions, Chair of the All Party Parliamentary Small Shops’ Group, Priti Patel MP said:

“I am pleased that the government recognises the importance of having a thorough consultation on proposed changes to tobacco advertising and welcome the extension to give shopkeepers who have recently been provided with translated versions the chance to respond.

“It is now extremely important that as many small shopkeepers as possible respond to the consultation and make ministers aware of the financial implications of these proposals.”

The background to all this is the fact that many Asian shopkeepers were only supplied with copies of the consultation translated into Gujarati, Urdu and Tamil in mid June. Consequently,

Diary of a Political Campaign

on June 21, Priti Patel wrote to Anne Milton requesting an extension. Curiously, given the urgency of the situation, it took Milton 14 days to respond. I would love to know who she consulted before making her decision.

Tobacco company questions plain pack consultation process

July 7, 2012

JTI (Japan Tobacco International) has launched a £2 million campaign “to share its views” on the consequences of plain packaging. The initiative was announced 24 hours after the government announced a four-week extension to the consultation period.

“There is a debate shaping up around standardised packaging and we are an important part of it,” noted Martin Southgate, Managing Director UK for JTI. “We are seriously concerned about the way the consultation has been managed from the start.”

The campaign kicks off this weekend in UK wide publications – targeting government and business decision makers. JTI highlights the distinct lack of evidence supporting the Department of Health’s consultation on plain packaging, which ignores the government’s own Better Regulation rules.

Hands off our t-shirts

July 10, 2012

Following the government’s curious decision to extend the consultation by four weeks to Friday August 10, the Hands Off Our Packs campaign took the only sensible course of action. We took to the streets. A mobile billboard patrolled the streets outside the Houses of Parliament while campaigners modelled some fetching t-shirts. Only another 31 days to go ...

Hands Off Our Packs

How stupid is Plain Packs Protect?

July 13, 2012

What do the following have in common? Deborah Arnott, chief executive, ASH; Professor Simon Chapman, Sydney University; Stephen Williams MP, chairman, APPG on Smoking and Health; Fiona Andrews, director, Smokefree South West; Dr Gabriel Scally, regional director of public health; Betty McBride, British Heart Foundation; Andrew Lansley MP, Secretary of State for Health.

Correct. They are all listed as Supporters of Plain Packs by Plain Packs Protect, the publicly-funded campaign that wants all tobacco products encased in “standard” (ie grotesque) packaging. A letter has been sent to the Department of Health requesting a response to the following questions:

Is it appropriate for the Secretary of State for Health to be listed as a supporter of plain packs (by a campaign that receives public money) in the middle of a public consultation on the issue and before the DH has published its report on the consultation? What action will the DH (or the Secretary of State) take on this matter?

I am quite sure Lansley is (or was) ignorant of the fact that he is being represented in this way by Plain Packs Protect. Nevertheless it is easy to see how statements he has made would lead people to the conclusion that he is a supporter of plain packs. Then again, how stupid (or arrogant) of Plain Packs Protect to list the Secretary of State for Health as a supporter before the consultation has closed. They really aren't very bright, are they? Another own goal, I think, for this increasingly error-prone operation.

Update – Fancy that! Plain Packs Protect appears to have removed Andrew Lansley from its list of “supporters”. (I imagine there was some frantic activity behind the scenes late last night or early this morning!)

We are still waiting though for a response to our email that was sent to Lansley's office at the Department of Health yesterday

Diary of a Political Campaign

following a phone call to a member of his staff. Thankfully we have a screen grab of the offending entry, which has also appeared on several other blogs, and you can rest assured it will be circulated as further evidence of the flawed nature of the consultation and the lengths to which the tobacco control industry will go to buy the public's support.

Meanwhile someone has pointed out that Plain Packs Protect has added this sentence to their Supporters page: "These comments have been taken from the public domain and do not necessarily represent an endorsement of the Plain Packs Protect campaign." No, but it certainly looked like that – until they got caught out. Pathetic.

Hands Off Our Packs: number crunching

August 8, 2012

I last spoke to Deborah Arnott, chief executive of ASH, in April. We were in the Green Room at the ITV studios in London waiting to be interviewed on Daybreak. The consultation on standardised packaging had yet to begin but two rival campaigns, Plain Packs Protect and Hands Off Our Packs, had already been launched.

At the heart of each campaign was a petition for or against plain packaging. Each week Plain Packs Protect boasted of further signatures. A counter on their website kept visitors informed. One thousand signatures became 2,000, then 4,000. Suddenly it was 8,000, then 16,000. Six weeks or so ago the number had reached 78,000 or thereabouts. The counter was then removed from the PPP website. Hoops meanwhile took a more modest approach. We kept our numbers to ourselves. "Why?" asked Deborah in the Green Room. "Is it," she added casually, "because you're not doing very well?" I smiled, bit my lip, and said nothing.

I can now reveal that this morning, at approximately 10.30, 29 boxes were delivered to the Department of Health, Waterloo Road,

Hands Off Our Packs

London. They contained the names and addresses of everyone who has signed the Hands Off Our Packs petition since it was launched in February. The delivery was conducted with (almost) military precision by a crack team of Forest operatives and I can now reveal (cue drum roll) that the total number of signatures collected and delivered to the DH by Hoops is Oh, what the hell, here's the press release:

Over 235,000 people have signed a petition against plain packaging of tobacco. The petition, organised by the Hands Off Our Packs campaign, was delivered today to the Department of Health.

Standardised packaging of tobacco is the subject of a public consultation that closes on Friday [10 August]. The Hands Off Our Packs campaign was launched in February by the smokers' lobby group Forest which opposes the idea. Head of the campaign Angela Harbutt said:

“Plain packaging is not about health. It's about denormalising a legal product and stigmatising millions of consumers. People aren't stupid. They know that if tobacco is sold in dull, drab packets then alcohol, fast food and fizzy drinks will also be targeted.

“Over two hundred thousand people have spoken and the message is clear. Plain packaging is not welcome in Britain.”

She added: “We were overwhelmed with requests from retailers, packaging companies and private individuals asking for petition pads and postcards. The result is one of the largest ever protests against excessive regulation and the nanny state.”

Simon Clark, director of Forest, said: “There is no evidence that standardised packaging will have any health benefits. Advocates base their arguments not on facts but on speculation. This and other petitions against plain packaging represent a huge setback for anti-tobacco campaigners who argue that the measure has overwhelming public support.

“Given the strength of opposition to plain packaging, from retailers and shop workers to police officers and consumers, we urge the government to reject this ill-conceived idea.”

Diary of a Political Campaign

Update – There’s a report in The Grocer, ‘Tobacco campaigners hand packaging petition to Department of Health’. See also Packaging News, ‘235,000 sign petition against plain tobacco packs’.

Plain packs brigade calls for international rescue

August 9, 2012

Following our announcement that the Hands Off Our Packs petition has raised 235,000 signatures (with some late arrivals being added today), Plain Packs Protect has finally come to the party with a tweet suggesting they have over 170,000 signatures in favour of plain packs. Add that to the 75,000 announced by Cancer Research UK yesterday and the pro plain pack total is currently just in excess of the Hoops total of 235,000. Fancy that!

Perhaps our opponents forgot the 30,000 shop workers who signed a petition submitted by the Tobacco Retailers Alliance a few weeks ago which means that the current total against plain packaging is actually 265,000, a figure that could be even higher once all the petitions against PP are submitted before tomorrow’s closing date.

For all we know of course the pro plain pack figure could be higher too, much higher. Personally I don’t trust the tobacco control industry to tell the truth on anything these days but they do appear to be rattled by our numbers. Why else would they need the help of a global online community to raise last minute support?

Riding to their rescue is a group called Avaaz which I had never heard of until five hours ago. According to its website Avaaz means “voice” in several European, Middle Eastern and Asian languages. I have now been advised that “Avaaz is a very powerful campaigning organisation, based in Brazil initially, focusing mainly on environmental issues, but they have widened out to human rights issues and more political issues”.

Odd, isn’t it, that Avaaz should launch an online petition in favour of plain packaging 48 hours before the closing date for the

Hands Off Our Packs

government's consultation and just hours after Hoops announced that we had raised 235,000 signatures against plain packs. Odder still that Avaaz should implore its 15 million supporters to sign the petition with these words:

We only have 48 hours left before the consultation closes. If enough of us support Health Secretary Andrew Lansley now, we can strengthen his hand to push the plan to make cigarettes uncool for teenagers by selling them in plain, non-branded packs. Click below to send him an urgent message in support of plain packs – and then tell your friends to join in and send a message too!

So the tobacco control industry has seen fit to call for international rescue. How desperate.

Update – The poll on the Avaaz website is accompanied by a picture of an angelic little girl smoking a cigarette. When was the last time you saw anything like that? These people should be giving Alistair Campbell a lesson in the art of spin doctoring. Shameless. The Avaaz petition is already up to 12,700 with an initial target of 20k, though I wouldn't be surprised if the final figure is higher. A Forest supporter, who is on the Avaaz mailing list, has written to them as follows:

Sorry, but this is utter bollocks. I can't believe you're doing this! There is no research or scientific evidence of any kind that connects plain packaging to a reduction in kids (or anyone else) smoking. Do you seriously imagine for a moment that teenagers will think cigarettes "uncool" if they come in a plain pack? What kind of packaging do you think drugs have? I challenge you to name me a single person who can say they started smoking because of the pretty package. You can't, because it's never happened. Kids start smoking through peer pressure, and plain packs will make no difference.

The so-called "research" behind this move consists of showing teens a plain pack and a regular pack and asking "which of these do you like best?" Any responder would choose the colourful pack. Does that

Diary of a Political Campaign

mean that suddenly become smokers?? What nonsense! Are you now asking us to make decisions and take sides on the basis of pseudo-science and emotional blackmail?

Have you paused to consider that plain packs would make the work of cigarette counterfeiters infinitely easier, and that really would have a serious impact on health! You need to really think about that, because it's a potentially huge problem.

There is no "powerful cigarette lobby" any more - do get with it, that was extinguished years ago. Quite the contrary; human society has a nasty compulsion to bear down on easily defined minorities, and since it's now illegal to discriminate against blacks, gays, Jews, Moslems, women, oldies, dwarves etc, guess what: there's only smokers left! The divisive practise of demonising and de-normalising 22% of the population just because they smoke is quite disgraceful.

I've been a solid supporter of Avaaz since the get-go, but by joining the mindless anti-smoking lynch mob bandwagon & promoting this emotive and ill-informed rubbish, you discredit yourself and bring the whole organisation into disrepute, and I will have no part of it. There are genuine causes out there that require serious action, whereas this "campaign" has no merit whatsoever. I urge you to halt this nonsense at once, and turn your considerable energy to something worthwhile. Otherwise I for one will be out of here, and I won't be alone.

Breaking news: Avaaz has removed from its website the picture of the little girl with the cute blonde bob 'smoking' a cigarette. Fortunately I still have the evidence.

ASH in denial about "public support"

August 10, 2012

ASH has issued a press release today headlined 'Public support plain standardised packaging of cigarettes'. Here's a taste:

On the closing day of the government's consultation on tobacco packaging figures show that more than 200,000 members of the public have responded to the Plain Packs Protect campaign, demonstrating support for plain, standardised packaging of all tobacco products.

Hands Off Our Packs

This is backed up by research carried out by YouGov for ASH which found that 62% of adults in England support tobacco being sold in plain packaging while only 11% oppose the measure. For this poll, respondents were shown an example of a standardised pack.

The public's support for standardised packaging is in marked contrast to the petitions and publicity campaigns of the tobacco industry which rely on retailers and those allied to the industry for support.

So, let's get this right. Plain Packs Protect, funded by almost half a million pounds of public money, has attracted over 200,000 signatures in support of plain packaging. (Many of these will be state sector workers and some will be employed directly by the tobacco control industry but let's not quibble.)

The Hands Off Our Packs campaign, run by Forest and supported by the tobacco companies, has conducted a campaign against plain packaging (but without the benefit of state funding) and has amassed 235,000 signatures - not from retailers or the tobacco industry but from the general public. (Remember them?)

Add to this 30,000 shop workers and other petitions from the likes of the trade union Unite and the final total opposed to plain packaging is certain to be higher.

Ignoring this inconvenient truth, ASH claim that the 'Public support plain standardised packaging of cigarettes'. It's as if Labour, having lost the general election with x million votes, was to argue that the 'Public support a Labour government' even though the Conservative party got more votes!

Yes, there is some public support for plain packaging but there is also huge opposition to the measure, as we have demonstrated. ASH don't get it, do they? No-one twisted 235,000 people's arms to sign our petition. People can, and do, think for themselves. ASH's press release reminds me of a very small child who, to avoid hearing something unpleasant, sticks his fingers in his ears and dances around singing "La, la, la, la, la, la, la, la". Nurse!

Diary of a Political Campaign

Good week to bury bad news

August 13, 2012

I can't help thinking that the Department of Health must have breathed a sigh of relief last week. While Britain's media was focussing on the Olympics and 'Team GB', the news that almost a quarter of a million people had signed a petition against plain packaging of tobacco was never going to make much of an impression. And so it proved.

There's a long way to go though and I would urge you to write to your MP and to your local newspaper pointing out the scale of the rebellion against standardised packaging. To those who think this is a waste of time because the Secretary of State has already made up his mind, think again. There is everything to play for.

Over the weekend for example I was alerted to the headline 'Southampton MP backs plain packets for cigarettes'. The politician in question is Labour's John Denham but the report also featured the views of another local MP:

Julian Lewis, Conservative MP for New Forest East, said he could see the arguments in favour of the change but warned it was important not to boost the fraudulent cigarette trade.

Julian and I go back a long way. (We first worked together in 1983.) He is not a smoker and in my experience has very little interest in tobacco issues. On this issue I suspect he represents a significant number of MPs who are undecided. It is our job to make sure that MPs like Julian have all the information they require before they are asked to vote.

But you can help too by writing to your MP and making sure they are aware of the strength of opinion against plain packaging. The consultation may have ended but the battle has barely begun. And, please, no more defeatist comments. We have enjoyed a fantastic result with our campaign so far. Let's now build on it.

Hands Off Our Packs

Now that's what I call a result

August 13, 2012

Had to laugh at the plain pack lobby last week. On Wednesday we had Cancer Research claiming 75,000 signatures in favour of standardised packaging. Then Plain Packs Protect tweeted they had “over 170,000” which suggested a combined figure slightly above the Hands Off Our Packs total of 235,000 (which we had announced the previous day after CRUK reported their figure).

We then pointed out that if you added the 30,000 signatures submitted by shop workers via the Tobacco Retailers Alliance then the ‘No’ lobby actually had a minimum of 265,000. Come Friday ASH was claiming that “more than 200,000 members of the public have responded to the Plain Packs Protect campaign”, an increase of 30,000 in 48 hours. Add CRUK’s 75k and suddenly the ‘Yes’ lobby had leap-frogged the ‘No’ lobby yet again.

But wait. It was still not clear whether the PPP figure included the CRUK figure. Did it or didn’t it? Well, tonight the mystery appears to have been solved. A message on the Plain Packs Protect website declares:

A BIG THANK YOU FOR HELPING PROTECT OUR CHILDREN, 203,114* Supporters. We would like to thank everyone who has shown their support for plain tobacco packaging. The government consultation has now closed, and with over 200,000 sign ups, there’s a good chance we could all make a big difference to help protect our children from the dangers of smoking.

* This number reflects the total amount of people who have signed up to support the plain packaging of tobacco products, via the Plain Packs Protect Partnership (logos below), British Heart Foundation and Cancer Research UK websites.

So it’s official. Despite having received over £460,000 of public money and having the full weight of Cancer Research UK, the

Diary of a Political Campaign

British Heart Foundation, numerous PCTs and countless public health organisations behind them, Plain Packs Protect has raised fewer signatures than the Forest-run Hands Off Our Packs campaign. Now that's what I call a result.

Aussie court decision of no relevance to UK

August 15, 2012

Don't panic. The announcement this morning that an Australian court has rejected a challenge by tobacco companies to the plain packaging law may be a setback Down Under – and will be celebrated by anti-tobacco activists worldwide – but it has little or no relevance to the UK, or anywhere else.

One, the companies were challenging whether the relevant Act was contrary to Australia's constitution. (The UK doesn't have one.) Two, opposition to plain packaging in the UK (not to mention America where plain packaging would be completely unconstitutional) is far greater than it ever was in Australia. (Have I mentioned that 235,000 people signed the Hands Off Packs petition?) Today's announcement will be welcomed by ASH et al but don't for a moment think it will have a major impact on the debate in the UK. There is still everything to play for .

Update: The Huffington Post reports:

A lawyer has warned the UK could see similar legal challenges if it attempted to introduce plain packaging, despite the precedent set in Australia. Rupert Casey, partner at Macfarlanes, said:

“The decision reached today by the Australian High Court to uphold the Australian government's proposals on brand-free “plain packaging” will serve to strengthen the UK government's convictions in its proposals by providing it with a precedent demonstrating that such measures are within the government's scope of powers.

Hands Off Our Packs

“The matter is far from over ... anyone thinking that the tobacco companies will accept that the fight is over would be clearly mistaken. The potential loss of brand and intellectual property value is too immense for the companies, and the legal fight between public health concerns on the one hand and destruction of brand value on the other is set to continue for years to come.”

Interesting to note this sentence in the BBC report, “At least a majority of the court is of the opinion that the Act is not contrary to (Australia’s constitution),” the court said in a brief statement. In other words, this was not a unanimous decision.

500,000 oppose plain packaging

August 16, 2012

The strength of opposition to plain packaging of tobacco can now be revealed. Last week the Forest-run Hands Off Our Packs campaign delivered to the Department of Health the names and addresses of over 235,000 people who are opposed to the measure. But that was only half of it. The number of people actively against plain packaging is closer to 500,000. That’s right, almost half a million have registered their opposition. In a statement issued last night the Tobacco Manufacturers Association reported that:

This unprecedented response represents views from thousands of members of the public as well as retailers, packaging companies, marketing and design firms, manufacturers, wholesalers, politicians, employers, employees, business groups, trade unions, the Intellectual Property community, international business, trade associations and the law enforcement community.

Jaine Chisholm Caunt, secretary general of the TMA, commented: “Plain packaging is an assault on UK business in the midst of a double dip recession. Plain packs would be far easier to copy, and would therefore be a gift to the criminal gangs behind the illegal trade in

Diary of a Political Campaign

tobacco and increase the £3.1bn – £8.5m per day – that is currently lost to the UK Treasury as a result of this crime.

“At best, plain packaging will have no impact on youth smoking, as there is no credible evidence that packaging is a factor in underage smoking. At worst, it could actually increase youth smoking, by driving the availability of smuggled tobacco being sold by criminals in local communities.

“These illegal traders do not care who they sell to, and frequently target children. The percentage of children who smoke in the UK is at an historic low – 5%. We feel the government should reduce this figure still further by tackling children’s access to tobacco, through greater investment in enforcement action and tougher penalties targeted at illegal tobacco gangs, and by making proxy purchasing of tobacco illegal, as it is for alcohol.”

To avoid confusion, the figure opposed to plain packaging includes the 236,033 people who signed the Hands Off Our Packs petition. According to the TMA the total figure “is based on estimated responses into the consultation including signatures, postcards, letters, emails, online responses, consultation response forms etc, many of which have been sent directly to the Department of Health. We await final confirmation of the number of responses from the DH.”

As I reported on Tuesday, Plain Packs Protect is claiming 203,114 supporters. According to the PPP website, “This number reflects the total amount of people who have signed up to support the plain packaging of tobacco products, via the Plain Packs Protect Partnership (logos below), British Heart Foundation and Cancer Research UK websites”.

Update – City AM features a short head-to-head style debate between me and Amanda Sandford of ASH. I wrote my piece before the half million figure was announced. Guido Fawkes, Britain’s most popular independent blogger, also has the story:

Hands Off Our Packs

The Tobacco Manufacturers Association this morning revealed that a staggering half a million people have put their name to the campaign opposing plans to introduce plain packaging for cigarettes. The figure includes the 235,000 who signed the Hands Off Our Packs petition, and over another quarter of a million who contacted the Department of Health directly. They're calling it the biggest response to a public consultation ever ...

September-October 2012

Lansley sacked as Health Secretary

September 4, 2012

Andrew Lansley has been “demoted” from Health Secretary to Leader of the Commons. I shall miss writing about him. He has featured regularly on this blog, especially in recent months, but my written relationship with the former Secretary of State for Health extends beyond this blog. Last year for example I wrote an article for Politics.co.uk entitled, ‘The bully state re-emerges in Lansley’s anti-smoking crusade’.

Most recently, in response to Lansley being listed as a “Supporter of Plain Packs” on the Plain Packs Protect website (while the public consultation on standardised packaging was still taking place), I sent an email to the Department of Health in which I asked, “Is it appropriate for the Secretary of State for Health to be listed as a supporter of plain packs (by a campaign that receives public money) in the middle of a consultation on the issue and before the DH has published its report on the consultation?” The matter was also raised in Forest’s 64-page submission.

Now, weeks after the DH informed Forest (in an email) that the inclusion of Lansley as a supporter of plain packaging “was an error” and that the Health Secretary “has been very clear that he has an entirely open mind on standardised packaging for tobacco product”, Lansley has gone. Fancy that.

Hands Off Our Packs

No, deputy prime minister

September 12, 2012

Hats off to an eagle-eyed reader who spotted this in a report in today's Daily Mail: 'Mr Clegg revealed last night that the government has received 228,000 responses to the consultation on equal marriage, more than any other issue under the Coalition government.' WTF!!

As readers of this blog know, the coalition government has received almost 700,000 responses to the consultation on standardised packaging of tobacco, almost half a million of which came from adults opposed to 'plain' packaging. Either Nick Clegg has his head in the sand or the Department of Health has failed to alert the Cabinet to the extraordinary strength of opinion on this issue. You might like to put him straight by writing to the Deputy Prime Minister's Office, 70 Whitehall SW1A 2AS.

Forest, the DH and an FOI request

September 17, 2012

The tobacco control industry must be hugely disappointed. Their latest attempt to smear Forest and discredit the Hands Off Our Packs campaign has already fallen flat. On Friday the Department of Health released correspondence between the DH and Forest (among others). It was published online in response to a Freedom of Information request from an anonymous third party.

The correspondence includes two letters to Forest from the tobacco programme manager at the DH. In his letters he highlighted five specific incidents concerning the Hoops campaign. He also requested detailed information about the collection of signatures. Sample questions: Did you engage any agencies or contractors to collect signatures? How many individuals have been engaged to collect signatures? Where have those collecting signatures been located?

Diary of a Political Campaign

In one letter he records (with a straight face, apparently) a complaint by leading anti-tobacco campaigner Professor John Britton, director of the UK Centre for Tobacco Control Studies, chair of the Royal College of Physicians tobacco advisory group, and a member of the ASH Board of Trustees. In the other he describes an incident he himself witnessed at Waterloo station in London. Seizing on this, the Observer yesterday published a short report that you can read in one of two ways.

On one hand it is laughably biased with no attempt at balance. On the other, and to the certain chagrin of tobacco control campaigners (including, I suspect, the DH), it only merited an entry in the 'News In Brief' section on page 16. As far as I know the report is not even online, which shows how highly the Observer rated the story.

Unfortunately one casualty of this indifference is Forest because on Friday the Observer invited me to respond to the DH's allegations but the published report is so brief that my response was omitted. For the record this is part of what I wrote:

The DH outlined five very specific incidents that we were disturbed to hear about and have treated seriously. These have been received in the context of almost a quarter of a million signatures, submitted by Forest, opposing plain packaging. The scale of the public response against standardised packaging of tobacco products has therefore been nothing short of overwhelming, and the DH should not lose sight of that.

To put this 'story' in perspective you need to know a few more things. On August 16 (the week after we delivered 235,000 petition signatures to the DH) I received an email from a journalist at the Guardian (sister paper of the Observer). Like the tobacco programme manager at the DH he too wanted information about our "signature-gathering process".

The Guardian email included a request for answers to a number of questions including: 'What techniques did you use to gather

Hands Off Our Packs

signatures - e-petitioning, door-to-door, street collecting etc etc?? Which company/agency, if any, did you use to help gather signatures? What systems/safeguards did you put in place to ensure all 235,000 signatures were who they said they were/were not duplicates etc?’ The email concluded, ‘I have also put the same questions to the rival campaign run by Cancer Research UK, ASH, etc.’

I replied:

‘Happy to respond to your questions if, as you say, you have also asked the same questions of (and received answers from) the Plain Packs Protect campaign which is supported by ASH, Cancer Research, Smokefree South West etc. I would also like to request that if you run a story you will publish most if not all of the following comment so that our campaign and the techniques we have used are put in their correct context.’

I then gave him the following quote:

“Our campaign tactics have been inspired by the techniques employed for several years by the tobacco control industry. For the first time the public has been given an equal opportunity by both sides of the debate to register their opinion and the response is clear.

“When given a chance to express their views, a huge number of people, almost half a million in total, do not support plain packaging of tobacco products. This is far in excess of the number of people who support standard packs. However hard they will try, the anti-tobacco lobby cannot spin their way out of that.”

The next day, without waiting for confirmation that he had received responses from the tobacco control lobby, I sent a further email. It included a detailed response to every one of his questions – including the steps we have taken to ensure the authenticity of the signatures on our petition – and concluded:

“Having taken the measures outlined above we are confident that the risk of duplication (or falsification) is very small indeed. If there is any hard evidence of wrongdoing, we would be extremely grateful if you

Diary of a Political Campaign

could pass it on to us immediately. We would take a very dim view of it and would obviously act accordingly.”

That was four weeks ago. To date the Guardian has still to publish a report on the issue. Why? I'll let you be the judge but I imagine it's because the paper has no evidence of wrongdoing and even a tobacco-phobic publication like the Guardian is reluctant to suggest otherwise.

The other reason, I suspect, is this: if and when Plain Packs Protect responded to the same series of questions, the Guardian will have discovered that our respective campaigns used very similar methods to gather signatures, which is hardly a story. The difference is, Hoops got 235,000, PPP got 220,000.

(The real story, which the mainstream media has completely overlooked, is the abuse of public money to influence/manipulate the outcome of a 'public' consultation but I'll come back to that another day.)

Anyway, someone, somewhere, decided to dig a little deeper into Hoops and on August 24 I received a third letter from the tobacco programme manager at the DH:

I am writing to you in connection with a request for information received by the Department of Health (DH) that is being considered under the Freedom of Information Act 2000 (FOI Act). I am informing you that the request we have received relates (among other things) to correspondence between DH and Forest during the period 16 April to 10 August 2012 (inclusive), including any correspondence in connection with the Hands Off Our Packs campaign.

Well, Forest has nothing to hide so I was happy to write back:

Thank you for your letter of 24 August concerning a request for information received by the Department of Health under the Freedom of Information Act 2000. I have no objection to the DH disclosing the correspondence specified in your letter.

Hands Off Our Packs

In fact I went further and suggested that, ‘for completeness ... I would suggest that you also disclose ... my email to you dated 16 July 2012’. The email referred to did little more than acknowledge his earlier letters but it included the important point that ‘We take complaints such as this very seriously’ plus the assurance that ‘I will respond to your letters in due course’. Which indeed I did.

The DH is now in possession of two further letters from me, one dated August 30, the second dated September 7. The first is a five-page letter that provides a detailed response to all queries. The second is a four-page letter in which I highlight several concerns that we have about the Plain Packs Protect campaign. Neither letter was part of the package of correspondence released on Friday because they were sent outside the period stipulated in the FOI request. Suffice to say there is a lot more to be said on this subject. Watch this space.

PS. The Observer refers to me by name but doesn’t identify the tobacco programme manager by name, even when he is the person the report is referring to. Instead he is a “DH official” or, bizarrely, he is referred to in the plural (“Department of Health officials”).

I have always found it curious that key civil servants, some of whom are far more influential than the ministers they work for, are given a cloak of anonymity by the media. This has to change.

Update – I am told the report also appeared in the iPad edition of the Observer. In response to enquiries I won’t be posting the Observer report on this blog because it is biased, inaccurate and highly misleading. If the Observer can’t be bothered to publish it on their own website I’m certainly not going to do their dirty work for them!!

Diary of a Political Campaign

How the tobacco control industry works

September 17, 2012

OK, this won't come as a surprise: (1) Tobacco programme manager at the Department of Health writes to Forest about Hands Off Our Packs campaign, (2) Tobacco control group (or campaigner) submits Freedom of Information request to see correspondence between DH and Forest; (3) DH releases correspondence and publishes it online, (4) Friends in media publish misleading report about correspondence and fail to give Forest right of reply, (5) ASH circulates report to everyone on its daily news mailing list, (6) Anti-smoking campaigners tweet and re-tweet misleading information on Twitter. To be continued ...

Update – I have just read a very interesting post on another blog that reveals, among other things, that the tobacco programme manager's name has been removed from the correspondence released under FOI on Friday. How odd. (I hadn't noticed!) If that is the protocol so be it. (I have made some amendments to my previous post as a result.) But it does beg the question, why? Meanwhile blogger Dick Puddlecote has exposed the hypocrisy and double standards at the heart of tobacco control, 'He who casts the first stone, and all that'. Essential reading.

Corruption? Scandal? Dirty tricks?

October 19, 2012

'Anti-smoking lobby embroiled in dirty tricks campaign scandal'. Not my words. It's the headline of a report in *The Commentator*, the online magazine, published this afternoon. The sub-heading reads: 'Corruption behind the government's public consultation on standardised packaging of tobacco products'. This story looks set to run and run.

November-December 2012

FOI requests reveal bigger picture

November 19, 2012

This week I am going to publish some posts about the fallout from the plain packaging consultation. In case you have forgotten the consultation was launched in April and closed on August 10. We believe the Department of Health received over 700,000 responses, seven times more than the government had anticipated. It is estimated that around 500,000 responses are opposed to plain packaging, with 210,000 (perhaps a few more) in favour. As a result the consultation review, which is usually conducted within three months, is taking longer than normal.

There have been reports of “cheating” and petition “rigging”. Forest’s Hands Off Our Packs campaign, which submitted 235,000 signatures, has been targeted for special attention but we have kept our counsel, publicly at least. Privately our response has been robust but it has been restricted to correspondence with the Department of Health and government ministers. We have also spoken to and corresponded with journalists at the Guardian and the Observer but those newspapers chose not to publish our comments, even though it was they who contacted us!

We have responded openly and honestly to questions about our campaign and we are as frustrated as some of you that it has not been possible to share that information. Until now. So what has

Hands Off Our Packs

changed? Well, following a series of Freedom of Information requests, most of the relevant information is now in the public domain. Second, the APPG on Smoking and Health, which is run by ASH and chaired by Stephen Williams MP, recently published a newsletter – distributed to MPs and ministers – that featured a report with the headline ‘FOI request shows industry campaigners rigging plain packs petition’. Reports like that cannot go unchallenged.

Over the next few posts I will reveal the truth behind this and other allegations. One or two other bloggers may be commenting too. Together we will try and piece together the jigsaw so you can see the bigger picture and draw your own conclusions.

How the plain packaging consultation turned ugly

November 19, 2012

You can tell when a political campaign is in trouble. Campaigners resort to desperate measures, one of which is to smear the opposition with unfounded innuendo. But first, let’s turn back the clock to April when the government launched its long-awaited consultation on standardised packaging of tobacco. As I have previously written, campaigners for plain packaging were so confident of ‘winning’ the public battle I was even teased by Deborah Arnott, chief executive of ASH, about the number of people who were supporting Forest’s Hands Off Our Packs campaign.

Deborah was entitled to feel confident. With the public sector and other taxpayer-funded bodies regularly called into action to lobby government (yes, the infamous government lobbying government tactic), ‘public’ consultations on tobacco control have been a bit one-sided of late. Remember the consultation on the future of tobacco control in 2008? There were 96,000 responses, 76,000 of them generated by groups funded with public money. Why would the plain pack consultation be any different? Well, we’ve

Diary of a Political Campaign

learned some valuable lessons in recent years and the body that has taught us more than most is the tobacco control industry. Consequently, from the moment it was launched in February, the Hands Off Our Packs campaign has done rather well.

I'm not sure when anti-tobacco campaigners first realised they had a genuine fight on their hands but in June, a few weeks before the consultation was due to close (it was later extended by four weeks), we received the first of several letters/emails from the Department of Health highlighting a number of complaints about our campaign.

The first letter, dated June 14, concerned an incident witnessed by the Department's very own tobacco programme manager. The second letter, dated June 20, outlined a complaint that was sent to the DH not by a member of the public but by John Britton who is described in the letter as "Professor of Epidemiology and Head of the Department for Epidemiology and Public Health at the University of Nottingham, and the Chair of the Royal College of Physicians' Tobacco Group". No mention, though, that Prof Britton is also a member of the ASH Board of Trustees. Finally, in mid July, our attention was drawn to a further three complaints that the DH had received via email. In total, then, five complaints, at least two of them by leading advocates of tobacco control.

I will return to those other complaints later but it's the incident recorded in the first letter (subsequently released under FOI) that has led to charges of petition "rigging" and "cheating". And the source of those accusations? Why, the All Party Parliamentary Group on Smoking and Health, administered by ASH and chaired by our old friend Stephen Williams MP who helped launch the Plain Packs Protect campaign in January.

The APPG disseminates 'information' via a quarterly bulletin that is distributed, I believe, to every MP. The latest issue features a number of items about plain packaging with headlines such as 'Plain packs: not plain, just honest' and 'How the tobacco industry uses packaging to hook new smokers'.

Hands Off Our Packs

But the headline that really caught our eye was the one that screams, ‘FOI request shows industry campaigners rigging plain packs petition’. According to the short and very one-sided report:

Tobacco industry campaigners running a petition against plain packaging cheated to boost their results, as revealed in documents published after a Freedom of Information request to the Department of Health. On the 14th June 2012, the Tobacco Programme Manager at the Department of Health wrote to the Director of the industry front group Forest to tell him that he had personally observed a campaigner falsifying signatures to the anti-plain packs petition in the street. Rather foolishly, the campaigner filled out a page of signatures in his own writing while standing close to the DH office in Wellington House at Waterloo.

“Cheating”, “rigging”? These are serious allegations. Did ASH or Stephen Williams seek our response before publishing? Of course not. Had they bothered to ask I would have shown them my letter to the DH (dated August 30) but I guess that would have spoiled their story with its tabloid-esque headline implying widespread and systematic abuse. (Perhaps Lord Leveson would like to include APPG bulletins in his media enquiry?!)

For the record, here is Forest’s response to the incident the APPG bulletin refers to. It’s part of my five-page letter to the DH that has also been released by the DH under FOI but, curiously, has not been published online, unlike the DH’s letters to Forest:

Tribe Marketing Limited, the agency that was engaged to assist in the canvassing of opinion and recording of opposition to standardised packaging, has now investigated this matter. An individual who was working at Waterloo Station on that day has confessed to forging two signatures on his forms. He told Tribe that he was sitting on a bench on his break and called his girlfriend and best friend to ask if they would sign the petition. They agreed and he filled it out on their behalf. As he was doing so he states that a man approached, “snatched” the forms from him, and asked what he was doing. The individual says he explained the Hoops campaign. He states that he knows he was stupid

Diary of a Political Campaign

and that he had been told by his team leader not to forge signatures.

Unfortunately it is not possible to extract from the bundles of signed Hoops forms those forms that were submitted from the individual at Waterloo Station that day because we did not “code” the forms and they are therefore indistinguishable. Perhaps the best option in respect of the two individuals is to discount their signatures from the total number submitted to the Department of Health. Whilst the signature collector claims they were happy for their opinion to be submitted, the signatures on the forms are not theirs and we are happy for them to be discounted.

Now I cannot emphasise enough how much we condemn this inappropriate behaviour. But let’s get this one incident in perspective. The tobacco programme manager at the Department of Health says he witnessed one person writing multiple signatures on a single petition sheet. Each sheet on a Hoops petition pad had space for five signatures.

The individual concerned says he added two signatures. Two or five, it doesn’t matter. It was wrong. But let’s accept the word of the tobacco programme manager at the Department of Health and agree that it was five. Does that really justify a headline that reads ‘FOI request shows industry campaigners rigging plain packs petition’ or the implication that the Hands Off Our Packs campaign “cheated” to get 235,000 signatures?

The Department of Health doesn’t seem to think so because last month I got another, rather more conciliatory, letter from the tobacco programme manager who thanked me for my response to his “earlier questions”. There were no further questions and no mention of “cheating” or “rigging” so why do ASH and Stephen Williams think it’s acceptable to use such language in a parliamentary publication funded, no doubt, by taxpayers’ money?

Desperate people do desperate things but the attempt by the APPG on Smoking and Health to smear Forest and the Hands Off Our Packs campaign on the back of one incident witnessed by one person is pretty low, even by tobacco control standards.

Hands Off Our Packs

The Guardian and the story that never was

November 20, 2012

No-one would accuse the Guardian of being a friend of Forest. A few days after the public consultation on standardised packaging closed on August 10 we were contacted by a journalist from that newspaper. His email read:

I just saw your press release announcing you had collected 235,000 signatures for your Hands Off Our Packs campaign. Where can I find a full list of all the signatories? I looked around your website but couldn't find it. Or perhaps you could email me the document of names that you have presumably now delivered to the Department of Health?

The paper also had some questions about our signature gathering process:

What techniques did you use to gather signatures - e-petitioning, door-to-door, street collecting etc etc?? Which company/agency, if any, did you use to help gather signatures? What systems/safeguards did you put in place to ensure all 235,000 signatures were who they said they were/were not duplicates etc?

It concluded, 'I have also put the same questions to the rival campaign run by Cancer Research UK, ASH, etc.' I replied:

Happy to respond to your questions if, as you say, you have also asked the same questions of (and received answers from) the Plain Packs Protect campaign which is supported by ASH, Cancer Research, Smokefree South West etc.

I would also like to request that if you run a story you will publish most if not all of the following comment so that our campaign and the techniques we have used are put in their correct context:

“Our campaign tactics have been inspired by the techniques employed for several years by the tobacco control industry. For the

Diary of a Political Campaign

first time the public has been given an equal opportunity by both sides of the debate to register their opinion and the response is clear.

“When given a chance to express their views, a huge number of people, almost half a million in total, do not support plain packaging of tobacco products. This is far in excess of the number of people who support standard packs. However hard they will try, the anti-tobacco lobby cannot spin their way out of that.”

The following day, without waiting for confirmation that the Guardian had received replies from Cancer Research et al, I sent the paper the following email:

In response to your questions: 1. We can confirm that the names and contact details of signatories have been delivered to the Department of Health. Data protection prevents us from providing third parties with personal data. Even if we could, it is not our policy to publish names of signatories to consultations, nor pass third party details to journalists or any external party or organisation without the consent of the individuals concerned.

2. We used a range of techniques to canvass opinion and record opposition to plain packaging. This included e-petitioning and street collecting. Support was also canvassed by a variety of groups including retailers, packaging companies and private individuals, and through our own activities.

3. We used Tribe Marketing Limited, a reputable and independent agency, was engaged to help canvass opinion and record opposition to plain packaging.

I then listed a number of steps that had been taken to verify the authenticity of signatures on the Hands Off Our Packs petition before concluding:

Having taken the measures outlined above we are confident that the risk of duplication (or falsification) is very small indeed. If there is any hard evidence of wrongdoing we would be extremely grateful if you could pass it on to us immediately. We would take a very dim view of it and would obviously act accordingly.

Hands Off Our Packs

Finally I repeated my request that the paper publish “most or all” of the quote I had given them in my previous email. The outcome of this correspondence was as follows: one, the Guardian did not follow up its enquiry. To the best of our knowledge it has not published anything about the Hands Off Our Packs campaign or our signature-gathering process; two, we never did find out how Cancer Research UK, ASH etc responded to a similar enquiry, if indeed that enquiry was ever made. Three, at the time of writing the Guardian has neither produced nor passed on to us any evidence of wrongdoing, as requested in my email. Draw your own conclusions.

Who told ASH?

November 21, 2012

Update to my posts about the Guardian, the APPG on Smoking and Health and the Hands Off Our Packs campaign. Blogger Dick Puddlecote has spotted something I hadn't noticed. He writes:

The APPG [on Smoking and Health] bulletin to MPs of October 19 has a dig at Tribe Marketing ... The question is, who told Stephen Williams MP and the APPG/ASH that Hoops were using Tribe? Did they get the info from the Guardian?

It was never confidential information but it's an interesting point. Who told ASH? In recent months I have sent two letters to the Department of Health. The second (September 7) needn't concern us here. The first (August 30) confirmed that 'Tribe Marketing Limited was engaged to collect signatures in support of the Hoops campaign'. To the best of my knowledge that letter has not been made public, unlike the letters to Forest from the Department of Health which were released under FOI on September 9. Consequently, if you exclude Forest itself, I can think of only two sources for the information about Tribe – the Guardian and the Department of Health.

Diary of a Political Campaign

Actually, make that three. Following the release of the DH's letters and emails to Forest we were contacted by the Observer which invited us to respond to one specific complaint about the Hands Off Our Packs campaign. I sent the Observer the same information I gave its sister paper the Guardian on August 17. It included details about Tribe and our signature gathering process but the paper chose not to publish our response or any of the information we gave it. So where did ASH get the information about Tribe? I think we should be told.

Revealed: the hypocrisy of ASH

November 23, 2012

More evidence of the depths to which tobacco control will sink. As I wrote on Monday, the All Party Parliamentary Group on Smoking and Health (chaired by Stephen Williams MP and run by ASH) distributed a newsletter last month that accused Forest of petition "rigging" and "cheating" during the consultation on standardised packaging. The allegation was in relation to one complaint by one individual at the Department of Health. We took the complaint very seriously, investigated it thoroughly, and replied to the DH on August 30.

We found that a person employed by Tribe Marketing, the agency we used to help with our campaign, had signed the Hands Off Our Packs petition on behalf of two friends "who had agreed to have their names recorded". This was against the strict instructions given to employees by Tribe. Consequently we invited the DH to discount these two names from the 235,000 or so that were submitted to the consultation by Forest/Hands Off Our Packs.

Now, thanks to the miracle of Freedom of Information, my colleague Angela Harbutt has discovered information that demonstrates the hypocrisy of tobacco control and ASH in particular. On 23 July a Research Fellow at the UK Centre for

Hands Off Our Packs

Tobacco Control Studies (UKCTCS) circulated an email that began:

Hi All, Many of you may be aware that there is a public consultation open for people to express their views to the government about plain (or standardised) packaging of cigarettes ... John Britton has submitted a statement to government on behalf of the UKCTCS supporting plain packaging. At the end of the consultation period, the government will be taking into account all the views expressed, but also will count the number of people that have signed petitions for and against ...

Basically, we need as many people as possible who are for plain packaging to sign petitions and submit their views to government, and this is where you come in. If you feel so inclined, a number of charities have petitions on their website that you can sign to show support ... You can only vote once on each petition but I would seriously doubt that there will be cross checking between charity petitions so it may be worth signing all of them to get your money's worth. You can also submit your thoughts to government directly and there is a website to guide you through that. Here are the links.

Now that's what I call petition rigging and cheating!! Even ASH realised the significance of this email because CEO Deborah Arnott, who must have been on the mailing list, responded immediately:

Thank you for encouraging people to respond to the consultation but I would be very grateful if you would make it clear that people should only be responding to the consultation once.'

She then added:

'... it is not helpful for people to be encouraged to make [multiple responses] ... and certainly not something ASH or our Smokefree Action Coalition partners would countenance.

That's all well and good apart from two rather important points. One, the aforementioned John Britton is a director of UKCTCS and a trustee of ASH. While there is no suggestion that Britton approved

Diary of a Political Campaign

the call for multiple responses, correspondence indicates that he did see the email before it went out. Unfortunately he “didn’t notice” the offending paragraph.

Knowing that their own side had been involved in a brazen attempt to cheat you would expect ASH to think twice before accusing the opposition of the same offence. Instead, last month, the APPG on Smoking and Health (run by ASH) did exactly that. How hypocritical!

The real scandal is the abuse of public money

November 27, 2012

I was going to draw a line after last week’s posts about the plain packaging consultation and the brazen attempts to discredit the Hands Off Our Packs campaign. Time to draw breath, I thought, at least until the government publishes its eagerly awaited review of the consultation. But then I read an article on the University of Bath’s Tobacco Research blog: ‘500,000 against plain packaging? The figures just don’t add up’.

Let me begin by saying how flattered I am that researchers at Bath have been following this blog: “Clark has published a number of blog posts ... defending the credibility of the Hoops campaign and diverting attention away from the Hoops scandal by directing criticism at the Plain Packs Protect campaign.” Hoops scandal? Cheeky bastards.

Remind me. Ah, yes, I think they mean the Waterloo Station incident when one individual (employed by a marketing agency, Tribe) admitted signing the Hoops petition on behalf of two friends who, he says, had agreed to have their names recorded. That was wrong, certainly, which is why we offered to discount two names from the 235,000 or so that were submitted in support of our petition. But a scandal? Hardly.

Correct me if I’m mistaken but an example of a genuine scandal is when a research fellow at a leading state-funded university encourages

Hands Off Our Packs

an unknown number of people to sign several petitions knowing that they should sign only one, before adding: ‘I would seriously doubt that there will be cross checking between charity petitions so it may be worth signing all of them to get your money’s worth.’

But Bath University’s Tobacco Research blog doesn’t mention that. Instead it chooses to highlight a handful of complaints about the Hoops campaign [unethically] targeting parents in playgrounds telling them that plain packets would be completely plain with no health warnings; gathering signatures in loud nightclubs; targeting adolescents in the street telling them that the government was trying to ban cigarettes.’

My response to these complaints (not recorded by Tobacco Research) was a comprehensive five-page letter that was sent to the Department of Health on August 30. I won’t go into detail (the correspondence has been released under Freedom of Information if you want to read it) but the following snippets will confirm the robust nature of that reply:

I disagree that approaching adults in a park with children present was unethical. All adults, including parents, have the right to respond to a public consultation and should be given that opportunity ... It was not part of Tribe’s brief to approach people inside clubs. The activity was focussed on outdoor canvassing of opinion and to Tribe’s knowledge there was no deviation from this ... The very clear brief was that only adults were to be approached. [The complainant] does not hazard a guess as to what age the teenagers were, but clearly if they were aged 18 or 19 then they were as entitled as any other adult to voice their opinion ... I can assure you that the signature collectors were never briefed that [the government would be removing health warnings from packs] ... All signature collectors were thoroughly briefed about the nature of the Hoops campaign and were very clear in their description of the campaign and what plain packaging would mean.

Incredibly the complaint about nightclub canvassing was based not on first hand experience but on the word of “one of my friends”. The writer – who was not at the club so did not witness any

Diary of a Political Campaign

of the things she was complaining about – even objected to the way our canvassers were dressed: “The girls were dressed in very little – presumably a tactic to try to get as many signatures as possible from the male population from the male population in the club!”

Stifling an enormous sigh I responded as politely as I could: “There was a strict (and modest) uniform so we cannot agree with the assertion that ‘the girls were dressed in very little.’”

There was one more complaint that also got short shrift. Professor John Britton, chairman of the Royal College of Physicians’ Tobacco Advisory Group, a director of the UK Centre for Tobacco Control Studies (UKCTCS), and a trustee of ASH, wrote:

In a meeting with undergraduate medical students here at the University of Nottingham on Monday, one student informed me that he had been approached by two of his friends who I understood to be other students to sign the ‘Hands Off Our Packs’ petition. He stated that his friends had to acquire a certain number of signatures otherwise they would not get paid. He went on to say that he had signed the petition giving a false name because he felt sorry for his friends.

Before I reveal our response, consider how this complaint is reported by the University of Bath’s Tobacco Research project:

[Britton] described how he had been told by his students at the University of Nottingham that friends of theirs at the University were being paid by Hoops to gather signatures for the petition.

Note that ‘one student’ has become ‘students’ (plural) and ‘two of his friends’ has become ‘friends of theirs’ which could mean any number of people. Deliberate falsification or sloppy reporting by Tobacco Research?

Anyway, part of my response to Professor Britton’s complaint read: “It is completely untrue that individuals would not be paid if they did not acquire a certain number of signatures.” As for the rest

Hands Off Our Packs

of this farrago, how can Forest be held accountable for an allegedly intelligent adult signing a petition he didn't agree with just because he felt sorry for his friends (if that indeed was the case)? Unbelievable.

Dear reader, this is just some of the nonsense we have endured for several months. Sometimes I feel as if I've stepped through the looking glass into an alternative world where John Britton and Deborah Arnott are the King and Queen of Hearts, the medical student is the March Hare, and Andrew Black, tobacco programme manager at the Department of Health, is the Mad Hatter. Then I wake up.

The real scandal, of course, is not two questionable signatures on the Hoops petition. It is the repeated abuse of public money to mislead ministers, MPs, the media and even members of the general public who may stumble upon this pathetic propaganda.

PS. My letter to the DH concluded:

I would like to put the complaints that you have received into context. You have outlined five very specific incidents that, as outlined above, we were disturbed to hear about and have treated seriously, as I trust this [five-page] letter demonstrates. These have been received in the context of almost a quarter of a million signatures, submitted by Forest, opposing plain packaging. The scale of the public response against standardised packaging of tobacco products has therefore been nothing short of overwhelming, and I hope you will not lose sight of that.

All correspondence between Forest and the Department of Health between June to October 2012 has now been released under Freedom of Information. To access it you have to visit the DH website and click FOI disclosure log. Then you have to "email your request for a FOI release, or write to the Department of Health. Please include both the reference number and subject details of the FOI release in your request". Freedom of information? They don't make it easy, do they?!

Diary of a Political Campaign

Public supports plain packaging says Cancer Research. Really?

November 30, 2012

Plain packaging becomes compulsory in Australia from tomorrow. Sensing an opportunity to promote the policy in Britain, Cancer Research today released the result of its latest poll:

Nearly 2 in 3 Britons support tobacco plain pack plans: a Cancer Research survey of 2,000 UK adults will find that 63pc support a move to get rid of colourful and 'slickly designed' cigarette packets. From Saturday tobacco companies in Australia must sell cigarettes in plain olive-brown packaging while from April 2015 small shops in England must remove all tobacco products and adverts from display.

Our response:

The smokers' group Forest has dismissed claims by Cancer Research that nearly two in three Britons support plans to introduce plain packaging of tobacco in the UK.

Forest says a recent government consultation on standardised packaging of tobacco attracted around 700,000 responses, half a million of them opposed to plain packaging.

Simon Clark, director of Forest, which runs the Hands Off Our Packs campaign, said: "Forest alone submitted over a quarter of a million signatures against plain packaging. In total we estimate that around 500,000 people registered their opposition to the measure.

"The scale of the public response against standardised packaging has been nothing short of overwhelming. However many polls they commission, the tobacco control industry cannot spin its way out of that."

I'll be discussing the subject on Five Live Breakfast tomorrow ... and on BBC Breakfast (on the sofa in Salford) while my colleague Angela Harbutt will be on the BBC News channel shortly after 11.00am.

Hands Off Our Packs

Plain packaging highlights failure of graphic health warnings

December 3, 2012

Plain packs came into force in Australia on Saturday. I was invited to talk about it on BBC Breakfast. This meant getting up at three o'clock to drive (in freezing fog) to MediaCity in Salford where the programme is now based. Sandwiched between interviews at 7.12 and 9.20 (approx) was a five-minute discussion on Five Live Breakfast which has also moved to Salford.

All three spots featured me and Andrea Crossfield, director of Tobacco Free Futures. I rather like Andrea. On air we have a lively difference of opinion but it never gets hostile. Off air she's approachable and easy to talk to, a far cry from some tobacco control activists who won't even look at you, let alone say hello.

I won't repeat the on air debate but it's worth noting that a couple of presenters were genuinely shocked by some of the images that are on the new packs in Australia. Seen for the first time, or in a gantry with lots of very similar packs, the effect is, I admit, quite gruesome. That said, people reacted in a very similar way the first time they saw the graphic warnings that currently adorn branded packs. Very quickly people got used to them and the impact has been marginal at best.

Another reason graphic warnings don't work is this: most of the pictures portray something that, in reality, few of us witness first hand so why should we take them seriously. When was the last time you saw someone with severely rotten teeth? Or oral cancer? I'm not saying that smoking isn't responsible for these things but putting such images on the packet is disproportionate to the risk so consumers tend to ignore them.

Anyway, the public health industry has been forced to develop a new shock tactic – even more grotesque packaging. Tobacco control calls it plain or standardised packaging but they can call it what they like. It will make no difference. Standardised packaging is all the evidence you need that graphic health warnings have failed and there is no reason to think that plain packaging will be any different.

Diary of a Political Campaign

Forest's Christmas message to MPs

December 4, 2012

I am pleased to unveil the 2012 Forest Christmas card that is being sent to MPs, journalists and broadcasters. Inside the salutation reads 'Happy Christmas from Forest' and on the back there's an illustration of a drab green cracker with the message 'Plain packaging? They must be crackers'. There's also a landscape version that has a different salutation: 'Happy Christmas – Say No To Plain Packaging'. If you would like to send this version to your MP and other opinion formers please email your full name and address and we will send you cards and envelopes. Maximum six cards per person.

Mustering some Christmas spirit

December 19, 2012

Thrilled to see the Forest Christmas card reproduced in The Times. The paper's Business Diary applauds us for 'mustering some Christmas spirit' in our fight against plain packaging, noting that we 'did not forget to include Stephen Williams, the MP spearheading the campaign [for PP], on [our] Christmas card list'. 'Forest,' the paper reported, 'sent the above specially printed card to Mr Williams' office last week to wish him a Merry Christmas. Still, we're not sure that comparing cigarette packets to children's Christmas stockings is necessarily a winning strategy.'

Actually, the card reads 'Hands off our presents' (not 'Hands off our stockings') and 'Plain packaging? You must be crackers' with no reference to children (not even visually), but it's the season of goodwill so I'll let it pass. Worth noting, though, that the only way The Times could have known that we sent Stephen Williams a card is if his office told them. So perhaps it was Williams – the old devil – who suggested the "children's Christmas stocking" angle.

PS. Three years ago another Forest Christmas card inspired this

Hands Off Our Packs

article by columnist Vicki Woods in the Telegraph: ‘The pubs that died after giving up smoking’. It began:

In a year when the postman brought me fewer handwritten, stamped and posted Christmas cards, the corporate ones stood out. I liked a depressed Santa sitting under a pub sign saying Nobody’s Inn. It was a Merry Christmas from Forest (the pro-smoking people), hand-signed in different biros by Nicky, Sue x and Squiggle.

Squiggle? That was me!

Plain packaging: The Times they are a-changin’

December 29, 2012

Hats off to The Times. Following the consultation on standardised packaging of tobacco the paper recently submitted a Freedom of Information request that uncovered correspondence between the Department of Health and Imperial Tobacco. On Thursday the paper duly revealed that the company had been invited by the DH to inspect 4,900 signed postcards that were submitted to the consultation as part of a campaign ‘sponsored by Imperial’. (Note: this initiative had nothing to do with Forest’s Hands Off Our Packs campaign but we understand that it was equally successful.)

The Times’ reported that concerns were expressed by the DH that the 4,900 cards might be fakes “after questions were raised over the similarity of the handwriting”. Now, imagine if you were, oh, the Observer, and you discovered the DH’s letter to Imperial. I can see the headlines now: ‘Questions raised about Big Tobacco campaign’ or ‘Tobacco giant questioned over fake signatures’.

Likewise if you were rabid anti-smoking campaigners like, say, ASH, the All Party Parliamentary Group on Smoking and Health or, God forbid, Aussie activist Simon Chapman, you’d be writing or tweeting long into the night about “petition rigging” or Big Tobacco behaving like “laughable amateurs”.

Thankfully The Times is made of better stuff because the paper knew that the letter from the DH was only half the story. So instead

Diary of a Political Campaign

of rushing into print, or onto Twitter, it took the trouble to contact Imperial. This in turn enabled it to report that:

Imperial has now inspected the cards and said, “We were able to confirm that we were fully satisfied of their genuine nature. The Department of Health has subsequently agreed and confirmed that the responses will be considered as part of the ongoing consultation process.”

Significantly the paper didn't accept Imperial's word. It went back to the DH before adding: 'The department confirmed that it was now satisfied with the postcards.' Armed with this information some editors might have spiked the report, arguing that it was a non-story. Huge credit then to The Times for not only printing it but doing so under the headline Imperial Tobacco 'did not fake campaign signatures'. Can you imagine many other newspapers doing that?

There are still questions to be asked, however. For example, the Department of Health has now written to both Forest and Imperial about our campaigns, but has it written to our opponents? According to The Times:

The consultation has been deluged with petitions and evidence from the tobacco and health lobby, and the department has already written to both sides questioning the legitimacy of their campaigns.

Both sides? If that's what the DH told The Times perhaps the paper should dig a little deeper. After all, while it is now public knowledge that the DH wrote to both Forest and Imperial Tobacco, I don't recall reading similar letters from the DH to anti-tobacco groups about their petitions. Nor do I recall reading their replies, despite the fact that FOI requests have been submitted asking for all correspondence between the DH and groups associated with the Plain Packs Protect campaign.

There are several more questions about the PPP campaign that have yet to be answered properly but I'll keep those for another day.

January-February 2013

Exposed: the unhealthy relationship between a minister, an APPG and ASH

January 3, 2013

Well, that's a turn up for the books. Yesterday I commented on The Times' report about parliamentary special interest groups and noted there was no mention of the All Party Parliamentary Group on Smoking and Health run by fake charity Action on Smoking and Health (ASH).

Today, in a follow-up article, the paper reveals that:

Imperial Tobacco has raised concerns that a minister held a meeting with a leading anti-smoking lobby that sponsors a parliamentary smoking and health group. The world's fourth-largest tobacco company questioned the Department of Health on the nature of a meeting held in a health minister's office with the All Party Parliamentary Group on Smoking and Health after Action on Smoking and Health, a charity that provides the group's secretariat and funding, allegedly did not declare the encounter ...

Imperial, reports The Times, wrote to the DH asking for clarification on whether Anne Milton, when Health Minister, had held an "official meeting with the All Party Parliamentary Group on Smoking and Health or rather a meeting with the secretariat, ie ASH, the anti-smoking activist group".

Hands Off Our Packs

Andrew Black, the department's tobacco programme manager, responded that Mrs Milton did not "attend a formal meeting of this group ... Rather a delegation led by the chair of the All Party Parliamentary Group (Mr Stephen Williams MP) called on Mrs Milton in her ministerial office on April 30, 2012. This informal meeting was arranged at the request of the chairman, secretary (Mr Bob Blackman MP) and vice-chair (Mr Kevin Barron MP) of the All Party Parliamentary Group." The date is important because the consultation on standardised packaging began, two weeks earlier, on April 16 so this meeting took place during the consultation.

Imperial, says *The Times*, "remained dissatisfied with the department's position". The company wrote again "quoting private correspondence" between ASH and the DH which, said the company, sounded like the meeting had been prearranged by ASH rather than a "delegation of MPs calling in".

The DH, says the paper, then apologised for "confusing" Imperial and repeated that the meeting was not "formal". Formal, informal – who cares?! The whole thing stinks. *The Times* adds that, 'ASH was founded in 1971 by the Royal College of Physicians and is funded by Cancer Research UK and the British Heart Foundation. The charity, which lobbies the Department of Health, has received £580,000 from that department in the past three years.'

Government lobbying government? You be the judge. Hats off to *The Times* though for exposing the insidious relationship between a minister, the DH, the APPG on Smoking and Health and ASH. We've been banging on about this for years but only now has a leading national newspaper taken an interest.

What the Aussies want the Aussies get

January 3, 2013

The most extraordinary thing has happened. A Freedom of Information request has revealed that on July 5, 2012, three working

Diary of a Political Campaign

days before the closing date, the Department of Health and Ageing in Australia sent an email to their counterparts in London requesting an extension to the UK government's consultation on standardised packaging of tobacco.

Ignoring the fact that they had three months' notice of the closing date, the Aussies wanted their submission to be signed off by their Minister of Health, the Hon Tanya Plibersek MP, but she was on a "short absence". A few hours after the request was sent the Department of Health issued a statement extending the deadline for submissions by four weeks. The full email from the Department of Health and Ageing reads:

Dear [redacted],

We corresponded earlier this year just after I took over from [redacted] – I hope this email finds you well and fully engaged in the plain packaging consultation! We have been watching from a far [sic] with much interest.

My Department has coordinated a whole of government submission to the UK Consultation on Standardised Packaging of Tobacco Products which we note is due on 10 July 2012. We are currently going through the clearance process for the submission at a time when several of our key Ministers are absent on leave or work related travel, during a break in the Parliamentary sitting period.

I am sure that our Minister of Health, The Hon Tanya Plibersek MP, would welcome the opportunity to personally sign off on the Submission, if at all possible. To achieve this, we will require an extension due to her short absence. Accordingly, would you or the relevant area responsible for the consultation, be willing to approve a two week extension until Tuesday 24 July? Alternatively, can you suggest a timeframe that would be acceptable?

I am most grateful for your consideration [redacted]. Please let me know if it is more appropriate for me to direct my request elsewhere.

Kind regards ...

The revelation appears today in *The Times* under the headline 'Australian plea delayed submissions on cigarettes'. Anne Milton,

Hands Off Our Packs

then health minister, said on July 5 that the Department of Health's three-month consultation was to be extended until August 10 to "make sure everyone who wants to contribute can".

That same day an Australian official in the Department of Health and Ageing wrote to the Department of Health requesting a two-week extension to the July 10 deadline so Australia's Minister for Health could sign off the submission. Later that day, an email was sent by the Department of Health's tobacco programme manager to the Australian government, and others, explaining that the deadline had been extended.

To put this in perspective, I can't imagine there is an administration anywhere in the world that is as pro-plain packaging as the government that was the first in the world to introduce it, so what the Aussie government wants the Aussie government gets. The DH (of course!) has denied any suggestion of impropriety (ie bowing to the wishes of a foreign government).

According to *The Times*, 'A source at the department yesterday said the decision to extend the consultation had been taken before ministers were made aware of the Australian government's request.' This is quite possibly true. Generally I believe things happen because of cock-ups not conspiracies. Nevertheless it's a remarkable coincidence that requires further investigation.

To paraphrase Alex Ferguson, "Plain packaging, bloody hell!"

Insulting, sexist dinosaurs?

January 14, 2013

The Irish Cancer Society last week published a report ("Women and Smoking: Time to Face the Crisis") that accused tobacco companies of "targeting" women with "elegant, feminine packaging". Irish women, we are told, are "under siege" from firms that "are trying to reel in women by creating candy-coloured packaging, white packaging, 'women-only' brands, low-tar, and new, super-slim products" (*Irish Examiner*).

Diary of a Political Campaign

We've heard it all before. Last year Cancer Research UK published its own report that accused Big Tobacco of using "pale or pastel colours" and images denoting "femininity, style, sophistication and attractiveness" to entice women to smoke. How insulting/patronising/sexist is that? Claire Fox, director of the Institute of Ideas and an old friend of Forest, obviously thought so because she wrote an article for the Hands Off Our Packs website ('Women of the world unite') that was also published in the Spectator:

According to the CRUK's 'research' (well, more accurately focus groups with 24 girls in total), females are particularly gullible when faced with pretty packaging. Silk Cut and Vogue Superslims are indicted for packets that suggest "femininity and pleasure". We females are a walk-over by such "manipulation" apparently. Come on girls – admit it: A mere glimpse of a purple sash of satin and we're anyone's.

A campaign that wants to save women from the evils of Camel No 9's clever use of 'pink foil' is insidiously paternalistic. And outdated. If it was once outrageous to ask if Lady Chatterly's Lover was the kind of book 'you would wish your wife or servants to read?' surely we should reject the anachronistic question, 'Is this the kind of cigarette packet you would wish young women to see?'.

Claire added:

It is particularly galling that the likes of the CRUK report appropriates the rhetoric of feminism. The World Health Organisation once accused tobacco companies of "exploiting women's struggle for equal rights by creating the impression that tobacco makes women confident ... more in control of their destiny".

What a cheek. It's the public health brigade that denies women the right to control our lives, by campaigns aimed at limiting our free choices by regimenting us all into dull, miserablist conformity.

Over the weekend I have been in contact with someone in Ireland who holds similar views and she is currently writing her own article on the subject. She told me:

Hands Off Our Packs

“I disagree completely with the broad premise of the ICS report. It’s so weak it’s almost laughable. I’m an ex-smoker myself and to me this portrays women as either shallow magpies or just plain incapable of dealing with stress.

“Personally, I smoked because I enjoyed it. That was the only reason. Had a new brand come on the market wrapped in a big, red bow it would not have made any difference to my own brand preference.

“I do object to the idea that female smokers are airheads, which is what this report suggests. The [idea that] women smoke because they can’t cope is also galling. Being patronised by the anti-smoking lobby is just as irritating as being patronised by the smoking lobby.”

Prejudice and propaganda – Chief Medical Officer on plain packaging

January 23, 2013

Extraordinary. Speaking to the House of Commons Science and Technology Select Committee today, Chief Medical Officer Professor Dame Sally Davies told MPs that early indications from Australia suggest that plain packaging of cigarettes has been effective in reducing consumption.

Excuse me?! Australia’s plain packaging law was enforced at the beginning of December. How the CMO can deduce, a few short weeks later, that the policy is working is beyond me. These things normally take years to bear fruit, if indeed they ever do.

I’d love to see the evidence and how it can be linked directly to plain packaging. It is of course possible that consumption has fallen in Australia these past few weeks (I haven’t seen any figures) but, if true, it’s quite likely to be a seasonal blip (all those New Year resolutions).

I accept, by the way, that measures such as plain packaging or graphic health warnings may have some initial impact (shock value), but the long-term effect is unclear. With regard to plain packaging, of course, it’s totally unproven.

Diary of a Political Campaign

Meanwhile who knows how many smokers – in response to plain packaging – are buying their cigarettes on the black market? In any case, official consumption figures will always vary slightly from month to month. Before making any statement about the effectiveness of plain packaging, the CMO should show MPs the figures at least a year – probably more – either side of its introduction. Then again they would also need information about other factors that might affect consumption – a rise in price, for example.

Remarkably, despite this transparent attempt to persuade MPs that plain packaging is linked to a reduction in smoking rates, the CMO also told MPs (with a straight face, apparently) that while she had a personal view on plain packaging, if she expressed it she might prejudice the government's consultation! You couldn't make it up.

PS. One Australian newspaper reported a rather different outcome to plain packaging. 'Tobacconist claims plain packaging laws aren't working' is anecdotal but no more prejudicial to the UK consultation than the Chief Medical Officer's comment. Curiously she didn't mention it.

Update – According to the CMO, early indications that plain packaging had impacted on the purchase of cigarettes came from the Permanent Secretary of the Department of Health in Australia. Would that be the same Department of Health that wrote to the Department of Health in London requesting an extension to the consultation on plain packaging?

Watch Chief Medical Officer's breathtaking performance

January 24, 2013

Some things are beyond parody. When I wrote yesterday about the Chief Medical Officer's appearance before the House of Commons Science and Technology Select Committee I was working from an

Hands Off Our Packs

agency report. I hadn't seen the video my colleague Angela Harbutt has now posted on YouTube. It's well worth watching. There are two things that stand out.

One, when asked whether shock tactics on television and packaging works, she replied airily that the "evidence base was put in the consultation (on plain packaging)" before adding, "I'd have to go back and check what it was."

In other words, although she was happy to imply that "shock advertising" works she was unable to say what the evidence is. Now I accept the CMO is a very busy person who has to address a lot of different issues, but this is pretty basic stuff. Has she not read the "evidence"? Surely she can remember at least some of it? Isn't that her job?

Two, after declaring that the "early signs" from Australia are that plain packaging is "successful in reducing cigarette smoking" she was invited to reveal the source of the evidence for her claim. Hold on to your hats, ladies and gentlemen. Her reply is truly breathtaking: "I had dinner with the Permanent Secretary of the Department of Health of Australia on Monday evening. She said ..."

"Is that scientific evidence?" asked a member of the committee, interrupting this no doubt fascinating anecdote.

"No," she continued, "I didn't claim it as evidence. I am very careful to wait until it has been properly evaluated, peer reviewed and published. I said there was early evidence, she said, that the purchasing [of cigarettes] looked as if it was responding [to plain packaging]. I am only reporting to you what I have understood as early evidence."

While making it clear she had a personal opinion on the issue of plain packaging, Dame Sally said didn't want to prejudice the consultation by telling the committee what that opinion was. Strange, then, that she managed to sneak in at least two comments that made it very clear that, as far as she's concerned, there is evidence that plain packaging with shocking images will reduce the consumption of cigarettes. Watch her appearance and weep.

Diary of a Political Campaign

Feeble and insecure, is that how tobacco control campaigners see women?

January 25, 2013

One of the arguments used by advocates of plain packaging is that tobacco companies deliberately target women with the use of “pretty” packaging. A couple of weeks ago the Irish Cancer Society published a report, ‘Women and Smoking: Time to Face the Crisis’, that highlighted a number of social and psychological reasons why women find it harder quit. Allegedly.

I wrote about it and referenced a 2012 article by Claire Fox, director of the Institute of Ideas, that hit back at the sexist implication that women are more easily manipulated by packaging and marketing than men. (Really? I’m a sucker for 19 inch alloy wheels and rear spoilers on cars.) Anyway, The Journal.ie has today published a similarly robust response. Reacting to the claim that ‘Women think lighter coloured packs are more elegant and feminine and less harmful’, political researcher Nuala Walsh writes:

Now, as an ex-smoker, I find this statement nothing short of offensive because being patronised by the anti-smoking lobby is just as irritating as being patronised by the smoking lobby. This kind of assertion paints women as shallow magpies, lacking in the ability to choose to smoke for any other reason than that the boxes are cute.

Had all cigarettes come wrapped in a big, red bow, it would not have made any difference to me in my decision to begin smoking. Equally, had all cigarettes been sold as twenty loose cigarettes in a brown paper bag, it still would not have made me any more inclined to quit.

Later she adds:

The report states that although Irish women are more likely than Irish men to have a third level qualification, ‘Women are also more likely to have part-time, or insecure jobs, and more likely to suffer from stress, and have less power at work and take on large amounts of unpaid work

Hands Off Our Packs

associated with low-status and low self-esteem, exhaustion and depression. The (sic) leads us right back to emotional work and mental health issues women have and back to smoking?.

That's right, ladies. Not only are you unable to resist the lure of marketing but you are also trying in vain to deal with what life throws at your feeble female selves. Thank goodness you have those pretty boxes of cigarettes to cheer you up!

Action alert - we need YOUR help!

February 5, 2013

The plain packaging campaign is entering a crucial phase. The Department of Health is currently reviewing almost 700,000 responses to the consultation on standardised packaging. Half a million names (235,000 of them submitted by Forest) are estimated to be opposed to plain packs. Despite our best efforts many MPs appear oblivious to the size or nature of that extraordinary response. Hence we need YOUR help to tell YOUR member of parliament why they should oppose plain packaging.

To make it easy we have created a special standalone website, Say No To Plain Packs. All you have to do is: visit no2plainpacks.org, enter your postcode, click 'Next', enter your name and address, and click 'Submit'. To make the letter as personal as possible we recommend that you add a comment in the relevant box, but it's not essential. Please do it now! It should take no more than a minute of your time.

What the APPG on Smoking and Health said in a private meeting during the plain packs consultation

February 18, 2013

Hats off to blogger Dick Puddlecote for some impressive digging. Last month I reported that The Times had revealed what I called the

Diary of a Political Campaign

unhealthy relationship between a minister, the APPG on Smoking and Health and ASH. Quoting correspondence between the Department of Health and Imperial Tobacco, which it obtained through Freedom of Information, The Times disclosed how a delegation of anti-smoking MPs led by Stephen Williams, chairman of the All Party Parliamentary Group on Smoking and Health and a leading supporter of Plain Packs Protect, had met public health minister Anne Milton in her ministerial office on April 30, 2012.

This “informal” meeting took place two weeks after the launch of the government consultation on plain packaging of tobacco and was reported to have been arranged at the request of Williams, APPG secretary Bob Blackman MP and vice-chairman Kevin Barron MP.

Today, thanks to another FOI disclosure, DP has revealed part of their agenda. In his words, it “stinks”. Incredibly, a note from the meeting suggests there may have been an attempt to lobby the minister to reject, ignore or minimise the significance of responses to the consultation from groups opposed to plain packaging. It reads: ‘The APPG expressed concerns that results from any consultation would be skewed if consumer/retail groups were used to inflate responses.’

We don’t know the minister’s full reaction but considering that the techniques used by Forest/Hands Off Our Packs – which eventually submitted the names of over 235,000 people opposed to plain packaging – were very similar to those used by tobacco control groups during a previous consultation (on the Future of Tobacco Control), their hypocrisy is breathtaking. Truth is, ever since they realised they had a battle on their hands, tobacco control lobbyists have cried ‘Foul!’ and done everything they can to denigrate or undermine campaigns run by groups such as Forest, the Tobacco Retailers Alliance, the National Federation of Retail Newsagents and others.

Their hypocrisy is even more staggering when you consider the extent to which the outcome of public consultations have

Hands Off Our Packs

consistently been ‘skewed’ by the dubious use of public money and the systematic utilisation of state sector workers to lobby and register support for further tobacco control measures. (Does anyone believe that the pro plain packs campaign would have been able to submit anything like 210,000 names without the support of the public sector or the use of hundreds of thousands of pounds of taxpayers’ money? If so, dream on.)

Requesting a meeting with the minister responsible for the consultation during the consultation period and then using that meeting to raise concerns about campaigns run by “consumer/retail groups” is pretty slippery behaviour. The real villains however are not the anti tobacco lobbyists, who are merely pushing the boundaries as far as they can, but the minister and civil servants at the Department of Health who allowed the meeting to take place when it did.

What were they thinking? As Dick Puddlecote also reveals, Cancer Research UK had suggested a meeting with Andrew Lansley in May, and they were open about what CEO Harpal Kumar wanted to talk about:

In advance of Cancer Research UK’s parliament day on 27th June, I am writing to request a meeting with you on the day. We are delighted that the consultation has been published. You are well aware of our position and you will of course already be familiar with our desire to see plain packaging introduced as soon as possible. We would be happy to update you on the campaign.

Lansley was less than enthusiastic, for good reason:

Unfortunately, it is not possible to set up a meeting on the issue of tobacco packaging at this time ... As I am sure you will understand, there are many groups with interest in this issue and it would not be possible, or appropriate, for me to try to meet with everyone who has an interest while the consultation is underway.

Diary of a Political Campaign

In contrast someone clearly decided it was not inappropriate for public health minister Anne Milton to meet a delegation of tobacco control lobbyists on April 30, just two weeks after the consultation had been launched.

Thanks to The Times, Dick Puddlecote and Freedom of Information, a picture is emerging that sheds a fascinating light on the darker aspects of the consultation and the efforts of those who appear increasingly desperate to undermine the consumer/retail arguments against plain packaging. Knowing what we now know, and have documented over the last few months, I can't wait to read the government's long-awaited consultation report!

PS. Just to be clear, all party parliamentary groups have no formal place in the legislature. There is no reason therefore why representatives of any APPG – MPs or otherwise – should be given preferential treatment by ministers.

Clock ticking over Chief Medical Officer's response to "early evidence" claim

February 19, 2013

The headline 'Clock ticking over tobacco packs' appeared in several newspapers last week. According to the Daily Express:

Almost 80,000 children have taken up smoking while health officials have considered whether or not to introduce plain packs for cigarettes, campaigners have said. The Smokefree Action Coalition said that in the six months the officials have been considering the responses to the consultation, 78,500 children have taken up smoking - an estimated 430 every day. The coalition, made up of various health organisations including the British Medical Association, medical royal colleges, charities and academic institutions, has called upon ministers to publish the results of its consultation.

Hands Off Our Packs

Leaving aside the ludicrous nature of this story (the “estimated” figures and the implication that packaging is responsible), I can report that the clock is ticking in other ways. Last month I reported that, speaking to the House of Commons Science and Technology Select Committee, Chief Medical Officer Professor Dame Sally Davies told MPs that “early indications” suggested that the introduction of plain packaging in Australia had already been successful in reducing consumption of cigarettes.

Pressed for evidence, Dame Sally told the committee that she had got the information from the Permanent Secretary of the Department of Health of Australia with whom she had had dinner that week. “I didn’t claim it as evidence,” she protested. “I said there was early evidence, she [the Permanent Secretary] said, that the purchasing [of cigarettes] looked as if it was responding [to plain packaging]. I am only reporting to you what I have understood as early evidence.”

It seemed a little odd that the Chief Medical Officer would pass on to MPs anecdotal evidence provided by a third party with a clear vested interest in the matter, so my colleague Angela Harbutt wrote to Dame Sally asking for clarification, including the source of the Permanent Secretary’s evidence. The letter was sent first class to the CMO’s office at the Department of Health on Friday January 25. It should have arrived on Monday January 28, three weeks ago. To date we have received neither a reply nor an acknowledgement.

Too early to gauge effectiveness of plain packs admit Aussie officials

February 20, 2013

An Australian newspaper last week reported that:

In Senate Estimates today Nathan Smyth from the Department of Health and Ageing revealed the plain packaging reforms had thrown up some interesting anecdotal evidence.

Diary of a Political Campaign

Some smokers, he said, were contacting the department with stories of a perceived change in the flavour of the cigarettes, even though the ingredients had not changed.

He said the new, large graphic health warnings - depicting images of people suffering smoking-related illnesses - on each packet appeared to be having the desired effect:

“A lot of people have commented that they’ve found the taste sensation far worse than they had thought. It has certainly changed some perceptions out there,” Mr Smyth said.

“That would be the sensory perception that’s associated with some packaging elements that’s now actually gone and they’ve been left with the raw taste of what the product’s about without that sensory association.”

Sharon Appleyard from the department’s Tobacco Control Taskforce said ... the absence of branding had removed the appeal of smoking ...

She said there was anecdotal evidence [my emphasis] the health warnings were also influencing some smokers to at least entertain [my emphasis] the idea of quitting ...

Mr Smyth said there was also evidence of an increase in calls to the quit line, although he conceded this could equally be a result of people making new year’s resolutions.

Both Mr Smyth and Ms Appleyard said it was too early to gauge the effectiveness of the laws in reducing smoking rates.

Too early?! Someone should tell the Chief Medical Officer! Meanwhile expect more “anecdotal evidence” for months if not years to come.

March-April 2013

Keep calm and carry on campaigning

March 6, 2013

You've got to laugh. I've just returned from a week in Cuba and within twelve hours of landing the Guardian reported that the government is to legislate on plain packaging:

Ministers are to introduce plain packaging for cigarettes along the Australian model with legislation this year, after becoming convinced that the branding is a key factor in why young people start to smoke. The legislation, to be announced in the Queen's speech in May, is also expected to ban smoking in cars carrying anyone aged under 16 years.

Quite frankly, ASH could have written this report. I'm not saying it isn't true but I'm reminded of the "confidence trick" ASH boasted of having pulled off after MPs voted overwhelmingly for a ban on smoking in all public places:

It is essential that campaigners create the impression of inevitable success. Campaigning of this kind is literally a confidence trick: the appearance of confidence both creates confidence and demoralises the opposition. The week before the free vote we made sure the government got the message that we "knew" we were going to win and it would be better for them to be on the winning side. ('Smoke and mirrors', Guardian, July 19, 2006)

Hands Off Our Packs

Given that it worked for them before there's no reason they wouldn't do it again. There's a long way to go before this particular battle is won or lost so don't despair and don't give up! In fact there are half a million reasons why we should keep on campaigning. If you haven't done so already write to your MP today. It takes two minutes and is time well spent.

Update – In a written answer to Alex Cunningham MP, published yesterday, health minister Anna Soubry wrote:

The Department published the “Consultation on standardised packaging of tobacco products” in April 2012. A consultation-stage impact assessment was published alongside the consultation.

The Department received many thousands of responses to the consultation on standardised packaging of tobacco products, including standard postcard campaigns and petitions from a range of interested parties. A summary report of consultation responses will be published in due course, which will set out the numbers and categories of responses received.

The government has an open mind on this issue and any decisions to take further policy action on tobacco packaging will be taken only after full consideration is given to the consultation responses, evidence and other relevant information.

If the government has decided to implement plain packaging then Soubry has misled an MP (and everyone else) by claiming it still has an “open mind” on the subject. As I have written before, I like Soubry. She strikes me as a frank, honest and feisty politician so I would be surprised if she made a statement that was not in good faith. Personally I believe it's wishful thinking on the part of ASH, CRUK or a “senior Whitehall source”.

Diary of a Political Campaign

David Cameron: no decision on plain packaging

March 7, 2013

Forest supporter Gary Rogers has just alerted us to this interesting development: “I’ve just seen David Cameron on Sky News. After a question was put to him about plain packaging he said no decision had been taken, we have to look at the evidence.” Gary’s call was received at 13:09 today. Two hours earlier Forest issued this press release:

Campaigners have described as a “confidence trick” a report that the UK government has decided to introduce plain packaging for tobacco products.

Quoting a “senior Whitehall source”, a national newspaper this week claimed that legislation would be announced in the Queen’s speech in May.

Simon Clark, director of the smokers’ group Forest which runs the Hands Off Our Packs campaign, said:

“Writing in the same newspaper in 2006 the chief executive of Action on Smoking and Health (ASH) said that ‘It is essential that campaigners create the impression of inevitable success. Campaigning of this kind is literally a confidence trick: the appearance of confidence both creates confidence and demoralises the opposition’.

“Far from being demoralised, we accept in good faith the assertion this week by the prime minister’s official spokesman that the government is still considering proposals to make plain packaging compulsory.

“Likewise health minister Anna Soubry reiterated in a written answer to a member of parliament that the government still has an ‘open mind’ on plain packaging.

“Given that 700,000 people responded to the consultation on standardised packaging, half a million of them opposed to the measure, I find it hard to believe that any government would introduce a policy that has been rejected so decisively by so many people.

“Anti-smoking lobbyists may have pulled a ‘confidence trick’ on government once but ministers should now be wise to their game.”

Hands Off Our Packs

Hands Off Our Packs campaigner Angela Harbutt said: “The battle is neither won nor lost. It’s not too late to make a difference so I urge opponents of plain packaging to write to their MP using the template letter on our website, Say No To Plain Packs.”

Update – More info on the background to David Cameron’s comment about plain packaging. The PM was in Yorkshire visiting manufacturers in the region. At a meeting attended by local manufacturers and MPs (with the BBC and Sky News in attendance) he was asked the following question by Mike Ridgway, spokesman for a local tobacco packaging manufacturer:

“Prime Minister, welcome to Yorkshire, welcome to the centre of manufacturing. Yesterday the front page of the Guardian purported that the government had decided to introduce plain packaging for tobacco products.

“Last week at PMQs you said that you were following Australia and you were monitoring the situation. Can you confirm whether that decision has been taken yet? And the reason I ask is that we have three very successful businesses here in the Bradford area employing many hundreds of people, and they really want to know what the latest is on that ... concerning their future.”

I am still waiting to confirm Cameron’s exact words but his response was unequivocal – the government has not made a decision about plain packaging.

Cameron: “We have to treat people and businesses fairly”

March 7, 2013

Further to my previous post, here’s the full transcript of the exchange between a local tobacco packaging manufacturer and David Cameron in West Yorkshire today:

Diary of a Political Campaign

Mike Ridgway, tobacco packaging manufacturer:

Prime Minister, welcome to Yorkshire and welcome to the centre of manufacturing. Yesterday the front page of the Guardian reported that the government had decided to introduce plain packaging for tobacco products. Last week at PMQ you said that you were following Australia and you were monitoring the situation. Can you confirm whether that decision has been taken yet? And the reason I ask is that we have three very successful businesses here Bradford area, employing many hundreds of people, and they really want to know what the latest is on is on that, concerning their future.

David Cameron:

OK, well, first of all, the decision has not been taken, I think, as I said in the House of Commons, which you saw some weeks ago. I think we have to look at all of these issues around smoking and health, and we have to look at the evidence, and we have to work out the right course to take. In terms of the packaging, it is only Australia I think so far that has made this decision. I think we have to accept the links between smoking and health are now proved beyond all peradventure. I think we also have to accept that, while some of us might have taken a different view at the time, restrictions on, for instance, smoking in public places have had a pretty dramatic health effect, and so I think we have to deal with the evidence. But I think we have to treat people and businesses fairly as we do so, and we should properly consider all of the statistics and all of the evidence before making that decision.

Our press release reads:

Speaking at a meeting in West Yorkshire today, the prime minister responded to a question from a tobacco packaging manufacturer by telling his audience:

“I think we have to accept the links between smoking and health are now proved beyond all peradventure. I think we also have to accept that, while some of us might have taken a different view at the time, restrictions on, for instance, smoking in public places have had a pretty dramatic health effect, and so I think we have to deal with the evidence. But I think we have to treat people and businesses fairly as we do so,

Hands Off Our Packs

and we should properly consider all of the statistics and all of the evidence before making that decision.”

The Prime Minister’s comments follow a report this week that the government had decided to introduce plain packaging for tobacco products. Quoting a “senior Whitehall source”, a national newspaper had claimed that legislation would be announced in the Queen’s speech in May. According to David Cameron, however, “The decision has not been taken”.

Welcoming the prime minister’s remarks, Simon Clark, director of the smokers’ lobby group Forest which runs the Hands Off Our Packs campaign, said: “There is no credible evidence that plain packaging will have any impact on youth smoking rates or encourage existing smokers to quit. Legislation must be evidence-based and we hope David Cameron’s comments represent a more pragmatic, less dictatorial approach to policy making.”

“Pro-smoking letters not a priority” – The Guardian

March 8, 2013

On Tuesday the Guardian reported that the government is to legislate for plain cigarette packaging. The UK, readers were told, is to follow the example of Australia ‘where cigarettes must be sold in drab packets with graphic health warnings’. Legislation will be announced in the Queen’s speech in May.

Confusingly, on the same day a written answer from health minister Anna Soubry to Alex Cunningham MP repeated the mantra that the government has an “open mind” on the subject.

Meanwhile David Cameron’s official spokesman denied a decision had been made. Despite this the Guardian went on to publish a letter by two Labour MEPs welcoming “the news that the government has decided to support [standardised packaging for cigarettes]”.

Needless to say the paper has declined to publish a letter from Forest that attempted to put the record straight or at least offer a

Diary of a Political Campaign

different perspective on the paper's report. This morning therefore I made a second call to the letters editor who fobbed me off with the rather dismissive comment, "Pro-smoking letters are not a priority". I have now sent another letter that takes into account Cameron's comments yesterday. The letters editor has rather grudgingly agreed to consider it. Don't hold your breath.

More propaganda from Cancer Research UK

March 22, 2013

I was on LBC shortly after seven this morning discussing the latest study from Cancer Research UK. According to CRUK the number of children who have taken up smoking has risen by 50,000 in just one year. Curiously these figures are not supported by the latest government research, unless there has been a huge increase in the number of 11-15 year olds.

According to 'Smoking, drinking and drug use among young people in England in 2011', the five per cent of 11-15yr olds considered regular smokers in 2011 is unchanged over 2010. The proportion of girls who are considered to be regular smokers actually fell from six to five per cent in 2011. The proportion of 11-15 year olds who have never smoked increased from 73 to 75 per cent (60 per cent in 2005). The NatCen Social Research report added:

A quarter (25%) of pupils have tried smoking at least once. This represents a sustained decline in the proportion of pupils who have tried smoking and is lower than at any time since the survey began in 1982, when more than half of pupils (53%) had tried smoking. In 2011, 5% of pupils smoked regularly (at least once a week). The prevalence of regular smoking among 11 to 15 year olds has halved since its peak in the mid 1990's - 13% in 1996.

This is a very different scenario to the one Cancer Research is trying to concoct. Either CRUK is wrong and is scaremongering, or

Hands Off Our Packs

the government figures are wrong. If the government figures are wrong it suggests that recent government policy (bans on tobacco displays and vending machines, for example) have been a monumental failure.

Despite its own damning indictment of tobacco control policy, CRUK thinks it has the answer to the alleged increase in the number of children smoking:

Sarah Woolnough, executive director of policy and information at Cancer Research UK, said: “With such a large number of youngsters starting to smoke every year, urgent action is needed to tackle the devastation caused by tobacco. Replacing slick, brightly-coloured packs that appeal to children with standard packs displaying prominent health warnings is a vital part of efforts to protect health. Reducing the appeal of cigarettes with plain, standardised packs will give millions of children one less reason to start smoking.”

My question is this: if the display ban has failed to reduce youth smoking rates (as both government figures and CRUK’s latest research suggests), why should plain packaging be any different?

Update – Not for the first time the media has fallen for CRUK’s propaganda. See ‘Child smokers: thousands more take up habit’ (Sky News), ‘207,000 children take up smoking, and 50,000 leap in child smoking: report’ (AFP). The AFP agency report will of course go all around the world. Meanwhile, with the exception of the interview with me on LBC this morning, I’ve yet to hear (or read) a single word querying CRUK’s report.

Plain pack propaganda war in full swing

March 22, 2013

Further to my previous post the British Medical Journal this week published a study entitled ‘Young adult women smokers’ response

Diary of a Political Campaign

to using plain cigarette packaging: a naturalistic approach'. Here's the abstract:

Objectives: To explore young adult women smokers' cognitive and emotional response to using dark brown 'plain' cigarette packs in natural settings and whether plain packaging is associated with any short-term change in smoking behaviour.

Design: A naturalistic approach. Participants used plain cigarette packs provided to them for 1 week and for 1 week their own fully branded packs, but otherwise smoked and socialised as normal. Participants completed questionnaires twice a week.

Setting: The six most populated cities and towns in Scotland.

Participants: 301 young women smokers were recruited, with a final sample of 187 (62.1%). To meet the inclusion criteria women had to be between the ages of 18 and 35, daily cigarette smokers and provide a breath sample to confirm smoking status.

Primary and secondary outcome measures: Pack perceptions and feelings, feelings about smoking, salience and perceptions of health warnings and avoidant and cessation behaviours.

Results: In comparison to fully branded packaging, plain packaging was associated with more negative perceptions and feelings about the pack and about smoking ($p < 0.001$). No significant overall differences in salience, seriousness or believability of health warnings were found between the pack types, but participants reported looking more closely at the warnings on plain packs and also thinking more about what the warnings were telling them ($p < 0.001$). Participants reported being more likely to engage in avoidant behaviours, such as hiding or covering the pack ($p < 0.001$), and cessation behaviours, such as foregoing cigarettes ($p < 0.05$), smoking less around others ($p < 0.001$), thinking about quitting ($p < 0.001$) and reduced consumption ($p < 0.05$), while using the plain packs. Results did not differ by dependence level or socioeconomic status.

Conclusions: No research design can capture the true impacts of plain packaging prior to its introduction, but this study suggests that plain packaging may help reduce cigarette consumption and encourage cessation in the short term.

Hands Off Our Packs

So a final sample of 187 was used to conclude that plain packaging may reduce cigarette consumption and encourage cessation in the short term. Hardly a ringing endorsement but that didn't stop the taxpayer-funded Tobacco Control Group at the University of Bath tweeting, 'More evidence in support of plain packaging published this week'. Embarrassing.

Pot, kettle, black, APPG accuses tobacco industry of “propaganda”

March 25, 2013

Who could have predicted that? A few months ago the All Party Parliamentary Group on Smoking and Health conducted an 'inquiry' into tackling illicit trade in tobacco products. The APPG invited a number of people to give evidence, including leading tobacco control campaigners Luk Joossens and Professor Anna Gilmore.

The Tobacco Manufacturers Association was invited to give oral evidence but declined because the companies were concerned about the APPG's close links to ASH, which effectively runs this taxpayer-funded group. Instead the TMA submitted written evidence. Today the APPG is publishing a report on the self-styled 'inquiry' and I have no doubt it will be entirely impartial (wink!). Or perhaps not. According to the press release:

Despite repeated claims from the tobacco industry, the level of tobacco smuggling and illicit trade in the UK is falling, according to a new report from the All Party Parliamentary Group on Smoking and Health.

Public spending on action against the illicit tobacco trade is highly cost effective, saving as much as £10 in tax for every £1 spent. And the introduction of standardised ('plain') packaging for cigarettes and other tobacco products would make little or no difference to this trend.

Stephen Williams MP (Liberal Democrat, Bristol West), Chair of the APPG said: "The UK has a good record in recent years in tackling

Diary of a Political Campaign

the illicit tobacco trade, although it remains a serious challenge. Enforcement agencies are increasingly effective in co-ordinating their actions, regional partnerships around the UK have done excellent work, and the UK government quite rightly made specific provision for HMRC to fight illicit trade in the last public spending round.

“Contrary to tobacco industry propaganda there is no good reason to think that standardised packs will increase illicit trade. The tobacco industry knows that standard packs will cut the number of children pulled into this lethal addiction – that’s why they are running an expensive and mendacious campaign to try to scare the government off.”

Yadda yadda, as Michael Gove might say. In response the tobacco companies have issued this statement:

“The TMA was offered the opportunity to provide oral evidence to the APPG Inquiry but declined and elected to provide a written submission because we knew that we would not be given a fair hearing on the extremely important issue of the illicit tobacco market. Regrettably, the press release that supports the ASH led inquiry proves this very point.”

“We would agree with MP Stephen Williams that a broad alliance of HMRC and Border agency to deal with the illicit trade in tobacco is important but he of course omits to mention the international efforts of the tobacco industry itself in providing the intelligence and support to assist the authorities in dealing with this issue.

“The reality is that those who consider this issue objectively will recognise that a high tax policy drives smuggling and cross-border shopping. HMRC data is only available to 2010/11, whereas more up-to-date information shows that the level of cigarettes consumed that are not UK tax paid has risen from 17% in 2011 to 21% in 2012. Additionally the impact on government revenues is clear for all to see. Figures released by the Office for Budget Responsibility this week show a revised forecast for tobacco duty revenue in 2012/13, down by £200 million. This is evidence, not propaganda.

“Over 500,000 people have come out against the proposals to introduce plain packaging. The relationship between standardised

Hands Off Our Packs

packaging and the ease by which they could be counterfeited is an issue which has been raised by MPs, packaging suppliers, retailers, wholesalers, the police and enforcement agencies - not just the industry. Perhaps Mr Williams should speak to the 75 MPs who have signed a letter to express their concern instead of simply listening to those who want to close down any debate about this important issue which will have a serious and detrimental impact on many businesses large and small.”

I'll leave you to draw your own conclusions about the merits of the APPG's 'Inquiry into the illicit trade of tobacco products'.

Scottish government wants country 'smoke-free' by 2034

March 27, 2013

The Scottish government today announced its new long-awaited tobacco control strategy. Earlier this week we learned it would include a ban on smoking on all hospital grounds. Now we are told it includes support for standardised packaging and “improved education to create a tobacco-free nation” by 2034.

The key actions include setting 2034 as a target for a tobacco-free Scotland, supporting the introduction of standardised packaging, investing in education programmes for young people, implementing smoke-free hospital grounds by 2015, delivering a national marketing campaign on the danger of second-hand smoke, and setting a target for reducing children's exposure to second hand smoke. Many of our favourite tobacco control campaigners are quoted in the press release that accompanied the announcement.

Sheila Duffy, chief Executive, ASH Scotland, “We owe it to our children to make this happen.”

Dr Harpal Kumar, chief executive, Cancer Research UK:: “We share the Scottish government's vision of a Scotland free from tobacco and

Diary of a Political Campaign

the commitment to introduce plain packaging is a real step forward in the fight to protect children from tobacco addiction.

Ben McKendrick, British Heart Foundation Scotland: “It’s fantastic to see the Scottish government leading the way again on tobacco measures to protect health, and giving a commitment to de-glamorise tobacco packaging ...”

Linda Bauld, professor of health policy, University of Stirling: “As part of the other actions set out in this strategy, plain packaging will have a key role to play in driving down smoking rates in Scotland in the future.”

Here’s Forest’s response:

“We support all reasonable measures, including education, that will discourage children from smoking. Plain packaging is unreasonable because there is no credible evidence that it will have any impact on youth smoking rates. There is a real risk that standardised packaging, like excessive taxation, will encourage illicit trade and if that happens those at greatest risk will be children because criminal gangs don’t care who they sell cigarettes to. Plain packaging is designed to denormalise a legal product and millions of adult consumers. What next? Alcohol, fizzy drinks and fast food?”

The curse of devolution: it’s not funny and it’s not clever

March 27, 2013

Further to my previous post about plain packaging in Scotland, BBC News has the story, with Forest’s response. We’re also quoted in the Scotsman (“Cigarettes and tobacco to be sold in plain packs”). That headline is incorrect, incidentally. To the best of our knowledge the Scottish government has no authority to unilaterally introduce plain packs.

My colleague Angela Harbutt has more to say about this on the Hands Off Our Packs blog: ‘Scottish government can’t go it alone – Westminster holds key to plain packaging in Scotland’. I would

Hands Off Our Packs

merely add that here is yet another example of what I call the curse of devolution – regional governments and assemblies posturing and preening in a desperate attempt to win whatever race they think are competing in.

This afternoon ASH Wales tweeted: ‘Scottish government aims to make Scotland tobacco free by 2034. The pressure is on, @Welshgovernment.’ To which we replied, ‘Grow up, it’s not a race, it’s about finding reasonable evidence-based policies ... that will reduce youth smoking rates without infringing the liberties of adults ... to consume a product that in all likelihood will still be legal in 50 years’ time.’

I have always believed that without devolution we would not have a comprehensive smoking ban in the UK. After all, there would have been no Scottish government to follow Ireland’s lead (at a time when the Westminster government was seeking a compromise). The Scottish ban led in turn to similar legislation in England, Wales and Northern Ireland.

Sadly no-one argues against devolution these days. For me however it remains the worst thing New Labour ever did. Overnight Labour created a whole new layer of government with hundreds more politicians and thousands of civil servants each seeking new ways to justify their taxpayer-funded existence. Today’s announcement is just the latest example of what devolution has brought us. It’s not funny and it’s not clever.

‘Fairytale world where madmen run riot’

March 28, 2013

If you only read one article today make it ‘Junk and buffoons’ on the Velvet Glove Iron Fist blog. Beautifully written and funny too. Meanwhile, on ConservativeHome, columnist Henry Hill has this to say about the Scottish government’s decision to support plain packaging:

Diary of a Political Campaign

Based on the press coverage, support and opposition to the proposals is coming from the usual quarters: public-health authoritarians like ASH, some doctors and academics in favour; tobacco companies and Forest against. Personally, I've much more sympathy to Forest's view of things: tobacco is perfectly legal, and it is not hard to imagine the self-same public health activists campaigning for olive-green cola cans in a couple of decades. The freedom to choose to do and consume things a doctor wouldn't approve of is an important freedom, and such cases always put me in mind of CS Lewis' wonderful quotation about the tyranny of "well-meaning moral busybodies".

See 'Prohibition, SNP style' (ConservativeHome).

What children think is not reliable evidence

March 28, 2013

Yesterday's Scottish government press release about its new tobacco control strategy contained a note about NHS Fife's anti-smoking initiative. Bizarrely it included the following statement:

The I-Don't project surveyed 1500 students and showed that while students thought 75% of their peers smoked, in reality the number who smoked was less than 30%.

Think about that for a minute. Anti-smoking campaigners increasingly expect us to accept the opinions of children when it comes to developing tobacco control policies. We are told, for example, there is evidence that plain packaging will work because, shown an example of an Australian style 'plain' pack featuring a grotesque graphic image, a substantial percentage of children say it will put their peers off smoking.

In Ireland (if I remember correctly) a survey of 8-15 year olds found that a majority of children thought their peers were less likely to smoke as a result of the display ban. This was used as 'evidence'

Hands Off Our Packs

that the display ban has been a success in Ireland. However, as the I-Don't project demonstrates, what students think and what happens in reality are two very different things.

And another thing, the aim of the I-Don't project is to “prevent 16 to 24 year olds from taking up smoking by showing that non-smoking is the ‘norm’”. Prevent? As my son (who is 18) keeps telling me, once you're 18 you are officially an adult and can make your own decisions. It is legal to sell tobacco to people once they're 18 so why is a government funded campaign trying to ‘prevent’ people aged 18-24 from taking up smoking? Educate, by all means, but in my dictionary ‘prevent’ is defined as making someone unable to do something.

Lack of hard evidence? government appeals for international rescue

April 9, 2013

A full page advertisement provoked “anger” among tobacco control campaigners yesterday. It was placed in national newspapers and magazines by the tobacco company JTI and shows the result of a Freedom of Information request obtained from the Department of Health. Correspondence from a civil servant at the DH to his counterpart in Australia read:

I work on the UK government's Tobacco Policy Team ... and you will be aware that the UK government is considering the introduction of plain packaging of tobacco products. As I'm sure you're aware, one of the difficulties regarding this is that nobody has done this and therefore there isn't any hard evidence to show that it works [my italics]. Therefore, I am wondering whether the Australian government drafted any type of impact assessment or cost analysis in which the likely benefits and costs are measured and if so, whether you would be willing to share this information with us.

Diary of a Political Campaign

It's dated May 10, 2011. Oddly enough the Advertising Standards Authority announced only last month that it was upholding a complaint against Gallaher, which is part of the JTI group of companies, following a previous series of advertisements. According to the Huffington Post:

The Advertising Standards Authority ruled that ads run by Japan Tobacco International (JTI) in the national press in 2012, were wrong to state the government had “rejected” plain packaging for tobacco because “there was no credible evidence” to support such a policy in 2008.

The Guardian, whose health correspondent Denis Campbell took special pleasure in tweeting “Truth 1 Big Tobacco 0”, reported:

The ads hit out against anti-tobacco groups and the Department of Health’s consultation on the introduction of plain packs claiming that the policy was rejected by the government in 2008 because there was “no evidence” it would work ...

The DH has airily dismissed JTI’s latest advertisement. According to a spokeswoman the correspondence is nearly two years old. “Research and evidence have developed since then and continue to emerge,” she told The Grocer. All I know is that in 2008 the then Labour government decided not to proceed with plain packaging because ministers accepted there was no hard evidence it would work. Three years later, undeterred by the sound of tumbleweed and the continued lack of evidence, civil servants decided to revisit the issue and plead for information from their peers Down Under.

It seems pretty desperate, doesn't it? If hard evidence existed anywhere in the world in 2011 I'm sure tobacco control campaigners in the UK would have known about it and passed the information to their friends at the DH. Meanwhile, here we are in 2013, four months after the introduction of plain packaging in Australia, and

Hands Off Our Packs

we are still waiting for an announcement by the Aussie government that plain packaging works. Don't hold your breath, folks.

Health minister who is wary of “big bossy governments” supports plain packaging and the smoking ban

April 20, 2013

We got an interesting insight into the mind of ambitious public health minister (and ex-smoker) Anna Soubry yesterday. Speaking to John Humphrys on Radio 4's Today programme she acknowledged the problem of “big bossy governments”. Almost in the same breath, however, she described the smoking ban as “one of the real triumphs of the last government – I'll give them full credit for doing that”. She also declared her support for standardised (not plain) packaging (“It's very colourful, very intricate”) saying, “I've seen the evidence. I've seen the consultation. I've been personally persuaded of it.”

Good for her. One teeny weeny problem. Soubry wasn't speaking as a constituency MP. She was on the programme as a member of the government. Other government ministers and officials, including the prime minister himself, have declared as recently as this week that no decision has been made on plain packaging. Repeatedly we have been told that ministers and civil servants still have an “open mind” on the subject.

But not the public health minister. Oh no. She's seen the evidence and “seen the consultation” (eh?) and supports the measure even though the DH has yet to publish its long overdue report on the consultation. Has Soubry seen the report? If so why has it not been published so everyone can read it and decide for themselves whether it justifies the policy that she so openly supports. Here's a transcript of the latter part of the interview that I understand was primarily about minimum pricing of alcohol:

Diary of a Political Campaign

Soubry: But John, you know as well as I do that these are often difficult decisions, and one of the things that's really important in public health is that you don't have big bossy governments seeming to crack down on people who actually don't have the problem.

Humphrys: You did on smoking and it worked.

Soubry: Sorry?

Humphrys: You did on smoking and it worked.

Soubry: No, no, no, not everybody smokes. So when we took action to stop smoking in open places – one of the real triumphs of the last government – I'll give them full credit for doing that; but ... that was affecting a minority of people because smokers are the minority. There is work to be done on smoking and that's the next debate that we've got to have. We've had a consultation on what's called "plain" – it's not. It's very colourful, very intricate but standardised packaging and there's a real debate now to be had on whether or not we should introduce it like they have in Australia.

Humphrys: Are you in favour of that?

Soubry: I am.

Humphrys: So it's going to happen.

Soubry: Oh no, it doesn't mean to say it's going to happen because we haven't had the debate. We need now to have that debate. I've seen the evidence. I've seen the consultation. I've been personally persuaded of it but that doesn't mean to say that all my colleagues in government, on both sides of the house, are persuaded and that's the debate that we now have to have.

Odd, isn't it, that someone who is wary of "big bossy governments" should support a measure as extreme as plain (sorry, standardised) packaging. Perhaps it's because, as Soubry says, smokers are a minority and minorities can be bossed around (or worse) without fear of a backlash.

How sad, in this day and age, to hear any politician – but especially one in government – use a group's minority status as an excuse to legislate them into extinction. That's not bossy. That's bullying. Meanwhile, whatever happened to collective responsibility? Either Soubry is a member of the government and accepts the

Hands Off Our Packs

official line that government still has an “open mind” on plain packaging, or she steps down and supports the measure from the backbenches.

One other point. Soubry believes the smoking ban has been a success (“one of the real triumphs of the last government”) because it only affected smokers (“the minority”). Tell that to the non-smokers whose local pub closed (directly or indirectly) because of the smoking ban, or the bar worker who lost his job. Tell the non-smoking members of Britain’s working men’s clubs, many of which also closed in the aftermath of the ban.

If it was such a “triumph” why doesn’t the government review the impact of the ban (as the previous government promised it would). As part of that review they could ask people if they support an amendment that would allow separate, well-ventilated smoking rooms in pubs and clubs. Only then will we see how popular the existing legislation is. I could go on but somehow I don’t think the minister for public health is listening. Open mind? Don’t make me laugh.

Did health minister leak Queen’s Speech story to Guardian?

April 23, 2013

Interesting, very interesting. For several weeks we’ve been speculating about the identity of the “senior Whitehall source” who told the Guardian that plain packaging of tobacco would be in the Queen’s Speech in May. The report by political editor Patrick Wintour appeared on March 5 under the headline ‘government to legislate for plain cigarette packaging this year’:

Ministers are to introduce plain packaging for cigarettes along the Australian model with legislation this year ... “We are going to follow what they have done in Australia. The evidence suggests it is going to deter young smokers. There is going to be legislation,” said a senior Whitehall source.

Diary of a Political Campaign

The report threatened to embarrass the prime minister who was forced to deny, live on air, that a decision had been made. So who briefed Wintour? We had our suspicions but no proof. Today The Times reports that a Freedom of Information request has revealed that public health minister Anna Soubry met Wintour on February 28, just five days before his story appeared in the paper.

A list of the meetings of eight other senior Department of Health officials, ministers and advisors showed none had met Mr Wintour between January and March. This doesn't prove anything, of course, but The Times' Alex Ralph this morning tweets that: 'Department of Health's FOI response also showed a list of eight other senior officials, ministers and their advisers had not met Wintour.'

At the same time there is increasing evidence that Soubry is lobbying for plain packs. Last Friday, as I wrote here, Soubry told Radio 4's Today programme that she supports standardised packaging even though the government insists it still has an "open mind" on the subject. Then, on Sunday, The Lancet editor Richard Norton tweeted: 'Word arrives that Anna Soubry has fallen out of love with Jeremy Hunt. She wants plain cigarette packaging but he is resisting her.' So what is going on? Ms Soubry has a lot of explaining to do.

Health minister in hot water

April 24, 2013

Ian Paisley Jr, member of parliament for North Antrim, is not happy, reports blogger Guido Fawkes:

He's on the attack after Anna Soubry was revealed in yesterday's Times to have lunched Patrick Wintour just before a story by him appeared in the Guardian suggesting plain packaging of fag packets would be introduced.

Hands Off Our Packs

Speaking in a House of Commons debate on Northern Ireland yesterday afternoon, a furious Paisley said:

“I want to draw the House’s attention to a full frontal attack on £16 million-worth of salaries in Northern Ireland. I have waited some time for an opportunity to put this matter on the record, and the government must address it. They are contemplating plain packaging for cigarettes, and they are now indicating that the proposal might be in the Queen’s Speech in a matter of weeks. We need to be absolutely clear about this.

“According to the response to a freedom of information request, which is in the House of Commons Library, the Under-Secretary of State for Health, the Hon. Member for Broxtowe (Anna Soubry) was interviewed by Patrick Wintour of The Guardian on or about 28 February. Five days later, on 5 March, an article appeared in that newspaper indicating that the proposal was going to be in the Queen’s Speech. That drove 2.8% off the stock market value of the shares of a manufacturing company in the United Kingdom. The share price has not yet recovered, despite Ministers’ denials that they are going to introduce such a policy on 8 May.

“The government have a duty and a responsibility to defend employment in Northern Ireland. They might not like what is being manufactured, but that industry keeps 1,100 people in jobs in Northern Ireland and puts £60 million directly into the wage economy there. More importantly, it supports tens of thousands of other smaller companies including retail shops and other minor businesses in the locality. The government have a serious responsibility to stop that full frontal attack on business in Northern Ireland and to address this matter once and for all. I hope that they will not put the proposal into the Queen’s Speech, and that instead they will have a serious look at defending our manufacturing industry in the tobacco sector. They will have a serious problem if they do not do so.

“I ask the Minister to ensure that the freedom of information request in the Library is looked at, and to give consideration to an inquiry into whether anyone gained from the drop in share price that occurred in the five days between that interview taking place and the article appearing. Any such inquiry should look into who benefited

Diary of a Political Campaign

from that share value drop, as this could be a very serious matter for all those involved in what I think was a deliberate attempt to undermine that business and to adjust share pricing, which has affected business in Northern Ireland.”

You can find the relevant section in Hansard. I think we’ll hear a lot more about this.

Women, poor things, so easily influenced

April 25, 2013

Another day and another study designed to convince ministers that plain packaging is A Good Thing: ‘Women say they get less satisfaction and less enjoyment from smoking cigarettes that come in plain, standardised packs – according to new research released today’.

The study by researchers at Stirling University included 187 young female smokers from across Scotland who used plain brown cigarette packs as they went about their daily lives. Researchers wanted to examine the extent to which young women smokers are influenced by the aesthetic appeal of packaging by comparing their responses to using the plain packs for a week to their responses of using their own regular packs for a week.

Women in the study said they were more embarrassed about smoking from plain packs and felt more negative about smoking from the plain packs, even though they were smoking their regular cigarettes. Women involved in the study also reported smoking fewer cigarettes, stubbing out cigarettes early, smoking less around others and thinking more about quitting when using the plain packs. Forest got advance notice of the press release, which was embargoed until midnight, yesterday morning and issued the following response:

Hands Off Our Packs

Campaigners opposed to plain packaging of tobacco have described as “sexist” a study that says young female smokers get less satisfaction and less enjoyment from smoking cigarettes that come in plain, standardised packs.

Hands Off Our Packs campaigner Angela Harbutt, a smoker, said: “The idea that plain packaging will have a greater impact on young women suggests that women are more easily influenced than men.

“This is not only an outdated view of women, it’s also incredibly sexist. Women can think for themselves and if they enjoy smoking, as many do, the packaging will make no difference. It may influence which brand they buy, but not their habit.”

According to researchers at Stirling University, women in the study said they were more embarrassed about smoking from plain packs and felt more negative about smoking from the plain packs, even though they were smoking their regular cigarettes.

The same women allegedly reported smoking fewer cigarettes, stubbing out cigarettes early, smoking less around others and thinking more about quitting when using the plain packs.

Harbutt added: “This is perfectly normal behavior but it doesn’t last. When graphic warnings were introduced there was some initial shock value but consumers, men and women, very quickly ignored them. The same will happen with cigarettes that are sold in standardised packaging.

“That’s why tobacco control campaigners come up with increasingly desperate and potentially counter productive initiatives like standardised packaging that many experts believe will encourage illicit and counterfeit trade.

“Whether you are a man or a woman, if people want to smoke the packaging is irrelevant, and it’s patronising to suggest otherwise.”

It’s well past midnight now and apart from the Cancer Research website I haven’t seen any reports of the study online but it’s early days. I’ll keep you posted. What is clear is that there’s a huge push going on to convince the government to include plain packaging in the Queen’s Speech on May 8 and health minister Anna Soubry is doing her very best to push it through. Will it be enough?

Diary of a Political Campaign

Peter Kellner, YouGov and tobacco control

April 25, 2013

Peter Kellner, President of YouGov, the “independent” polling company, has just sent this message from the company’s email address: ‘Cigarette packets: the case for a new law’. Kellner writes:

Let me declare my interest at the outset. ASH, the anti-smoking campaign, is a client of YouGov; I am also a trustee. So, for once, this blog goes beyond data analysis. It includes YouGov research, but also sets out my personal views.

The reason for doing this now is that government ministers are finalising their plans for next month’s Queen’s Speech. This is when we shall find out which new laws they propose. One of the candidates is a bill to require tobacco manufacturers to sell cigarettes standard, olive-coloured packs with prominent health warnings. The brand name would be printed in modest, standard type. The days of bright, eye-catching packs would be over ...

The thinking behind the new law is that it would be a logical extension of reforms over the past 15 years – the ban on cigarette advertising, the banning of smoking in offices, pubs and other indoor public places and, most recently, the ban on displaying cigarettes openly in supermarkets (now in force) and small retailers (on the way).

Over the years, the law has supported a social revolution: far fewer people smoke than a generation ago. Perhaps the biggest challenge now is to discourage teenagers from starting to smoke. De-glamourising smoking is one way to help meet this challenge. Banning bright packs is part of that campaign. Australia has already banned them – successfully fighting a strong legal challenge from the tobacco industry. Will the UK now follow suit?

The issue is in the balance. Last Friday, John Humphrys interviewed Anna Soubry, the (Conservative) Public Health Minister, on BBC Radio Four’s Today Programme. This is part of that exchange:

AS: There is work to be done on smoking and that’s the next debate that we’ve got to have. We’ve had a consultation on what’s called plain, it’s not, it’s very colourful very intricate, but standardised

Hands Off Our Packs

packaging, and there's a real debate now to be had on whether or not we should introduce it like they have in Australia.

JH: Are you in favour of that?

AS: I am.

JH: So it's going to happen?

AS: Oh no, it doesn't mean to say it's going to happen because we haven't had the debate. We need now to have that debate. I've seen the evidence. I've seen the consultation. I've been personally persuaded of it, but that doesn't mean to say that all my colleagues in government on both sides of the house are persuaded, and that's the debate that we now have to have.

So the consultation is over. The relevant minister is convinced. The Liberal Democrats support a new law – indeed they were the first major party to embrace it, back in 2009. Yet the issue remains in the balance. So let me help ministers by setting out the pros and cons.

First the pros:

1. Reform would be popular. Last month YouGov showed respondents the above picture and asked whether they would support or oppose a new law 'requiring tobacco to be sold in plain standardizing packaging with the product name in standard lettering'. 61% support the plan while just 14% oppose it. 21% said they neither supported nor opposed it; 5% said 'don't know'. These are comparable to the levels of support ahead of past measures to bear down on cigarette smoking; each time support for reform has gone even higher once reform has been enacted. There has never been the public backlash that some feared and parts of the tobacco lobby predicted.

2. Reform would be cheap. It's an ideal measure for austere times, when ministers look for ways to make life better without spending money.

3. There is a real prospect that, over time and in conjunction with other reforms, fewer teenagers would take up smoking. We would become a healthier nation.

4. Of all the reforms that have been enacted or proposed, this is the least disruptive. It does not deprive newspapers of advertising revenues; it does not force smokers to change their habits in pubs or offices; it does not make retailers alter the way they lay out their wares.

Diary of a Political Campaign

These things have already happened; the ‘civil liberty’ arguments of the tobacco industry have been rejected; democracy and freedom have survived. The latest measure is more modest than any of these and should cause less fuss.

Now the case for the antis:

1. The tobacco industry doesn’t like it.

And that’s about it. As in the past, the industry has been highly imaginative in trying to link their opposition to arguments about civil liberties, intellectual property rights, tobacco smuggling, free trade and unemployment. The bottom line is that, as for the past half century, they have been fighting a rearguard action to defend their right to kill their customers.

In the next few weeks we shall find out whether the ministers find the pro- or anti-arguments more persuasive.

I haven’t got time to comment on this. I’ll simply draw your attention to a post I wrote on October 8, 2008, ‘Peter Kellner, YouGov and ASH’.

When all else fails, bring on the kids

April 30, 2013

Our old friend Stephen Williams MP tweets: ‘Why I back a youth campaign to stop tobacco companies from hooking young people into smoking.’ He then links to his website where he has posted a copy of a letter from a boy named Liam who has written to prime minister David Cameron and health secretary Jeremy Hunt. According to the boy:

“I am passionately against smoking because my Dad has smoked ever since he was a teenager and I can see how much of a disgusting and risky habit it is. Both my father and I wish that he never started smoking. I also have a lot of friends whose relatives have died or who now have a condition because they smoked. The amount of new

Hands Off Our Packs

people smoking in England is dire. Most of these new smokers are around my age (somewhere in their teens) and some of them are my friends. Something needs to be done.

“Last year Australia introduced plain packaging for cigarettes. Their cigarettes are now sold in an unattractive dull green box with graphic health warnings. I propose England follows in Australia’s footsteps and does the same. Not only would plain packing lower the number of first time smokers I believe it would also make current smokers think harder about what they are doing and the damage they are doing to themselves.

“Nobody starting to smoke, or tempted when offered one outside the school gates, can imagine themselves as a fifty year old who can’t walk up the stairs or diagnosed with lung cancer. It’s too far off, and it will never happen to them. We need to show exactly what smoking does and challenge people who think if it was really that bad, the government would never let them be sold. The goal of plain packaging should be to make smoking look more poisonous, less glamorous - so the box shows exactly what it does to the inside of your lungs and other parts of the body.”

There’s no mention of how old Liam is but it’s always a sign of desperation when campaigners go public with letters from children to politicians. It’s pretty low too because it’s difficult to respond without appearing indifferent or, worse, callous. Next thing you know we’ll be accused of bullying and goodness knows what else – child abuse, probably. Anyway, you can read the full letter on Stephen Williams’ website: ‘Chair of Parliamentary Cross-Party Smoking and Health Group welcomes youth campaign to protect his friends from tobacco’. Sadly you can’t comment which is possibly deliberate after what happened the last time Williams wrote about plain packaging on his blog. He got over 1300 comments, not all of them complimentary!!

May-June 2013

Plain packaging proposal to be scrapped?

May 2, 2013

The Sun reports that David Cameron has scrapped plans to put cigarettes in standardised packaging:

‘The PM initially backed the plan, but has been persuaded it would damage the packaging industry. There were also concerns it could cost £3billion in lost tax revenue and tie up the Commons in bitter arguments. Mr Cameron has now ordered the proposed law to be pulled from next week’s Queen’s Speech.’ Full story: ‘Plain fag packets plan up in smoke’.

Forgive me if I don’t jump up and punch the air just yet. Two months ago the Guardian quoted a “senior Whitehall source” saying that plain packaging would be in the Queen’s Speech. Now another “Whitehall source” says: “Plain packaging may or may not be a good idea, but it’s nothing to do with the government’s key purpose. The PM is determined to strip down everything we do so we can concentrate all our efforts on voters’ essentials. That means growth, immigration and welfare reform.”

If the story is true then the PM deserves praise for ignoring the screams of the tobacco control lobby. Their bleating will no doubt increase to a crescendo over the next few days (expect letters in

Hands Off Our Packs

every national newspaper) but today's report offers hope that their desperate bully boy tactics don't always work.

The FT is also running the story: 'UK government abandons plain cigarette packaging plan'. Here's what advocates of plain packaging are saying:

Deborah Arnott, chief executive of the campaign group Action on Smoking and Health, said more than 60 per cent of the public supported plain packaging. "It will take a lot of explanation if this crucial public health measure is not included in the Queen's Speech on 8 May."

Andy Burnham, Labour's shadow health secretary, said the government had "completely lost its way" on public health. "David Cameron promised to get tough on smoking and alcohol abuse, but instead has caved in to big business and vested interests," he said. "Standardised cigarette packets are key to deterring our young people from taking up smoking. We call on the government to rethink ditching this policy."

Government decision "shocking" says ASH

May 2, 2013

I would love to have been a fly on the wall at ASH HQ this morning. Here's their response to today's report in the Sun:

Health campaigners have condemned reports the prime minister has scrapped plans to introduce standardised plain cigarette packs. Deborah Arnott, chief executive of the campaign group Action on Smoking and Health (ASH), said reports reducing deaths and improving health were no longer a 'key purpose' was 'shocking'.

She added: 'Smoking remains the major preventable cause of death and disability and measures to reduce smoking prevalence are popular and effective. "Over 60 per cent of the public support standard packaging for cigarette packs. It will take a lot of explanation if this crucial public health measure is not included in the Queen's speech."

Diary of a Political Campaign

Deborah omits one key factor, of course. There is not a shred of credible evidence that plain packaging will reduce smoking rates or discourage children from smoking so all this nonsense about reducing deaths and improving health is exactly that – nonsense. The government is going to come under enormous pressure over the next few days. Let's hope ministers hold their nerve. The fact Labour is urging David Cameron to change his mind ought to persuade him that he has made the right decision, if indeed he has made a decision. Watch this space.

Update – ‘Government denies scrapping plan for plain tobacco packs’ (The Grocer). Perhaps that should read ‘Department of Health denies scrapping plan for plain tobacco packs’!

Queen's Speech: what's in, what's not

May 3, 2013

Quick update on the plain packaging saga. Guardian political editor Patrick Wintour (the man who brought us the news that plain packaging would be in the Queen's Speech) now reports that the Queen's Speech will contain legislation on pensions, social care and benefits but not, it seems, plain packaging:

Government sources confirmed that David Cameron overruled plans by his public health minister Anna Soubry to introduce plain cigarette packaging. Cameron, eager to avoid another backbench revolt over a “nanny state”, has declared the proposals are not central to his plans. No 10 wants to wait for more evidence from Australia, where plain packaging was brought in six months ago. The Home Office warned the move might lead to an increase in smuggling. Liberal Democrat leader Nick Clegg seems unwilling to press the issue, saying on Wednesday he did not want to be seen as heavy-handed.

Meanwhile the tobacco control industry continues to thrash around with the support of its cheerleaders in the media, notably the

Hands Off Our Packs

Independent ('Doctors condemn government's decision to hold plans for plain cigarette packaging') which also has a leader urging the prime minister to change his mind. ASH yesterday announced that members of the Smokefree Action Coalition have written to David Cameron:

In their joint letter to the Prime Minister, members of the SFAC including the Faculty of Public Health, the Royal College of Physicians, Royal College of Paediatrics and Child Health and the British Medical Association, say that abandoning standardised packaging would be to miss a golden opportunity to take a further step to cut smoking rates and the toll of death and disease that smoking causes.

ASH also claimed that:

“Since the launch of the public consultation on standard tobacco packaging in April 2012 there has been a groundswell of support for the measure with nearly two-thirds of the public and a majority of MPs across all political parties in favour.”

Groundswell of support? Would that be the 500,000 people who opposed plain packaging in a public consultation compared to the estimated 220,000 who supported it?

The health groups say that if the government will not go ahead with the introduction of standardised packaging then Parliament should decide in a free vote as was the case with smoke-free legislation. The Labour Party has already committed to supporting the measure.

Odd isn't it that Labour didn't introduce plain packaging when they were in power. They considered it but backed off because there was no evidence it would work. There is still no credible evidence that plain packaging will stop children smoking but, politics being such an unscrupulous business, it makes sense for Labour to embrace the measure in opposition and accuse the government of abandoning its commitment to public health.

Diary of a Political Campaign

Deborah Arnott, Chief Executive of health charity ASH said: “Reports that the Prime Minister has rejected plans for standard packaging are very worrying. But this does not mean that the battle is over. With a majority of MPs and peers as well as the general public in favour of standard packs we believe that Parliament should be given the chance to decide.”

I don't know about the majority of MPs being in favour but Deborah's claim about the general public supporting plain packaging conveniently ignores the outcome of the government consultation on standardised packaging in which almost two thirds of the responses were against the policy.

Finally, there's a good article on the Channel 4 News website, with input from Forest, 'Ifs and butts of the fag packet argument'.

Update – ‘Angry health campaigners last night begged the PM not to scrap plans for plain fag packets ... But smokers' group Forest said PM had “listened to the hundreds of thousands of people” opposed to plain packets.’ (The Sun).

The Telegraph reports that: ‘Plans to force tobacco manufacturers to sell cigarettes in plain packs in the UK have been kicked into the long grass, it has emerged, but the industry faces a fresh threat from Europe.’ Full article, ‘Tobacco industry to fight ‘standardised’ cigarette packs in Europe’. I feel another campaign coming on ...

What the Conservatives can learn by reading those comments in the Sun

May 3, 2013

I hope David Cameron's aides read the Sun online. If they see the comments posted on the report about the government abandoning plain packaging it should convince the PM it's the right decision. As my colleague Angela Harbutt writes elsewhere, “Readers are virtually unanimous in their opposition to plain packs – very very

Hands Off Our Packs

interesting!” It suggests that Cameron, or his advisors, are not as out of touch with ordinary people as many would have us believe. Far from provoking a public backlash the general public has either welcomed the report or is completely indifferent. It’s certainly not going to cost the Conservatives (or even the Lib Dems) votes.

Unfortunately the report that Cameron had decided not to pursue yet another nanny state diktat came far too late to influence the local election results. While immigration and Europe are bigger issues for many people, Ukip’s success suggests that the nanny state is also on the agenda. If the Tories want to win back some of the votes they have lost to Nigel Farage’s party I suggest they abandon any thought of effectively nationalising a popular consumer product, whether it be tobacco, alcohol or convenience food.

Instead they need to demonstrate, with actions not words, that they reject the nanny/bully state consensus that has gripped Britain over the past decade and offer voters a clear choice. People aren’t stupid. They know Ukip will struggle to win a seat in a general election. They know too that a vote for Ukip could cost the Conservatives any chance of a majority. But the Tories have to give people a positive reason to vote for them. Relying on the fact that they are ‘not Labour’ is not enough.

Sound of tumbleweed will be music to the ears of Number 10

May 5, 2013

Advisors at Number 10 will no doubt be monitoring the media to see what issues are dominating the news this weekend. Well, let me help them. Plain packaging isn’t one of them. For all the fury of the ‘health lobby’ following reports that David Cameron had decided not to put plain packaging in the Queen’s Speech, the PM’s decision has caused barely a ripple where it really matters.

In terms of comment the media has been largely silent on the issue. This must be a comfort to Number 10 which may have feared

Diary of a Political Campaign

a backlash. Only the left-leaning Independent has tried to create controversy with a non-story about representatives of Imperial Tobacco meeting civil servants at the DH. During that meeting, according to the Indy: ‘The lobbyists warned the health officials that the plans could cost the Treasury hundreds of millions of pounds in lost income.’

So? They were merely arguing their corner. Are they not allowed to do that in democratic Britain any more? Note too the pejorative use of the word ‘lobbyists’. Actually they were senior executives from Imperial Tobacco and the meeting took place at the request of the Department of Health not the company. I particularly liked this bit of the report:

Three months after the meeting in April, a minister familiar with the consultation process, speaking on the condition of anonymity, told the Independent: “My concern is that the tobacco companies have inveigled their way into persuading a number of important players to reject standardised packaging.”

Now who would that be? It couldn’t be Anna Soubry (again), could it?

Apart from a leading article in the same paper the only other newspaper that has commented on plain packaging was the Observer which ran a report that began:

Anti-smoking campaigners have accused the government of caving in to pressure from the tobacco lobby and running scared of Ukip after plans to enforce the sale of cigarettes in plain packs failed to make it into this week’s Queen’s Speech.

It then re-hashed the Independent’s story but at least acknowledged that the tobacco companies “were each invited to make representations to the government”, a small but important fact the Independent chose to ignore. That aside, and with the further exception of an equally predictable leading article in the Observer,

Hands Off Our Packs

I've struggled to find any comment about plain packaging in the mainstream media.

The Guardian published an article, online, by postgrad student Suzi Gage but an epidemiology student commenting on packaging (with no evident knowledge of the subject) is hardly likely to influence the PM. 'Columnist of the Year' Janet Street-Porter mentioned the subject in passing (in article entitled 'Dave's legacy') in the Independent on Sunday:

In spite of fighting talk, the PM backed down on minimum pricing for alcohol when almost every medical professional wanted it. Now, he's procrastinating over enforcing plain packets for cigarettes and it won't be included in the Queen's Speech.

And, er, that's it, apart from a weak (and inaccurate) joke by Frankie Boyle in the Sun on Sunday: 'The government has scrapped plans for all cigarettes to be sold in plain white packs. A shame, as then they would be ideal for all kids to colour in.'

The simple fact is, if plain packaging was considered an important issue, vital to the future health of the nation, columnists and op ed writers would be all over it. Instead, nothing but the sound of tumbleweed. Clearly neither the public at large nor the media in general care two hoots for standardised packaging because the tobacco control industry has lost the argument.

We will know for certain on Wednesday whether the government has taken that message on board. As things stand, the reaction of the media (allied to the response to the public consultation) shows the government is right to focus on far more important issues.

Diary of a Political Campaign

Going for Gold

May 6, 2013

There is a delicious moment in any campaign when opponents lose all sense of perspective and go completely bonkers, destroying their position with the sheer absurdity of their argument. That moment happened yesterday when journalist Tanya Gold added her long awaited thoughts to the plain packaging debate.

Writing for the Guardian's Comment Is Free website, she began: 'Coalition government acts as an agent for Big Tobacco ... I do not think it is mad to call its actions murderous.' I read the article last night whilst watching Endeavour (another whodunnit with murder afoot) so I got a bit distracted but those opening sentences say it all. Who needs friends when you've got enemies like this?!

Scraping the barrel even further I then read an article on Politics.co.uk. Written by Andy Lloyd, media, communications and social marketing manager for Fresh, the taxpayer-funded anti-smoking group, it contains the usual bleating including the statement that:

While the 'nanny state' is often the cry of Big Tobacco's paid front groups it's important to stress the massive public support for doing more to stop children from smoking.

They don't get it, do they? Of course there is public support for doing more to stop children from smoking. Common sense suggests there are very few people who wouldn't support further measures to discourage children from smoking, if they're reasonable. But plain packaging isn't reasonable. It's unreasonable because, among other things, there is no credible evidence it will work. In fact there is reason to believe it could be counter-productive, encouraging illicit trade, and we all know (or should know) that black market traders sell cigarettes to anyone, including children.

Five hundred thousand people clearly agreed because they took the trouble to sign petitions against plain packaging. Compare that

Hands Off Our Packs

to the 220,000 (approximately) who were said to be in favour. If Lloyd is suggesting that those 500,000 people are stooges of Big Tobacco I think he should get out a bit more and meet some ordinary people. But it's given me an idea. In future we should refer to ASH, Fresh et al as "Big government's paid front groups". That's what they are, after all.

PS. Belatedly the Express today reports that 'David Cameron stubs out plan for cigarettes in plain packets'. It includes comments from me, my colleague Angela Harbutt and Mark Littlewood, director-general of the Institute of Economic Affairs, who says, "The Prime Minister should be applauded for vetoing this absurd proposal." Compare this with Tanya Gold's intemperate remark, "I do not think it is mad to call [the government's] actions murderous." In all seriousness, I wonder which comment Number 10 will take most kindly to?

Get the party started

May 8, 2013

At last, the long-awaited Queen's Speech. For most people this archaic event is of very little interest. If you're engaged in a constant battle against excessive legislation however it's a harbinger of things to come. Indeed, ever since the consultation on standardised packaging of tobacco closed in August last year we've had one eye on the consultation report, the other on the Queen's Speech. As the months ticked by and there was still no sign of the report we had a sneaking suspicion the government might ignore the very strong arguments against plain packaging (and the 500,000 people who signed petitions against it) and include it in the legislative programme anyway.

Two months ago our fears grew when, quoting a "senior Whitehall source" now thought to be public health minister Anna

Diary of a Political Campaign

Soubry, the Guardian ran a front page report with the headline, ‘Government to legislate for plain cigarette packaging this year’. Although David Cameron denied a decision had been made, we couldn’t be sure. Our campaign continued. Today, a week after the Sun reported that plain packaging was not going to be in the Queen’s Speech, I am looking forward to official confirmation. Later, in a mood of quiet contemplation (!), I will join colleagues for a drink or three. After 15 months’ relentless campaigning I think we deserve it. After that? Watch this space.

PS. I’m not going to name all the people, including bloggers, who have helped the Hands Off Our Packs campaign, but you know who you are. Thanks!

Epic fail

May 9, 2013

I wasn’t going to write about plain packaging today. (Give it a rest, I hear you cry!) It’s impossible however not to comment on the hysterical but manufactured reaction to the government’s decision not to include it in the Queen’s Speech. All the usual suspects are screaming blue murder, pointing the finger at Lynton Crosby, “the Tories’ new campaign strategist ... whose PR and lobbying firm Crosby Textor has long-standing links with the alcohol and tobacco industries” (New Statesman). This conveniently ignores both the lack of evidence in favour of standardised packaging and the fact that 500,000 people opposed the measure in a public consultation.

Amid all the name-calling and temper tantrums (“I’ll thcream and thcream until I’m thick”), I detect shock and embarrassment. Substantial sums of public money have been squandered by tobacco control on a campaign that failed to convince the PM and his Cabinet that plain packaging would work or had the support of the general public. Publicly-funded websites were commandeered to

Hands Off Our Packs

persuade people to sign petitions in favour of plain packaging. Former health secretary Andrew Lansley was at one point listed as a supporter of plain packaging on the Plain Packs Protect website. Public health minister Anna Soubry has been actively (and sometimes furtively) lobbying for plain packs for months.

Despite this, and whatever may happen in future, they couldn't get the policy over the line. Advocates have failed in their quest. Like a football manager whose team has been beaten by a goal in the last minute after a long unbeaten run, tobacco control lobbyists are lashing out. We wuz robbed! The goal was offside! We should have had a penalty! The referee was nobbled! Disgusting tackle, their centre back should have been sent off! The opposition didn't play fair, we were supposed to win! By any standards, this has been an epic fail.

Read our lips - there was no promise to introduce plain packaging so no U-turn

May 9, 2013

Shameless. Labour has issued a press release with the headline 'Diane Abbott: Cameron must explain plain packaging broken promise':

Diane Abbott MP, Labour's Shadow Public Health Minister, urges David Cameron to explain plain packaging broken promise:

"This is deeply concerning, because behind all the chaos, confusion and dither, it's clear that Lynton Crosby and the government's friends in big business are pulling the strings, and public health is being quietly ditched by this government.

"David Cameron needs to get out of the bunker and explain why the government is breaking yet another promise, and whether he was aware of his main campaign strategist's business interests when he offered him the job."

Diary of a Political Campaign

ASH needless to say has tweeted the press release to its followers. Others have been equally active accusing the PM of a U-turn and goodness knows what. It's all spin and lies, of course. As anyone who has followed the plain packaging debate knows, David Cameron has not broken any promise nor done a U-turn. The coalition government, bless 'em, never promised to introduced standardised packaging. They promised a public consultation and they delivered. Abbott knows that, Labour knows that, the entire tobacco control industry knows that. Everything else is politics.

Update – More bleating, this time on a Cancer Research blog, but at least the writer doesn't accuse the PM of breaking a non-existent promise. Instead Chris Woodhall has a pop at the tobacco industry, Forest, Hands Off Our Packs and more. He mentions that 220,000 people supported standard packs campaigns but omits to mention that more than twice as many (500,000) supported campaigns against plain packaging.

He attacks the tobacco lobby but fails to mention the packaging and design companies that oppose plain packaging; or the retired and serving police officers who fear it will lead to an increase in illicit trade. He writes that 'Forest has ... used their own single-issue front-group Hands Off Our Packs (Hoops) to oppose standard packs: they receive the same veiled support from BAT, JTI and Imperial tobacco.'

Veiled support? It's there in black and white on both the Hoops and Forest websites. We've never hidden it. Compare our transparency with that of our opponents. It took a Freedom of Information request to find out how much public money Plain Packs Protect had received. (Over £450,000, thanks for asking.) Woodhall urges readers to write to MPs and "ask them to do the right thing: introduce standardised cigarette packs". They never give up, do they?

Hands Off Our Packs

Open minded? Another health minister comes out for plain packaging

May 18, 2013

A few weeks ago, on the day of the local elections and before the Queen's Speech, I received an email. It read:

About 30 minutes ago a man knocked on our front door. "I'm Norman Lamb, your MP. Have you voted yet today?" I shook his hand and told him that because of the smoking ban and plain packaging I wouldn't be voting for his party. He made clear that he 'respects my opinion' (ie thinks I am wrong). But we chatted on about plain packs and he said, almost verbatim, "I can reassure you that it won't be coming in during this parliament". He made fairly clear that the preference is to wait to see the body of evidence coming from Australia/New Zealand, which he believes will come.

I had little doubt the story was genuine but I didn't publish it at the time because it was based on a private conversation. I nevertheless took heart that it seemed to confirm reports that plain packaging would not be in the Queen's Speech. Norman Lamb, you see, is not only a Lib Dem MP, he's also a minister at the Department of Health. Today the Guardian reports that the very same Norman Lamb is urging the coalition "to press ahead with forcing cigarettes to be sold in plain packets to reduce sales, despite the plan being dropped from the Queen's Speech because of unease in Downing Street".

Norman Lamb, a Liberal Democrat, has urged ministers to make Britain the first country in Europe to adopt what he claims would become a key element of the legacy of government's time in power.

"As a liberal I would always defend someone's right to smoke, if that's what they choose to do. But, given we're dealing here with a product that kills between 80,000 and 100,000 people a year, I think it's legitimate for government to seek to control the marketing of that deadly product," Lamb told the Guardian.

Diary of a Political Campaign

“I think it would be a legacy for this government to have legislated on something which would be a landmark public health reform and to be out there in front in Europe. It’s something that both Liberal Democrats and Conservatives could be very proud of,” he added.

The care and support minister said he intended to keep fighting to secure the introduction of plain packs, even though it did not appear as expected in the government’s legislative programme unveiled last week. David Cameron ditched it amid fears of a backbench revolt against a “nanny state” idea and tobacco industry warnings of job losses if it went ahead.

“MPs from all three parties support this, so I will continue to argue the case for us to act. There could still be an opportunity in this parliament to act and I will argue the case for it,” said Lamb.

No-one can accuse Lamb of hypocrisy. He made it clear, when speaking to my correspondent, that he supports plain packaging. Then again, having allegedly reassured a constituent that plain packaging won’t be introduced in this parliament, he is now actively urging the government (of which he is a member) to do exactly that.

Another point: we are repeatedly told that the government has yet to make a decision, one way or the other, about plain packaging and that it continues to have an “open mind” on the subject. Despite this, Norman Lamb becomes the second health minister to openly declare his support for the policy. Moreover, he intends to “keep fighting” to get plain packs introduced. Health Secretary Jeremy Hunt needs to get a grip on his ministers who, when they’re not privately leaking information to newspapers, are in open revolt about government policy.

Meanwhile, nine months after the end of the public consultation on standardised packaging of tobacco, we are still waiting for publication of the report and official confirmation that 500,000 people signed petitions opposing plain packs whilst a relatively meagre 220,000 people supported it. Could that be the reason it has yet to appear? Or perhaps the Department of Health is desperately

Hands Off Our Packs

hanging on for evidence from Australia that plain packaging is working as intended. Meanwhile Norman Lamb has had his 15 seconds of fame. He must be very proud.

Minister for Europe: economic recovery will not solve democratic deficit

May 18, 2013

Plain packaging was mentioned by the Minister for Europe this week. Unlike Norman Lamb (see previous post) the Rt Hon David Lidington MP adopted a very different tone. Speaking in Berlin, his theme was democracy in Europe:

The democratic deficit in the EU is not a new problem. It is as old as the EEC itself. But the current economic crisis has accelerated an underlying trend. The latest Eurobarometer polling data on public opinion provides clear evidence of a fundamental lack of support for the EU across almost all Member States.

Trust in the EU has never been so low. It has fallen from a pre-crisis high of just over half of those surveyed to just a third last autumn. New survey data from Pew, issued this week, confirms the downward trend in support for the EU.

And for the first time since Eurobarometer started their surveys in 1978, more respondents across the EU were dissatisfied with the way democracy works in the EU than were satisfied.

But, you might ask, why does this matter? It matters because stable democracies rely on citizens accepting the rules as effective and legitimate, and feeling like they have a stake in how decisions are made. It matters because people feel that decisions affecting their lives are taken faraway, by unaccountable individuals. In some countries we have seen the rise of protest parties and social unrest ...

Now, some people might argue that the loss of trust in the EU is a temporary blip and is linked to the current crisis. My experience tells a different story. Economic recovery will not solve the democratic deficit.

Diary of a Political Campaign

Politicians and academics talk about principles – about subsidiarity and proportionality. Our citizens put this in more practical terms. People question why the footwear and jewellery worn by hairdressers should be regulated at the European level.

Why they cannot determine shop opening hours locally in accordance with local traditions and practices. Why it is that the EU needs to ban branding on cigarette packets or set quotas for women on company boards.

And they question why their local hospital or fire service no longer offers 24-hour cover due to judgments on working time rules made far away by the European Court of Justice.

In short, public dissatisfaction is not solely a consequence of the economic crisis, though that has of course emphasised the trend, but results from a longer-term and much broader sense that decisions at European level are remote from both citizens themselves and their interests.

At a time of great change, particularly for those in the Eurozone, trust in the EU is at a record low and public dissatisfaction at a record high. The EU is often seen as inefficient and out of touch with the real world. The ordinary European does not feel that his or her voice counts.

At last, a minister who ‘gets it’ and, better still, has decided to speak out.

Wanted: greater transparency from tobacco control lobbyists

June 2, 2013

A rather pitiful report in today’s Observer ‘reveals’ that the Adam Smith Institute and other “right wing think tanks” including the Institute of Economic Affairs have received money from tobacco companies.

I’m sure this story has done the rounds before but it’s been dug out (I imagine) because of the so-called lobbying scandal. (Note the absence of any actual lobbyists in the BBC/Telegraph sting – only

Hands Off Our Packs

journalists and politicians.) Anyway, the gist of the Observer's report is this:

Two of Britain's leading free-market think tanks have been criticised for taking money from "big tobacco". The Adam Smith Institute (ASI) and the Institute of Economic Affairs (IEA) have received tens of thousands of pounds in funding from leading tobacco companies. Their admissions have dismayed health groups, which question the degree to which both organisations have influenced government thinking, especially on plain packaging for cigarettes.

The paper adds that:

Tobacco Tactics, part of the Tobacco Control Research Group at the University of Bath, notes that both think tanks took part in a series of debates organised by the pro-tobacco pressure group Forest in June 2011.

Oh no! That would be the Voice of Freedom debates, one of which was called 'Civil liberties up in smoke'. Funnily enough, I invited Deborah Arnott, CEO of ASH, to take part but she didn't bother to even reply. I got a similar response a few weeks later when I invited her colleague Martin Dockrell to take part in a debate entitled 'Risk and the pursuit of happiness: is smoking, drinking, gambling good for you?'

I've said this before and I'll say it again. There are at least two sides to every public policy discussion. The tobacco control industry receives millions of pounds of taxpayers' money to lobby government. Those who oppose excessive regulation in areas such as tobacco, food and drink get nothing from the public purse. Britain is a democracy (allegedly) and there is nothing wrong with think tanks receiving support from private sources. In fact, if I have a complaint it's that they (and Forest) don't get a whole lot more financial support!

In a perfect world there might be total transparency but before "health groups" point the finger at "right wing think tanks" let's

Diary of a Political Campaign

have similar transparency from them. For example, we shouldn't have to resort to Freedom of Information requests to discover how much public money was spent on the Plain Packs Protect campaign. The Observer, naturally, wasn't interested in that angle. Instead today's report is essentially a re-hash of an ASH briefing for the All Party Parliamentary Group on Smoking and Health ('Tobacco Front Groups and Third Party Lobbying Tactics') published last year.

Meanwhile what of the Tobacco Tactics website, "a groundbreaking new online academic resource". How much does that cost to 'research' and run? Or the University of Bath's Tobacco Control Research Group, which is part of a network of British universities with departments dedicated to tobacco control. Others include the universities of Nottingham, Stirling and Aberdeen. How much public money do they receive each year to conduct research and lobby government – or is that a secret? I'd be interested too to know how much money it costs ASH to run the All Party Parliamentary Group on Smoking and Health.

PS. The Financial Times did this story better and more fairly last year. The FT report ('Big tobacco campaigns on freedom') begins with my all-time favourite description of a Forest event:

The footage resembles a music video for an anarchist punk-rock band. Policemen, warning signs, CCTV cameras and spiked fences appear in a rapid sequence of black and white shots. A thrashing guitar soundtrack begins – cue the message: 'Welcome to Nanny Town'.

If you haven't seen the video go to the Hoops website. By a remarkable coincidence it includes contributions by Mark Littlewood, director-general of the Institute of Economic Affairs, and Sam Bowman of the Adam Smith Institute. We didn't pay them a penny. Stick that in your pipe and smoke it.

Hands Off Our Packs

Chair of APPG on Smoking and Health defends lobbying but wants transparency

June 2, 2013

Stephen Williams MP, chair of the All Party Parliamentary Group on Smoking and Health, has tweeted, ‘Lobbying is essential part of good law making but needs transparency. And lobbying is diff to dumb MPs & Peers cash for questions #bbcsp’. At last, something we can agree on! But first, I thought I’d check the APPG on Smoking and Health’s own record of transparency. According to the Register of All-Party Groups:

Action on Smoking and Health (a charity) provides administrative support to the group, which includes sharing of information with members of the group, provision of briefing material at meetings, and funding for group receptions and for design, printing, photography, and dissemination costs relating to group publications and stationery.

A small point perhaps but don’t you think this is a little ingenuous? Can you imagine what our opponents would say if we said that Forest Eireann or the Hands Off Our Packs campaign were funded by Forest without mentioning that Forest is supported by British American Tobacco, Imperial Tobacco and Gallaher Limited (part of the Japan Tobacco International group of companies)?

Visitors to the ASH London website will find a clear statement that ASH receives funding from Cancer Research UK and the British Heart Foundation. In addition however ASH gets money from the Department of Health “to support delivery of the Tobacco Control Plan for England” (but not general campaigning, allegedly), but you have to dig a little deeper for that information. That leaves the following questions: how much does the APPG on Smoking and Health cost to run, does it receive money from third parties not mentioned on the ASH website, and does it benefit in any financial or material way from the public purse? For the sake of transparency I think we should be told.

Diary of a Political Campaign

Update – Writing on Facebook my colleague Angela Harbutt says, “Stephen Williams says lobbying must be transparent. That’s rich! It was he and his All Party Parliamentary Group on Smoking and Health that took state-funded ‘charity’ ASH along to a secret meeting with health minister Anne Milton during the consultation on plain packaging. And did they discuss plain packaging? Yes they did. And was the meeting declared by Milton on the Ministerial Meetings register? No, it wasn’t.” Read more here: ‘Misconduct or shambles? Behaviour of minister and civil servants raises serious questions’ (Hands Off Our Packs). Ouch!

Talking cigarette packs? Po-faced puritans are deadly serious

June 30, 2013

Scotland on Sunday reports that:

Scottish researchers have created talking cigarette packets which inform addicts of the risks of tobacco use in case they had missed the prominent health warnings and gory pictures which already adorn the products.

I’ve known about it for a few days because the paper rang Forest on Thursday for a quote for what was described as “a bit of a funny story”. I decided to play along and responded as follows:

“I can’t imagine anything more attractive to a child than a pre-recorded message. It’s like a talking birthday card. The more gruesome the message the more enticing it will be. That’s why horror films are popular with teenagers. The voice will be crucial. Consumers may want a choice of gender, or regional accent, like you get on a sat nav system. If the idea takes off I look forward to similar warnings when you open a bottle of beer or unwrap a bar of chocolate.”

Hands Off Our Packs

Today's paper has quoted me in full but – and this is the funny bit – there is not an ounce of humour in the reaction of the tobacco control industry. As ever, those po-faced puritans are completely serious:

Sheila Duffy, chief executive of ASH (Action on Smoking and Health) Scotland, said: “The tobacco industry buys a great deal of creative expertise to market its addictive and lethal products to new consumers, mainly young people.

“I welcome the suggestion that we get more creative to put forward images of good health and freedom from addiction as alternatives to tobacco, and that we start requiring tobacco companies to present the truth to their consumers in more eye-catching ways.”

Alison Cox, tobacco control lead at Cancer Research UK, said: “We know that tobacco companies target women and younger people with stylish, colourful packs that reduce the impact of health warnings. This sophisticated marketing can mislead people as it disguises how harmful cigarettes are. This Cancer Research UK funded study is looking to see if the marketing tools of the tobacco industry can be used to help smokers quit instead.

“This and other research is part of our commitment to stop the tobacco industry targeting both children and adults, particularly as more than 200,000 children in the UK still start smoking every year.”

I did contemplate going further with Forest's response but a little voice (no pun intended) told me not to get carried away. For example, in the back of my mind I was thinking, “Imagine if the pack opened to the sound of a creaking door followed by the voice of Christopher Lee ... or Freddy Krueger.” Far more bad taste jokes entered my head but thankfully stayed there. I'm itching to say what they were!

July–August 2013

Plain packaging? That’s just for starters

July 1, 2013

Further to yesterday’s post about ‘talking’ cigarette packs, an interesting document has come to our attention. Entitled ‘Tobacco Packaging Innovation’ it’s credited to Dr Richard Purves, Marisa de Andrade, Crawford Moodie and Jennifer McKell of the Institute for Social Marketing, University of Stirling.

It was posted online on June 20, 2013, which makes the following statement quite interesting:

Plain packaging was introduced in Australia in December 2012. The New Zealand government announced plans to introduce plain packaging in February 2013, although no timeline has yet been set for doing so. Uptake of plain packaging outside of Australasia may be more protracted.

A systematic review conducted to inform the UK consultation on plain packaging had 37 included studies, which collectively suggested that plain packaging may help; 1) reduce appeal of the pack, product and user [my emphasis]; 2) reduce consumer confusion about product harm as a consequence of pack colour and shape; 3) increase the salience of health warnings (Moodie et al, 2012a).

Note the use of the words “may help”. In other words, seven months after the introduction of plain packaging in Australia, and a

Hands Off Our Packs

year after a “systematic review” of the evidence that included 37 hand-picked studies, the tobacco control industry can still offer nothing more than the vague hope that plain packaging “may help” reduce the appeal of cigarette packs or what they laughingly call “consumer confusion about product harm”.

No wonder the Department of Health is dragging its heels over the publication of its report on the public consultation on standardised packaging which closed almost eleven months ago! Undeterred by this calamitous failure of evidence, Purves et al ask, “So how else can the pack be used to communicate harm to smokers?”:

Focus group research with young women smokers aged 16-24 years [were] recruited from Greater Glasgow to explore their response to four innovative measures to communicate health risk/cessation messages via the packaging.

The four “innovative measures” involved pack inserts, quick response (QR) barcodes, the cigarette itself, and audition (“talking”) packaging.

Here’s how they might be used:

Pack inserts could feature a cessation message (“Quitting will improve your health”) or a health risk message (“Smoking damages your lungs”).

QR barcodes could direct the user to either a national smoking helpline or the NHS choices website on the benefits of quitting.

Cigarettes could have the words ‘Smoking Kills’ printed vertically on both sides of the cigarette paper.

Audition packs would play a short pre-recorded short message:

To test the effect of the latter two audition packs were created. The first message was “Get help to quit, call 0800 0224 332 for more information on the options available”.

The second was “Smoking reduces fertility. If you are planning to have a child now or in the future smoking can reduce your chance of conception by up to 70 per cent”.

Purves et al report that the focus groups had “mixed feelings” about the possible impact of audition packs:

Diary of a Political Campaign

Some felt they would become accustomed to hearing it.

“I think you would probably get used to it but, because like you know, once you start smoking you just ignore it” (Group 4, 16-17, C2DE)

Others thought the messages may make them think about stopping or reducing consumption.

“I think that would maybe make you think twice about giving up” (Group 2, 18-24, C2DE)

“I’d maybe smoke less” (Group 7, 16-17, ABC1)

For some this appeared due to the annoyance of repeatedly hearing such messages, for others the message itself would be reinforced

Some people would maybe say “I need to pack that in because they packets are doing my nut in” (Group 1, 18-24, C2DE)

“It’s just hearing it every time you are opening it ... it would maybe start sinking in” (Group 7, 16-17, ABC1)

Those that thought audition packs had some impact, perceived the two messages differently

The message on fertility was perceived as ‘hard-hitting’, ‘effective’ and ‘off-putting’, particularly among 16-17 year olds, who said it may make them think about quitting.

“I would stop” (Group 6, 16-17, ABC1)

“I didn’t know it would reduce fertility and stuff so, I don’t know, I think you just wouldn’t bother doing it (Group 3, 16-17, ABC1)

Eventually the authors conclude that:

Article 2.1 of the WHO Framework Convention on Tobacco Control encourages member Parties to implement measures beyond the Guidelines in order to protect public health.

With some creative thinking packaging can be manipulated, not to create or enhance appeal, but to communicate risk and cessation messages.

In general, even though quitting was a low priority for young women, all four measures were perceived to have potential value in communicating the health risks of smoking and cessation messages.

The pack inserts were considered helpful in terms of communicating additional information about health risks and the

Hands Off Our Packs

benefits of quitting, particularly if double sided inserts were used with an image on one side and more detailed information on the other.

There were mixed perceptions about ‘Smoking Kills’ on the cigarette itself. Most thought it would have little impact but some suggested that it would make them think about stopping, largely due to it being perceived as embarrassing.

There was general support for the inclusion of on-pack QR barcodes directing the user to available help. Most thought this would be helpful, at least if they or others were thinking about quitting, but could be easily avoided otherwise.

Finally, the ‘talking’ packs were perceived as off-putting, particularly the message about smoking lowering the chance of conception.

So plain packaging may be tobacco control’s current holy grail but it’s only a stepping stone to further invasive policies, the most notable of which is ‘talking’ cigarette packs that nag you to consider the health risks of smoking every time you open the pack. You couldn’t make it up.

BBC: government “formally” abandons plain packaging

July 12, 2013

The BBC has this morning confirmed that ‘Standardised plain cigarette packaging plans shelved’:

The government is to postpone its plans to introduce standardised plain packaging for cigarettes in the UK. Ministers are expected to tell MPs that a decision on the policy has been formally delayed so that more time can be spent examining how similar plans have worked in Australia.

A small point perhaps but I’m not aware the government ever had “plans to introduce standardised plain packaging in the UK”. Not officially, anyway. My understanding, because ministers and

Diary of a Political Campaign

civil servants repeated it ad nauseum, is that ministers (if not the Department of Health) always had an “open mind” on the subject. The government conducted a public consultation on the issue and rival campaigns produced the following result – an estimated 220,000 responses in favour, 500,000 against. According to the BBC, however, ‘Campaigners said they were bitterly disappointed with the decision.’

Actually some campaigners are delighted but we don’t seem to exist. Instead the BBC reports that the consultation was extended by a month to allow more people to respond “after strong public interest in the issue”. Strong public interest! How about ‘Huge protest against excessive regulation and the nanny state?’

Update – The BBC has updated its report to include a quote from my colleague Angela Harbutt. They have also changed ‘Campaigners said they were bitterly disappointed’ to ‘Health campaigners said they were bitterly disappointed’ – a small but important point. Our full response is on the Hands Off Our Packs website: ‘UK government “formally” abandons plain packaging: ministers have listened to ordinary people say campaigners’.

The BBC (Five Live Breakfast and the Today programme) are all over the story. (Great interview with the IEA’s Mark Littlewood on Five Live). The Guardian also has the story, with a quote by Forest: ‘UK plans for plain cigarette packaging to be shelved’.

Antis bleating on Twitter: Conservative MP (and GP) Sarah Wollaston tweets, ‘R.I.P public health. A day of shame for this government; the only winners big tobacco, big alcohol and big undertakers’. Stephen Williams MP, chairman of the All Party Parliamentary Group on Smoking and Health, tweets, ‘Terrible decision by govt to stop plans for standard cigarette packs. Victory for tobacco lobby, defeat for public health.’ Let’s hope neither are promoted to junior health minister in the forthcoming reshuffle!

Hands Off Our Packs

Ministerial statement on plain packaging: tobacco control still spinning

July 12, 2013

The Department of Health has issued a Written Ministerial Statement on plain packaging. Here's a taste:

Many thousands of responses to the consultation were received, and the views expressed were highly polarised, with strong views put forward on both sides of the debate and a range of organisations generating campaigns and petitions. Of those who provided detailed feedback, some 53% were in favour of standardised packaging while 43% thought the government should do nothing about tobacco packaging.

Having carefully considered these differing views, the government has decided to wait until the emerging impact of the decision in Australia can be measured before we make a final decision on this policy in England.

Currently, only Australia has introduced standardised packaging, although the governments of New Zealand and the Republic of Ireland have committed to introduce similar policies. Standardised packaging, therefore, remains a policy under consideration.

In the meantime, the government in England will continue to work to reduce smoking rates through ending the display of tobacco in all shops, running national behaviour change campaigns to encourage smokers to quit and through supporting local authorities to provide effective stop smoking services. Our strategy is working – we are recognised as the leading country in Europe for tobacco control and for the first time since records began, adult smoking rates are under 20%.

Needless to say you have to download and read the report on the consultation in order to discover that:

In total, 665,989 campaign responses were received from 24 separate campaigns. Around two-thirds of campaign responses received were

Diary of a Political Campaign

from people who are opposed to the introduction of standardised packaging (total of 427,888 responses) and one-third of campaign responses received were from people who are in support (238,101 responses) ...

Bizarrely the report claims that “the consultation was not intended, or designed, to elicit representative samples of public opinion”. As someone has just commented, “Is that not exactly what a ‘public’ consultation is intended to do?!” One has to conclude that this is a face saving exercise on the part of civil servants at the Department of Health who continue to spin to the bitter end. For now there’s only one thing that matters. The government has formally announced it will not introduce standardised packaging of tobacco any time soon. I think we’ll chalk that one down as a little victory.

Official: Forest underestimated success of Hands Off Our Packs campaign

July 13, 2013

Busy day yesterday, for my colleague Angela Harbutt in particular. Angela appeared on the BBC News Channel, Sky News, and Five News. She was also interviewed by BBC Radio London. Back in Cambridge I did LBC and a couple of local radio stations. Not for the first time BBC Radio Cambridgeshire described me as the “Huntingdon campaigner” which makes me sound like I’m fighting plans for a local by-pass or the demolition of a local landmark, usually a tree. Forest was also quoted by BBC News, the Guardian, Marketing Week, Management Today, The Grocer and something called Public Service.

Amusingly the Guardian initially reported that ‘The government’s decision was welcomed by groups including the Tobacco Manufacturers Association, the pro-smoking group ASH

Hands Off Our Packs

and the Petrol Retailers' Association.' This was corrected when I tweeted journalist Andrew Sparrow. A note was added to the online report that reads:

This article was amended on 12 July 2013. It originally said the decision was welcomed by the pro-smoking group ASH. This group is anti-smoking; it was the pro-smoking group Forest that welcomed the decision.

Anyway it's a beautiful morning in Cambridgeshire and I am currently sitting in the garden, drinking coffee and reading the summary report on the consultation. The first thing I checked, when I downloaded it yesterday, was the number of responses. According to Jeremy Hunt's ministerial statement, which I imagine was written by a civil servant at the Department of Health, a majority of "detailed" responses (2424 in total) favoured plain packaging:

Of those who provided detailed feedback, some 53 per cent were in favour of standardised packaging while 43 per cent thought the government should do nothing about tobacco packaging.

Echoing blogger Chris Snowdon's comment, I'm amazed those figures are so close. Given that the pro-plain pack brigade included a vast number of state sector organisations that were no doubt encouraged to submit a "detailed response", it says a lot that 'our' side almost matched them. It means that a hell of a lot of private (as opposed to state-funded) companies and organisations submitted responses to the consultation. They included retailers, tobacconists, packaging companies, design agencies, think tanks, you name it, a far broader cross-section of the country (I would argue) than the narrow public sector that contributed 53 per cent of the "detailed responses".

When it comes to the public response there's no contest. According to the summary report, which I imagine must have been written through gritted teeth and tear-stained cheeks:

Diary of a Political Campaign

In total, 665,989 campaign responses were received from 24 separate campaigns. Around two-thirds of campaign responses received were from people who are opposed to the introduction of standardised packaging (total of 427,888 responses) and one-third of campaign responses received were from people who are in support (238,101 responses) ...

A breakdown of the figures is quite interesting, to me anyway, because Forest's Hands Off Our Packs campaign did even better than we thought. For almost a year, since the consultation closed in August 2012, we claimed to have submitted the names of 235,000 people opposed to plain packaging. At the time this figure was challenged by our opponents, including the APPG on Smoking and Health (run by ASH), who effectively accused Forest of cheating. Now the consultation report has been published I see that the Department of Health credits Forest with the following: postcards (55,201) + petition (214,653) = 269,854. So we underestimated the success of our campaign! You couldn't make it up.

As an aside I also note that the DH has included, on the pro-plain pack side, a total of 19,863 votes submitted by Avaaz, a global online community that launched a petition in favour of plain packaging 48 hours before the closing date for the consultation and just hours after Forest announced that we had raised 235,000 signatures against plain packs. It hardly matters now, but what a joke! Anyway, add all the responses together and the slim "majority" in favour of plain packs changes dramatically. The true result – not mentioned in the DH's ministerial statement or by reporters yesterday – is that 64 per cent of responses were against plain packaging with only 36 per cent in favour. Now that's a landslide.

Finally, what of Labour health spokesman Diane Abbott, who Angela and I both had the 'pleasure' of going head-to-head with yesterday, me on LBC, Angela on Sky News. Abbott, like many tobacco control advocates, has repeatedly accused the government of doing a U-turn on plain packaging. It's both desperate and

Hands Off Our Packs

shameless. Read my lips, Diane. A junior health minister (Anna Soubry) may have expressed support for plain packaging but the government never committed itself to the policy.

The government promised a public consultation and it delivered. It then considered the evidence and responses and rightly decided to postpone a decision until more compelling evidence is found to support the measure. In the circumstances I consider that to be a sensible, mature decision, unlike the knee-jerk or unprincipled reactions more commonly associated with today's politicians. The irony, of course, is that it was Soubry who had to stand before Parliament and explain the government's decision. Now that was a delicious and unexpected treat. Who says there isn't a god?

Update – The Guardian quotes John Middleton, vice-president of the Faculty of Public Health: “It is fairly clear that the government has caved in on this one to big business because there is nobody else arguing that plain or standard packaging should not have come in.” Nobody else?

Crosby story runs out of puff

July 21, 2013

On Friday I received the following email:

Dear Simon, I'm researching an article for the Sunday Times. Please could you let me know if the publicist/lobbyist Lynton Crosby or any of his companies (Crosby Textor - “CT Group” or Crosby Textor Fulbrook - “CTF Partners”) or staff have a link with or worked for your organisation? I'd appreciate a prompt response - many thanks.

I can't imagine Forest was alone in receiving such an enquiry (my reply was negative, by the way) and I naturally looked forward to reading today's paper to see if there were any fresh revelations that

Diary of a Political Campaign

might bring the government to its knees. Predictably, the ‘story’ is as tame as tame can be. There is nothing about links between Lynton Crosby, his companies, and groups associated with the tobacco industry, presumably because they couldn’t find any. Instead the paper highlights “new” evidence that allegedly shows that plain packaging is working in Australia.

The research is yet another study that suggests that tobacco purchased in standardised packs is perceived to be “less satisfying and less desirable than branded packs”. Researchers surveyed 536 smokers in Victoria about the satisfaction they got from their cigarettes. “Smokers [given] plain packs were *more likely* [my emphasis] to *perceive* [my emphasis] their tobacco as being lower in quality and lower in satisfaction, and *more likely* [my emphasis] to *think about* [my emphasis] and prioritise quitting.”

Call this evidence? Where’s the evidence that sales or consumption of cigarettes has actually fallen in Australia since plain packs were introduced in December?

The new study is linked to Cancer Council Victoria, whose staff include Professor Melanie Wakefield, a leading expert in tobacco control ... The Sunday Times has established that Wakefield flew to London in April to share the provisional findings of the new study. She requested a meeting with health ministers but was told none was available. Instead, she saw civil servants from the Department of Health’s tobacco control team.

I bet she did. I’m looking forward to reading minutes of that meeting. Meanwhile I wonder who told the Sunday Times about the meeting? Was it Professor Wakefield, Cancer Council Victoria or, surely not, officials at the Department of Health?

Hands Off Our Packs

Better late than never, BBC publishes Forest response to plain pack report

July 23, 2013

Well, that was weird. At 14.05 yesterday BBC News published a report entitled 'Plain cigarette packs 'encourage smokers to quit.' It 'revealed' that:

Selling cigarettes in unbranded packs seems to make tobacco less appealing and encourages smokers to quit, suggests a study ... The findings come days after ministers were criticised for putting on hold a plan to impose plain packs in England.

There were quotes from Cancer Research UK and the British Heart Foundation but nothing from opponents of plain packaging. An hour or two later, in response to a tweet by BBC News that included a link to the story, Forest tweeted: '@BBCNews Another biased, one-sided report. Where's the evidence that youth smoking rates or even consumption have fallen?' It appears someone at the BBC read it because this morning I was invited to submit a comment. I wrote:

The study offers no credible evidence to suggest that plain packaging will reduce youth smoking rates nor have any impact on adult consumption. The research, which was carried out in November 2012, before plain packaging was introduced, is based on highly subjective responses to questions about the perceived quality of cigarettes and the satisfaction consumers derive from smoking cigarettes sold in standard packs. There is no evidence that the sale or consumption of cigarettes has fallen in Australia since plain packs were introduced in December. So far the policy has made no difference to sales and no amount of spin or bluster can disguise that fact.

Update – No surprises for guessing who was among the first to welcome the study. That's right, Ireland's Minister for Health, Dr James Reilly.

Diary of a Political Campaign

“Given all we know about the dangers of smoking, it is not acceptable to allow the tobacco industry to use deceptive marketing gimmicks to lure our children into this deadly addiction and to deceive current smokers about the impact of their addiction ... This study provides further evidence that plain pack cigarettes are the next step forward in tackling this addiction.”

Really? The study found that, when consuming cigarettes from standard packs, smokers are 66 per cent more likely to think their cigarettes are of poorer quality, they are 70 per cent more likely to say they found them less satisfying, and they are 81 per cent more likely to have thought about quitting at least once a day and rate quitting as a higher priority in their lives. In that case, why haven't the sale or consumption of cigarettes in Australia fallen since the introduction of plain packs in December?

The UK and Irish media would have us believe this latest study is new. Actually, it was conducted in November 2012 when branded packs were still available and consumers still had the opportunity to compare the two. Now they have got used to them, consumers Down Under don't seem to care two hoots. My colleague in Ireland, John Mallon, has issued this statement:

“The study that Mr Reilly refers to was conducted in November 2012 when branded packs were still on sale in Australia. Researchers asked 536 smokers to respond subjectively to questions about their perceptions concerning the quality of cigarettes and the satisfaction they derive from smoking cigarettes that are sold in standard packs.

“What the study emphatically does not do is demonstrate that plain packaging changed their behaviour after plain packaging was introduced the following month. Indeed there is not a shred of credible evidence to suggest that plain packaging has reduced youth smoking rates or had any impact on adult consumption in Australia. To date the policy has made no difference and no amount of spin or bluster by Minister Reilly can disguise that fact.”

Hands Off Our Packs

Lynton Crosby, the PM and me

July 25, 2013

Fair play to Labour. With help from a compliant media they've managed to keep the non-story of Lynton Crosby and plain packaging in the media spotlight for almost two weeks, which is some feat. Not even the birth of a royal baby, third in line to the throne, has derailed it. Yesterday Crosby issued a statement that should put the matter to bed once and for all. Observers were immediately struck by the clarity of Crosby's statement compared with those of David Cameron on the same subject. Where the PM tended to fudge his response, preferring to say he hadn't been lobbied by Crosby, Crosby declared unequivocally:

“What the PM said should be enough for any ordinary person, but to avoid any doubt or speculation let me be clear. At no time have I had any conversation or discussion with or lobbied the prime minister, or indeed the health secretary or the health minister, on plain packaging or tobacco issues. Indeed, any claim that I have sought to improperly use my position as part-time campaign adviser to the Conservative Party is simply false.”

Goodness knows why it took so long for this statement to appear and some might ask why the PM couldn't have said the same thing a week ago. Of course it's not that simple. As a member of his staff said yesterday, the PM meets hundreds of people and he would be superhuman if he remembered everything every single person said to him.

Without wishing to compare myself to the PM, I can cite a very recent example in which I too hedged my response ever so slightly. On Friday, as I reported on this blog, I was asked by the Sunday Times whether ‘the publicist/lobbyist Lynton Crosby or any of his companies (Crosby Textor – “CT Group” or Crosby Textor Fulbrook - “CTF Partners”) or staff have a link with or worked for your organisation?’ My knee jerk reaction was an immediate “No” but after thinking about it for a moment this was my actual

Diary of a Political Campaign

response: “I have no idea who works for him but to the best of my knowledge neither Lynton Crosby or any of his companies or staff have a link with or have worked for Forest.”

The reason I added “to the best of my knowledge” was because while I am 99.9 per cent certain there is no link between Crosby, his companies and Forest, there is I suppose the faintest possibility that someone who has worked for a company that has worked with Forest (a PR or design agency, for example) may have worked for one of Crosby’s companies. It’s highly unlikely but I couldn’t be 100 per cent certain so it was best, I thought, to add that rider in case the Sunday Times had information I was unaware of, in which case I risked being portrayed as ill-informed or, worse, a liar.

Cameron, I’m sure, would have been thinking along similar lines. He knew he hadn’t been lobbied on the issue but he couldn’t be 100 per cent certain that the words ‘plain packaging’ had never been mentioned, perhaps in passing, in the presence of Lynton Crosby. If someone were to come forward and say otherwise (no-one has, by the way) the PM would be accused of lying. So he chose his words very carefully, and that in turn prolonged the story.

PS. What if ... I were to sidle up to Cameron at the Conservative conference in September, shake his hand and congratulate him on the government’s decision not to introduce plain packaging, adding there is no evidence to suggest that it will reduce youth smoking rates. Will that be considered lobbying?

What if ... a picture were to emerge of me shaking hands with the PM – who will no doubt shake hundreds of hands that week alone – and questions are asked. For example, “Prime Minister, when you met the director of the smokers’ group Forest at the Conservative conference last week, did you discuss plain packaging of tobacco?”

How should the PM reply?

In all probability he wouldn’t remember me, the moment, or what was said, but he can’t be certain our brief encounter wasn’t caught on tape or mobile phone. If you’re the PM it really is a minefield out there.

Hands Off Our Packs

Did PMI “support” get lost in the post?

July 28, 2013

Internal documents from Philip Morris (PMI) have been leaked to the Observer. According to the paper:

Independent research attacking the evidence base for plain packaging was commissioned, while PMI pledged support for the Hands Off Our Packs campaign, which presented itself as a grassroots initiative organised by smoking enthusiasts.

That implies, I think you’ll agree, a lack of honesty. From day one however the following disclaimer appeared on the Hands Off Our Packs website and all press releases:

Hands Off Our Packs is owned and managed by Forest (Freedom Organisation for the Right to Enjoy Smoking Tobacco). Forest is supported by British American Tobacco, Imperial Tobacco Limited and Gallaher Limited (a member of the Japan Tobacco Group of Companies). The tobacco companies are proud to support this campaign. However the views expressed on this or any other Forest-affiliated website are those of Forest alone.

As for PMI pledging its support, I’d love to see some evidence. Perhaps it got lost in the post.

“Mums and grans” support plain packs say Cancer Research

August 26, 2013

The results of YouGov’s latest poll on plain packaging were released on Friday but embargoed until midnight last night. According to Cancer Research, which commissioned the survey, ‘Mums and grans back plain, standardised packaging to protect children from tobacco marketing’:

Diary of a Political Campaign

While the UK government remains unsure about the effectiveness of removing glamorous packaging on cigarettes, eight in ten women have less doubt and agree that bright, colourful packaging tends to make products more attractive to children aged under 18 according to new figures published by Cancer Research UK today.

The YouGov survey of more than 2000 women in the UK also showed that 85 per cent of all mothers and grandmothers with children under 18 believe that children should not be exposed to any tobacco marketing. And 92 per cent would be worried about their children if they became addicted to smoking before the age of 18.

This was Forest's response:

“There is no credible evidence that children start smoking because of cigarette packaging. Teenagers are influenced primarily by their peers and family members. The introduction of plain packaging could fuel the black market and that would be far worse for children because criminal gangs don't care who they sell to.

“The government has rightly decided to wait until hard evidence is available that supports plain packaging. To its credit it has also taken into account the views of hundreds of thousands of people who responded to the public consultation on standardised packaging. A huge majority were against the policy, and with good reason.”

Surprisingly, those perennial cheerleaders for tobacco control – the BBC and the Guardian – have ignored the poll completely. In fact, despite this being a bank holiday and therefore a slow news day, early indications are that the Independent is the only national daily that has run the story (‘Colourful cigarette packs do appeal to children, say UK mums’).

Needless to say this apology for a newspaper doesn't include a quote by Forest or anyone else opposed to plain packaging. No matter, the Press Association has rather higher standards so our response is getting plenty of coverage in regional newspapers around the country.

September–October 2013

Simon Chapman and Nicola Roxon on Five Live Breakfast

September 10, 2013

Apparently Australia's number one anti-smoking campaigner Simon Chapman was on Five Live Breakfast this morning promoting plain packaging. I caught his name on the car radio just before boarding the 6.30 train to London. The programme also featured a report by the BBC's Sydney correspondent who told presenter Rachel Burden, "Early signs are plain packaging is having an effect".

I heard a brief comment from the former Australian health minister Nicola Roxon, under whose watch plain packaging was introduced, who trotted out the tired old research into people's reaction to plain packs that was carried out before their introduction. In the short time I was listening the programme offered no further evidence - nor any balancing comment. Moments later I was on the train and unable to listen further. Did anyone hear the whole programme?

Update – Writing for Liberal Democrat Voice our old friend Stephen Williams MP writes, 'Stand up to Big Tobacco and help us win a vote in Parliament'. Liberal? Democratic? You decide.

Hands Off Our Packs

Stephen Williams: ASH to the rescue!

September 11, 2013

Well, that's embarrassing. Poor old Stephen Williams has been getting such a battering on Liberal Democrat Voice, where he wrote an article about plain packaging, he's had to call in the cavalry. Riding to his rescue are his buddies Phil Rimmer and Deborah Arnott, business manager and CEO of Action on Smoking and Health, respectively.

Stephen has now added a comment to his own article "thanking everyone" for their comments. Laughably he seeks to "remind you of the huge lobbying campaign that the tobacco industry has mounted to defeat this proposal [plain packaging]". Needless to say he doesn't mention the far bigger lobbying campaign carried out by the tobacco control industry, much of which was funded by the state (information that had to be dug out of them through a series of FOI requests).

Unable to win the argument by producing evidence that plain packaging will actually stop teenagers smoking, Williams resorts to more traditional smear tactics: "Lastly, those who cite responses to the government's consultation will I'm sure be aware that it's widely known that there is evidence that the tobacco industry basically tried to 'stuff the ballot box' ..." Stuff the ballot box? I suppose he's referring to allegations (which Forest has responded to in great detail) concerning five fake signatures. He omits to mention a rather more significant example of skulduggery, conducted by a pro plain pack campaigner. But he would, wouldn't he?

More plain pack propaganda

September 20, 2013

Another study concludes that plain packaging will stop people smoking. According to 'new' research, "Cigarette branding

Diary of a Political Campaign

encourages teenagers to start smoking but non-smokers would be discouraged from even trying them and current smokers would quit if cigarettes came from ‘plain packs’ ...” But wait, these are not the conclusions of a report based on hard evidence but the subjective opinions of 15-16 year olds who participated in the study.

At the launch of the research, which was jointly commissioned by the Irish Heart Foundation and Irish Cancer Society, attendees were told that the children who took part in the focus groups believed that cigarettes currently on sale in Ireland, communicate ‘fun’, ‘style’ and make the smoker ‘look and feel better’ about themselves. The findings show that although finances and price prevent teenagers from purchasing premium brands of cigarettes, appealing packaging has the power to generate buzz, provide the incentive to purchase and can communicate perceived benefits of smoking one brand over another.

When shown the new standardised packaging proposed by government, these were rejected by the teenagers who all said they would not smoke when the new packs are introduced because they are at odds with the image they want to portray. Asked who would smoke these cigarettes, one teen said: “I’d say an old person who smokes loads; they are too far gone and wouldn’t care if they are seen with the packs anyway”.

How the cigarettes they smoke are branded, is just as important to teenagers as the branding of other items they purchase, according to the research. Teens reported that branding helps to build identity and status and all of them want to be proud of brands they can show off to their peers. They said that appealing cigarette packaging encourages them to choose one brand over another while branding that they class as ‘unattractive’ is instantly rejected.

Needless to say the Irish press has lapped up the research that was launched by Ireland’s health minister James Reilly yesterday with the words:

It is not acceptable that a product that kills 5,200 Irish people every year is packaged in a slim, pink container that strongly resembles

Hands Off Our Packs

perfume or lipstick. Given all we know about the dangers of smoking, we cannot allow deceptive marketing gimmicks to be used to lure our children into a deadly addiction that will ultimately kill half of those who become addicted. Standardised packaging is the next logical step in combatting this public health epidemic.

Oddly enough the only time I've ever seen a "slim, pink container that strongly resembles perfume or lipstick" is when it's been in the hands of a tobacco control campaigner. I accept they exist but I've never seen one in any normal situation (in a shop, for example). Anyway, my colleague in Ireland, John Mallon, had this to say:

"This research is no basis for legislation. The opinions are subjective and the results are hypothetical because what children say and how they behave in practise are two totally different things. Most children start smoking because of peer pressure or the influence of family members. There is no credible evidence that plain packaging will have any long term impact on youth smoking rates."

To the best of my knowledge only The Journal.ie published his comments. See "Tobacco industry 'needs to recruit 50 new smokers a day' to replace deceased and quitters'.

PS. Here's another reaction – posted in the comments section:

"I'm aware that many graduates are given huge salaries to work in the tobacco industry. I would assume that this tempts them into working for the companies. I propose introducing a cap on pay for workers in the tobacco industry so that they will have to put up with poor wages/salaries."

I can't possibly comment because I don't work for the tobacco industry (nor am I on a huge salary) but there may be a few people choking on their cornflakes this morning.

Diary of a Political Campaign

Another teen horror story

September 27, 2013

Another day another study suggesting children are encouraged to smoke by brightly coloured packaging. In the latest study, funded by Cancer Research UK:

Researchers at the University of Stirling examined the reactions of 1025 UK children aged 11-16 who had never tried smoking. They were given three different types of cigarette packs: regular, novelty and standardised packs.

Novelty packs were those with an unusual shape, colour or system of opening, and included a slim 'perfume' type pack and a pack in the shape of a giant lighter. Standardised packs were brown packs of a uniform shape with all branding removed apart from a brand name.

Children preferred the colourful and novelty packs – such as Silk Cut Superslim's elegant and feminine slim pack shape, Marlborough Bright Leaf's Zippo style flip-top opening, and Pall Mall's bright pink pack.

According to CRUK the study “reveals *for the first time* (my emphasis) that glitzy and glamorous cigarette packaging makes children susceptible to smoking – tempting them in to a habit that kills half of all long term users”. For the first time? We've heard little else for the last 18 months. Tobacco control campaigners in Australia, Ireland and the UK have produced a succession of reports alleging exactly the same thing, over and over again. It doesn't justify legislation, of course, because these 'studies' aren't based on real-life scenarios.

Inevitably, if you show a child different types of cigarette packs – regular, 'novelty' and 'standardised' (the latter featuring graphic images of hideous and very rare diseases) – they will prefer the regular or 'novelty' pack. Who wouldn't? It's a big leap, though, to suggest they're going to start smoking as a result of seeing those packs, or that they won't smoke if 'plain' (aka grotesque) packs are

Hands Off Our Packs

introduced. After all, what children say and how they actually behave are two very different things.

Meanwhile, and not for the first time, the outcome of a study funded by a tobacco control organisation and conducted by tobacco control campaigners is based on the subjective opinions of children including pre-teens. Thankfully the UK government hasn't fallen for this 'confidence trick'. Not yet, anyway. And given the scant coverage in today's national media (to the best of my knowledge only the Mirror has reported it), perhaps journalists are beginning to see through this rubbish as well.

PS. The national media may have given the study a body swerve but the Press Association report has been well covered by local newspapers online. To date we've been alerted to over 80 online reports with the headline 'Teens 'tempted' by novelty packs'. The good news is, they all include a quote from Forest.

They call this evidence?

October 17, 2013

The Irish Cancer Society has released a video to persuade people of the need for 'plain' packaging. This is evidence, apparently, that the measure will stop children smoking. James Reilly, Ireland's health minister who is on a personal crusade to rid the country of pesky smokers, responded in the manner you might expect:

The Minister for Health Dr James Reilly TD has strongly welcomed the publication of a new video by the Irish Cancer Society which clearly demonstrates the effect of tobacco packaging on young children.

In the video a group of children is invited to give their views on two different types of packaging: – the current packs used by the tobacco industry and, secondly standardised packaging with significantly increased health warnings.

Currently tobacco companies are entitled to have cigarette packets of different shapes and sizes, with colourful branding, tailored to be

Diary of a Political Campaign

attractive to groups including young prospective smokers. In the video the children can be seen to describe the attractiveness of the packs.

But when the children are presented with the cigarettes in standardised packaging, which carry massive health warnings and greatly reduce the potential for the tobacco companies to press their brand, the children declare themselves disgusted by the packaging. The children are seen questioning why it is that people begin to smoke at all.

It is a dramatic demonstration of precisely what the Irish government hopes to achieve. Minister Reilly has secured the agreement of the Cabinet to introduce standardised packaging for tobacco products in Ireland.

Minister Reilly is clear that the intention of introducing standardised packaging is to make young people think twice before they start to smoke. International evidence shows that most people who start to smoke do so under the aged of 18 years.

Dr Reilly said “If we can put young people off smoking, even for a couple of years, the evidence suggests that they may not develop this killer addiction at all. This video is fascinating in that it shows clearly the degree to which the children are repelled by standardised packaging and more importantly express negative views about the smoking habit.

“I would encourage as many people as possible to watch this video. I will shortly go to Cabinet with the heads of legislation to introduce standardised packaging in Ireland and I look forward to the day when Irish children will refuse to take up a habit which kills one in two smokers.”

I too would encourage as many people as possible to watch this video because it demonstrates the depths to which the tobacco control industry sink to stigmatise a legal product. The Journal.ie has the story: ‘Tallaght schoolchildren have their say on new cigarette packaging’.

PS. A few weeks ago the Irish Cancer Society also published a report about the effects of plain packaging on teenagers. My colleague John Mallon wrote about it on the Forest Eireann blog, ‘Truth behind

Hands Off Our Packs

that Irish Cancer Society plain packs study'. What John didn't mention was the fact that the 'study' was based on the views of just 24 people.

Plain pack discussion bombs

October 17, 2013

To promote its plain pack video the Irish Cancer Society yesterday announced that a Twitter discussion would take place at 8.00pm last night. The Q&A session was also promoted by ASH (London) and participants were asked to add the hashtag 'pack attack' (#packattack). I have just checked and there appear to be six tweets at the time of the Q&A. Three are by the ICS itself, one is by someone who works for the ICS, and two from the 'general public'. By the standards of tobacco control this no doubt represents overwhelming public support for standardised packaging.

November–December 2013

Are teenagers really so easily influenced by what they see and hear?

November 3, 2013

Hundreds of people have had their say about the death of Lou Reed so there's very little to add. Apart from this: if you believe the tobacco control mantra that children must be protected from the sight of a cigarette pack or the influence of an actor smoking on screen (to list just two examples), how come thousands of people like me didn't experiment with drugs in our youth?

I was 14 when I first heard Lou Reed and the Velvet Underground. The lyrics of 'Walk On The Wild Side' and 'Make Up' (a lesser-known but equally catchy song about New York transsexuals) may not have been fully understood by an innocent schoolboy living in Fife, but there was nothing ambiguous about a track called 'Heroin'. There was no doubt about the meaning of 'I'm Waiting for the Man', 'Venus in Furs' and other songs either. Did they encourage me to take drugs or dabble in S&M? What do you think?!

My point is this: if you believe – like tobacco control campaigners – that teenagers are so easily influenced by what they see and hear, it follows that we should restrict or regulate the records they can be exposed to as well. After all, the same argument

Hands Off Our Packs

could be used in relation to the packaging. I like a good album cover as much as anyone but I have never bought an LP, cassette or CD because I liked the cover. That includes the 12” single of Blondie’s breakthrough hit ‘Denis’. I bought it because I loved the record. The cover was a bonus. It’s the music not the packaging that counts.

The same is true of cigarettes. It’s not the pack that matters but the little sticks inside. No amount of ‘research’ can obscure that simple fact. So why treat teenagers like idiots? As my 16-year-old daughter often says to me, “I’m not a moron, Dad.”

Plain packaging: breaking news

November 27, 2013

It’s been a long day and I was about to go to bed when I read the following tweets: ‘Review of cigarette packaging ordered for England, 4 months after government appeared to rule out plain packets’, ‘Cigarette packaging: Ministers launch fresh review’, ‘Cigarettes in plain packs after Cameron U-turn’. Meanwhile a report on the BBC News website is headlined ‘Cigarette packaging: Ministers launch fresh review’. A fresh review?! One was obviously not enough. I’m too tired to comment now. In the morning perhaps. Good night.

Forest: our response to new review on plain packaging

November 28, 2013

This morning I drove to London – leaving early to avoid the traffic – for ITV’s Daybreak. They told me plain packaging was their lead story. At 6.10 therefore I was sharing the sofa with Luciana Berger, Labour’s new shadow minister for public health. We’ve never met but she won me over in seconds by shaking my hand, calling me by

Diary of a Political Campaign

my name, and dazzling me with her smile. (I never got this treatment from Diane Abbott.)

Anyway, the papers are reporting the government has done a U-turn and will introduce plain packaging before the next election. Some are describing it as a double U-turn. Let's get this straight. There never has been a U-turn. The government never promised to introduce plain packaging. It promised a public consultation and it delivered. Then, when the government decided in May not to proceed with the policy, they made it clear they would continue to monitor the situation. The new review announced this morning in a written statement by public health minister Jane Ellison is part of that process.

I won't deny we are disappointed at the timing of the review but to suggest that plain packaging is a done deal and will be introduced before the 2015 election is conjecture not fact. What is clear is that this is no longer about health. (It never has been, of course.) The reason the government has acted as it has is politics. First, the Coalition was in danger of losing control of the Children and Families Bill because opponents wanted to include an amendment to introduce plain packs. By adding its own amendment, that can be triggered at any time but can also lie dormant, the government is trying to reclaim the initiative and keep the power to introduce plain packs in its own hands.

Second, the Scottish government wants to introduce plain packaging in Scotland even though it probably doesn't have the legal power to do so on its own. The UK government can't contest this (not before the referendum anyway) because it will be accused of interfering in Scottish politics. The review is Cameron's way of reminding Alex Salmond who's in charge on plain packaging. None of this is good news for opponents of plain packaging but this is far from over. Here is Forest's official response, released this morning:

Campaigners opposed to plain packaging of tobacco have accused the government of ignoring the views of hundreds of thousands of people

Hands Off Our Packs

who opposed the policy in a public consultation. They also describe as “premature” the government’s decision to commission a further review of the evidence.

Angela Harbutt, campaigns manager at the smokers’ group Forest which runs the Hands Off Our Packs campaign, said: “Over 700,000 people took part in the public consultation and a huge majority opposed plain packaging.

“Fifteen months later the government seems to be ignoring the outcome of that consultation despite the fact that very little has changed in the intervening period. Although Australia introduced plain packaging twelve months ago it’s far too early to say what the long-term impact will be.”

She added: “Although we think it’s premature, we welcome a further review as long as it considers all the available evidence and is genuinely independent and impartial.”

As I write Angela is on Radio 4’s World At One. I’ll try and add a link later.

Ireland: key findings in poll on plain packaging

December 5, 2013

James Reilly, Minister for Health in Ireland, will today present his proposed Bill for plain packaging to the Irish parliament’s Health Committee. As luck would have it, Forest Eireann recently commissioned a survey from established Dublin pollsters Red C and the results have been published in Ireland this morning. They make for interesting reading. Here are the key findings:

Nine out of ten think plain packs are not the best way to stop young people smoking. More than half the population thinks health education in schools would be most effective in reducing smoking rates.

Of four policy options considered in the poll, mandatory health education in schools (51 per cent), tackling the illicit trade (23 per cent) and banning adults from buying cigarettes for children (14 per cent) are

Diary of a Political Campaign

all considered more likely to work than plain packaging (9 per cent).

Given a list of four issues the Minister for Health should prioritise in 2014, plain packaging ranked last on just 4 per cent; 45 per cent want the Minister to prioritise the health budget overspend, 32 per cent childhood obesity, and 18 per cent under-age drinking

The poll consisted of a random sample of 1,002 adults who were interviewed on the phone by Red C between 18-20 November.

It will be interesting to see whether the survey gets any media coverage.

Update – Well, fancy that. Tobacco control has a poll out today too. The Irish Times has a report about both polls: ‘Two polls offer two different perspectives on plain packaging Bill’. The Journal covers both polls too but the headline favours the pro plain pack survey: ‘Over two-thirds in poll support plain cigarette packaging’. The Examiner has a report of both polls too. Again, the headline highlights the pro plain pack angle: ‘Backing for Reilly’s tobacco plain package bill’. Funny, that.

Happy Christmas, comrades

December 6, 2013

The 2013 Forest Christmas card was designed by Dan Donovan. The concept and salutation were inspired by Pat Harrold, a general practitioner in Co Tipperary and a lecturer at the University of Limerick medical school. Two weeks ago Dr Harrold wrote:

We Irish are good at many things. We are world leaders in literature, music and, occasionally, rugby. Lately we have become famous for tobacco control. Ireland became the first country in the world to ban smoking in public places after some groundbreaking research into the health of Galway bar staff. We are now set to become one of the first countries to ban tobacco branding. This means that the box of twenty

Hands Off Our Packs

will have a plain cover and you can only tell the different types by the lettering. The boxes will look generic, rather like the government products in the old Soviet Union.

Well that got me thinking because I've never forgotten visiting the food hall at GUM, the largest department store in Russia, in 1982 and seeing row upon row of tins with plain, unbranded labels. It was the same in smaller shops, although a great many shelves were half empty and the queues outside were testament to severe food shortages.

The contrast with our own shops and supermarkets could not have been greater yet Dr Harrold seems to be endorsing Soviet-style packaging for tobacco. Is he serious? Anyway, we're sending the Forest card to several hundred MPs and journalists and I hope they get the message. Plain packaging is a backward step with disturbing political connotations. Doesn't that bother them?

The method behind the madness of the new review on plain packaging

December 17, 2013

More information has emerged about the new review on plain packaging. Last month the Department of Health announced that an independent review of standardised packaging for tobacco would be conducted by Sir Cyril Chantler, a paediatrician who is currently chairman of University College London Partners and non-executive chairman of the Quality and Clinical Risk Committee of NHS England.

According to the DH, "The review will be focused on the health impact and will report back by March. It will provide an independent view which will help the government make a decision on whether to go ahead with standardised tobacco packaging." Yesterday Sir Cyril published a 'method statement'. The paragraph that interested me most reads:

Diary of a Political Campaign

My Review is not concerned with legal issues, such as competition, trademarking and freedom of choice. Nor will it consider issues such as the overall economic impact of standardised packaging on tobacco producers, retailers or associated industries. Consistent with my Terms of Reference, I am concerned only with the public health effects of introducing standardised packaging and not with assessing the alternative means of tobacco control.

There is of course a strong argument to be made that plain packaging will encourage illicit trade that in turn will endanger the health of children to whom illicit cigarettes may be sold at a fraction of the normal retail price. The overall message however seems to be: if you're a retailer or wholesaler, a design or packaging company whose business could go bust as a result of standardised packaging, Sir Cyril doesn't want to hear from you. Nor does he want to concern himself with alternative and possibly better methods of reducing youth smoking rates.

I understand why. Sir Cyril's brief is the public health impact of standardised packaging. But it ignores the fact that plain packaging is not just about public health. There are other very serious issues involved. Are we going to get a review of the evidence on the economic impact of standardised packaging? Or a wider review about what plain packaging says about our 'liberal', market-led economy? Of course not. Sir Cyril's 'method statement' is an open invitation to the public health/tobacco control lobby to pile in with the results of the latest child-centred focus groups that bear little or no relation to real life situations.

Meanwhile Sir Cyril has announced that, "In line with my Terms of Reference I am being supported by an independent secretariat. This consists of Tabitha Jay and Christopher Cox – permanent civil servants seconded from the Department of Health ..." Independent? Given what we know about the DH, I'll leave you to decide.

January–February 2014

BBC: plain packaging propaganda a “must read”

January 9, 2014

Thanks to the British Lung Foundation for alerting me via Twitter to an article in the Scotsman, ‘Plain packs offer a smoke-free future’. What the BLF and the BBC fail to mention is this. The article appears in the Friends of the Scotsman section of the newspaper and to become Friends of the Scotsman, and have articles published in that section, you have to pay. If I remember, organisations are allowed up to six articles per calendar year in return for a ‘subscription’.

Effectively, therefore, the BLF article promoting plain packaging is paid advertorial (sometimes known as propaganda). Yet the BBC considers this to be a “must read”.

Irish Sun: boxing clever or plain stupid?

January 24, 2014

Busy week for Forest Eireann’s John Mallon. On Tuesday John set out on his third media tour of Ireland. Subject: plain packaging of tobacco. So far he’s been interviewed by journalists and broadcasters in Cork, Waterford, Tullamore, Tipperary and Sligo. Today, following the start of public hearings on plain packaging in the Irish

Hands Off Our Packs

Parliament, the Irish Sun asks, 'Is this boxing clever or just plain stupid?'. It features this contribution by John:

Plain packaging of tobacco is gesture politics. It won't stop children smoking and there are other more important issues the Minister for Health should prioritise in 2014.

Most children start smoking because of peer pressure or the influence of family members. There is no credible evidence plain packaging will have any long-term influence on youth smoking rates.

Australia is the only country in the world that has introduced standardised packaging and, so far, there is nothing to suggest it has had any effect on the consumption or sale of tobacco.

There is, however, evidence that it has boosted illicit trade. The black market is already costing Ireland a fortune. The only people who will benefit from plain packaging are the counterfeiters and criminal gangs who are happy to sell cigarettes to anyone, including children.

Far from being protected, children could be at even greater risk if the government goes ahead with this stupid plan.

[Minister for Health] James Reilly has made plain packaging of tobacco a personal crusade, but only a very small minority think it is the best way to stop children smoking. And even fewer want it to be his number one priority in 2014.

A recent poll by Red C for Forest Eireann found that nine out of ten people think plain packaging is NOT the best way to stop young people smoking. Of four policy options in the poll, mandatory health education in schools (51 per cent), tackling the illicit trade (23 per cent), and banning adults buying cigarettes for children (14 per cent) were all considered more likely to work than plain packaging (nine per cent).

Children and Families Bill hijacked by political expediency

January 26, 2014

Smokers face a double whammy this week. On Wednesday in the House of Lords peers will debate amendments to the Children and Families Bill. As you know, the government has introduced an amendment that would enable it to introduce standardised

Diary of a Political Campaign

packaging of tobacco without the need for separate legislation. There's no guarantee that plain packs will be implemented because the arguments, and the evidence, are still being evaluated. Should Number 10 choose to do so however the legislation could be triggered at any time.

Forest – together with many other organisations, I'm sure – has been busy sending briefing notes to peers ahead of Wednesday's debate but the outcome is fairly predictable. The situation probably calls for ASH's famous "confidence trick" ('Smoke and mirrors', Guardian, July 2006) but I'm finding it hard to be as optimistic or as cynical, depending on your point of view.

Anyway, it gets worse. Today the Sunday Times reports that Labour will try to pass another amendment to the Children and Families Bill that will ban smoking in cars with children. We briefed peers on this issue last year and thought we had won the argument, or a stay of execution. The worst thing is, neither amendment has anything to do with public health. It's politics, pure and simple.

The government was concerned the Children and Families Bill was being hijacked by supporters of plain packs led by Labour so it introduced its own amendment to avoid an embarrassing 'defeat'. Labour, in response, is trying to regain the political high ground with its amendment on smoking in cars. It will be interesting to see how the government responds. Will they instruct Conservative and Lib Dem peers to vote against Labour's amendment, will they be given a free vote (unlike the plain packaging amendment) or will the government introduce its own smoking in cars amendment?

Extraordinary how a bill designed to protect children from a fate far worse than exposure to cigarette packs and ETS has been hijacked by government and Opposition for reasons of political expediency. Anyway, no peace for the wicked. I shall now spend the rest of the day working on yet another briefing note in the hope that some peers will reject this pathetic posturing.

On reflection I may just send Tory peers my ConservativeHome article, 'Bob Blackman is wrong. We don't need a smoking ban in

Hands Off Our Packs

cars to protect children’, published last year. I could also send them Forest’s submission opposing a previous smoking in cars amendment to the Children and Families Bill. They never give up, do they?

Think of the children, say tobacco control campaigners

February 15, 2014

The purpose of my latest visit to Ireland was the fourth and final hearing on plain packaging by the Oireachtas (Irish Parliament) Joint Health and Children Committee. Earlier hearings featured NGOs, doctors and retailers, among others. For this hearing the Committee had invited representatives from the tobacco companies and Forest Eireann. Yes, Forest Eireann. Quite a coup for a group set up less than four years ago. A tribute, I would say, to our representative in Ireland, John Mallon, and the work we’ve done as a team.

I was going to watch the hearing from the public gallery but at the last moment decided to watch it online on my laptop in my hotel. This meant I could tweet and write/send a press release to the Irish media while the hearing was taking place. It began at eleven o’clock. Participants were invited to give a five-minute opening statement which had to be submitted to the Committee 48 hours in advance. The CEOs representing PJ Carrolls (owned by BAT), John Player (Imperial) and JTI went first. After a short break for a parliamentary vote, John gave Forest Eireann’s opening statement.

Then it was time for members of the Committee to ask questions. We had prepared for a forensic examination of Forest’s position and a flurry of thoughtful questions. What we got was a series of grandstanding statements by politicians who had little interest in what the companies or Forest had actually said. Their primary goal was to attack the companies with a series of blunt instruments. There were a handful of questions but most of them were of the ‘How often do you beat your wife?’ variety.

Diary of a Political Campaign

The tone of the hearing was set by a tweet by an Irish Times journalist who wasn't even covering the story. According to Ronan McGreevy, 'The merchants of death are in front of the Health Committee today'. Meanwhile Health and Children Committee member Jillian van Turnhout demonstrated her neutrality by tweeting, '#PlainPacks are good as Tobacco industry is clearly targeting children. Delighted to support @IrishCancerSoc.'

I'll come back to that tweet later. But first, what are we to make of comments such as this by fellow Committee member Caoimhghín Ó Caoláin TD, "At the end of the day, I have no other way to say it to you, but you are representatives of an illness industry and that is the bald fact of it ... it's time for payback with all respect." So regardless of the merits or otherwise of plain packaging, it's "payback time".

Not to be outdone, the most outspoken Committee member was Mary Mitchell O'Connor who later tweeted: 'Mitchell O'Connor excoriates tobacco industry in plain packaging debate - Read my press release here ...' It began:

Fine Gael Dun Laoghaire TD and Member of the Oireachtas Committee on Health and Children, Mary Mitchell O'Connor, has today (Thursday) slammed the tobacco industry after its representatives appeared before the Committee today to argue against the introduction of plain packaging for tobacco products.

Rarely have I seen a politician so determined to hog the limelight at the expense of her colleagues. John was a bystander to most of this. Sitting alone, with the tobacco company execs behind him, it was transparently obvious he wasn't a mouthpiece for the industry. And no-one said he was. Quite the reverse. Members of the Committee (who were perfectly friendly when the cameras weren't on them) seemed to warm to him and I got the impression some liked and respected him.

Towards the end of a session that over-ran by 30 minutes, John was even given the final word. He made the most of it, explaining

Hands Off Our Packs

how his own children had dabbled with tobacco before making an informed decision to quit. Plain packaging, John assured the Committee, would have made no difference either to him or his children.

Finally, let's return to that tweet by Jillian van Turnhout. It was accompanied by a picture of four children, none of whom can be older than ten, holding placards with slogans including 'Help save our future. We want plain packaging'. Seizing upon a similar image, a "former politico now working for the Irish Cancer Society" later tweeted: 'Big Tobacco sent an army of suits to Oireachtas to fight #plainpacks. Lucky our own army was outside'.

The tweet included a picture of a child. A similar if not identical photograph was published on page two of the Irish Independent on Friday. I rang the paper and asked if I could buy a copy of the image for use on this blog. (I wanted to highlight what could be viewed by some as exploitation of children in a political cause.) The assistant news editor was adamant. "Absolutely not," she said. "We don't even know what the child's name is." The underlying message, which I completely understand, is that it would be inappropriate for them to sell an image of a young, unidentified child for use on the Internet.

It hasn't however stopped others from tweeting links to similar images that are now freely available for all to see. So the next time you hear tobacco control campaigners attacking tobacco companies for targeting children (an accusation they strongly deny), remember these pictures and the cynical tactics employed by advocates of plain packaging.

Terrorism, plain packaging and public health

February 19, 2014

Today's Sun features a special report, 'How fake cigs fund terror: The latest wave of terror by Irish Republicans is being funded by a

Diary of a Political Campaign

vast counterfeit cigarette smuggling trade, a Sun investigation reveals'. It's behind a paywall but the gist of it is this.

Fake fags that fund the New IRA are being shipped in from China. They are sold at car boot sales, on street corners and in pubs in Britain and Ireland where tobacco duty is the highest in Europe (surprise, surprise). Lost tobacco duty is costing the British government alone around £2 billion a year.

The report is splashed over two pages and the Sun describes it as an exclusive. In fact, the issue is already well documented. In June 2013 the Daily Mail reported: 'Some of the IRA's most notorious terrorists have become multi-millionaires by flooding mainland Britain with illegal cigarettes ... The cigarettes originate from the Far East and are made of second-hand tobacco and even waste ... They are packaged as recognised brands and sold at a cheaper price ...'

The Sun reports that 'Plans to sell fags in plain packs could make them easier to copy'. If the paper is right (and a lot of people, including packaging experts, seem to agree) there is a serious public health issue that supporters of plain packs appear to be overlooking. According to the Daily Mail the cigarettes originate from the Far East and are made of second-hand tobacco and even waste. They are packaged as recognised brands ... Suppliers in China employ 'workers' to collect cigarette butts from rubbish bins and recycle the contents into cigarettes for export through Eastern Europe, Greece and Italy. From there they find their way to Holland or Spain and then on to Ireland and the UK. They are sold by unscrupulous newsagents and on the streets throughout the UK.

Ex Ulster deputy chief constable Alan McQuillan told the Mail, "Counterfeit cigarettes are often made in unhygienic underground factories where they can be contaminated with anything from rat droppings to polonium." Delightful. I hope Sir Cyril Chantler is taking note, not to mention the British and Irish governments.

Hands Off Our Packs

EU adopts TPD so why do we need plain packaging?

February 26, 2014

Forest has just issued this press release:

The smokers' group Forest, which campaigned against revisions to the EU's Tobacco Products Directive, has questioned the need for standardised packaging of tobacco after MEPs voted to adopt a revised Tobacco Products Directive.

In addition to a ban on menthol cigarettes and ten packs, the Directive forces EU member states to increase the size of health warnings to cover 65 per cent of the front and back of the pack.

Simon Clark, director of Forest which ran the No Thank EU campaign, said: "If health warnings are going to be even more prominent, dominating both sides of the pack, why on earth do we need plain packaging?"

"At the very least the government should wait and see what impact the larger warnings have before introducing standardised packs which are opposed by so many people."

He added: "Banning menthol cigarettes and ten packs is a serious attack on consumer choice that will do little to stop children smoking. The revised Directive is typical of the nanny state mentality that is prevalent not just in Brussels but also in Westminster."

March–April 2014

Poll provides more propaganda for the “power of packaging”

March 18, 2014 AT 0:30

Cancer Research has released the results of its latest poll. Conducted by YouGov, CRUK reports that:

The power of packaging is twice as likely as celebrities to influence children (40 per cent vs 20 per cent) when they think about buying a product, according to a new YouGov survey released today, boosting the argument for putting tobacco in plain, standardised packs to discourage children from smoking cigarettes.

While only a fifth (20 per cent) said seeing a celebrity using a product would make them more likely to buy it, double this number said bright, colourful or interesting packaging would.

They added:

The survey found that children aged eight to 15 are more likely to think that bright, colourful or interesting packaging would tempt them to buy something in a shop (40 per cent). The survey also reveals that children view some of the brightly coloured tobacco packets on sale in shops today much more positively than the proposed plain, standardised packs.

Where to start? Children may indeed find “bright, colourful or interesting packaging” more tempting than “standardised packs”.

Hands Off Our Packs

Likewise, they may “view some of the brightly coloured tobacco packets on sale in shops today more positively than the proposed plain, standardised packs”.

Neither statement is surprising but the poll is based on a false premise. In the real world there won't be choice between “brightly coloured tobacco packets” and “plain, standardised packs”. At present the choice is between different coloured packs with not a ‘plain’ pack in sight. If standardised packs are introduced, the ‘choice’ will be restricted to packs that look almost identical.

There's also a huge difference between temptation and actually consuming cigarettes. After all, unless I'm very much mistaken, it's illegal to sell cigarettes to children. Proxy purchasing is about to be outlawed as well and from next year tobacco will be hidden from view in all shops, large and small.

There's little or no evidence that packaging has ever been a factor in determining whether children start smoking so even if plain packaging is introduced the temptation to smoke will still exist. Many children are prone to be inquisitive, rebellious or easily influenced by their friends or siblings. That's life. Peer pressure will remain the number one reason why teenagers start smoking and price will remain the most significant factor when choosing which brand to buy.

So forget standardised packs. If government wants to stop children smoking it should use existing legislation to crack down on rogue retailers and adults (including illicit traders) who sell cigarettes to children. They should also wait and analyse the impact of the display ban after it has been fully implemented in 2015. Why has this poll been conducted now? Here's a clue:

These figures have been released as the charity awaits results of an independent review of public health evidence for standard packs chaired by paediatrician Sir Cyril Chantler.

Alison Cox, Cancer Research UK's head of tobacco policy, said: “This survey is a timely reminder of the huge marketing power of packaging on young people. Attractive packaging is a key reason that

Diary of a Political Campaign

young people are tempted into a lifetime of nicotine addiction, an addiction that ends in death for half of all long-term smokers.

“These findings add to a weight of existing evidence proving that clever design gimmicks distract from health warnings and portray smoking as something glamorous and harmless. By stripping cigarette packs of these attractive designs and bright colours, standardised packaging will give millions of children one less reason to smoke. It’s vital that we protect our kids by reducing the attractiveness of this deadly habit.

“After the results from the Chantler review are published, we urge the government to make standard packaging a reality as soon as possible.”

Fingers crossed Sir Cyril ignores CRUK’s spin because closer inspection of the small print reveals that the poll’s sample size was just 554 children aged 8-15, which is little more than half the number normally considered acceptable for a representative national poll. It will be interesting to see which newspapers, broadcasters and politicians fall for this nonsense. Meanwhile remember this post from March 2013: ‘What children think is not reliable evidence’.

Update – It’s just after one o’clock in the morning and I can’t find any mention of the poll anywhere, not even on the CRUK website. It was embargoed until one minute past midnight and I seem to be the only person writing about it. I’ll check again in the morning.

Update – Just spotted this report, ‘Cigarette packaging impact studied’ courtesy MSN News. It includes a quote from JTI. An identical report appears in the London Evening Standard but as far as I can tell the only national newspaper that mentions the poll is the Sun where there’s a tiny piece on page 26. Not even the BBC wants to know. How embarrassing.

Hands Off Our Packs

Bold new look for Hands Off Our Packs!

March 31, 2014

Sir Cyril Chantler is understood to have delivered his report on standardised packaging last week. The review of the evidence on the effect of plain packaging on public health was commissioned by the Government – on the instruction, we are told, of David Cameron – in November.

Sir Cyril invited submissions from all sides of the debate. This was followed by meetings with a number of interested parties. Two officials were seconded from the Department of Health to help him. Earlier this month he travelled to Australia where standardised packs were introduced in December 2012 and where there is still no evidence to suggest the policy has had any positive impact on public health.

Despite this, and even before Sir Cyril's report has been made public, pressure is building on government to introduce the policy. There are a number of scenarios – which I won't go into here – but we are planning for every eventuality. This week, for example, we are rebranding the Hands Off Our Packs campaign and launching a new micro site. As ever, we'll be appealing for your help and support. Details to follow.

Government announcement on plain packaging

April 3, 2014

Government to make statement in the House of Commons on standardised packaging of tobacco. Statement expected between 11.15 and 11.30am. Watch this space.

Update – The government has announced it plans to proceed with plain packaging following a “final short consultation”. Here is Forest's response:

Campaigners have urged the government to keep an “open mind” on plain packaging legislation following an announcement by public health

Diary of a Political Campaign

minister Jane Ellison. According to Ellison the government is currently minded to proceed with plain packaging but will conduct a final short consultation.

Simon Clark, director of the smokers' group Forest which runs the Hands Off Our Packs campaign, said: "It makes sense for the government to take its time and consult further but it seems perverse to commit to a policy before those discussions have taken place.

"If further consultation is to have any meaning the government must keep an open mind. The final decision on standardised packaging must be based on hard evidence that it stops children smoking. Conjecture and subjective opinion are not enough."

Clark urged the government not to forget the outcome of the public consultation on plain packaging. "A four-month consultation resulted in over 665,000 responses, two thirds of them opposed to plain packaging. We urge government not to ignore those responses that were submitted in good faith.

"Failure to take into account the result of a public consultation would leave a very bad taste and could alienate a large number of voters, many of whom could be driven to vote for Ukip in protest."

I'm off to do Five Live and possibly the World at One (Radio 4).

That plain packaging statement: Malcolm Tucker would be very proud

April 4, 2014

Postscript to yesterday's events. Following the announcement by public health minister Jane Ellison that the government is "minded" to introduce plain packaging after a "final short consultation" I spent most of the day doing radio and TV interviews. They included Five Live, World at One (Radio 4), PM (Radio 4), Sky News, ITV News and the BBC's Six O'Clock News.

Forest's reaction was also featured on news bulletins on these radio stations: BBC Radio 2, BBC Radio WM, BBC Radio London, BBC Radio Oxford, BBC Radio York, BBC Radio Hereford and Worcester, BBC Radio Kent, BBC Radio Norfolk, BBC Radio

Hands Off Our Packs

Wiltshire, BBC Radio Guernsey and BBC Radio Tees. The press, for some reason, was far less interested in what we had to say. And the BBC News website ignored us completely.

The real story however is what went on behind the scenes. I'd like to tell you but I've no idea. It's a job for an investigative journalist. What I do know is, as soon as Sir Cyril Chantler handed in his report last week we were on red alert in anticipation of a government statement. Every day there was a new and different rumour as to when his report would be published. One source even suggested it would be made public last Friday, within hours of it being handed over. Friday came and went and surprisingly the report wasn't even leaked to a Sunday newspaper.

After that the rumours flew thick and fast. The government was going to make a statement on Tuesday. Then it was Thursday. On Wednesday, shortly before noon, I was told, definitely, that a statement wouldn't happen this week or next. I understand this information came from the Department of Health itself. Lo and behold, shortly before midnight on Wednesday, I got another phone call. The government was going to make a statement in the House of Commons at 11.15 the following morning. Unbelievable.

In fact, sources have since told me the government was still flip-flopping as late as 7.30 yesterday morning. One minute the statement was off, then it was on again. The picture it created was like a scene from *The Thick Of It*. There was even a suggestion the statement was only being made to distract attention from the Maria Miller expenses scandal. If true, Malcolm Tucker would be very proud.

Anyway, we prepared three press releases in response to what we thought the government might announce. (I should add that at no stage did we think Sir Cyril was going to do anything other than support plain packaging. A leading paediatrician was unlikely to upset the medical establishment by advocating the status quo.)

Statement number one: government would acknowledge Sir Cyril's report and announce further discussions with other interested parties without committing to plain packaging.

Diary of a Political Campaign

Statement number two: government would accept Sir Cyril's report, declare support for plain packaging, but announce further consultation.

Statement number three: government would accept Sir Cyril's report and proceed at full speed with plain packaging.

Without being wise after the event, we guessed correctly that the government would go with statement number two, or something similar. Statement number one would have been justified but it was unlikely to happen because it would have brought the wrath of the tobacco control industry, including the Labour party, down on government. It would have been right, and brave, but bravery (or principle) isn't a quality I associate with David Cameron's Conservative party.

So we are where we are. The government has made clear it supports plain packaging but there will be a short delay while it consults further. I'm sure most readers of this blog are as hacked off as we are but this "final short consultation" gives us an opportunity to make our feelings known – again – and we must make the most of it.

I'm off to Scotland now. While I'm gone I'll leave you with this essential reading: 'Plain packaging doesn't work' (Nick de Bois MP, ConservativeHome), 'Plain packs edging closer' (Chris Snowdon, Velvet Glove Iron Fist), 'What we learned from Ellison and Chantler today' (Dick Puddlecote), 'Protect our children – from nasty politicians' (Brian Monteith, The Free Society).

PS. Great contributions in parliament yesterday from the likes of Jacob Rees Mogg, Robert Halfon, and Philip Davies. Glad to see some MPs are still willing to stand up and fight paternalism and prohibition.

The hypocrisy of Labour MPs

April 17, 2014

Breathtaking hypocrisy from Labour MPs following yesterday's announcement that Imperial Tobacco is to close its Nottingham

Hands Off Our Packs

factory. Chris Leslie, MP for Nottingham East, tweeted: ‘I hope Imperial Tobacco will work with DWP to redeploy the many affected Nottingham workers who are losing their jobs & need new employment’. Lilian Greenwood, MP for Nottingham South, went one better: ‘Thanks @UKLabour colleagues inc @Vernon_CoakerMP @Nik_McD & @GrahamAllenMP working together to support Imperial Tobacco workers. #onyourside’

On your side?! It was thanks to legislation introduced by the last Labour government that 500+ workers have now lost their jobs. In case Greenwood, Leslie et al have forgotten, laws included a ban on tobacco advertising and sponsorship, a ban on smoking in all indoor workplaces, a ban on tobacco vending machines and a ban on the display of tobacco in shops. Today they have the cheek to shed crocodile tears for tobacco industry workers, many of who may have written to them asking them to oppose those measures in case they cost them their jobs.

The packaging industry has made no secret of the fact that plain packaging could result in more jobs being lost. Labour supports plain packaging so if plain packs are introduced and packaging companies subsequently announce the loss of jobs, can we expect similar tweets along the lines of: ‘I hope x will work with DWP to redeploy the many affected workers who are losing their jobs & need new employment’ or ‘Thanks @UKLabour colleagues working together to support packaging workers. #onyourside’. I think I’m going to be sick.

Could “mystery” of plain packaging attract consumers?

April 23, 2014

If it pushes ahead with plain packaging the government could be in for a surprise. It’s reported that Doritos has launched a range of chips in America using plain coloured packs, “removing all visual aid” (‘Doritos teases consumers with plain packaging’, Marketing).

It’s part of a “co-creation” exercise whereby customers get to choose their favourite new flavour with the most popular being

Diary of a Political Campaign

added to the company's product range later in the year. What's interesting, and perhaps pertinent to plain packaging of tobacco, is the suggestion that it "would draw existing customers to the brand".

Admittedly the co-creation concept is a significant part of the attraction but the "mystery" aspect of the promotion, highlighted by the packaging, can't be ignored. Nor can this comment, "It will make existing customers feel like a part of the brand ... and attract new customers to try the brand."

In the light of this ministers should consider whether putting tobacco in plain packs could have a similar albeit unintended effect. In other words, instead of repelling people the "mystery" of plain packaging might (a) encourage loyalty from existing customers and (b) attract new customers. With no evidence that plain packs have reduced consumption (or smoking rates) in Australia, how ironic would that be?

Hands Off Our Packs

May–June 2014

Update on plain packaging

May 12, 2014

I've been asked what's happening on plain packaging. Good question. As you know, the Chantler Review was published on April 3. Commissioned by the government in November 2013 – at the instigation, we believe, of Number 10 – it duly recommended the introduction of standardised packaging even though the 'evidence' was less than robust. The same day public health minister Jane Ellison gave an oral statement to the House of Commons that included this passage:

In light of this report and the responses to the previous consultation in 2012 I am ... currently minded to proceed with introducing regulations to provide for standardised packaging.

However, before reaching a final decision and in order to ensure that that decision is properly and fully informed, I intend to publish the draft regulations, so that it is crystal clear what is intended, alongside a final, short consultation, in which I will ask, in particular, for views on anything new since the last full public consultation that is relevant to a final decision on this policy.

I will announce the details about the content and timing of that very shortly but would invite those with an interest to start considering any responses they might wish to make now. The House will understand that I want to move forward as swiftly as possible.

Hands Off Our Packs

Since then there has been lots of speculation but no formal announcement about the regulations or consultation. It's clear that drafting regulations on standardised packaging is proving a whole lot harder than officials anticipated. Two weeks ago, in an effort to chivvy or even bully the government to do their bidding, Labour's Alex Cunningham demanded of the prime minister: "When will the prime minister publish the regulations to introduce standardised packaging for tobacco products and ban smoking in cars when children are present?"

Cameron's response: "I cannot pre-judge the Queen's Speech but we have said that we want to take action on this front and we will." Interpret that how you like (and many have), that's how things stand right now. Draft regulations are being prepared. When they're published (date unknown) there will be a short (six-week) consultation.

In the meantime standardised packaging may, or may not, be in the Queen's Speech on June 4. If it is it will be entirely cosmetic because the legislation already exists. It just has to be enabled and that will depend on several factors including the outcome of the consultation and a number of political considerations, not least opposition from Conservative MPs and the general public in the run up to the general election.

None of these factors should be sniffed at, which is why we are quietly confident plain packaging is not yet the done deal some people seem to think it is. If you are in any doubt I strongly recommend you read Brian Monteith's article on plain packaging, published by ConservativeHome last week. The government has got itself in to an almighty mess, wrote the former Forest spokesman and MSP who now edits our Free Society website:

Last year, out of the blue, David Cameron surprised even the Department of Health by announcing a new review of the evidence on plain packaging. Many Conservative supporters were stunned. There was no public demand for it. The public had already made their views known through their responses to the consultation: over 425,000

Diary of a Political Campaign

people had opposed plain packaging, 238,000 were in favour – a resounding majority against. Why would the government ignore the result of its own consultation?

The Prime Minister's decision to reignite the debate was strategic. The government had been outsmarted by Labour in the Lords, when the Opposition threatened to add an enabling amendment on plain packaging to the unrelated Children and Families Bill. In Scotland, meanwhile, the SNP government was threatening to go it alone on plain packaging. In an attempt to reassert its authority in Westminster and the country as a whole, Cameron responded by effectively adopting Labour/SNP policy.

Having highlighted serious problems with the Chantler Review – the publication of which prompted the government to announce it is “minded” to introduce plain packaging – Monteith noted this “time bomb”:

Later this year the World Trade Organisation will consider whether the Australian plain packaging law is contrary to international agreements that would force it to be withdrawn or cost huge amounts of compensation. Imagine the egg on the face of the Prime Minister if he presses ahead with a policy that is rejected by the WTO in the run up to the general election.

Having further noted the lack of support for plain packaging among grassroots Conservatives – a point supported by many of the comments on ConservativeHome – he concluded:

Standardised packaging of tobacco is an idea that was neither conceived in Conservative Party gatherings nor demanded by ordinary Conservative voters. It's a classic example of a government – or, more accurately, a section of government – that has been captured by its officials, agencies and quangos, not to mention the campaign groups that it funds to lobby it to introduce more legislation. That this has happened should come as no surprise because the Department of Health has been funding groups to campaign for more government

Hands Off Our Packs

intervention since the Blair years. It is exactly the sort of abomination Conservatives should be dismantling rather than falling victim to.

If the Prime Minister truly believes in Conservative values, including strong government, he must reject Labour's attempt to bully him into submission on plain packaging. Common sense alone suggests it would be irresponsible for any government to rush to regulation on such a controversial issue. Before it enforces legislation, the government must wait and assess the longer-term impact of plain packs Down Under. At the very least, it should wait for the WTO to pass judgement on Australia's plain packaging law.

The threat of more nanny state legislation coming from this government could easily contribute to a Conservative defeat in 2015. Conservatives cannot defeat Labour by adopting Labour policies. Instead of backing the party, people stay at home, or find new parties to vote for. Standing firm against plain packaging would signal Cameron's intention to put clear blue water between the parties at the general election. It's an opportunity he must grasp with both hands.

Tory MPs in open revolt against plain packaging

May 13, 2014

Today's Sun reports:

David Cameron's plans to introduce plain packs will divide the party and drive voters to Ukip, senior Tories claim. Most top MPs on the influential 1922 Committee are opposed to the bid to strip fag packs of their trademarks, logos, colour schemes and promotional graphics, sources said. In a letter, Tory MP Nick de Bois told colleagues a ban was against "freedom of choice" and would be exploited by Ukip.

As I wrote yesterday, legislation for plain packaging is already in place. In theory it can be enabled at any time. There are however a number of factors the government has to take into account before it presses the green button. They include "the outcome of the consultation (which has yet to take place) and a number of political

Diary of a Political Campaign

considerations, not least opposition from Conservative MPs and the general public in the run up to the general election”.

Opposition from Tory MPs is a very significant factor. So too is opposition from the general public. I'll have more information on that front very soon. Watch this space.

Now Big Pharma is worried about plain packaging

May 13, 2014

This is interesting. The International Trademark Association is currently holding its Annual Meeting in Hong Kong and speaker after speaker has expressed concern about plain packaging. One of the speakers was Myrtha Hurtado Rivas, global head of trademarks, domain names and copyright at Novartis in Switzerland. (That's right, Big Pharma.)

The pharmaceutical industry, as well as food and alcoholic drink manufacturers, could be under pressure from the spread of plain and standardised packaging, delegates at INTA's annual meeting in Hong Kong were told today, May 12.

“Going too far will make things more difficult in the fight against counterfeit drugs. There are other things that can be done,” said Myrtha Hurtado Rivas, global head of trademarks, domain names and copyright at Novartis in Switzerland.

She was one of a series of speakers who warned that after the introduction of plain packaging for cigarettes in Australia, other jurisdictions were likely to follow and other industries would be hit by similar measures.

The pharmaceutical industry supports regulation, said Hurtado Rivas, “but major doubts persist whether standardisation and plain packaging will achieve these objectives”, she said.

That's not all.

Trevor Stevens, a lawyer and trademark attorney at Davies Collison Cave in Australia, said there is no evidence that plain packaging has

Hands Off Our Packs

reduced or is likely to reduce smoking rates in Australia. However, following the government's successful implementation of the legislation, alcohol and food could both have packaging restrictions imposed. Ronald van Tuijl, IP trademarks director at the JT International subsidiary of Japan Tobacco in Switzerland, agreed. "History has shown that what happens to tobacco first will happen to others," he said.

Are you listening, David Cameron?

Question for Cameron: how much do you want to lead a Conservative government?

May 15, 2014

We always said plain packaging had more to do with politics than public health. According to the Daily Telegraph's chief political commentator Peter Osborne, the issue is currently a topic of hot debate behind the scenes in Westminster:

In private, the Prime Minister has indicated that he ... would rather leave the issue of so called plain packaging until well beyond the next election – the more so because there is no serious evidence that plain packaging reduces smoking at all.

However, Nick Clegg and the Liberal Democrats are now pressing for plain packaging to become law. The issue is currently a matter of heated dispute between Conservatives and Liberals, as the two parties thrash out the legislative programme for the final 12 months of the coalition.

The Prime Minister faces a very painful dilemma. Does he listen to the Lib Dems, Labour and the voices of political correctness, or does he listen to his own MPs and follow heartland conservative instincts?

Personally I find it remarkable that Osborne should have to ask that question. Perhaps, in the first year or two of the Coalition, the politics of the situation may have forced the PM to bend on issues

Diary of a Political Campaign

like this. But now? With a year to go before the general election, why should Cameron give the Lib Dems anything, especially if it means upsetting a substantial number of Tory backbenchers and creating unnecessary division within the party?

A firm refusal to implement plain packaging is such an obvious opportunity to put clear blue water between the Conservatives and the more nanny state minded parties I can't believe Cameron won't grab it with both hands. This is no longer about keeping the Coalition together – a perfectly honourable ambition in 2010 – it's about winning the next general election.

The question I would put to Cameron is this: it's all very well being the leader of a coalition government, but how much do you want to be the leader of a *Conservative* government? Plain packaging may not seem a big deal to many people but what it represents speaks volumes about the politicians who support it.

How will government respond to Ukip's success – more regulation?

May 23, 2014

Woke up to the news that Ukip has done rather well in the local elections. Already there is speculation about how the mainstream parties will react. One analysis, in the Independent, suggests the Coalition parties will respond with a flurry of measures in the Queen's Speech to demonstrate the government has not run out of ideas. Plain packaging is one of them although technically there is no reason to include it because the legislation already exists. Effectively it will be a statement of intent.

Odd, isn't it, that the Tories in particular might respond to Ukip's success by introducing a policy that Ukip (and certainly its leader) is firmly against. Of course plain packaging is just the tip of the iceberg of over-regulation and paternalistic practices that have dogged this country for years. That's why it's so important.

Hands Off Our Packs

Many of you may think plain packaging is a done deal and not worth fighting. I disagree. There's a lot at stake and much to play for. Over 650,000 people responded to the public consultation on plain packaging in 2012. Almost two-thirds of them opposed the policy. That must never be forgotten. Over the next few days I will reveal what more you can do to help in the run up to the Queen's Speech and the "short final consultation" the government has said it will conduct but has yet to announce. This battle is far from over. Watch this space.

Do the right thing, Dave, just say no!

May 23, 2014

Meet Dave, star of Forest's latest initiative against plain packaging to be unveiled at the ConservativeHome conference in London tomorrow. Dave is an ex-smoker and like many former smokers he's distanced himself from the habit, doing nothing to stop the denormalisation of smokers and demonstrating little empathy for those who still light up, as he once did.

Dave was famously absent in 2006 when colleagues voted in favour of a comprehensive smoking ban, denying pubs and clubs the obvious and more reasonable option of separate smoking rooms. He also went missing when colleagues voted to ban smoking in cars with children, having previously expressed reservations about legislation.

In opposition Dave's party opposed a ban on the display of tobacco in shops. In power they enforced it. No surprise then that having rejected plain packaging following a public consultation in 2012, Dave did another U-turn. In November 2013 he announced a new review on plain packaging and appointed a leading paediatrician, Sir Cyril Chantler, to conduct it.

Sir Cyril's report was published in April and to no-one's surprise this pillar of the medical establishment recommended the

Diary of a Political Campaign

introduction of standardised packs. Read the report with an open mind, however, and the decision is as baffling as it is predictable. For example, the Review:

- states it only considered the public health aspects of standardised packaging. It took no account of the effects on the UK economy, consumers or illicit trade.

- says it is not possible to prove that standardised packaging would reduce smoking and that, if it was introduced, it would be almost impossible to measure any effect.

- says it is too early to draw definitive conclusions about the impact of plain packaging in Australia, that data is only just becoming available, and that any impacts may take time to materialise.

- accepts the findings of past studies of standardised packaging where known flaws and limitations are excused as “necessary constraints on study design”. However studies commissioned by the tobacco industry from respected independent bodies like KPMG are dismissed altogether.

- says branded goods inevitably have a “spillover” effect on children. If this argument is accepted it signals a slippery slope for other products such as alcohol, food and sugary drinks.

- describes cigarettes as a “badge product which is conspicuously consumed while making a statement about the smoker’s image and identity”. In fact, there are relatively few places where smoking is allowed in public, fewer people are smoking, and those that do are increasingly demonised.

- confuses “packaging design” with “product design” and “advertising and marketing” – arguing they work in similar ways. Experts in these fields disagree, knowing that these are specialised areas that work in very different ways.

- confuses previous research and studies for its own aims. An experiment where children said that carrots in McDonalds packaging tasted better than those in plain packaging is held up as “proof that branding affects consumption”. This statement is

Hands Off Our Packs

incorrect because the experiment didn't test for any increased desire amongst the children to consume carrots, whether in branded packaging or not.

- declares that more than 600,000 responses were received during the original 2012 consultation. It failed to mention that the overwhelming majority were against standardised packaging.

The Review is also full of phrases like “probable”, “likely”, “balance of evidence” and “intuitive plausibility”. These describe speculation and guesswork. They do not describe evidence and measurement. Yet despite these serious flaws Dave's government immediately announced it was “minded” to introduce legislation after a “final short consultation”.

To cut a long story short, this entire charade is the result of Dave's biggest weakness. He appears to have no strong opinion, no guiding compass, on this and many other issues. Yes, there was political pressure from Labour. But instead of standing firm – opponents can smell weakness and indecision a mile off – Dave dug himself the largest hole he could and stood on the edge, inviting his opponents to push him in. They didn't have to push too hard. Teetering on the precipice it took only a few words from Sir Cyril and Dave was diving headlong into another fine mess of his own making.

Reports suggest Dave is lukewarm about plain packaging and unconvinced by the argument it will stop children smoking. In which case, why proceed with a policy that divides Conservative MPs and public opinion? (Almost two-thirds of the 645,000 responses to the 2012 consultation opposed plain packaging.)

Forest has booked a stand at the ConHome conference in London tomorrow where we will unveil the latest phase of our long running campaign against plain packaging. In particular we will explain to delegates what they – and you – can do to persuade Dave that plain packs make no sense, politically or in terms of public health.

We'll trot out the usual arguments – won't work, nanny state, slippery slope etc etc – but we'll also make the point that if Dave wants to win next year's general election he has to give people like

Diary of a Political Campaign

me, a lifelong Conservative voter until yesterday's local and European elections, a positive reason to keep his party in power. One way to do that is to stand up to nannying tyrants like Labour, the British Medical Association and unrepresentative, publicly funded lobbyists like ASH, Smokefree South West and the rest.

Earlier this year Dave announced plans to reduce the burden of regulation on UK businesses: "This is going to be the first government in modern history that at the end of its parliamentary term has less regulation in place than there was at the beginning," he said. "We have identified 3,000 regulations we are going to scrap and we've already got rid of 800 of them."

Why, then, is the government creating regulations on plain packaging that current evidence suggests will not reduce tobacco consumption but will inconvenience and possibly damage thousands of businesses, including retailers and packaging companies, if they are enforced? Our message to Dave? Do the right thing. Say no to plain packaging. It's never too late!

Forest at the ConHome conference

May 26, 2014

The main reason we attended the ConHome conference on Saturday was to promote the latest phase of the Hands Off Our Packs campaign. Venue was the Institute of Mechanical Engineers at One Birdcage Walk, close to Parliament Square. We booked a stand and were given a position just outside the marble hall and gallery on the lower ground floor where delegates were served morning coffee, lunch and afternoon tea. We unveiled our new campaign banners, distributed flyers and other information, and invited delegates to sign a letter to David Cameron opposing plain packaging.

I'm pleased to say our campaign attracted a lot of interest. Visitors to the stand included Simon Richards, director of The

Hands Off Our Packs

Freedom Association; Oliver Cooper, national chairman of Conservative Future; and the great Harry Phibbs who hung on to his marginal seat on Hammersmith and Fulham Council last week while fellow Tories in safer seats were biting the dust. In the main theatre where the key speeches and debates were taking place every delegate was given a ‘No, Prime Minister’ campaign pack to read and digest. I’ll have more information about the campaign, and how you can help, later. Watch this space.

Plain packaging? No prime minister!

May 27, 2014

Eights weeks ago, on April 3, public health minister Jane Ellison announced the government was “minded” to introduce plain packaging of tobacco. Her statement followed the publication of the Chantler Review whose many flaws I highlighted in a previous post. Government would publish regulations and there would be a “final short consultation”, added Ellison.

Anticipating this outcome Forest built a new micro site that allows opponents of plain packaging to send a letter to David Cameron, the architect of the mess the government has got itself into. We intended to launch it to coincide with the start of the “final short consultation”. Instead there was a deafening (and welcome!) silence from government – apart from a brief comment by David Cameron in response to a question from Labour MP Alex Cunningham – which left us with a great campaign tool but no peg on which to promote it.

Well, we can’t wait any longer. There is speculation that in order to demonstrate its commitment to plain packaging, appease the Lib Dems and get Labour off his back, the prime minister will include the policy in next week’s Queen’s Speech. We are therefore asking you to visit the No Prime Minister website today and send the following letter to Number 10. It reads:

Diary of a Political Campaign

Dear Prime Minister,

I am writing to express my opposition to plain packaging of tobacco. A four-month government consultation in 2012 resulted in over 665,000 responses, with a substantial majority (427,888) opposed to the policy. I urge you to respect the outcome of that consultation which members of the public responded to in good faith.

There is no credible evidence that children start smoking because of the packaging, or that ‘plain’ packaging will deter children from smoking. Speculation and conjecture are no substitute for hard facts.

Before pressing ahead with legislation I urge you to wait until government has studied the impact of the tobacco display ban, which will not be fully implemented until 2015, and the introduction of larger health warnings which are being introduced in 2016 as part of the EU’s revised Tobacco Products Directive.

I imagine you are fed up having your views ignored by the mainstream parties, which is why so many people voted (or were tempted to vote) for Ukip last week.

Nevertheless, I urge you to support this initiative and make your views known – again. We must not give up or other products will surely follow – alcohol, sugary drinks, convenience food – together with more policies designed to denormalise a legal consumer product.

PS. I can reveal that although the No Prime Minister website is only now being launched officially it has been live and accessible to visitors to the Hands Off Our Packs and Forest websites for several weeks. In that time thousands of people have consented to write to David Cameron. Please follow their example and add your name to a list that is growing every day.

“No, Prime Minister!”

May 30, 2014

Thanks to every blogger who rallied to support the Hands Off Our Packs campaign this week. I don’t like singling out anyone but the

Hands Off Our Packs

post by Joanne Lincoln (Redhead Full of Steam) was greatly appreciated because Joanne writes mostly about e-cigarettes not tobacco. She wrote:

As many of you no longer smoke but use e-cigarettes instead, you may be thinking that this is unfortunate but it really won't affect you. Please, think again. We have seen just as recently as last week that slippery slopes do indeed exist. Food should be regulated like tobacco, say campaigners. Wouldn't THAT be fun. And how about finding your e-cigarette, it's accessories and your e-liquid in bland, generic packaging doubtlessly covered over a legally specified percentage of its available area with dire (and often nonsensical) health warnings? Sound good to you? Of course not. So, let's see if Prime Minister Cameron is really listening. It's very easy to do. I have just done it myself.

There has been plenty of activity on Twitter too. In fact, as a result of people tweeting links to my own posts about the No Prime Minister campaign the number of unique visitors to Taking Liberties has doubled in the past three days. Even our opponents (Tobacco Free Futures and Tobacco Tactics) have been tweeting about it. Every little helps!

Tobacco Reporter mentioned the campaign ('Plain packaging not a done deal in UK') and we're hoping for more coverage in the trade press next week. Chris Snowdon has also posted about the campaign ('Once more into the breach', Velvet Glove, Iron Fist) and I must give a further mention to Dick Puddlecote because DP has written several posts on the subject.

Retailers urged to keep fighting plain packaging

June 2, 2014

Forest's latest initiative against plain packaging is featured in two leading trade magazines. The Grocer, the UK's only paid-for online and weekly magazine with coverage of the whole FMCG sector, reports, "Campaigners opposed to the introduction of plain

Diary of a Political Campaign

packaging for tobacco are insisting the move is not a done deal ...” Convenience Store, which describes itself as “the market-leading fortnightly magazine and website for stores selling the ‘convenience mix’”, reports, “The smokers’ group Forest is urging retailers to write to the prime minister declaring their opposition to plain packaging ahead of the Queen’s Speech on 4 June.’ It only takes a minute to send a letter to David Cameron via the No Prime Minister website.

ConHome editor says dump plain packaging plan

June 3, 2014

Better late than never, I’d like to draw your attention to ‘Post Euro-elections fightback: 50 policies for the future’, an article by Paul Goodman, editor of ConservativeHome. ‘Policy isn’t everything,’ wrote Paul. ‘A party can have the best set of policies in the country, and still make no headway with voters. They may dislike its personnel or distrust its record.’ That said, ‘Policies help to win elections.’

Paul then lists 50 policies ‘that should be floated over the next year and set out in the Conservative manifesto’. I won’t list them – you can read the article for yourself – but one ‘policy’ did jump out: “Dump the plan to put plain packaging on cigarettes”. Perhaps that stand at the ConHome conference didn’t go unnoticed!

Still want to introduce plain packaging, Mr Cameron?

June 4, 2014

Remarkable report in The Sun today (‘Sun smokes out Mr Cig - investigation shows criminal gangs will net a fortune from plain packs’). It includes some amazing quotes. According to one Indonesian counterfeiter, “We can make [plain packs] cheaper but

Hands Off Our Packs

sell for the same price.” Mocking David Cameron, he added: “Plain packaging ... I support the UK government!” You couldn’t make it up. As we’ve been saying for a long, long time, any rush to regulation without proper consideration of all possible consequences would be hugely irresponsible.

Forest launches ‘No, Prime Minister’ online ad campaign

June 10, 2014

Pleased to announce that Forest has launched a new online advertisement campaign. For 72 hours our No, Prime Minister initiative will have total exposure across the MessageSpace network that includes Guido Fawkes, ConservativeHome, Labour List, Liberal Democrat Voice, UK Polling Report, Political Betting and Newsbiscuit. Look out for some media activity on the plain packaging front in the next 24 hours. Our opponents are gearing up too.

“Experts” letter to government on plain packaging

June 12, 2014

Blink and you would have missed it. The BMJ yesterday published an open letter calling on the government to “confirm that the regulations on standardised (plain) packaging of cigarettes and tobacco products will be published soon”. It was signed by more than 600 doctors, nurses and other NHS health professionals who are described as “experts” although the exact nature of their expertise wasn’t revealed. According to the authors:

The UK parliament has voted overwhelmingly to support the introduction of plain packaging for cigarettes and other tobacco products - and the Public Health Minister announced that she hoped to publish draft regulations for consultation before the end of April.

Diary of a Political Campaign

But nearly two months have passed and this has still not happened, say the authors of an open letter published on bmj.com today.

Sounding increasingly desperate, they continue:

The government has committed to a six week public consultation period after the draft regulations are published and it will also need to notify the European Union of the draft regulations - a process that can take up to six months, explain the authors. There is a relatively short time left for the government to produce the draft regulations if they are to be voted on before the general election, they warn. We therefore ask you to confirm that they will be published in the next few weeks.

Interestingly the letter got very little publicity. It was mentioned on ITV's Good Morning Britain for whom I did an interview, recorded in a dimly lit room in London on Tuesday afternoon. BBC News also covered it, but only online and with a quote from Forest ('Ministers urged to speed up plain cigarettes plans'). MSN News also featured it, again with a comment by Forest ('Push for plain cigarette packs'), and that was it, apart from one or two local papers and medical journals. I think plain packaging fatigue has set in. For the record, here's Forest's full response:

"The government is right to take its time. The impact of standardised packaging on retailers and consumers could be extremely damaging. Evidence suggests that plain packaging could fuel illicit and lead to the UK being flooded with fake cigarettes. If the consultation on the regulations is to have any meaning ministers must keep an open mind. A decision to introduce standardised packaging must be based on hard evidence that it will stop the next generation of children smoking. Conjecture and subjective opinion, which is all we've seen so far, are not enough."

The good news, if you're opposed to plain packs, is that the consultation will give us an excellent peg on which to hang our No, Prime Minister campaign. Our latest initiative is gathering force, and

Hands Off Our Packs

numbers, every day. This week's ad campaign was reported by PR Week as follows: 'Pro-smoking (sic) group Forest has launched a 72-hour ad blitz on the political online advertising network MessageSpace to pressure David Cameron to rethink the potential introduction of plain packaging for cigarettes.' If you haven't signed the letter to the PM opposing plain packaging please do it now.

Been there, done that, got the t-shirt?

June 15, 2014

'Plain cigarette packets "blocked by Cameron", admits health minister'. Well, that's the headline in today's Mail on Sunday. 'Hints' might be more accurate than 'admits' and the word 'blocked' is misleading too. It's true (we believe) that Cameron has had second, third or even fourth thoughts about plain packaging. Intelligence however suggests that an announcement about regulations and a final six-week consultation is imminent so the process is still ongoing.

What's probably happening is the PM is weighing up the pros and cons of plain packaging on party unity and the prospects of a Conservative majority in next year's general election. (Think of all those votes that could be lost to Ukip.) This makes it more important than ever that opponents of plain packaging (and excessive regulation in general) write to Number 10 to express their opinion. If you haven't already done so, please visit our No, Prime Minister website. It features a letter you can send today.

Imitation is the sincerest form of flattery

June 16, 2014

Following Forest's 'ad blitz' last week, Cancer Research has followed suit. Online advertisements supporting plain packaging have just

Diary of a Political Campaign

appeared on Guido Fawkes, ConservativeHome, Labour List and other websites. Well, you know what they say, imitation is the sincerest form of flattery.

Last week Labour List allegedly asked the ad agency MessageSpace to take down Forest's 'No, Prime Minister' ads. They're perfectly entitled to do that but I'm not sure what it says about Labour activists and open, democratic debate. Meanwhile Convenience Store reports that, 'The introduction of plain packaging in the UK appears to have stalled for the time being.' Interesting.

Consultation on plain packaging to be announced today

June 26, 2014

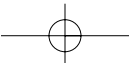
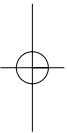
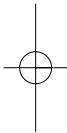
The wait is over. The Secretary of State for Health will today present a written ministerial statement announcing a consultation on the introduction of regulations for standardised packaging of tobacco products. This is the "final short consultation" the government promised on April 3. Let battle commence. Again.

Update – The government has published information for an "open consultation" on plain packaging. The consultation closes on August 7, 2014 – the middle of the holiday season!

Plain packaging? Act now!

June 27, 2014

If you don't want plain packaging for tobacco, act now! Visit our No, Prime Minister website and send a letter direct to Downing Street. Oh, and read Forest's response to the publication of draft regulations. Meanwhile the Guardian has a report, 'government urged to introduce plain cigarette packaging by health charities', that includes a short comment from me.



July-August 2014

What do PoliticsHome, The House magazine and Total Politics have in common?

July 4, 2014

Check out our latest online banner advertisement. It's on PoliticsHome which provides "minute by minute coverage of UK politics" and it follows a "72-hour ad blitz" on the MessageSpace network of blogs and websites that includes Guido Fawkes, Labour List and Liberal Democrat Voice. Last week we also placed a full page ad in the The House magazine which goes to MPs and civil servants. And this week we placed a full page ad in the July issue of Total Politics, coming soon to a newsagent near you!

Poll: Tories could be hurt by nanny state policies like plain packaging

July 17, 2014

Interesting new poll, just out, suggests that "nanny state policies" could hurt the Conservatives' election prospects. The survey, commissioned by the Democracy Institute, also found that a majority of voters – 54% to 38% – oppose the introduction of plain cigarette packaging. Other results: 78% thought plain packaging would make no difference to young people smoking; 31% thought

Hands Off Our Packs

plain packaging will hurt newsagents and corner shops; only 8% thought it would help. The press release reads:

London (17 July) – Conservative candidates in marginal seats, including public health minister, Jane Ellison, risk electoral defeat because of the government’s nanny state policies, according to a new survey of English voters commissioned by the Democracy Institute, a politically independent think tank.

Conducted before and after the cabinet reshuffle, the poll found tepid Tory support in much of England, especially in regions containing the most marginal seats (eg Ellison’s south London seat, Battersea). Conservative candidates continue to be threatened by a relatively popular Ukip, a second choice for a growing number of voters.

According to Patrick Basham, who directed the survey, “These results suggest Ukip’s outspoken opposition to many of the government’s public health proposals has the potential to shift, in small but critical ways, the electoral sands.

“David Cameron’s tenuous hold on the keys to No 10 is threatened, in part, by voters who tell us they’re tired of government telling them what, how, and when they should eat, drink, and smoke,” said Basham, who has conducted campaign and policy polls in the UK, East Africa, Australia, North America, and the Middle East.

The poll finds that a majority of voters – 54% to 38% – oppose the introduction of plain cigarette packaging. And, a plurality of voters (42%) is less likely to vote for a party that supports plain packaging. More than two-thirds (68%) fear that plain packaging will encourage smuggling. Revealingly, one-third (34%) of smokers admit that plain packaging would make them more likely to buy their cigarettes on the illicit market.

“Our poll surprisingly finds plain packaging’s as unpopular as the tobacco industry itself,” observes Basham. A majority (51%) think the industry makes a negative contribution to the economy, while 53% say the tobacco industry also plays a negative societal role.

Basham suggests that, “While Big Tobacco remains a political pariah, plain packaging could prove an electoral albatross, in tandem with other nanny state-style initiatives, weighing down the Conservative vote.”

Diary of a Political Campaign

Smoking rates: figures ignore casual smokers

July 17, 2014

Tobacco control advocates are cockahoop. Following publication of research in Australia, anti-smoking campaigners are claiming that a “dramatic” 15 per cent decline in smoking rates is a result of plain packaging. Look closely however and the figures (15.1 down to 12.8 per cent) relate to a three-year period from 2010 to December 2013. Plain packaging was introduced in December 2012 but that seems to have escaped many commenters and journalists, deliberately or otherwise. Truth is there was a whopping 25 per cent excise hike in Australia in 2010 (followed by a further 12.5 per cent increase on December 1, 2013 which will probably have an impact on the next set of figures).

We know smokers are sensitive to price increases (hence the flourishing black market trade in tobacco) so it seems reasonable to conclude that cost, not plain packaging, has been the primary influence on smoking rates in Australia over the last few years. But wait. While a 15 per cent reduction in smoking rates may sound “dramatic”, over three years it simply reflects an historical trend and is no more newsworthy than a similar decline in smoking rates in the UK which doesn’t have standardised packs. Not yet, anyway.

For further reading check out this report in the FT: ‘Australia smoking rates tumble after plain packaging shift’. See also BAT Australia’s response (‘Smoking rates underestimated’) that includes the interesting point that the Australian survey ignores casual smokers who represent one in five consumers. Include these smokers and the smoking rate in Australia jumps to 16.5 per cent of the population.

I suspect too that many smokers simply don’t admit to smoking. Here’s some anecdotal evidence. On Tuesday night at The Freedom Dinner we commissioned Dan Donovan to take photographs of guests, as we always do. Yesterday Dan passed on the remarkable information that several guests at the *Forest* Freedom Dinner (my

Hands Off Our Packs

emphasis) asked him not to take pictures of them smoking! Why, I don't know. It may be guilt or fear that in today's highly judgemental society they may be discriminated against (passed over for promotion, perhaps) or vilified in some other way.

The simple fact is this: there is a significant number of people out there who are probably casual smokers and don't want anyone, other than their immediate friends, to know about it. So they ask the photographer at a smoker-friendly event not to take pictures of them smoking. (Note: this is the first time it's happened at a Forest event, which is why Dan mentioned it, so it's a new phenomenon.) Likewise when asked by researchers 'Do you smoke?' what do you think their likely response is? I suspect there are hundreds of thousands, possibly millions, of casual smokers who go under the radar because they keep it to themselves. What an extraordinary state of affairs.

Plain packaging could have unintended consequences

July 25, 2014

There was an interesting discussion about plain packaging on RTE Radio 1 in Ireland yesterday. It featured Kathleen O'Meara of the Irish Cancer Society; Sandy Dunlop, an Irish-based "branding expert"; and Forest's John Mallon. John did a great job but he and O'Meara said pretty much what you would expect them to say, so it was Dunlop's contribution that particularly caught my ear.

He began by agreeing with Ireland's former health minister James Reilly who was quoted saying the cigarette box is the "last billboard" for cigarette companies. After a brief debate about the importance of Marlboro Man, Dunlop suddenly changed tack and warned of the negative consequences of plain packaging. It's worth quoting him in full:

"Another issue is if you go too hard on an area you could make the category cool because of its prohibition. An example would be drinking in the States when they had Prohibition.

Diary of a Political Campaign

“You gotta ask why do people do things. One of the reasons people smoke is because it’s enjoyable to them. For many people it’s community and friendship and if you push and push and push you might introduce the category as being exciting and adventurous.

“So you can do something for one reason and have an unintended consequence that you didn’t predict. Drinking in the States in the time of Prohibition would not only have been enjoyable, it could have been exciting and adventurous which is why people did these things.”

Asked by the steadfastly impartial stand-in presenter Keelin Shanley, “Is there any evidence that getting rid of the branding will work?”, Dunlop replied,

“I don’t really know what the evidence is. What I would do is why not use the techniques and marketing and some of the amazing insights from neuroscience and behavioural economics to make smoking uncool and make other behaviours cool by focussing on health? I think that in Ireland it’s actually happened around drink driving where the younger generation [accept] it is not cool to drink and drive.

“I think there’s other more positive ways. If you push and push and push against something you start having unintended negative consequences that you didn’t predict and it may be that if all this does is make smuggling easier you’re having a negative effect that you didn’t intend, so I would put the energy into how branding works, and understanding that, to make other activities cool, make health cool, and the consequences of that could be smoking becomes less and less cool.”

So there we have it, a “branding expert” spells out one of the negative consequences of plain packaging and suggests a better policy might be to “make health cool”. I’m not sure I would give the state that responsibility but the principle – accentuate the positive – makes sense.

Hands Off Our Packs

Plain packaging “gold plating” EU policy

July 25, 2014

Attention, eurosceptics. One of Forest’s arguments against plain packaging is that it’s unnecessary because the EU’s revised Tobacco Products Directive will do a very similar job. From 2016, when the revised TPD is implemented, the health warning will cover 65 per cent of the front and back of the pack, leaving very little room for branding. The relevant paragraph in our campaign letter, which thousands of you have been sending to the PM, reads:

Before pressing ahead with legislation I urge you to wait until government has studied the impact of the tobacco display ban, which will not be fully implemented until 2015, and the introduction of larger health warnings which are being introduced in 2016 as part of the EU’s revised Tobacco Products Directive.

This morning the Regulatory Policy Committee published an analysis of the government’s impact assessment on plain packaging. There are several references to the TPD including this admission:

As noted above, the preferred option is to go beyond the European Tobacco Products Directive and require standardised tobacco packaging of cigarettes and hand rolling tobacco. By going beyond minimum EU requirements, the Department is gold-plating the measure.

Think about that for a moment. Our Conservative-led Coalition is currently “minded” to introduce a policy that not only goes “beyond minimum EU requirements” but is “gold-plating the measure”. The RPC has given the impact assessment on plain packaging an amber rating.

Green rated IAs are considered ‘fit for purpose’. Red IAs are ‘not fit for purpose. Amber IAs are ‘fit for purpose’ on condition that changes are made to the IA. In this instance, for example, the

Diary of a Political Campaign

RPC wants a “fuller description of EU Tobacco Products Directive ... This would allow readers to understand better where the proposed measure goes beyond the Directive”. Strange, isn’t it, this wasn’t made clear in the original IA? Perhaps the government didn’t want people to know. Now you do. Spread the word.

Consultation countdown: 10 days to go

July 28, 2014

You have 10 days to respond to the government’s final consultation on plain packaging. Following an announcement in April that the government was “minded” to introduce plain packaging, Forest invited you to write to David Cameron via our No, Prime Minister website. Thousands of you have done so and we are very grateful for your support.

Special delivery: PM receives 53,196 letters opposing plain packaging

August 6, 2014

As you know the government is currently engaged in a “final short” consultation on plain packaging. Since public health minister Jane Ellison announced on April 3 that the government was “minded” to introduce the policy Forest has been inviting members of the public to write to David Cameron opposing the measure. Yesterday we delivered hard copies of those letters to Downing Street. Total: 53,196. Understandably Downing Street didn’t want them all delivered through the front door. Instead we were allowed to deliver 2,500 in a single box with the balance sent to another address nearby.

Permission to hand deliver had to be sought a couple of weeks in advance. No more than six petitioners are permitted entry to

Hands Off Our Packs

Downing Street, and placards, banners, loud hailer, fancy dress and any props are all prohibited. The six petitioners had to be security checked so personal information was required a week in advance. On the day passports or driving licences were needed to confirm our identities. (At this point I must thank the Downing Street Liaison Office run by the Metropolitan Police. They were extremely helpful and the entire procedure went like clockwork.)

Anyway, given the restrictions we decided to organise a photo shoot on College Green, opposite the Houses of Parliament, before we headed to Downing Street. A full gallery of photos will be available later. In the meantime thanks to those who came along to support the cause. Most important, thanks to everyone who sent a letter to the PM. Finally thanks to photographer Dan Donovan who took the pics. Ten minutes after delivering the letters to Downing Street we were in the Red Lion on Whitehall enjoying a well-deserved drink!

Over 150,000 petition government against plain packaging

August 7, 2014 AT 17:31

I was in London again today supervising the delivery of responses to the Department of Health consultation on plain packaging. On Tuesday we delivered to Downing Street over 53,000 letters addressed to the PM. I can now reveal that in addition to those letters more than 100,000 people have signed the latest Hands Off Our Packs petition. In total therefore more than 150,000 people have petitioned the government against plain packs since junior health minister Jane Ellison announced in April that the government was “minded” to introduce the policy. Here’s part of the press release:

A petition against plain packaging of tobacco has attracted more than 100,000 signatures and more than 50,000 people have personally written to the Prime Minister opposing the initiative.

Diary of a Political Campaign

Standardised packaging of tobacco is the subject of a final six-week consultation that closes on Thursday 7th August. Simon Clark, director of the smokers' group Forest which runs the Hands Off Our Packs campaign, said:

“The response demonstrates the enormous level of opposition to this ill-conceived measure. We urge the prime minister to think again. There's no evidence standardised packaging will have any health benefits. Advocates base their arguments not on facts but on speculation.

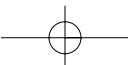
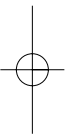
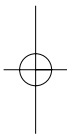
“There must be no rush to legislation. It's a huge step and no government should take it lightly ... government has to get off people's backs and trust the consumer to make informed choices without unnecessary and unwelcome state intervention.”

Update – Plain packaging for cigarettes could be the ‘game changer’ in seeing long-term reductions in smoking among young people, health officials have said. Public Health England (PHE) said that the evidence for the benefits of introducing standardised packing for cigarettes and other tobacco products is now “irrefutable”. Full story, including a quote by Forest and a reference to our petition, is in today's Daily Mail. The Daily Telegraph has the same story, again with a quote from Forest.

Update – Blogger Guido Fawkes also has a piece about our petition:

Pushy public health minister Jane Ellison is under pressure to take into consideration the 100,000 people who have signed a petition opposing plain packs, as well as the 50,000 who personally wrote to the Prime Minister rejecting the proposal.

The Grocer reports, ‘Campaigners opposed to plain tobacco packaging have submitted more than 50,000 protest letters to the prime minister’. Convenience Store adds: ‘A petition against plain packaging was ... submitted to the DH by the smokers' group Forest’. If you haven't submitted a response to the consultation there's still time. You have until 11.45 tonight to make your voice heard.



Postscript

September 2014 – As required the government has notified the European Commission of its draft regulations on standardised packaging. But here’s the interesting bit. According to the Notification Detail, “The UK government has not yet taken a final decision to introduce the Regulations.”

That’s right, four weeks after the conclusion of a “final” six-week consultation and two years after the original 16-week consultation, David Cameron still hasn't decided whether to introduce plain packaging. Not publicly, anyway.

If the government is playing a waiting game it’s doing so for a reason. There is speculation for example that ministers don’t want to alienate disgruntled Tory MPs at this sensitive time (pre-party conference and pre-Clacton by-election). Then again they don't want to give Labour the opportunity to accuse them of dragging their feet. In other words, they're trying to keep everyone happy – for the moment, at least.

In a less politicised world no government would rush a decision like this. Like the 2012 consultation the 2014 consultation attracted a huge response from members of the public opposed to plain packaging. On top of that there are legal arguments that require long and serious consideration.

The EC notification is part of the process towards implementation but there’s still everything to play for. After all, if Portugal, Bulgaria and Slovakia can object to similar plans drawn up

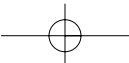
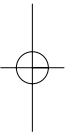
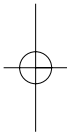
Hands Off Our Packs

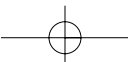
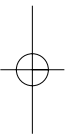
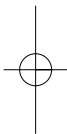
by Ireland, there's every chance they will object to the UK regulations as well.

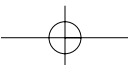
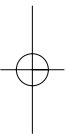
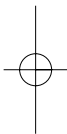
Curiously the EC notification includes all manner of reference documents but doesn't include a report on the 2014 consultation. Why not, and where is it? How can the government notify EU member states of its regulations on plain packaging without including a report of the latest consultation on the issue?

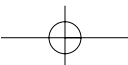
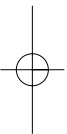
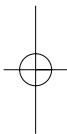
The reference documents include a report of the Chantler Review but nothing that challenges that flawed report. If the 2014 consultation report is to be considered objective and impartial it will have to mention some of the criticism of Sir Cyril's review, won't it?

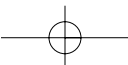
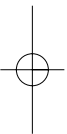
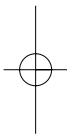
Whatever the government decides to do on the issue of plain packaging, evidence suggests this battle will run and run. Watch this space.

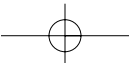
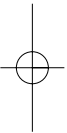
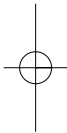


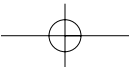
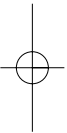
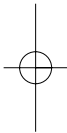


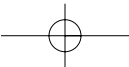
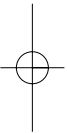
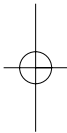


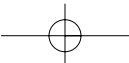
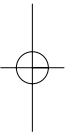
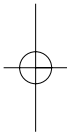


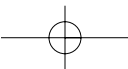
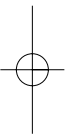
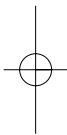


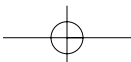
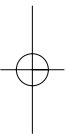
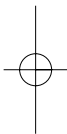


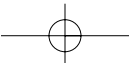
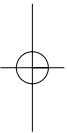
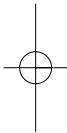


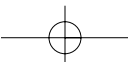
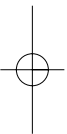
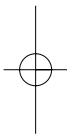


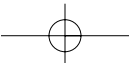
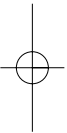
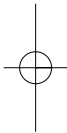


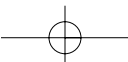
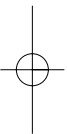
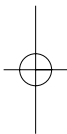


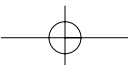
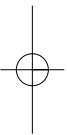
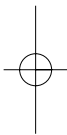


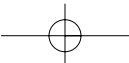
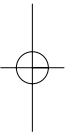
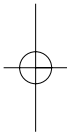


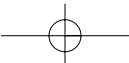
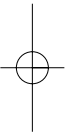
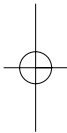


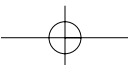
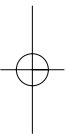
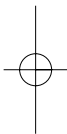


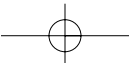
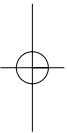
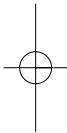


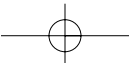
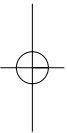
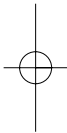


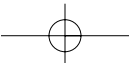
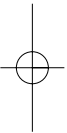
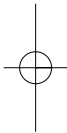


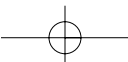
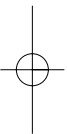
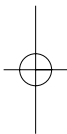




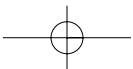
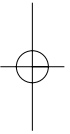
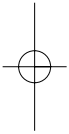




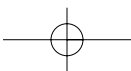
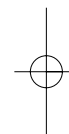
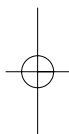




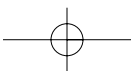
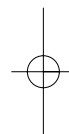
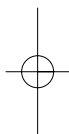
Hands Off Our Packs



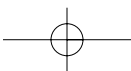
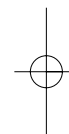
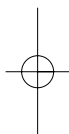
Diary of a Political Campaign



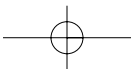
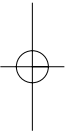
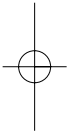
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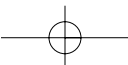
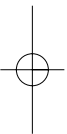
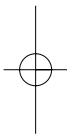


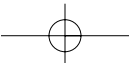
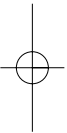
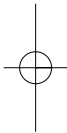
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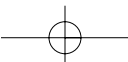
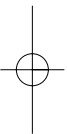
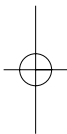


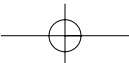
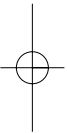
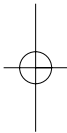
Hands Off Our Packs

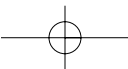
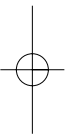
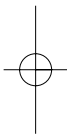


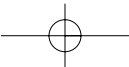
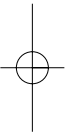
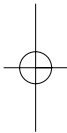


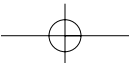
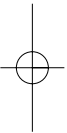
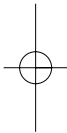


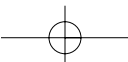
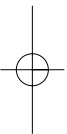
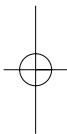


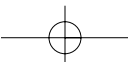
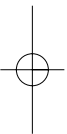
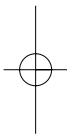


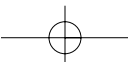
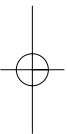
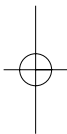


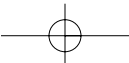
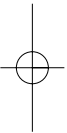
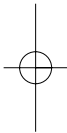


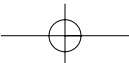
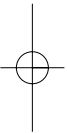
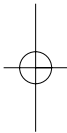


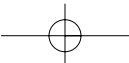
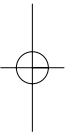
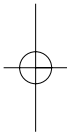


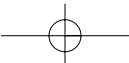
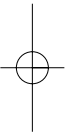
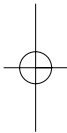


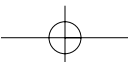
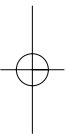
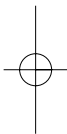


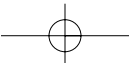
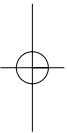
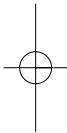


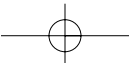
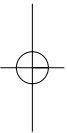
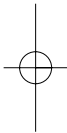


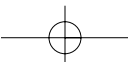
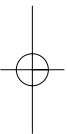
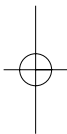


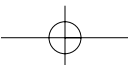
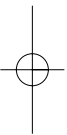
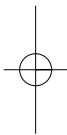


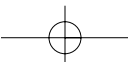
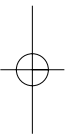
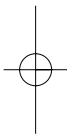


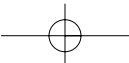
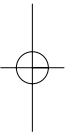
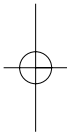


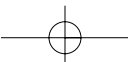
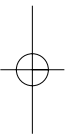
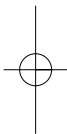


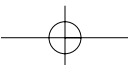
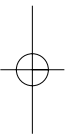
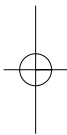


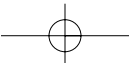
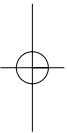
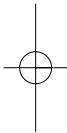


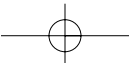
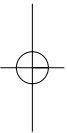
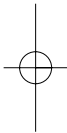




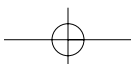
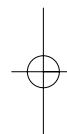
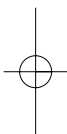




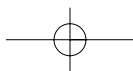
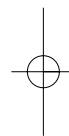
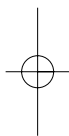




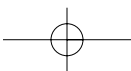
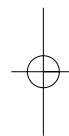
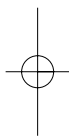
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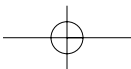
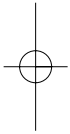
Mary's Gift, the Stars and *Frank's Pisser*



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Mary's Gift, the Stars and *Frank's Pisser*



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