

Briefing prepared ahead of Westminster Hall debate on tobacco control: 17 December 2015

This briefing has been prepared for MPs by the Chartered Trading Standards Institute (CTSI) ahead of the backbench business debate on tobacco control scheduled for **1.30pm on Thursday 17 December 2015**.

Why is regulation of tobacco control important?

Smoking costs the NHS £2 billion with 100,000 deaths from smoking related causes in the UK every year. In an effort to reduce this burden on society and vitally to stop young people taking up smoking, the Department of Health (DH) has, for some years, supported the work of regulators in England, including trading standards, to enhance local tobacco control measures.

Tobacco control is recognised as a core public health measure. The role of regulation and enforcement is recognised as one of the World Health Organisation's six strands of action to reduce the prevalence and uptake of smoking by young people. Local authority trading standards services play a particularly important role in:

- Combating the supply of illicit tobacco within our local communities
- Preventing the sale of tobacco products and nicotine inhaling products to young people under 18 years
- Regulating the display and advertising of tobacco products in shops

The latest tobacco control survey for England (published November 2015) indicates that of the 150 councils who were surveyed:

- 94% carried out activities related to illicit tobacco products
- 91% undertook activities related to underage sales

This demonstrates that tobacco control is recognised as a particularly important area of trading standards work.

The legislation

The tobacco control landscape is continually evolving. In the past 12 months alone, local authority trading standards services have been tasked with the implementation and compliance monitoring of several pieces of new legislation in this area including that which regulates the display of tobacco in small business premises, the age of sale for nicotine inhaling products and proxy purchasing of nicotine inhaling products and of tobacco.

In May 2016, trading standards across the UK will be tasked with enforcing further legislation in this area including:

- Controls over e-cigarettes
- Labelling of tobacco products
- Standardised packaging of cigarettes

A backdrop of austerity

Trading standards is the frontline local authority service tackling this issue every day and has seen significant restructuring and budget reductions across all services. On average, staff numbers have been halved and budgets have fallen by 40% in the past five years. Furthermore, for trading standards, tobacco control is just one of a multitude of duties the service are charged with enforcing (local services are actually charged with enforcing over 250 pieces of statutory legislation on everything from animal health and intellectual property, to doorstep crime and product safety).

CTSI recognise that the DH has also had to adapt to austerity and has had to make tough decisions about how best to deliver the ambitions set out in 'Healthy Lives, Healthy People: a tobacco control plan for England', whilst making the required savings. CTSI fear, however, that if the DH opt for reductions in support for tobacco control projects that the results could be catastrophic for local delivery of important projects that seek to reduce inequalities (through tackling illicit

tobacco supply) and preventing the uptake of smoking among young people by tackling illegal underage sales. We are concerned that funding cuts could lead to a reduction in business compliance and testing, and a rising trade in illicit tobacco products and increasing incidents of underage sales.

Trading standards on the frontline

Local authority trading standards services in England work with the DH and HMRC to tackle the supply of illicit tobacco products. Launched last year, Operation Henry was the first large scale co-ordinated trading standards operation of its kind designed to tackle the supply of illegal tobacco to our communities. Over 2.5 million cigarettes worth over £614,000 were found stored in walls, under floorboards and inside furniture. Such was the success of the operation, that Henry 2 commenced on the 1st December 2015.

Case Study: Operation Henry 2

As part of Operation Henry 2, in the last week alone, over 1.8 million illicit cigarettes and 550kg of illicit hand-rolling tobacco were seized by a single trading standards service in the East Midlands. This staggering single haul demonstrates the scale and scope of illicit tobacco activity taking place across the UK.

Operation Henry 2 is a six month operation spanning 9 regions of England that will utilise specialist tobacco detection dogs to tackle illicit tobacco supplies. This is just one example of the types of raids trading standards are undertaking regularly. It demonstrates the scale and impact that just a small amount of funding can achieve to enhance local tobacco control delivery.

Leon Livermore, Chief Executive of CTSI, said: 'together we are winning the battle and figures show that the market share of illicit cigarettes has dropped from 21 per cent to 9 per cent in the last decade. Intelligence led investigations like Operation Henry 2 keep illegal cigarettes and tobacco off the market and away from children and young people'.

What next?

To continue with this work trading standards services need the continued support from the DH. Over the past few years, the DH have assisted local authority trading standards services to undertake co-ordinated and highly effective operations, building the intelligence and evidence base to support future activity and policy development.

Contact us

For further information about any of the issues raised in this briefing please contact the CTSI policy team (policy@tsi.org.uk).

Who we are

The Chartered Trading Standards Institute is a professional membership organisation representing trading standards professionals in local authorities, the business and consumer sectors and in central government. We set standards and organise qualifications for the education of members and to improve trading standards practice. We provide information, evidence and policy advice to support national and local stakeholders.

CTSI exists to promote and protect the success of a modern vibrant economy, and to safeguard the health, safety and wellbeing of citizens by empowering consumers, encouraging honest business and targeting rogue traders.