

ML/PE/Assoc12

8th August 2012

Tobacco Packs Consultation
Department of Health
7th Floor Wellington House
133-155 Waterloo Road
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Sent by Post and e-mail

Dear Sir

Consultation Submission - Standardised Packaging of Tobacco

About Crimestoppers

Crimestoppers is an independent charity helping to find criminals and help solve crimes.

We run the anonymous 0800 555 111 phone number that you can call to pass on information about crime. Alternatively people can pass us information anonymously via our website (www.crimestoppers-uk.org) using our 'Giving Information Form.'

Callers do not have to give their name or any personal information and calls cannot be traced.

Last year we received 90,868 calls and online forms with useful information. As a result of this information:

- 8,264 criminals were arrested and charged
- £25,339,693 worth of illegal drugs were seized
- £3,155,704 worth of stolen goods were recovered

Rationale for Submission

Whilst we obviously applaud Government's efforts to help reduce smoking rates and prevent youth smoking uptake, we have no direct stake or expertise in health issues.

Crimestoppers' core expertise lies in crime detection and prevention, in partnership with communities, the general public and law enforcement agencies. Our concern on the issue is centred on what we conclude to be the detrimental effects that standardised packaging would have on crime and by association the stretched law enforcement agencies, neighbourhoods and communities that we exist to serve.

It is with this in mind that we would put forward our views by way of this brief consultation response.

Our Position

We are convinced that the illicit trade in tobacco is a significant and growing problem in the UK.

Every year we handle in excess of five hundred pieces of information from the UK public related to illicit tobacco that are ultimately disseminated to the relevant UK agency.

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In some cases illicit trade in tobacco is associated with low-level crime and individual smuggling from abroad, but we are wholly persuaded that it is also connected to well-funded organised criminal gangs whose impact at a community and societal level is pernicious. These criminal gangs are also often associated with other dangerous and damaging activities which include drug and human trafficking, prostitution and violence.

The community minded people that see it as their civic duty to inform us of crimes and the problems at a street level or the mothers who do so as a last resort, ground down by criminality on their streets, are the people that we deal with daily. For example, we know that illicit cigarettes are often and more likely sold to children because of the lack of scruples of the people involved in the trade.

Similarly, we engage with law enforcement agencies, who in these days of challenges on the public purse, are juggling resources and priorities evermore to make sure that society is kept safe. At this time, in our considered view, the selling of illicit tobacco on street corners or down at a local pub are just not deemed high level or worthy of committing diminishing and vital man hours to, or operational planning time, in the breadth of competing calls for attention.

It is our central concern therefore that any policy that is likely to cause a greater impact on stretched law enforcement resources and local communities through illicit tobacco, should be reflected on very carefully.

Through our extensive experience of handling information related to the illicit tobacco trade, it is our conclusion that standardised packaging would indeed exacerbate the problem.

With 200 or so brands of cigarettes in the UK it is not a great leap of imagination to anticipate that the barrier for entry to counterfeiters, when all packs look the same, would be significantly reduced. We know that the public are regularly already deceived by counterfeits, unsure and unable to identify them, particularly if bought from unscrupulous retailers. Plain packaging would make this matter worse.

We know of course that markings can be attached to cigarette packs to help with identification by customs or trading standards, but it is unrealistic to expect at a community level that people will be able to make correct judgements on what is counterfeit or not - they often do not have the time, inclination, sophistication or knowledge to understand what a hologram should look like, or what a series of numbers might mean or indeed the will to contact enforcement every time. The most readily way

of identifying a counterfeit from a licit one is looking at the current branding devices and whilst we accept that counterfeiters are already able to produce counterfeits, we do believe that plain packaging will inevitably make it worse.

It is also feasible that the only branded and sought after products on the streets will be illicit branded cigarettes, whose cache rises as branding is removed from legal tobacco, if indeed branding devices are as important to smokers as the policy intention suggests.

The reach of the criminal gangs involved means it is often an international operation of significant means and sophistication funding other illegal activities. The supply chains for illicit and counterfeit cigarettes extend out across Europe into Eastern Europe, the Middle East and Asia. Significant money is already spent trying to tackle this but the crime level is already on the rise before any further detrimental measure, such as plain packaging, is introduced.

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We believe it is likely that the introduction of plain packaging will make it more difficult for the police, customs and trading standards to detect illicit tobacco - whatever clever security markings are added - because of the dedicated efforts required to choose to look for illicit tobacco with all the competing priorities.

These criminal enterprises are all too aware that often in poor communities smokers find it difficult to pay high-street prices, so illicit cigarettes are made available in pubs, clubs, fag houses, markets, street corners, car boot sales, under the counter in some unscrupulous retailers. Violence is often associated with any challenge to it, as is intimidation, often including to law enforcers such as trading standards.

In a time of cuts to law enforcement services and without effective resources to aim at the problem, the criminals will have a freer run.

We are concerned that with the availability of illicit tobacco products, especially counterfeits, the ability of consumers and investigators to detect genuine products is diminished. Whilst acknowledging that smoking is inherently harmful, we are also somewhat alarmed at the potentially "worse" health impact counterfeits have on adult smokers, especially in areas of deprivation and on young people.

We by no means have any axe to grind with Government or proponents of health policy, but because of our trusted position in society in terms of seeing criminal activity and its impact on neighbourhoods, where we see the significant associated problems with illicit tobacco, we welcome the opportunity to have shared our views on this topic.

In conclusion, with the inherent risks in the proposal we do not believe the policy is viable or practical because of the negative significant risk of increased crime and we urge the Government to think carefully before introducing such a drastic, unproven and high risk policy on these shores, where high tobacco prices already make it a lucrative and tempting enterprise for criminals, a daily blight on our streets and in our society and a significant burden for our stretched law enforcement services.

Yours faithfully



Chief Executive