



26 May 2008

House of Commons
London SW1A 0AA

Dear

As part of its Cancer Strategy Campaign, the UK government is to conduct a public consultation on proposals to ban (a) the display of tobacco in shops, (b) cigarette vending machines, and (c) the sale of packets containing less than 20 cigarettes.

In 2006, understandably cock-a-hoop at their achievement in persuading a large number of MPs to support (against public opinion¹) a comprehensive ban on smoking in every pub and private members' club in the country, the anti-smoking group ASH revealed the reason for their "success".

Writing in the Guardian on July 19, 2006, Deborah Arnott, director of ASH, and her colleague Ian Willmore explained that it was "literally a confidence trick".

"It is essential," they wrote, "that campaigners create the impression of inevitable success ... 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."

Confidence trick

In the course of the next few months the anti-smoking movement will no doubt try to repeat this "confidence trick" by recreating a similar "impression of inevitable success".

Proposals to ban the point of sale display of tobacco and other measures will be described as "the next logical step". Such measures, they will claim, will help the government achieve its target of reducing the smoking rate to 21% by 2010. Even smokers will support these measures because, campaigners will declare, 70% want to give up.

Prohibit point of sale display, vending machines and 10-packs, and introduce a positive licensing system for retailers, and you will be led to believe that it will:

- Discourage children or young adults to experiment with tobacco
- Encourage smokers to reduce consumption
- Increase smokers' motivation to quit
- Discourage former smokers to resume

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Forest believes such confidence to be misplaced. We support youth prevention schemes and we accept that some smokers wish to cut down or quit. Millions, however, don't and are unhappy and frustrated by the relentless war on tobacco and the increasingly illiberal measures that are being introduced to "denormalise" a perfectly legal consumer product.

Far from quitting, many smokers are "reaching for their fags in defiance". In Ireland, where smoking has been banned in enclosed public places since 2004, the smoking rate has actually gone UP by 2% since 2002.²

Public policy must be based on facts

Public policy should be based not on a "confidence trick" but on facts. In July 2006, five months after MPs voted to ban smoking in all enclosed public places, the House of Lords Economic Affairs Committee published a report on government policy and the management of risk.³

One issue they looked at was "passive smoking". The committee concluded that, "Passive smoking is an example in which [government] policy demonstrates a disproportionate response to a relatively minor health problem, with insufficient regard to statistical evidence."

Sadly, the report was published too late to influence how MPs voted on smoking in pubs and clubs, but it is not too late for you to take a long hard look at the social and economic impact of other prohibitionist policies before they are implemented in the UK.

Point of sale display

To date, there is little evidence that banning the point of sale display of tobacco has a serious impact on youth or adult smoking rates. In Iceland, where point of sale display has been banned since August 2001, the rate of teenage smokers has remained largely unchanged for over a decade.⁴

In the Canadian province of Saskatchewan, the percentage of smokers increased from 21% in 2002 to 24% in 2003 after the display of tobacco products was banned. Likewise, while youth smoking rates in the rest of Canada fell from 22.5 to 22% in the same period, the rate in Saskatchewan increased from 27 to 29%.⁵

Banning point of sale display is gesture politics, designed merely to "denormalise" smokers. It will have little impact on existing smokers (who will simply ask for their current brand of tobacco), although it clearly restricts their ability to choose an alternative brand. Meanwhile, human nature being what it is, it is likely to make smoking more, not less, attractive to many young adults who will enjoy asking for a product that is not on display.

The major beneficiaries will be the larger retail stores who have both the space and staff to provide designated counters where a far greater variety of brands will be available, albeit under the counter. The losers will be smaller retailers – local newsagents and village stores – for whom the potential loss of revenue (to the larger stores) could be enough to put them out of business.

Tobacco vending machines

Forest supports strict enforcement of existing regulations, but we object strongly to a ban that would seriously inconvenience some adult smokers who rely on vending machines when other retail outlets are closed or too far away.

If anti-smoking campaigners are concerned primarily with youth smoking – rather than the Orwellian “denormalisation” of smoking – they would surely consider alternatives to a ban, such as machines that can only be operated using credit cards or tokens instead of cash.

Instead, and this is typical of the illiberal nature of the anti-smoking movement, most campaigners – and many politicians – are deaf to the kind of reasonable compromise that can protect young people without restricting freedom of choice for adult smokers.

10-packs

Forest supports youth prevention measures but banning the sale of packs of 10 cigarettes is like banning the sale of small bars of chocolate. If you buy a bar of chocolate, or a packet of peanuts, how often do you consume half and put the other half aside for another day?

If 10-packs are banned, people will continue to buy cigarettes but they will be forced to buy the larger pack and – like a bar of chocolate - they will almost certainly consume the contents more quickly than is the case if they buy, at different times, two packets of ten.

A ban on 10-packs will deny adults freedom of choice and will have little or no effect on the smoking rate, other than to encourage existing smokers to increase their rate of consumption.

Worse, a ban on point of sale display, vending machines and 10-packs will almost certainly drive many smokers towards cheaper counterfeit and smuggled cigarettes. If politicians really want to control the sale and availability of tobacco, prohibition is not the answer.

Enough is enough

Since the introduction of the public smoking ban in England in July 2007, Forest has received an unprecedented number of emails and comments from “lifelong Labour supporters” who say they will never vote for the party again as long as smoking is banned, without exemptions, in every pub and club in the country.

The message? Enough is enough. Smokers are voters, too. Forest believes that further anti-smoking measures – whether it be point of sale restrictions, a ban on smoking while driving, or further restrictions on smoking in outdoor areas – will alienate many more smokers who are sick of being stigmatised and targeted by politicians and campaigners.

Thank you for reading this far. For further information on this and other smoking-related issues, please don't hesitate to contact me. Alternatively, see our new website at www.forestonline.org.

Yours sincerely,

Simon Clark
Director, Forest

¹ Office of National Statistics, Smoking-Related Behaviour and Attitudes, 2005

² Survey of Lifestyle, Attitudes and Nutrition (SLÁN), published by the Department of Health in Ireland, April 2008

³ House of Lords Economic Affairs Committee, Government Policy on the Management of Risk, June 2006

⁴ Statistics Iceland

⁵ Health Canada