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Jane Ellison MP
Parliamentary Under Secretary of State for Health
Department of Health
Richmond House
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Dear Ms Ellison

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(RH)

Independent review of public health evidence on standardised packaging of tobacco products

As a group of academics, business leaders and former police officers, we were interested in your recent announcement of a review of the public health evidence for standardised packaging for tobacco products. Tobacco control policy is clearly a controversial topic and we have welcomed the cautious, evidence-based approach that the Department of Health has taken on this policy.

My background is in policing in Northern Ireland, where black market tobacco continues to be a significant problem - much more so than in Great Britain - due to a number of factors including the land border with the Republic of Ireland and the sophisticated criminal networks that developed during the Troubles, well-used to smuggling contraband, and which have now largely become criminal enterprises. As such, I take a particular interest in this issue.

From my experience spent tackling organised crime, I know that changes brought in to the legal market for tobacco have knock-on effects in the black market. Criminal gangs operate like any other business, watching for opportunities to increase their profit. This experience has taught me that policymakers must take time to understand what outcomes tobacco control policy might have. This does not mean, of course, that one should allow criminals in effect to dictate tobacco control policy, only that it is essential for good policymaking to be aware of the potential unintended consequences of a policy and judge the risks and benefits accordingly.

I am sure you are aware of the recent research carried out by KPMG on behalf of British American Tobacco Australia, Philip Morris Limited and Imperial Tobacco Australia Limited, which suggested that the black market for tobacco in Australia had increased from 11.8 per cent of total tobacco sales in 2012 to 13.3 per cent in 2013. Clearly correlation is not causation, but I would hope that the independent review look into the potential effect that standardised packaging could have on the illicit trade as part of its work.



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Contraband tobacco carries with it far more health dangers than products produced legally for sale within the EU. We have all heard the horror stories of the ingredients found in illicit whites and others. No one would argue that tobacco does not present a risk to an individual's health, but illicit tobacco poses a greater threat still.

In my experience, it is young people and individuals from more deprived socio-economic groups – where health outcomes are already notably worse than for other social groups – that are a particularly vulnerable from the unscrupulous criminals selling tobacco illegally. As such illicit tobacco is a public health issue and should in our view be considered by Sir Cyril Chantler and his review team.

I have previously had correspondence with the Department of Health on this particular issue and have been told that DH had not been made aware of evidence to suggest that standardised packaging would have an effect on illicit trade. The independent review provides an opportunity to test the potential link between the reported growth of Australia's tobacco black market and the introduction of standardised packaging. I await the review's terms of reference with great interest and hope that the issue of illicit trade will be given the consideration that it deserves.

Yours sincerely,

Director
The Common Sense Alliance