



The Chartered
Institute of Marketing

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Ms Ana de Miguel
Consumer and Competition Policy
Department for Business, Innovation and Skills
1 Victoria Street
LONDON
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Dear Ms de Miguel

I am replying to your call for evidence on behalf of The Chartered Institute of Marketing (CIM).

CIM is the leading international professional marketing body with some 35,000 members worldwide. It has a unique role in defining the marketing standards that operate in the UK and is a global champion of best marketing practice. CIM exists to develop the marketing profession and improve the skills of marketing practitioners, enabling them to deliver exceptional results for their organisations while upholding the highest professional standards.

It is that role, established by our Charter, in defining and maintaining professional marketing standards that gives CIM a particular perspective on the issues at the heart of your review. Marketing behaviour which fails to meet the high standards set out in the Code of Professional Standards is of concern to us, particularly where it leads to potentially unlawful activity.

When standards are not followed and the outcome is behaviour which results in confusion for consumers, effective enforcement plays an important part in controlling that outcome. Allowing business to play a part in that enforcement alongside the established regulators could be a useful step forward in keeping unlawful activity under control. Movement in that direction would, however, need to be accompanied by careful consideration of the potential for seeking injunctions to become a tool to challenge legitimate competitive activity. Relating any private power of action to a clear definition of the unlawful practice would, therefore be an important component of implementing change.

While enforcement is important to help deal with the unlawful outcome of failure to comply with professional standards, it is important to combine this with action to prevent that failure in the first place. Prevention is more cost effective than enforcement and, importantly leads to a better outcome for the consumer.

Where businesses may be bringing product to the market in packaging which potentially breaches consumer protection legislation, we would see the core issue as poor understanding of responsible marketing behaviours and compliance at a corporate level. As the Chartered body with responsibility for professional standards in marketing, promoting responsible practice and compliance is a key objective for CIM and a fundamental component of our recently revised Professional Marketing Standards and qualifications portfolio. I would welcome the opportunity to meet officials to discuss how our role and activities can complement enforcement and play an important part in helping to deliver consumer protection alongside healthy competition and economic growth.

Yours sincerely

Anne Godfrey
Chief Executive



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