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**From:** [REDACTED]  
**Sent:** 05 May 2016 08:47  
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**Subject:** FW: Tob Control-2015-Joossens-tobaccocontrol-2014-052218.pdf  
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**Sent:** 01 June 2015 14:13  
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**Subject:** FW: Tob Control-2015-Joossens-tobaccocontrol-2014-052218.pdf

Dear [REDACTED]

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<http://tobaccocontrol.bmj.com/content/early/2015/05/20/tobaccocontrol-2014-052218.full.pdf+html>

The main points are summed up in the abstract and the 'what this adds' section as follows:

#### **ABSTRACT**

To address the illicit cigarette trade, the European Union (EU) has signed agreements with the four major Transnational Tobacco Companies (TTCs) that involve establishing extensive systems of cooperation. All agreements foresee two types of payments: annual payments (totalling US\$ 1.9 billion over 20 years) and supplementary seizure payments, equivalent to 100% of the evaded taxes in the event of seizures of their products. While limited by the fundamental lack of transparency in this area, our analysis suggests that these agreements have served largely to secure the TTCs' interests and are threatening progress in tobacco control. The seizure payments are paltry and a wholly inadequate deterrent to TTC involvement in illicit trade. Despite the agreements, growing evidence indicates the TTCs remain involved in the illicit trade or are at best failing to secure their supply chains as required by the agreements. The intention of the seizure-based payments to deter the tobacco industry from further involvement in the illicit cigarette trade has failed because the agreements contain too many loopholes that provide TTCs with both the incentive and opportunity to classify seized cigarettes as counterfeit. In addition, the shifting nature of cigarette smuggling from larger to smaller consignments often results in seizures that are too small to qualify for the payments. Consequently, the seizure payments represent a tiny fraction of the revenue lost from cigarette smuggling, between 2004 and 2012, 0.08% of the estimated losses due to illicit cigarette trade in the EU. Our evidence suggests the EU should end these agreements.

#### **What this paper adds**

- ▶ The involvement of the tobacco industry in cigarette smuggling, both direct and indirect, has been well documented. Governments have addressed this type of tax evasion in different ways, including by signing agreements with the tobacco industry to control their supply chain. The best known example of such arrangements is between the four major Transnational Tobacco Companies (TTCs) and the European Union (EU). However, there is no comprehensive assessment of the impact of such agreements in the scientific literature, while the tobacco industry continues to promote such agreements globally.
- ▶ We used multiple sources to evaluate the agreements between the EU Commission, EU Member States and major tobacco companies. Despite the lack of data and the secrecy surrounding these contracts, the evidence suggests that they are ineffective. Seizure payments, for instance, provide no incentive for the TTCs to end their involvement in cigarette smuggling because the agreements contain too many loopholes and the recovered value of taxes is minimal compared to the financial losses due to illicit cigarette trade.

Kind regards

  
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OPEN ACCESS

# Assessment of the European Union's illicit trade agreements with the four major Transnational Tobacco Companies

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## ABSTRACT

To address the illicit cigarette trade, the European Union (EU) has signed agreements with the four major Transnational Tobacco Companies (TTCs) that involve establishing extensive systems of cooperation. All agreements foresee two types of payments: annual payments (totalling US\$ 1.9 billion over 20 years) and supplementary seizure payments, equivalent to 100% of the evaded taxes in the event of seizures of their products. While limited by the fundamental lack of transparency in this area, our analysis suggests that these agreements have served largely to secure the TTCs' interests and are threatening progress in tobacco control. The seizure payments are paltry and a wholly inadequate deterrent to TTC involvement in illicit trade. Despite the agreements, growing evidence indicates the TTCs remain involved in the illicit trade or are at best failing to secure their supply chains as required by the agreements. The intention of the seizure-based payments to deter the tobacco industry from further involvement in the illicit cigarette trade has failed because the agreements contain too many loopholes that provide TTCs with both the incentive and opportunity to classify seized cigarettes as counterfeit. In addition, the shifting nature of cigarette smuggling from larger to smaller consignments often results in seizures that are too small to qualify for the payments. Consequently, the seizure payments represent a tiny fraction of the revenue lost from cigarette smuggling, between 2004 and 2012, 0.08% of the estimated losses due to illicit cigarette trade in the EU. Our evidence suggests the EU should end these agreements.

## INTRODUCTION

A key element of the European Union's (EU) policy to combat the illicit cigarette trade is its collaboration with the tobacco industry.<sup>1</sup> The EU has signed illicit trade agreements with the four major Transnational Tobacco Companies (TTCs): in 2004 with Philip Morris (PM), which includes Philip Morris International (PMI); in 2007 with Japan Tobacco International (JTI); and in 2010 with British American Tobacco (BAT) and Imperial Tobacco Limited (ITL).<sup>2-5</sup> At least three of the four agreements were signed to settle or avoid legal disputes between the companies and the EU in relation to involvement of those companies in cigarette smuggling. All established extensive systems of cooperation between the TTCs and the EU at a time when the broader regulatory trend was one of exclusion.

Since the Agreement with PMI ends in July 2016, negotiations to explore a possible extension are

currently underway.<sup>6</sup> This article therefore aims to inform those negotiations by examining the effectiveness of these agreements. It begins by outlining the background to the agreements including the history of TTC involvement in the illicit cigarette trade globally and in the EU, and the development and nature of these agreements. The aim of this paper is to critically assess the agreements and their execution in the EU. We also discuss the implications of these agreements for tobacco control.

## THE HISTORY OF THE TOBACCO INDUSTRY'S INVOLVEMENT IN THE ILICIT TOBACCO TRADE

Tobacco companies make their profits when they sell to traders, regardless of whether the cigarettes are then sold legally or illegally.<sup>7-8</sup> Evidence of the direct and indirect involvement of the tobacco industry in cigarette smuggling is well documented—in internal documents that TTCs were forced to release in the course of litigation,<sup>9-14</sup> their own admission<sup>15</sup> and court judgements.<sup>16</sup> Since 1997, there have been several official investigations and subsequent court cases in different parts of the world (Hong Kong, Canada, Colombia) that have accused the industry of supplying the smuggled cigarettes or at least of being aware of the illegal destination of their products.<sup>17-22</sup>

In the 1990s, American cigarette brands were a key element of the contraband trade in the EU.<sup>23-24</sup> An EU investigation on smuggling activities started in 1998. It culminated on 3 November 2000, when the EU filed a lawsuit in the US District Court in New York, against PM, RJ Reynolds and Japan Tobacco, which had by then acquired the international division of RJ Reynolds, alleging that these tobacco companies were guilty, in effect, of controlling entire smuggling operations and accusing the companies of “an ongoing global scheme to smuggle cigarettes, launder the proceeds of narcotics trafficking, obstruct government oversight of the tobacco industry, fix prices, bribe foreign public officials and conduct illegal trade with terrorist groups and state sponsors of terrorism”.<sup>25</sup> In 2000 and 2001, 10 EU countries, led by Italy, joined the lawsuit.<sup>26</sup>

Additional allegations were filed by the EU and ten EU governments against RJ Reynolds in the same court in October 2002 on the company's engagement in organised crime, money laundering and narcotics trafficking and in transactions that financed both the Iraqi regime under Saddam Hussein and terrorist groups.<sup>27-28</sup> While this second lawsuit against RJ Reynolds is still ongoing,<sup>29</sup> PMI and JTI settled their smuggling disputes with the EU in 2004 and 2007, respectively.<sup>4</sup>

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## AGREEMENTS WITH THE FOUR MAJOR TOBACCO COMPANIES

In parallel with the legal proceedings, confidential discussions began in late 2001 between the European Commission and PM on a possible agreement to cooperate in combating illicit cigarettes.<sup>4</sup> In 2004, the EU and 10 Member States dropped the case against PM in exchange for an enforceable and legally binding agreement. A similar agreement settling a legal dispute was concluded with JTI in December 2007. Two additional agreements were signed with BAT in July 2010, and ITL in September 2010. An overview of the main characteristics of the four agreements is presented in table 1.

Although the agreements with BAT and ITL were not part of a legal settlement, ITL's agreement releases the company from future liability for smuggling, and it is possible that the BAT agreement may serve the same purpose. Alongside the main agreement, ITL signed a parallel agreement (called Mutual Cessation Agreement) that "absolutely, unconditionally and irrevocably fully release and discharge ITL Group Companies and their successors, Agents and Assigns from any and all EU Claims".<sup>5</sup> A press release from Her Majesty's Revenue and Customs in the UK suggests the BAT agreement has a similar clause noting that "the manufacturers (BAT) are released from any civil claims arising out of past conduct relating to illicit trade".<sup>30</sup> However, this information is not part of the publicly available BAT-EU agreement.<sup>5</sup> Three of the four agreements (except with PM) also give TTCs the right to terminate the monetary payments if the agreements fail to meet their "reasonable expectations" of benefit.<sup>5</sup>

The four agreements foresee two types of payments to the European Commission and the Member States: annual fixed payments (see table 1) and supplementary seizure-based payments (see table 2). The fixed payments total 1.9 billion US dollars paid in annuities from 2004 to 2030. PM pays the European Commission and Member States and its lawyers a total of \$1.250 billion in annual payments (payment of \$1 billion over 12 years and \$250 million legal fees). JTI's total of annual payments are \$400 million over 15 years, BAT's total of annual payments are \$200 million over 20 years, and ITL's annual payments are \$300 million over 20 years. These payments are generally considered compensation for the losses incurred through the TTC's smuggling activities. For instance, Italy—a prominent victim of PM smuggling activities—received the largest proportion (28.62% of the 1 billion paid by PM).<sup>31</sup>

In addition to the annual payments outlined above, a key feature of the agreements is the specification of seizure payments if TTCs fail to control their supply of cigarettes to the illegal market. The companies agreed to make payments equivalent to 100% of the evaded taxes in the event of any seizures of their genuine products above 50,000 cigarettes in the EU countries that were party to the Agreement. If seizures of their genuine products in the Member States during a year exceed the baseline

Table 2 Cigarette seizure payments in the EU as a result of agreements with four major tobacco companies

Year	Seizure payments (€URO)
2006	20 289 472
2007	10 342 796
2008	6 922 838
2009	11 178 975
2010	7 754 716
2011	10 098 035
2012	4 141 791
2006–2012	70 778 624

Source: Anna Gilmore—documents obtained via access to documents legislation.<sup>33</sup> EU, European Union.

amounts defined in the Agreements (originally set at 90 million cigarettes in the PM agreement, 90 million cigarettes in the JTI and ITL agreements and 150 million cigarettes in the BAT agreement), the tobacco companies must pay 500% of the evaded duties and taxes.<sup>5</sup> Although these baseline amounts have not yet been reached, the PMI baseline was raised from 90 million cigarettes to 450 million in 2011,<sup>32</sup> substantially reducing the likelihood of PMI, spun off from PM in 2008, ever paying the 500% penalty.

Some countries earmark the payments to fight illicit cigarette trade, while others direct the funds to the general budget.<sup>2</sup> All agreements also required TTCs to secure the supply chain through a range of measures, including product marking and tracking and tracing provisions. The agreements are enforceable, but all arbitral proceedings are kept confidential.<sup>5</sup>

## ASSESSMENT OF THE AGREEMENTS

Full evaluation of the agreements is almost impossible, as there are no independent publicly available data on the origins and brands of illicit tobacco products and the size of the illicit market in the EU (personal communication, Cornelia Hoedlmaier, International Relations Officer, OLAF, 6 May 2014). The only publicly available data on the EU illicit cigarette trade over time are data produced by KPMG for the tobacco industry.<sup>33</sup> The KPMG data have been reviewed elsewhere and although the underlying methodology was commended, significant concerns were raised about the accuracy of the data and the extent to which they serve the TTCs' interests.<sup>34</sup> Relying on industry data is therefore highly problematic. We, therefore, limit our analysis to examining the agreements and their possible impact on tobacco control, and thus on public health.

## FINDINGS

## Lack of transparency

A key concern is the lack of transparency surrounding the negotiations for, and ongoing management of, the agreements and

Table 1 Characteristics of the agreements between the TTCs and the EU

Company	Total of annual payments US\$	Date of signature	End	Settlement and/or discharge of legal claims	Renewal clause	Termination clause
PM	1 billion	9/7/2004	9/7/2016	Yes	Yes	No
JTI	400 million	14/12/2007	14/12/2022	Yes	No	Yes
BAT	200 million	15/7/2010	15/7/2030	Unknown (see text)	Yes	Yes
ITL	300 million	27/9/2010	27/9/2030	Yes	Yes	Yes

Source: OLAF.<sup>5</sup>

BAT, British American Tobacco; EU, European Union; JTI, Japan Tobacco International; ITL, Imperial Tobacco Limited; PM, Philip Morris; TTC, Transnational Tobacco Companies.

illicit trade more generally. Also, parts of the agreements are not public. For example, parts of the publically available text of the agreement with ILT have been "omitted due to a request for confidential treatment".<sup>35</sup> Access to document requests reveal that the correspondence between the European Anti-Fraud Office (OLAF) and the four tobacco manufacturers amounts to tens of thousands of documents, and that OLAF has attended numerous meetings with PMI, JTI, BAT and ITL as part of the agreements.<sup>36</sup> Yet, not only is there no comprehensive list of these documents,<sup>36</sup> but requests for these documents, and related information through parliamentary questions and access to documents requests, are often refused on the basis of confidentiality.<sup>36-38</sup> For example, a parliamentary question could not obtain information on the seizure payments for one of the important contraband brands, Classic, an ITL brand,<sup>39</sup> which was in 2008 the third most seized cigarette brand in the EU.<sup>40</sup> The European Commission stated that no information could be provided due to "the rules governing the treatment of confidential information (...)".<sup>39</sup> A freedom of information request on the PMI tracking and tracing system, Codentify, revealed that between January 2008 and November 2011, there were 17 documents of correspondence between OLAF and PMI on this subject. Ten documents were not made public because their disclosure could harm the interests of the Commission during the FCTC negotiations, and "OLAF's relations with companies potentially involved in the possible implementation of tracking and tracing systems".<sup>37</sup> It remains unclear how the release of documents in 2012 could harm the Commission's negotiating position as the consensus on tracking and tracing systems through the WHO FCTC's Illicit Trade Protocol was reached in March 2010.<sup>41</sup> Further, this consensus was that the control of tracking and tracing should remain under control of governments and not be delegated to the tobacco industry (§2 and §10 of the article 8 of the Illicit trade Protocol), raising serious concerns about the Commission's response.<sup>42</sup>

#### Inadequate deterrent

The seizure-based payments are the agreements' main mechanism for deterring the TTCs from further involvement in the illicit cigarette trade by punishing them each time there is a large seizure of their cigarettes. This should also allow EU Member States to recover the taxes lost. Cigarettes are highly taxed products and OLAF estimates that, on average, a container with 10 million cigarettes represents 2 million EURO of lost tax revenue.<sup>43</sup>

Information on seizure payments is not made public but was obtained via access to documents legislation (table 2).<sup>38</sup> In the period 2004-2012, a total of €70,728,624 (around US\$ 100 million) in seizure payments was made by PMI, JTI and ITL, or, on average, €8.3 million annually. BAT has made no seizure payments to date.<sup>38</sup> In 2012, only €4.1 million was paid in seizure payments.<sup>38</sup> This means that the seizure payments were made for approximately 20 million seized cigarettes,<sup>43</sup> just 0.5% of the 3.8 billion cigarettes seized in the EU in 2012.<sup>2</sup>

These payments represent a tiny fraction of the revenue lost from cigarette smuggling. Based on seizure data in the period 2005-2011, OLAF estimates the financial losses due to illicit cigarette trade at €10 billion annually in the EU.<sup>3</sup> The €8.3 million average annual seizure payments are only 0.08% of those estimated losses.

There are two main reasons these seizure payments are so small. First, only large seizures qualify for payments, and since the agreements were reached, the modus operandi of cigarette smuggling in Europe has changed. While very large consignments of illicit cigarettes dominated at the time when the

agreements were negotiated, most illicit cigarette seizures now consist of substantially smaller consignments. This trend has been confirmed by the World Customs Organization in its 2013 illicit trade report.<sup>44</sup> In Poland, the country with the highest level of cigarette seizures in the EU, the average seizure in 2011 was around 5200 cigarettes, and for certain brands, such as BAT's Viceroy, the average seizure amount was even lower: 1615 cigarettes.<sup>45</sup> This means that the threshold of 50 000 cigarettes needed to recover taxes and duties lost has become increasingly difficult to meet. The shifting nature of illicit trade has been even recognised by BAT when it agreed to a lower qualifying threshold of 7500 cigarettes in its 1 August 2014 agreement.<sup>46</sup> However, this new threshold still remains higher than, for instance, the average seizure in Poland, and is therefore not likely to be effective.

Second, payments only apply to genuine TTC cigarettes and not counterfeits, and yet customs officials rely on the industry to determine whether cigarettes are counterfeit (not eligible for seizure-based payments) or genuine (eligible for the payments). This provides a motivation and opportunity for TTCs to claim that the seized cigarettes are counterfeit. According to the agreements, the relevant manufacturer is entitled to examine the seized cigarettes, and send a report to OLAF. If the manufacturer concludes that the cigarettes are counterfeit, the report must contain documentation and examination results demonstrating that conclusion.<sup>4</sup> If OLAF, or any participating Member State, disagree with the conclusion that the seized cigarettes are counterfeit, the matter is referred to an independent laboratory, designated by mutual agreement of the parties, for final determination.<sup>4</sup> Since the first agreement came into effect, until 31 October 2013, the seized cigarettes have never been analysed by an independent laboratory and all determination has instead been based on examinations by the TTCs.<sup>47</sup> During this period, Member States submitted a total of 6,261 seizure notices (for seizures of more than 50 000 cigarettes) under the agreements. Out of the total number of seized cigarettes, 3.2 billion (78%) were claimed to be counterfeit cigarettes.<sup>47</sup> Among seized cigarettes of PMI's brands, PMI claimed that 92% of them were counterfeit cigarettes in 2011.<sup>48</sup> Yet this very high level of counterfeit cigarettes among seizures is inconsistent with the industry's own estimates of counterfeits on the illicit market. PMI's estimate for the illicit cigarette market globally is that only 1% was counterfeit in 2012.<sup>49</sup> For the EU market, a PMI-commissioned study states that 16% of illicit PMI cigarettes consumed in the EU were counterfeit in 2011.<sup>48</sup> Thus, the industry-estimated prevalence of counterfeits among seized cigarettes is almost six times higher than the prevalence of counterfeits among consumed cigarettes. This would imply that seizure data are unrepresentative of the nature of the illicit market. There are two potential reasons for this. One could be that large seizures are more likely to contain counterfeit than genuine TTC products (and therefore under-represent the real nature of the illicit market in Europe). The other is that TTCs are classifying too many illicit cigarettes as counterfeit in large seizures. Either way, it is clear that the seizure payments do not reflect the size of the illicit market attributable to the TTCs' genuine products.

#### The industry's tracking and tracing system

Obliged by the agreements to implement a tracking and tracing system, the TTCs developed their own system, named Codentify. The effectiveness of this system has previously been assessed. It has been found that the industry's system does not meet requirements outlined in Article 8 of the FCTC's protocol

## Special communication

on illicit trade,<sup>50</sup> which defines that the tracking and tracing system must be "controlled by the Party".<sup>51</sup> In addition, the industry-managed tracking and tracing obligation has recently lost its significance due to an EU tracking and tracing system established in Articles 15 and 16 of the Tobacco Products Directive 2014/40/EU of 3 April 2014.<sup>52</sup> The new Directive introduces an EU-wide tracking and tracing system for the legal supply chain, and visible and invisible security features (eg, holograms) that should facilitate law enforcement, and help authorities and consumers detect illicit tobacco products.

#### Has TTC involvement in illicit cigarette trade declined or ceased since the agreements between the EU and the TTCs were reached?

The intention of the agreements was to crack down on smuggling and put in place what it called a "zero tolerance policy" toward illicit shipments.<sup>53</sup> Yet several reports indicate that the TTCs have remained involved in the trade since their deals were reached. Investigative journalists obtained internal JTI records from whistle-blowers indicating that the company remained involved in the illicit trade and had been less than compliant with the EU agreement.<sup>53-54</sup> OLAF has been officially investigating this case since December 2011,<sup>55</sup> but has yet to make a public statement or come to a conclusion. Other sources point to the TTC's continued complicity in cigarette smuggling to and through Bulgaria between 2000 and 2010, again, after its agreement was reached.<sup>56</sup> PMI data in 2011 indicate that 21% of all illicit cigarettes in the EU are PMI's own genuine brands.<sup>48</sup> At best, this indicates PMI's failure to secure its supply chain as the agreement envisaged. Concerns have been raised about the cigarette brand Classic, produced by Imperial Tobacco, Ukraine, and one of the most seized cigarette brands in the EU in 2008,<sup>49</sup> particularly in light of evidence that the TTCs have been over-producing cigarettes in Ukraine in the knowledge they would enter the illicit market.<sup>57</sup> In 2014, BAT was fined £650 000 (\$1 m; €820 k) by UK tax authorities for oversupplying its products to Belgium.<sup>58</sup>

#### What impact has the collaborative approach outlined in the agreements had on tobacco control more broadly?

A key element of the agreements is that they establish extensive systems of cooperation between the manufacturers, the EU and Member States, an element of the agreements that TTCs have heavily emphasised.<sup>59-60</sup> It is noteworthy that the agreements were reached at a time the TTCs were increasingly being excluded from the policy arena via article 5.3 of the FCTC, which was adopted in 2003 with Guidelines for Article 5.3 agreed in November 2008.<sup>61</sup> Illicit tobacco provided a perfect opportunity for the TTCs, despite their inauspicious history, to signal shared concerns with policy makers and convince authorities that they were acceptable partners in addressing a trade in which they had previously been complicit.<sup>62</sup> The potential danger of this collaborative approach threatening tobacco control if norms of collaboration in illicit reached into other areas of tobacco control has previously been raised.<sup>63</sup> Those threats have been particularly apparent during the revision of the EU Tobacco Products Directive.<sup>63-64</sup> Michel Petite, the Director-General of the European Commission's legal service at the time the first two agreements were negotiated, who played a key role in such efforts, now works for PMI in his new position at legal firm Clifford Chance.<sup>65</sup> The normalisation of relationships between the TTCs and EU public officials is further illustrated by the nomination of Michel Petite as chair of the EU Commission's Ad hoc Ethical Committee in 2009 and 2012.<sup>65</sup>

The close relationship between OLAF and the TTCs, indicated through the documents outlined above, raises questions, given the concerns about OLAF's role in the scandal surrounding the resignation of Health Commissioner John Dalli,<sup>66-67</sup> the lack of progress of OLAF's investigation into JTI's alleged ongoing involvement in illicit trade,<sup>55</sup> and OLAF's apparent willingness to involve TTCs in the implementation of tracking and tracing systems under the FCTC's Illicit Trade Protocol, contrary to the protocol itself.<sup>37</sup>

A further concern is that the TTCs appear to have used the agreements with the EU, which are heavily promoted on their websites,<sup>68-69</sup> to negotiate an increasing number of similar agreements nationally and internationally.<sup>70</sup> In 2011, PMI and INTERPOL, the world's largest police organisation, agreed on a deal in which PMI donated €15 million to fund a global initiative against illicit goods trafficking,<sup>71</sup> which would promote PMI's Codentify system.<sup>50</sup>

#### DISCUSSION

While limited by the fundamental lack of transparency in this area, our analysis suggests that the agreements have served largely to secure the TTCs interests, reinforced cooperation between the manufacturers, the EU and Member States, and are threatening progress in tobacco control. The seizure payments are paltry and are a wholly inadequate deterrent to TTC involvement in illicit trade. The intention of the seizure-based payments to deter the tobacco industry from further involvement in the illicit cigarette trade has failed because the agreements contain too many loopholes. The industry has both the incentive and opportunity to classify seized cigarettes as counterfeit, and, despite the nature of cigarette smuggling having changed from large to small consignments, seizure payments are due only on large consignments. Further, even the tobacco industry's own data suggest that seizure data (which are based only on large seizures) significantly under-represent the proportion of genuine TTC brands in the illicit market. Consequently, the payments provide no incentives to stop cigarette smuggling and the recovered value of taxes is minimal.

Growing evidence indicates that, despite the agreements, the TTCs remain involved in the illicit trade or are, at best, failing to secure their supply chains as required by the agreements. The agreements instead appear to be part of the TTCs' strategy to establish alliances and partnerships with authorities at the national and international levels to position the tobacco industry as part of the solution to the illicit tobacco trade. By establishing extensive yet opaque collaboration between the TTCs and the Commission, the agreements threaten tobacco control within the EU. By enabling the industry to promote the agreements as an effective model of collaboration, they are also threatening tobacco control internationally. For this reason, many parties to the FCTC were opposed to the inclusion of "legally binding and enforceable agreements" in the text of the draft protocol during the last round of the negotiations of the illicit trade protocol in 2012.<sup>72</sup>

The agreements are also not in line with Article 5.3 of the WHO's Framework Convention on Tobacco Control (FCTC), which all 28 EU countries and the EU have ratified, requiring that "in setting and implementing their public health policies with respect to tobacco control, parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law". The EU's contradictory approach to Article 5.3 and industry collaboration is illustrated by its opinion, expressed at the Fifth and Sixth Conference of the Parties to the FCTC in November 2012.<sup>73</sup>

and October 2014,<sup>24</sup> that INTERPOL should not be granted an observer status since it received funding from the tobacco industry. Yet a similar relationship exists between the EU and the tobacco industry: with no linked legal action to prompt a deal, the EU accepted \$500 million (£400 million) from BAT and ITC, 26 times larger than PMI's donation to INTERPOL.

In three of the four agreements, the tobacco companies have the right to terminate the monetary payments if there are significant failures of their "reasonable expectations" as to their benefits under the agreements.<sup>3</sup> No definition of "reasonable expectations" is given publicly and an independent legal opinion notes that "because these expectations are to be assessed by reference to documents, correspondence and agreements which are not publicly available, the breadth of the circumstances in which the EU and Member States might risk termination by the companies cannot be determined."<sup>25</sup> We believe that there are significant failures of "reasonable expectations" of the public health community with respect to these agreements.

The tracking and tracing obligations in the agreements lost their significance when the EU adopted its Tobacco Products Directive 2014/40/EU, with an EU-wide tracking and tracing system foreseen in Articles 15 and 16.

The EU has already begun its negotiations with PMI to possibly extend its 2004 agreement, while at the same time PMI is challenging the 2014 Tobacco Products Directive in the EU Court of Justice.<sup>25</sup> We conclude that the agreements have little or no added value and conflict with the article 5.3 of the WHO FCTC. The EU was correct when it expressed a disapproval about the relationship between INTERPOL and PMI and confirmed publicly that "the interests of the tobacco industry are fundamentally opposed to public health".<sup>23</sup> It should apply the same standard to its own deal with TTCs. Our evidence suggests the EU should not extend its agreement with PMI and, if legally possible, should end the agreements with the other three tobacco companies.

#### What this paper adds

- ▶ The involvement of the tobacco industry in cigarette smuggling, both direct and indirect, has been well documented. Governments have addressed this type of tax evasion in different ways, including by signing agreements with the tobacco industry to control their supply chain. The best known example of such arrangements is between the four major Transnational Tobacco Companies (TTCs) and the European Union (EU). However, there is no comprehensive assessment of the impact of such agreements in the scientific literature, while the tobacco industry continues to promote such agreements globally.
- ▶ We used multiple sources to evaluate the agreements between the EU Commission, EU Member States and major tobacco companies. Despite the lack of data and the secrecy surrounding these contracts, the evidence suggests that they are ineffective. Seizure payments, for instance, provide no incentive for the TTCs to end their involvement in cigarette smuggling because the agreements contain too many loopholes and the recovered value of taxes is minimal compared to the financial losses due to illicit cigarette trade.

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[REDACTED]

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From: [REDACTED]  
Sent: 05 May 2016 09:04  
To: [REDACTED]  
Subject: FW: mental health and tobacco

From: [REDACTED]  
Sent: 10 June 2015 09:39  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: mental health and tobacco

Dear [REDACTED]

I hope this finds you well

I thought you might be interested to see ASH Scotland's latest evidence review:  
Smoking and mental health: a neglected epidemic  
<http://www.ashscotland.org.uk/media/6418/ASHScotlandSmokingandmentalhealth.pdf>  
I've highlighted the two points relating to costs and NHS budgets below.

**Key points:**

- there is irrefutable evidence that people with mental health issues have reduced life expectancy compared to the general population
- people with mental health issues are dying prematurely because of a smoking intervention gap
- people with mental health issues are as motivated to quit as the general population
- people with mental health issues use a third of total UK tobacco consumption
- up to 3 million smokers in the UK, 30% of all smokers, have evidence of mental disorder and up to one million with longstanding disease
- there are links between smoking and mental health, smoking and mental health and physical illness, and smoking, mental health, debt and poverty
- the estimated economic cost of smoking in people with mental disorders was £2.34 billion in 2009/10 in the UK, of which, about £719 million (31% of the total cost) was spent on treating diseases caused by smoking
- smoking increases psychotropic drug costs in the UK by up to £40 million per annum
- there is consistent evidence that stopping smoking is associated with improvements in depression, anxiety, stress, psychological quality of life, and positive affect compared with continuing to smoke
- there is some evidence of an association between smoking and suicide
- further research into tailored cessation interventions for smokers with mental health issues is necessary if disparities in health are to be addressed.

Please do pass on to colleagues who may find it useful

Kind regards

[REDACTED]  
[REDACTED]  
Chief Executive

ASH Scotland  
8 Frederick Street

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 27 April 2016 14:57  
**To:** [REDACTED]  
**Subject:** FW: ASH Scotland SG funding reports  
**Attachments:** ASH Scotland report Oct 14 to March 15.docx; Information Service SG Report to 31 March 2015.doc

**Categories:** Purple Category

[REDACTED]

**From:** [REDACTED]  
**Sent:** 16 June 2015 16:12  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** ASH Scotland SG funding reports

Dear [REDACTED]

Please find appended our year end reports for the Scottish Government funding to our core and youth/inequalities work, and to our information service which you co-fund with the BHF.

Kind regards

[REDACTED]

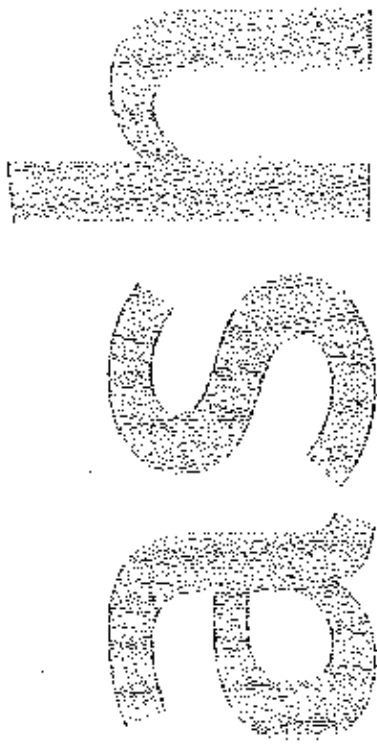
[REDACTED]

Chief Executive

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Fax: 0131 225 4759  
Web: <http://www.ashscotland.org.uk>

**ASH Scotland's vision is of a healthier Scotland, free from the harm and inequality caused by tobacco.**



**ASH Scotland**

**Information Service**

**Scottish Government Review Report 01 October 2014 to 31 March 2015**

ASH Scotland is a registered Scottish charity (SC 019412) and a company limited by guarantee (Scottish company no 141721).

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KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
1. Provide high quality, relevant information and effectively communicate the evidence base for tobacco control	SPAP PMS CAT-FG	Continue to gather and disseminate evidence to support effective implementation of Tobacco and Primary Medical Services (Scotland) Act 2010 and regulations	Ongoing 2011 – 2015	Youth smoking prevention - tobacco uptake and youth smoking rates are reduced	Recording enquiries and bulletin subscriptions – 330 enquiries recorded during this period, more than half about ENDS.  236 daily bulletin subscribers and 120 daily bulletins sent out between October 14 and end March 2015.  315 weekly bulletin subscribers and 24 bulletins sent.  234 STCA bulletin subscribers and 24 bulletins sent.	International research collated and disseminated weekly. Policy makers and practitioners notified of relevant research. We review approximately 300 abstracts a week using a bespoke PubMed filter.  In this reporting period we have provided internal briefings on the Framework Convention on Tobacco Control, and on Scotland's compliance; continued to support Jim Hume's researcher with international contacts and examples of existing legislation on smoking in vehicles when children present; and advised local authorities and health boards on best practice for progressing and enforcing smoke-free grounds.  We provided a comprehensive evidence-based response to the Scottish Government consultation 'Electronic Cigarettes and Strengthening Tobacco Control in Scotland' and provided the evidence base for responses from partner organisations.  We have supported the development of and provided briefings for 'Reducing young people's access to tobacco and e-cigarettes (11th March 2015): A learning day in support of the Scottish Government Strategy: Creating a tobacco-free generation'. This event examined some of the actions needed to address continued access to tobacco and e-cigarettes by under-18s through commercial outlets and through social networks. It was designed to bring together trading standards, police, health promotion and public health professionals and children's services providers to gain an overview of the good work already in progress and help to generate ideas.  We supported the development and dissemination of ASH Scotland 'Guidance for youth services on policy for e-cigarettes'.
					175 subscribers to Young People's team e-	We have provided updates to the Research and Evaluation Sub-Group of the Ministerial Working Group on Tobacco Control.

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
					<p>bulletin -- autumn and spring versions both contained ENDS information and link to ASH Scotland ecig policy.</p> <p>All bulletins regularly achieve an almost 25% open rate -- the industry average is 21%.</p> <p>Attendance at and feedback from STCA research group meetings</p>	<p>Provided up-to-date information on ENDS for inclusion in six Chief Executive presentations including British Association for Adoption and Fostering, the RCP Addictions Group and the Faculty of Public Health.</p> <p>Information support to the Scottish Government Tobacco Control Team, SPICE, WHO, British Heart Foundation Scotland, British Lung Foundation Scotland, Scottish Cancer Prevention Support Network, NHS Scotland, local authorities, Smokeline, Young Scot, smoking cessation workers and public health professionals in Scotland, the UK and worldwide.</p> <p>The Information Service has taken over the running of the STCA research group.</p> <p>We have monitored and analysed e-cigarette research and the emerging policy environment. We have networked with e-cigarette researchers to determine likely areas for future research -- eg heavy metals ingestion from degrading wicks. We continue to monitor 'vaping' forums for new developments eg 'dripping' and titrating nicotine intake. We have advised smoking cessation workers on where to find guidance about supporting ecig users; and searched for literature and guidance on 'quitting' ecigs (none identified).</p> <p>We continue to disseminate new knowledge and understanding of ecigs via external presentations, bulletins, media releases, blog posts, tweets, and website.</p>
	BFA	Collate evidence to underpin any review of 'A Breath of Fresh Air'	June 2012	Social change -- increased public support for a smoke-free Scotland, on-going recognition of	All new and emerging evidence from Scotland and overseas flagged up in bulletins, to Policy and	<p>Detailed background research performed by the Information Service continues to underpin ASH Scotland policy, media and project work</p> <p>We continue to highlight emerging research on the tangible health benefits of smoke-free legislation.</p> <p>In this reporting period electronic nicotine delivery system (ENDS or</p>

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
				Scotland as a world leader in tobacco control	Research team and (where relevant) Scottish Government and other key contacts	e-cigarettes) continue to dominate and it is clear that the public remain confused about both the safety and legality of these products.  We also continue to support people whose homes are blighted by second-hand smoke penetration and as well as information we can now provide lightweight Dylos monitors for purposes of monitoring and reporting.
MHS QS EW		Collate findings to support the implementation of guidance for smoke-free environments in mental health services	Ongoing	Challenge poverty and inequalities – reduced tobacco use among marginalised groups	All new and emerging evidence from Scotland and overseas flagged up in bulletins, to Policy and Research team and Tobacco and Inequalities team	We are in the process of producing an evidence review of smoking and mental health issues.  We have received funding from Lothian Health Board to develop and deliver a set of comprehensive guidelines and an implementation plan to improve support for people with mental health issues to stop smoking. In any given year, approximately 1 in 4 people will experience a mental health issue, and smoking rates for people with mental health issues (MHIs) are twice those of the general public. Equity of access to effective smoking cessation services relies on those services evolving and improving. This evidence to action project will synthesise existing evidence and recommendations and generate new learning through focus groups with people with MHIs and knowledge exchange workshops with a range of partners. Guidelines that inform service and support workers and facilitate effective cessation interventions for people with MHIs will be developed as a regular component of care provision.
LHL BFA QS		Support the wider work of ASH Scotland through building the evidence base to contribute to policy development	Ongoing 2011 – 2015	Partnerships – improved cross-disciplinary working to tackle tobacco	All ASH Scotland's work is based on the best quality evidence, properly referenced	By providing support in the form of background research, evidence reviews, fact-checking, cross-referencing, proof-reading and resource provision we have collaborated on the development and production of work across ASH Scotland, including: <ul style="list-style-type: none"> <li>• updated briefings on young people and tobacco, and illicit tobacco</li> <li>• three new fact facts: impact of tobacco farming, smoking and diabetes, oral health and smoking and six updates: smoking in Scotland, stopping smoking, young people and</li> </ul>

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
		and making links across projects and alliances				<p>tobacco, illicit tobacco, key dates in tobacco control</p> <ul style="list-style-type: none"> <li>• we continue to support the information and training needs of Smokeline, the helpline which supports smoking cessation in Scotland</li> <li>• development and review of training materials, and e-learning modules and support for engagement staff</li> <li>• information and support to policy, media and the Chief Executive</li> <li>• we have researched and produced six new presentations for the Chief Executive during this period which were delivered to the Faculty of Public Health, COSLA's Health and Well-being Committee, Trading Standards Institute Scotland, the Addictions Group of the Royal College of Psychiatrists, the British Adoption and Fostering Association, and Aberdeen University Global Health students.</li> </ul> <p>We continue to share experiences via Globalink and the UK Prevention Information and Evidence e-library, sharing access to our weekly research trawls and bulletins. We also monitor and contribute to global tobacco control social media pages such as Global Tobacco Control: <a href="http://www.facebook.com/groups/GlobalTobacco/">www.facebook.com/groups/GlobalTobacco/</a></p> <p>European Network for Smoking Prevention: <a href="http://www.facebook.com/ENSP.org">www.facebook.com/ENSP.org</a></p> <p>Monitoring Tobacco Advertising: <a href="http://www.facebook.com/MonitoringTobaccoAdvertising">www.facebook.com/MonitoringTobaccoAdvertising</a></p> <p>This is particularly important in a climate where tobacco industry tactics to delay legislation and to expand into developing countries are constantly evolving. We have continued our close liaison with Australia on plain packaging and with other European partners on developing policies and pending legislation for e-cigarettes.</p> <p>We continue to provide information support to Jim Hume and the NGBU for the private member's bill Proposed Smoking (Children in Vehicles)(Scotland) Bill. <a href="http://www.scottish.parliament.uk/parliamentary/business/Bills/63845.aspx">www.scottish.parliament.uk/parliamentary/business/Bills/63845.aspx</a></p>



KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
	BFA SPAP	Develop annual opinion polling on key tobacco control measures in partnership with sister ASH organisations in Great Britain	March 2013 March 2014 March 2015	Social change – increased public support for a smoke-free Scotland, on-going recognition of Scotland as a world leader in tobacco control	Internal report on shifts in public opinion and differences across UK  External publication of key findings	Fieldwork for the 2015 YouGov survey was undertaken between 26th February to 12th March 2015.
	SPAP BFA	Themed briefings to Ministerial working group on tobacco control research	3 meetings per year, ongoing 2011-14	Partnerships – improved cross-disciplinary working to tackle tobacco	Three themed research briefings per year, discussed with sub-group, refined if necessary and then published	We have provided verbal updates on e-cigarette research (112 links to new research on ENDS uploaded to online research archive during this reporting period) to the ministerial working group, along with briefings on the SHS in the home training (jointly funded by SG and Robertson Trust) which ties in with the 'Take it Right Outside' campaign, and the REFRESH legacy.
	NI	Contribute to WHO, FCA and other international reports on the progress of tobacco control in Scotland	As required	Social change – on-going recognition of Scotland as a world leader in tobacco control	Annual reporting to WHO and FCA within required timescales	No requests in this reporting period.
	HT QS PS	Provide information on the evidence base to support the work of PATH, including:	To meet requirements of agreed PATH work plan 2011-14 and help fill gap left by	Partnerships – improved cross-disciplinary working to tackle tobacco	PATH training is based on up to date, robust research evidence	We continue to support the information needs of the training modules on smoke-free homes aimed at early years workers as part of the Scottish Government's 'Take it right outside' campaign.  We are supporting the development of TARS sessions on dementia, mental health and older people.

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
		updating the evidence base for existing training summarising the evidence base for new training developments (eg youth cessation, second-hand smoke) Supporting ongoing CPD for trained workers by providing updates on evidence and practice	research officer post coming out of PATH			We maintain up-to-date resources for trainers and provide in-house support to improve skills in referencing and information retrieval.
<b>2. Provide a high quality, free enquiry service and information resource which is well-used</b>	BFA SPAP HT PS	Continue to provide support to tobacco control and cessation workers through speedy enquiry response		All actions within this objective meet our strategic plan outcome: Partnerships – improved cross-disciplinary working to tackle tobacco	330 enquiries recorded during this period. All enquiries answered within 3 days or agreed timescale	Our expert information service continues to deliver high quality, tailored responses to enquirers ranging from school-children to public health professionals. We support the tobacco information needs of PATH students and academics, smoking cessation workers and members of the public.  Although enquiries have increased in complexity we have maintained our commitment to providing a high quality of responses within the agreed timescale. We have also coped with a surge in enquiry numbers, possibly as a result of e-cigarettes but possibly attributable to improved knowledge about our service.  We continue to monitor and rebut tobacco industry misinformation in the media.

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
						<p>We have advised SG about tobacco industry engagement and where it overlaps with e-cigarettes companies owned by tobacco firms.</p> <p>We have provided ongoing advice on the extent of illicit tobacco.</p> <p>We have produced two briefings on the FTC and an audit of Scotland's progress.</p> <p>We peer-reviewed the Scottish Parliamentary Information Centre's briefing on ENDS, and provided comprehensive evidence materials to our Chief Executive, ahead of the Health and Sports Committee session preceding the SG consultation.</p> <p>We have provided research for Chief Executive's letters to local authorities on tobacco industry misinformation about how to interpret tobacco industry engagement.</p> <p>We have directly advised local authorities on compliance with article 5.3 via our enquiries service.</p> <p>We briefed local authorities, health boards and partner organisations ahead of the SG consultation on ENDS, smoking in cars, and smoke-free grounds and built estate.</p>
		Market the service and library through voluntary sector networks and professional bodies			Range of enquiry sources continues to grow, increasing non-cessation settings	We are still seeing a growing number of enquiries from Trading Standards and Environmental Health Officers, about e-cigarettes, smoke-free built environment and the development of individual local authority tobacco control plans.
		Build library collection and			Annual review of library collection	We are still working to find sufficient capacity to archive materials received from Stewart Maxwell MSP relating to the progress of the

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
		continue to ensure it is well-catalogued; further develop tobacco control cuttings archive			to include relevant new texts, removal of items for preservation by the National Archives of Scotland.	smoke-free legislation and the run-up to the display ban; archive ASH Scotland and Chief Executive correspondence from the time of the 2005 legislation on smoking in public places.
		Develop and market 'open days' for members of key target audiences			Supporting materials and research for TARS	We continue to research and support the delivery of external Tobacco Awareness Raising Sessions throughout Scotland.  10 TARS delivered, with a total of 105 attendees.
		Attend health-related, academic and voluntary sector events to promote our service.	Ongoing		Attend at least 4 events per year	During this reporting period Information Service staff attended an E-cigarette Summit in London, the Scottish Smoking Cessation Conference and the Gathering in Glasgow, and the Public Health England conference in Birmingham.
3. Review and update our information tools	BFA SPAP HT	Continue to develop breadth and reach of daily and weekly bulletins	Ongoing	All actions within this objective meet our strategic plan outcomes: Partnerships – improved cross-disciplinary working to tackle tobacco	Subscriptions continue to grow.	236 daily bulletin subscribers and 120 daily bulletins sent out between October 14 and end March 2015.  315 weekly bulletin subscribers and 24 bulletins sent.  234 STCA bulletin subscribers and 24 bulletins sent.  175 subscribers to Young People's team e-bulletin – autumn and spring versions sent.  All bulletins regularly achieve an almost 25% open rate – the industry average is 21%.

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
		Continue to improve currency, breadth and reach of ASH Scotland website			Website architecture and navigation reviewed quarterly ASH Scotland website updated daily Visit numbers grow.	There are roughly 4,500 visits a month to the ASH Scotland website which remains a key communications channel for campaigning and awareness raising.
		Produce accessible, themed public fact sheets in response to emerging issues or frequent enquiries			4 per year, distributed through our website, events and relevant networks	<ul style="list-style-type: none"> <li>• updated briefings on young people and tobacco, and illicit tobacco</li> <li>• three new fact facts: impact of tobacco farming, smoking and diabetes, oral health and smoking and</li> <li>• six updated fact facts: smoking in Scotland, stopping smoking, young people and tobacco, illicit tobacco, key dates in tobacco control</li> </ul>
		Maintain the wealth of resources produced by the Local Alliances project during its lifetime, including advice on alliance development, evidence for local tobacco control work, and info on	Ongoing		Local alliances microsite materials mainstreamed into core information materials  Increased enquiries to Information Service from local alliances contacts	We continue to support the information needs of local alliances throughout Scotland, including making them aware of the most recent tobacco strategy and their obligation to provide tobacco control strategies at local authority level. We provide the bulk of the content for the STCA bulletin and support their events.

KEY OBJECTIVES	GOVT. STRAT.	ACTION	TIMESCALE	OUTCOME(S)	MEASURES	PROGRESS TO DATE
		current local activities				
		Continue joint working with organisations in the field of drugs and alcohol, and other public-health related groups, to develop accessible information materials			Produce one joint factsheet or briefing per year	We are still planning a dementia-friendly booklet on smoking with Alzheimer Scotland, and have liaised with Age Scotland on older people and smoking and provided content on this subject for the Scottish Cancer Prevention Network newsletter. We are still trying to identify who takes responsibility for dementia prevention and lobbying the EU to include a 'Smoking is a risk factor for dementia' graphic along with other health warnings on tobacco packaging.
		Support ASH Scotland to quality-assure our outputs through fact checking, referencing and proofing	Ongoing	ASH Scotland is an effective organisation.	All ASH Scotland outputs meet our internal style guide and quality expectations	The Information Service continues to ensure that organisational outputs are proofed to a high standard and that the visual integrity of the ASH Scotland imprimatur is retained.

## Funding

The following statement covers income and expenditure to end March 2015. Variations against budget are primarily due to timing in expenditure.

### Information Service Funding Income and Expenditure to end March 2015

REQUESTED FUNDING	April 2014 to March 2015	
	BUDGET	ACTUAL
Scottish Government Grant	70,500	70,500
Scottish Government Grant Additional	30,000	30,000
Other Grants/Generated Income	104,378	102,677
	<u>204,878</u>	<u>203,177</u>

EXPENDITURE	April 2014 to March 2015	
	BUDGET	ACTUAL
Staff Costs	162,593	161,813
Resources	19,000	13,645
Website	5,000	1,392
Meetings & Travel	2,500	1,551
Infrastructure Costs	29,451	29,451
	<u>218,544</u>	<u>207,852</u>

# ASH Scotland Report to Scottish Government October 2014 to March 2015

This report covers all of the ASH Scotland workstreams with the exception of the Information Service and smoke-free homes; training, as these are jointly funded with BHF and Robertson Trust respectively and separate reports will be prepared.



actions	measure impact by	timetable	progress October to March
<b>Youth Prevention</b>			
<b>1. Increased understanding of the perception, use and uptake of e-cigarettes amongst young people in Scotland</b>			
Close e-cig survey	Report completed	April - Sept 2014	Completed in first half of year
Undertake analysis of response	Presented to YSTP and ministerial prevention sub-group and actions recorded		
Complete report of key findings	Record of local tobacco action groups findings presented to and impact of actions		
Produce and implement dissemination strategy	Report on wider dissemination		
Dissemination e-cig young people survey findings through STCA groups or annual learning day	Surveys of meeting utility and impact on practice	Aug 2014	Completed in first half of year
<b>2. Public debates in run up to display ban for small shops are guided by the evidence behind the measure</b>			
Produce an updated review of the evidence for banning tobacco displays	Review extent and tone of the media debate in the run up to the enactment date	Jan - March 2015	Updated review of the evidence completed. Summary version featured as Friends of the Scotsman piece and produced as a blog and sent to journalists (with media coverage obtained in April, when the ban entered force).
Communicate evidence to media, partners and stakeholders in advance of changeover			Media reaction limited, with little discernible reaction against the change.
<b>3. Stakeholders act to improve the enforcement of current legislation</b>			
Engage stakeholders organisations to ascertain views on extent and effectiveness of enforcement of existing legislation	Response from stakeholder organisations to discussions, Responses to recommendations	Nov - March 2015	Joint conference with SCOTSS/STCA on restricting young people's access to tobacco took place in March 2015. 72 participants from trading standards and health education. 50% new to STCA meetings and 97% claimed event was useful to their tobacco control and education work.
Collate information regarding current extent and effectiveness of enforcement of existing legislation	production of analysis and recommendations	Nov - March	A summary report from the March conference has been produced. However

actions	measure impact by	timetable	progress October to March
Engage stakeholders organisations to ascertain views (joint event with SCOTSS) Produce a report and a set of recommendations for how we move ahead	response from stakeholders organisations to discussions responses to recommendations	2015	the event did not produce a set of recommendations for action. Further meetings will be required to properly articulate the current state of enforcement measures.
<b>4. Public and political debates on standard packs are guided by the evidence base</b>			
Communicate up to date news and evidence Campaign around consultation on Westminster regulations	Number of actions taken	April - March	We produced an up to date evidence review, collating the latest information and evidence from Australia. This formed the basis of a blog, which was circulated to partners to inform views.
Monitor international developments and new evidence with regard to standardised packaging Collate and communicate up to date news and evidence Analyse any evidence and arguments presented against standard packs and communicate the outcome Hold all contributors to account regarding the evidence base	Review of media coverage of standard packs debate Immediate corrections issued to any false claims and misinformation Input by all protagonists scrutinised and held to account	April - March	We made numerous media comments in late January, when the Westminster Government announced it would proceed with the measure, and distributed briefing notes to both MSPs and MPs on the subject.
Engage partner organisations to advocate for implementation Campaign around consultation on Westminster regulations	Having all supporter organisations engage when needed Involvement of new organisations	April - March	We circulated our evidence review to inform partner organisations and organised a joint SCOT letter to the Scotsman.
<b>6. Young people continue to engage and influence local and national tobacco control policy and activities</b>			
Youth Tobacco Action Award - Market promote award e.g. produce pop up banner Undertake administration for the awards Award ceremony Review and undertake short and long term actions for development of Award beyond 2015	Action plans where appropriate are developed Funding identified where appropriate Actions and impact of youth group engagement activities Number of applications to Youth tobacco Action Awards	April - March	The 2014 Award was successfully concluded with a ceremony at the Edinburgh City Chambers in October. The Outstanding Achievement award went to Falla Hill Primary School and the Best Newcomers to Dumfries High School.  A detailed review of the Awards was then carried out. Given the increasing action on youth groups and tobacco through the Youth Sector Tobacco Prevention Group we

actions	measure impact by	timetable progress October to March
		<p>decided not to run our own separate Awards in future but to link in to youth sector activity.</p> <p>We gave a detailed response to the report of the Youth Commission on Tobacco Control, plus suggestions of areas where we could collaborate on future work.</p> <p>We supported the National Union of Students/ Student Support Scotland in developing the Healthy Body Healthy Mind guidelines to include tobacco criteria. We helped organise the <i>Smoking and Tobacco Prevention on Campus</i> seminar for 40 student representatives from across Scotland. Follow up training took place with 10 college/university representatives.</p> <p>We are now supporting Dundee and Angus College in the development of a ground-breaking tobacco-free campus policy</p>
European youth tobacco conference (Sept 2015)		<p>Oct-Mar</p> <p>Working in partnership with Fast Forward and Young Scot we supported an application to the European Union's Erasmus+ fund to support a European Youth Tobacco Conference in Scotland in Autumn 2015. This bid was not successful, but plans are in place to reframe the proposal and submit to a different element of the Erasmus+ funding stream.</p>
Promote the Youth Tobacco Awards	Number of youth group engagement activities promoted and encouraged increased number of young people involved with advocacy	<p>Apr-Mar</p> <p>Promotion for the 2014 Award took place in the first half of the year. As indicated above a review decided not to progress with our own Awards in 2015.</p>

actions	measure impact by	timetable	progress October to March
<b>Social change</b>			
<p><b>7. Article 5.3 of the Framework Convention is robustly enforced in Scotland</b></p> <p>Monitor and report upon activity by tobacco industry and allies in Scotland</p> <p>Respond to industry materials and statements</p> <p>Oppose attempts by industry to take part in policy fora</p> <p>Engage with Scottish Government review of Article 5.3</p> <p>Produce review of how Scotland is performing against articles of Framework Convention on Tobacco Control</p>	<p>All industry initiatives and messages rebutted</p> <p>Industry refused access to policy discussions</p> <p>Influence over form and result of review of Article 5.3</p> <p>FCTC review published, and responses recorded</p>	<p>April – March</p> <p>Sept – Mar</p> <p>Autumn</p>	<p>We have maintained an evidence-based dialogue with relevant stakeholders, including the Scottish Parliament, the anti-illicit trade group and colleagues in the tobacco control and justice departments, and wrote to Local Authorities in response to a letter sent to them by the TMA. We also contributed to a UK report on international action to implement Art 5.3 of the FCTC.</p> <p>Scottish Government review of Article 5.3 taking place later in the timeframe of the Tobacco Control Strategy.</p>
<p><b>8. Public and politicians are aware of the latest information and evidence on tobacco, health and inequalities</b></p> <p>Maintain Cross Party Group on Tobacco and Health</p> <p>Monitor Parliamentary agenda and send evidence briefings in advance of relevant discussions and debates</p> <p>Actively promote information on developments in tobacco control through print and broadcast media</p> <p>Actively promote information on developments in tobacco control through social media</p> <p>Carry out YouGov survey, analyse and communicate results</p> <p>Key figures for situation in Scotland regularly updated, through Smoking in Scotland report and statistics sheets</p>	<p>At least 4 quorate meetings of CPG</p> <p>Briefings sent on each occasion a relevant Parliamentary discussion identified</p> <p>Monthly media monitoring shows good pickup for stories relating to new evidence</p> <p>Social media analysis shows good pick-up and dissemination of new information</p> <p>Survey shows increasing awareness and understanding of tobacco issues</p> <p>Production of annual Smoking in Scotland and six-monthly statistics sheet</p>	<p>April - March</p>	<p>CPG Tobacco and Health has agreed to our proposal to conduct a review of tobacco and health inequalities over the last year of the Parliamentary session. The first meeting looked at smoking and mental health, with the next meeting considering the correlation between tobacco retail outlets and deprivation. Discussions on smoking in pregnancy and on engaging deprived communities have been arranged. An overview report will be produced and launched late in 2015.</p> <p>Information sent to MSPs on the consideration of a lobbying register, the Transatlantic Trade and Investment Partnership (TTIP), smoking and mental health, standardised packaging, litter and health inequalities.</p>

actions	measure impact by	timetable	progress October to March
<p><b>9. Public and politicians support firm action on tobacco control</b></p> <p>Encourage STCA to secure supporters for charter</p>	<p>Head count of numbers involved in development and dissemination of template</p>	<p>On-going</p>	<p>Development of the Charter was completed, and the Charter was launched at an event on 1<sup>st</sup> April. Consultation with a range of stakeholder groups and target audiences was carried out. Supporting documents have been produced and a number of founding supporters have been recruited, including Cancer Research UK, British Heart Foundation, British Lung Foundation, Children in Scotland, Children 1<sup>st</sup>, Asthma UK Scotland, Barnardo's Scotland, Scottish Cot Death Trust and the Royal College of Physicians of Edinburgh.</p>
<p><b>10. The evidence base on second hand smoke is widely understood and accepted</b></p> <p>Collate and communicate latest evidence and interventions on second hand smoke in the home</p>	<p>Levels of use of REFRESH website, How To Guide and</p>	<p>Apr - Sept</p>	<p>REFRESH How to Guide disseminated to professionals attending second-hand smoke</p>

actions	measure impact by	timetable	progress October to March
Engage with and inform activity around the Government awareness raising campaign Colate and communicate latest evidence and responses to smoking in cars	booklet Monitor media coverage around campaign Latest evidence used to inform progress of Smoking in Cars Bill through Parliament New projects take forward air quality monitoring interventions in the homes of target communities	Apr – March Apr – March	training. Right Outside website and app promoted during training and number of professional visiting the website is recorded during 3-month follow up evaluation with participants (ongoing)  Attended evidence review session at Edinburgh University regarding perceptions of the campaign amongst people in disadvantaged areas  Air quality monitoring service agreed. Support to local AQM projects explored and representation on REFRESH Next Steps Group and SHS Network Group  Supported a Masters student at Aberdeen University in reviewing the evidence base for smoke-drift between residential units, with write-up report completed.  A Freedom of Information request was sent to every local authority, seeking information on complaints received regarding smoke-drift and actions taken. The results indicated that a significant number of complaints are being raised but currently local authorities have a lack of robust actions they can take in response.
<b>12. Local Authority &amp; NHS grounds are supported in moving towards smoke-free grounds</b>			
STCA TICG and PCHG Groups will provide a forum for sharing good practice in maintaining smoke-free grounds	List of smoke-free grounds includes a majority of authorities with plans in place by March 2015 One case study as an illustration	Aug Nov March	ASH Scotland's submission to the Government consultation covering smoke-free grounds was submitted in October. We circulated information to partner organisations in both SCOT and the STCA to help them to

actions	measure impact by	timetable	progress October to March
<p><b>13. More youth organisations across Scotland develop a smoke-free policy</b></p> <p>Identify youth organisations wanting support            Develop support and resource requirements            Develop action plan            Develop funding proposal to support development            and implementation of policy</p>	<p>Number of youth organisations supported by ASHS            Number of youth organisations not supported by ASHS            Number of policy guide implementation sessions delivered            Nature of support, actions taken forward and impact reported</p>	<p>September 2014            Nov. 2014</p>	<p>consider the consultation and to encourage them to respond.</p> <p>We have made a number of media statements in response to NHS Boards including e-cigarettes in their smoke-free grounds policies</p> <p>December TICG meeting discussed the practical impacts of making hospital grounds smoke-free</p>
<p><b>14. More smoke-free family/young people events are seen as the social norm across Scotland</b></p> <p>Identify outdoor family/young people focussed events which could become smoke-free            Meet with lead organisations to influence action            Develop smoke-free event policy template (complete by September)            Market smoke-free event ethos</p>	<p>Number of events supported to going smoke-free            Nature of support, actions taken forward and impact of support            Number of organisations supporting ASHS smoke-free charter            Feedback from event organisers</p>	<p>2014-2015</p>	<p>We produced online accessible/downloadable tobacco-free event guidance and continue to promote it.</p> <p>Tobacco-free events was raised at the December meeting of the Youth Sector Tobacco Prevention Group to ensure partner youth organisations to promote events as</p>

actions	measure impact by	timetable	progress October to March
<p><b>16. Air quality monitor pilot model is implemented and rolled out through family-centred community settings</b></p> <p>Supporting NHS Lanarkshire to evaluate use of AQMs in home settings of young people returning from care.</p>	<p>on smoke-free policy implemented</p>	<p>2014-2015</p>	<p>tobacco-free with Young Scot Keen to make their Young Scot Awards as tobacco-free event in June.</p> <p>Twilight Basketball, who previously received support from us to host a tobacco-free event are planning to present on their work around tobacco and physical activity at the YTF.</p>
<p><b>16. Air quality monitor pilot model is implemented and rolled out through family-centred community settings</b></p> <p>Supporting NHS Lanarkshire to evaluate use of AQMs in home settings of young people returning from care.</p>	<p>Action plan developed for areas recruited including budgets for resources</p> <p>Success of implementation and mainstreaming into practice and service delivery</p>	<p>2015</p>	<p>Following change in personnel at NHS Lanarkshire, progress on this project has been delayed – our support has been offered but not taken up yet.</p>
<p>Findings from Greendykes air quality monitor pilot disseminated through Research Group or PCHG</p>	<p>Surveys of meeting utility and impact on practice</p>	<p>2015</p>	<p>Findings disseminated at the Scottish Smoking Cessation Conference Nov 14 and fed back to STCA Research Group meeting in December</p>
<p><b>17. Other strategy commitments on second-hand smoke are progressed</b></p> <p>Communicate evidence base to STCA Topic Groups to inform discussion on:</p> <ul style="list-style-type: none"> <li>smoke-free prisons</li> <li>smoke-free mental health institutions</li> <li>smoke-free NHS grounds</li> <li>smoke-free local authority grounds</li> </ul> <p>Provide a platform for sharing good practice at tackling SHS</p>	<p>Surveys of meeting utility and impact on practice</p> <p>One case study as an illustration W. Isles will forward their policy and procedure on how to achieve – end of Nov.</p>	<p>Sept – Mar</p>	<p>Discussions and presentations at SSCC14 covered prisons, mental health, NHS grounds.</p> <p>TOIG meeting in Glasgow in December discussed NHS and local authority grounds</p>
<p><b>18. ASHS maintains an overview on mental health focused prevention &amp; cessation work to maintain organisational knowledge and appropriate links thereby informing our work</b></p> <p>Attend mental health focused events and feed into our work</p>	<p>ISD stats on quit rates</p> <p>Report on updates from mental</p>	<p>April 2014 –</p>	<p>The Cross Party Group on Tobacco and Health met on 5<sup>th</sup> February to discuss</p>



actions	measure impact by	timetable	progress October to March
Contribute to ASH Scotland/STCA mental health focused events Contribute to external mental health focused events Support smoke-free mental health settings	health and tobacco group members on moves towards smoke-free Abstracts submitted and accepted or contributions towards events acknowledged.	March 2015	smoking and mental health. An overview, with recommendations, will form part of the Group's overall review of tobacco and inequalities.  ASH Scotland presentation to the Royal College of Psychiatrists Addictions Group in February.  We are conducting an extensive evidence review on smoking and mental health, which will form the basis of informing and advocating work in this area
Maintain the Mental health and tobacco group member communications and discussions and their input to STCA Provide PCHG as a forum for informing professionals of new information and to debate policy Deliver 4-6 TARS with a view to informing what these groups want to do/need to know around tobacco and mental health	List of members Surveys of meeting utility and impact on practice Pre, post and 3-6 month follow-up evaluations carried out and reported on Articles accepted and published Abstracts submitted and accepted recorded	On-going    By end Sept	STCA events looking at mental health will be organised once the evidence review is published.  During this period there were 10 TARS delivered, with a total of 105 attendees: 22 <sup>nd</sup> Nov: Education Scotland (Young People & Tobacco workshop) – 10 attendees 2 <sup>nd</sup> Dec: NHS Forth Valley (Young People & Tobacco workshop) – 10 attendees 4 <sup>th</sup> Dec: Glasgow Association for Mental health (women's group) – 20 attendees 28 <sup>th</sup> Jan: Cope Drumchapel (mental health vol. org.) – 7 attendees 4 <sup>th</sup> Feb: Alzheimer's Scotland carers' group Prestwick – 9 attendees 18 <sup>th</sup> Feb: Scottish Drugs Forum (trainee addiction support workers), Glasgow – 8 attendees 19 <sup>th</sup> Feb: Scottish Drugs Forum (trainee addiction support workers), Edinburgh – 6 attendees

actions	measure impact by	timetable	progress October to March
			23 <sup>rd</sup> Feb: Glasgow Association for Mental health (mixed group) – 20 attendees 25 <sup>th</sup> Feb: Wheatlands LACYP care home (NHS Borders) – 10 attendees 30 <sup>th</sup> March: South Ayrshire Carers' Centre – 5 attendees
actions	measure impact by	timetable	progress October to March
<b>Challenging poverty and inequality</b>			
<b>20. Awareness and understanding of the link between tobacco and inequality grows</b>			
Collate and communicate information on the strong inequalities element underpinning work on tobacco and health	Measure media and professional take-up/response to publication of updates. Monitor appearance of inequalities element in discourses on tobacco (and of tobacco in discourses on poverty and inequality)	Apr – Mar	We have contributed to the Steering Group of Edinburgh University research mapping the distribution of tobacco retail outlets against deprivation and health conditions, such as lung disease. We are contributing to the dissemination of the results, with a project website completed and shortly to be launched  We made a consultation submission to the scrutiny of the Licensing Bill to raise the idea of full, positive licensing of tobacco sales as a means of addressing inequality, access by young people and the illicit market.
Topic groups cover issues relating to health inequality	Surveys of meeting utility and impact on practice	Apr – Mar	STCA Research Group Dec14 presentation on the use of e-cigs in deprived communities
<b>23. Prevalence of tobacco use amongst vulnerable children and young people is reduced</b>			
Finalise LACYP report and dissemination strategy Identify key stakeholders Disseminate learning from 'Looked after and	Actions and impact of report dissemination Smoking prevalence - SALSUS	April 2014 onwards	The ASH Scotland LACYP Tobacco Policy Exemplar was disseminated round all Local Authority contacts in Autumn 2014.

actions	measure impact by	timetable	progress October to March
<p>accommodated Children and Young People tobacco policy mapping report</p> <p>Share LAACYP findings with Youth Sector Tobacco Prevention Group</p> <p>Identify partners to take forward LAACYP recommendations</p> <p>Identify training needs of those working with LAACYP</p> <p>Scope opportunities for 16-24 year olds work through Youth Sector Tobacco Prevention Group (YSTP)</p> <p>Engage with the development of the guidance for the 2014 Children in Scotland Act with the Children's Commissioners</p> <p>Feed into review of the National Care Standards with the Children's Commissioners</p>	<p>survey</p> <p>Action plan developed</p> <p>Implementation of action plan for 16-24 year olds developed by YSTP group reported on.</p> <p>Report on input to care standards review and impact</p>		<p>Two areas have received ongoing support to develop a tobacco policy:</p> <p>Wheatlands, Scottish Borders have received to date a tobacco awareness raising session on policy development and since have received ongoing support to develop their local LAACYP tobacco policy.</p> <p>We are supporting the development of a Forth Valley-wide LAACYP Tobacco Policy through a short life working group co-ordinated by NHS Forth Valley and involves representation from three Unit Managers from each LA area. We designed and analysed a staff survey, which was administered to staff via Unit Managers as part of the consultation process. The report was disseminated round the group and to key local managers. We will be supporting the group to develop the consultation approach with young people in the participating units in April/May time.</p> <p>A positive meeting with British Association of Adoption and Fostering highlighted that they have a strong stance on smoking amongst carers and are willing to work with us on positive advice and changes. ASH Scotland presentation at their conference in March.</p> <p>We will be meeting the new Tobacco Lead in NHS GGC 28 May to explore local plans for developing work around vulnerable young people.</p>

actions	measure impact by	timetable	progress October to March
<b>24. Awareness and understanding of smoking and older people grows</b>			
Conduct comprehensive evidence review and communicate findings	Production of review and feedback	Apr - Sept	Evidence review on older people has been delayed to allow focus on mental health review.
Communicate information on the evidence base supportive of quitting in old age including link with dementia through STCA topic groups	Surveys of meeting utility and impact on practice	Sept - Mar	Work will follow on once evidence review undertaken
Involve STCA topic groups in the development of routes for local support and in developing strategies to support age related stop smoking initiatives	Evidence of meeting activity		
<b>25. ASHS is funded to support grassroots organisations working with older adults and/or people living with dementia to address smoking</b>			
Deliver 4-6 TARS with a view to informing what these groups want to do/need to know around tobacco and older adults	Pre, post and 3-6 month follow-up evaluations carried out and reported on Articles accepted and published Abstracts submitted and accepted recorded	By end Sept	A decision was taken to focus on the mental health TARS work, as there was more interest and uptake in that area (we delivered 10 in total when we aimed for 4-6) while the interest from dementia organisations was much lower.
<b>27. Awareness of the links between tobacco use and dementia are raised within communities</b>			
Communicate information on the evidence base.	New contacts made and feedback from information dissemination.	April- March	We produced a poster presentation on smoking and dementia for the Scottish Smoking Cessation Conference in October
<b>28. Understanding of, and response to, illicit tobacco in Scotland grows</b>			
Research extent of Philip Morris funded activities and connections at local level Prepare Fastfacts on illicit tobacco and send to journalists, politicians, etc with our recommendations on what actions needed	Produce report on activities, share with Tobacco Tactics and communicate more widely Responses to briefings sent	Apr - Sept	We sit on the steering group of the NHS Greater Glasgow and Clyde project on illicit tobacco and communities and have supported development of materials for engaging communities in discussion of illicit (to be launched shortly)  We responded to several media stories, giving an evidence-based picture of the nature and extent of the threat from illicit.

actions	measure impact by	timetable	progress October to March
TCIG meeting with a focus on illicit tobacco and regulation of sales outlets	Surveys of meeting utility and impact on practice		Conference took place in March 2015, as highlighted above

actions	measure impact by	timetable	progress October to March
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### Smoking cessation

#### 30. Understanding of the evidence base on nicotine delivery devices grows

<p>Monitor and communicate evidence base on electronic cigarettes as it develops          Provide evidence base for day seminar, write and disseminate report from day          Develop proposals for regulatory response from Scottish Govt and push for these</p>	<p>Public debates led by the best available evidence          Evaluation of media coverage          Analysis of policies and practice adopted by statutory, commercial and voluntary bodies          - political response to and support for proposals</p>	<p>April to March</p>	<p>We produced an updated statement on electronic cigarettes for the Scottish Parliament Health and Sport Committee's evidence session on the subject and continued to inform public views on electronic cigarettes, with various pieces of media coverage on:          - our Scottish Government consultation response          - the SALSUS figures on young people's e-cigarette use          - our input to the Health and Sport Committee evidence session          - peer reviewed the SPICE briefing for the Health and Sport Committee investigation</p>
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<p>PCHG and Research Group provide opportunities for NHS and other stakeholders to hear about and discuss latest information on ENDD's</p>	<p>Surveys of meeting utility and impact on practice</p>	<p>April to March</p>	<p>TCIG Dec 14 of the STCA debated the issues raised by the SG consultation on E-cig and tobacco regulation. 90% found the meeting very useful to their work.          Research Group Dec14, April 15 meetings covered teen attitude and exposure to e-cig advertising, changes in initiation over time. 72% found the meetings very useful.          Working together to reduce access to tobacco and e-cigarettes by young people event Dec 14 updated 72 professionals on issues relating to young people and e-cigs including current TSO pilots to restrict sales</p>
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SSCC14 covered issues relating to ENDD's

actions	measure impact by	timetable	progress October to March
			in both plenary and parallel sessions. 200 delegates.
<p><b>32. There is an enhanced evidence base around what helps in smoking cessation services</b> Continue to support national dataset project</p>	Progress of meetings	Apr - Mar	Due to capacity we have reduced our involvement in this group.
<p><b>33. Increase the understanding of the inter-play between different health behaviours</b> Meetings bringing together health promotion professionals supporting exercise, diet, smoking and substance misuse; leading to larger future conference</p>	Surveys of meetings utility and impact on practice	Sept- March	ASH Scotland presentation at West Lothian Drug and Alcohol Service AGM in November, together with tobacco, alcohol and drugs speakers. Around 80 attendees Chief Exec presentation to Royal College of Psychiatrists Addictions Group focused on links between smoking and drug use
<p><b>34. Stop smoking services across Scotland are enhanced through the provision of bespoke learning opportunities for specialists and other healthcare workers who may refer into services</b> Provide training support to at least 8 NHS Boards across Scotland Deliver 12 days training to around 150 participants</p>	Training delivered and evaluated	April- Sept	Delivered in first half of the year
<p><b>35. Stop smoking specialists are trained to Standard C of the National Training Standards with optional academic accreditation</b> Deliver Specialist Stop Smoking Support: Individuals &amp; Groups Provide on-going support to students via telephone and e-mail Provide induction session, two learning days, optional OSCE preparation day, OSCE assessment day(s) Mark and provide feedback on OSCEs for all students Mark and provide feedback on essays for students Presenting for academic accreditation</p>	85% of students passing course at CPD or accredited level Number of Boards from which students are drawn	April- Sept	Delivered in first half of the year
<p><b>36. Stop smoking specialists are trained to Standard D of the National Training Standards with optional academic accreditation</b></p>			

<i>actions</i>	<i>measure impact by</i>	<i>timetable</i>	<i>progress October to March</i>
Deliver Specialist Stop Smoking Support: Wider Professional Issues Provide on-going support to students via telephone and e-mail Provide information session, two learning days, presentation assessment day(s) Mark and provide feedback on presentations for all students Mark and provide feedback on reports for students presenting for academic accreditation	85% of students passing course at CPD or accredited level Number of Boards from which students are drawn	April-Sept	Delivered in first half of the year



actions	measure impact by	timeable	progress October to March
<b>Partnerships</b>			
<p><b>38. Strong links are maintained with national and international tobacco control colleagues</b></p> <p>Support the STCA research group and engage with other working groups            Maintain regular engagement with partners in the ASH 5 Nations network            Monitor international updates through individual contacts, FCA and other lists and Facebook</p>	<p>3 well-attended meetings which evaluate well            Quarterly 5 nations meetings (2 of which by phone)</p>	<p>Apr - Mar</p>	<p>STCA Research Group met in December. Consultation over future of Group received strong feedback from members that wished to continue</p> <p>Fortnightly engagement with Smoke Free Action Coalition conference calls</p> <p>ASH 5 Nations phone calls took place on 5<sup>th</sup> October and 20<sup>th</sup> January</p> <p>Attended Smoking Still Kills event in London to discuss next Westminster tobacco strategy</p> <p>Ongoing communications with the International Framework Convention Alliance to inform knowledge and practice in Scotland</p>
<p>Plan for an International Tobacco Control Conference 2015 to showcase Scottish TC work and feature TC internationally            Develop programme and speakers that attract international participants</p>	<p>Database of new contacts maintained            Increased non-Scottish participation on 2013 event</p>	<p>Apr-Sept</p>	<p>Conference planning well advanced. Plenary programme includes how the FCTC will support the generation free from tobacco movement in Scotland, end-game strategies, standardised packaging and community support for tobacco control</p> <p>Supported by comprehensive set of parallel sessions including two sessions focusing on including disadvantaged smokers in public health measures and quitting, tackling illicit tobacco, using mass media and social media to engage with the public, learning</p>

actions	measure impact by	timetable	progress October to March
<p><b>40. Discussions of the Ministerial working groups are based on the best available evidence base</b></p> <p>Evidence briefings provided for meetings of the Ministerial Working Group and sub-groups on Research, Enforcement and Youth Prevention, and in response to requests in between</p> <p>Provide evidence to support actions from community youth organizations meetings</p> <p>Support the actions agreed at meetings</p>	<p>Number of briefings provided</p> <p>Examples of actions supported by evidence base</p>	<p>April - March</p>	<p>Attended and contributed to Ministerial Group in December</p> <p>Attended Prevention Sub-Group (see below)</p> <p>Research and Evaluation: provided updates on Robertson Trust Work, e-cigarette research, and the REFRESH legacy</p>
<p><b>41. Prevention sub-group of the Ministerial Working group on tobacco</b></p> <p>Maintain role on ministerial group</p> <p>Attend meetings</p> <p>Provide updates of actions from YSTP Group to group</p> <p>Co-chair YSTP group and ensure action plan is implemented</p> <p>Provide updates and opportunities to update on group activities to wider networks e.g. YTF</p>	<p>Evidence of contributions to agenda</p> <p>Evidence of engagement with YTF</p>	<p>2014-2015</p>	<p>We have attended the October and March prevention sub-group meetings and provided updates on the progress of the Youth Sector Tobacco Prevention Group (YSTPG).</p> <p>As joint chair of the YSTPG we continue to develop an agenda around the agreed action plan. The group met in December and reviewed the draft pages for the online web resource for youth workers on tobacco. We developed a blog article for YouthLink Scotland to publish and Youth Scotland proposed to include tobacco awareness raising sessions in the training essentials programme in 2015.</p> <p>The YSTPG met in March to review and test the developed web resource, which was launched at Youth Scotland Big Skills Weekend.</p> <p>The group agreed to ensure where possible to promote events as tobacco-free with Young Scot keen to make their Young Scot</p>

actions	measure impact by	timetable	progress October to March
<p>42. Effective fora are developed and maintained for the dissemination of tobacco control policy implementation, best practice and to facilitate stakeholder involvement in policy development</p>	Three meetings per year per group	On-going	Activity noted in other parts of this report and in previous 6 month report
<p>Facilitate meetings of Tobacco Control Issues Group, Promoting Cessation and Health Group, Youth and Tobacco Forum</p>	At least 60 attendees	August	
<p>Market and promote STCA membership</p>	<p>16% increase in all membership categories with increasing numbers of Council, Community and voluntary sector recruitment</p>	On-going	
<p>Operate an effective elected Coordinating Group which will liaise with topic group chairs, ASH Scotland staff and the wider membership.</p>	<p>Consultation with stakeholders shows relevancy and utility of STCA actions</p>	On-going	
<p>Provide opportunities for alliance members and advocates to suggest policy initiatives, comment on existing policy and contribute more effectively to consultation by Government</p>	<p>Recorded instances of stakeholder involvement facilitated by the STCA</p>		

actions	measure impact by	timetable	progress October to March
<p>43. More local and national youth focused organisations and services share good practice relevant to local and national cessation and tobacco prevention activities</p> <p>Youth and Tobacco Forum members meet 4 times per year.</p> <p>Evaluation forms for each meeting are analysed and circulated</p> <p>Evidence activities that support development and topics for meetings evidence</p> <p>Meeting/event reports are produced and circulated e.g. via: e-bulletin and email</p> <p>Evidence activities to support continued development of 'Youth involvement' e.g. Peer Education</p> <p>Log and report on communications disseminated around the network</p> <p>Produce annual report on YTF</p> <p>Market YTF</p> <p>Contribute and support planning of proposed youth focussed theme for 2015 ASHS Conference</p>	<p>Coordinating Group assessments of meetings and referrals of ideas and issues to Ministerial Working Group and other policy developing for a</p>		
<p>44. Public health community is informed of the evidence base for tobacco control</p> <p>Respond to all enquiries received</p> <p>Maintain website, tobacco library and research database</p> <p>Produce new briefings and Fastfacts sheets and update existing documents</p> <p>Information stall at Scottish Smoking Cessation Conference and other key events</p> <p>Daily, weekly, research and library bulletins produced</p> <p>Weekly electronic bulletin and website updates as required</p> <p>Working with all teams, organise meetings for allied</p>	<p>Membership records</p> <p>End of Year YTF annual report</p> <p>YTF meeting evaluations</p> <p>Programme of activities for youth focussed themes developed and integrated into ASHS 2015 conference</p>	<p>May, June, October 2014</p> <p>February 2015</p> <p>Other activities ongoing through 2014-2015</p>	<p>The launch and promotion of the Tobacco-Free generation webpages has provided a single point of contact for youth groups and workers looking for tobacco specific information, resources and support.</p> <p>YTF planned for April 2015 will focus on the links between youth work, physical activity and tobacco prevention.</p> <p>Workplan for the YSTPG has a clear focus on providing resources, support and training for youth workers.</p>
	<p>Number of enquiries received, all dealt with within timescale</p> <p>Record of level of use of library resources</p> <p>Number of briefings and Fastfacts produced and downloads of each</p> <p>Numbers receiving each bulletin</p> <p>an estimate of click-through numbers achieved</p>	<p>Apr - Mar</p>	<p>Information Service report to Scottish Government has been prepared separately</p>
	<p>Records of bulletins</p> <p>Increasing relevant web content</p> <p>Records of specific meetings and</p>	<p>On-going</p> <p>On-</p>	<p>All taking place</p>

actions	measure impact by	timetable	progress October to March
professionals and non-health professionals to improve referral to smoking cessation services Through the Scottish Smoking Cessation Conference enhance the knowledge base of the cessation service workforce	events High level of satisfaction with learning day	going November	Scottish Smoking Cessation Conference was run successfully in November, with our support.
<b>45. Every area has a comprehensive local tobacco plan</b>			
Produce guidance/recommendations Promote to local networks	Feedback at local level and indications of take-up/influence of local plans	June - Mar	Not yet undertaken -- deferred to 2015/16 workplan
Tobacco Control Issues Group meets to encourage local alliance activity and support local alliance development Web links to local alliance plans	Collated list of local alliance plans	August 2015	Events in December and March referred to elsewhere
<b>46. More Local Alliances and Tobacco Planning Groups are supported in raising the profile of tobacco and it being identified as a priority issue for community-led health initiatives.</b>			
Allocate geographical areas to individual staff to gather intelligence Map existing local tobacco alliances and or tobacco planning groups to inform future actions	Information gathered and documented Plan for future engagement developed	July-Nov	Excel spreadsheet created with a summary of local alliance contacts: 29 identified. 12 Alliances gave more detailed feedback on activity. Results suggest only a small number of areas have an effective local alliance in operation (5 or 6).  If local alliances are deemed desirable greater support will be required to support their continued development.
<b>47. Youth prevention &amp; cessation focussed actions within the National Tobacco Strategy are implemented by national organisations &amp; local tobacco planning groups</b>			
Identify local planning groups Attend local planning group meetings Report on activities within local planning groups Showcase 3 innovative approaches at Youth Forum events e.g. DECIPHER-ASSIST pilot sites	Number of local planning groups supported Number of project/youth action groups supported Nature of support, action taken and impact of support Number of innovative approaches showcased	2014- 2015	Excel spreadsheet with an outline of activity relating to prevention work created. This enabled the groups and individuals identified to present at Youth and Tobacco Forum meetings and for help and advice to be offered by the ASH Scotland Information Service.

actions	measure impact by	timetable	progress October to March
<p>48. Profile of tobacco and impact of tobacco use and consumption is raised through our engagement with inequality focused organisations to stimulate local and national action</p>	<p>Identify opportunity to use inequality focussed organisations(e.g. our inequality contacts) as sounding board or partners to progress our work Take forward findings / recommendations from survey on engagement with community and voluntary sectors in partnership with Scottish Community Development Centre Continue to maintain the TENS network activity and seek opportunities to raise profile of tobacco Areas of action identified for input from targeted audience</p>	<p>Support sought, action taken and impact of support reported Activity of TENS network reported Engagement and input from inequality focussed organisations and impact reported</p>	<p>2014-2015</p> <p>In recent months our emphasis has been on building engagement with mental health organisations, resulting in a good number of TARS sessions.</p> <p>We have submitted a successful funding bid to the Lothian Health Foundation, which will enable us to develop our engagement with mental health professionals and services in the coming year.</p>
<p>49. We build learning exchange and collaboration with partner organisations in related fields</p>	<p>Build information sharing and exchange relationships with organisations working on drugs, alcohol, litter and other interests</p>	<p>Report back on discussions with partners organisations</p>	<p>2014-15</p> <p>We ran stalls promoting information on tobacco and health at the Scottish Smoking Cessation Conference; Children in Scotland Conference; Dumfries &amp; Galloway Third Sector Network AGM; Sudden Unexpected Death in Infancy Summit; Scottish Cancer Prevention Network Conference; and The Gathering 2015. Dialogue with Zero Waste Scotland to inform their policies on tobacco.</p>
<p>Sustain existing and develop new relationships that will lead to collaborative work and new funding/income generation</p>	<p>New relationships developed and income/funding generated.</p>	<p>2014-15</p>	<p>Through engagement work discussions with Lothian Health Board and Comas.</p>

actions	measure impact by	timetable	progress October to March
<b>Organisational development</b>			
<b>50. We support the information needs of the wider organisation</b> Respond to info requests from other teams as and when they arise	Record examples of collaboration	Apr - Mar	Information Service report submitted separately.
<b>51. We support the communication needs of the wider organisation</b> Respond to comms requests from others as and when they arise Maintain and develop the ASH Scotland website Produce the 2014 Annual Report Work on clarifying ASH Scotland design guidelines and materials Develop and maintain a communications calendar Conduct and analyse annual staff survey Maintain ASHS to ASHS noticeboard	Examples of collaboration and profile for projects/activities Google analytics to understand usage Annual report produced to schedule, and feedback received Creation of materials guidelines, with cross-organisational buy-in Calendar maintained and used Production of staff survey report Growth in ASHS to ASHS usage	Apr - Mar	A review and refresh of ASH Scotland brand and communications guidelines was carried out. Our new branding is now in place. <ul style="list-style-type: none"> <li>- A survey of STCA members found : <ul style="list-style-type: none"> <li>- 80% said the weekly STCA Bulletin was useful (1% not useful)</li> <li>- 87% said the STCA web pages were useful (3% not useful)</li> <li>- 93% said the ASH Scotland webpages were useful (0% not useful)</li> <li>- 77% said STCA policy events were useful (0% not useful)</li> <li>- 75% said STCA practice development events were useful (1% not useful)</li> </ul> </li> <li>with the remainder indicating they had not yet engaged with these services.</li> </ul>
Publish a weekly STCA Bulletin Maintain the STCA website Develop a web-listing of local alliance workplans	Survey of resource utility	Apr - Mar	
<b>52. Policies, guidance and evidence are made accessible to relevant and interested parties</b>			

actions	measure impact by	timetable	progress October to March
Review content of Inequalities section of the website every 3 months Develop and update content of website Upload new documents within reasonable period of publication Review navigation of website annually	Monitor web site traffic New enquires/contacts generated	2014-2015	A review of the ASH Scotland website is underway, with designers commissioned to refresh the web design and a review of content intending to streamline and focus the page structure.
<b>55. The teams function effectively</b>			
Regular team meetings and catchups to keep everyone informed This plan mainstreamed into day to day activities	Collaborative team effort to deliver on the outcomes in this plan	Apr-Mar	Ongoing
Line manage team members Review at R&P annual appraisal objectives Regular team meetings (6-8 weekly) Staff CPD needs identified Individual / team work plans completed and monitored	R&P notes Appraisal completed Work plans completed with clear areas of responsibilities, leads and timescales	2014-2015	Ongoing
<b>56. AGM, Board and Sub-Committee meetings comply with good governance practice.</b>			
Hold meetings at appropriate intervals. Papers sent out in a timely fashion. Minutes are prepared, approved and issued in a timely fashion.	AGM held and compliant with Memorandum and Articles of Association and other legal requirements. Quarterly Board and Sub-committee meetings held that are effective, properly prepared for and minuted. Returns submitted	Quarterly	Board meetings held 1 <sup>st</sup> October, 3 <sup>rd</sup> December and 18 <sup>th</sup> March. Finance Funding and General Purposes sub-committee met on 28 <sup>th</sup> October and 11 <sup>th</sup> February Policy Sub-Committee met on 4 <sup>th</sup> November and 19 <sup>th</sup> February. All papers submitted and minutes complete.
OSCR and Companies House annual returns completed and submitted			Returns submitted following the AGM on 1 <sup>st</sup> October and clean independent audit



Financial Report October 2014 to March 2015

	Core	Policy & Information	Inequalities	Youth	Training
Government Funding	127,500	50,250	52,500	60,000	25,000
<b>Expenditure</b>					
Staff costs	121,586	62,427	45,131	50,679	50,713
Property costs	23,261	-	-	-	-
Services	10,744	-	-	-	-
Equipment Costs	9,562	-	-	-	-
Resources	2,384	9,997	584	1,205	1,251
Infrastructure costs	-38,091	14,725	7,180	8,154	8,032
Website	-	329	-	-	-
Meetings and travel	2,967	576	135	2,101	2,576
Professional services	6,678	-	-	-	-
Miscellaneous	811	-	-	-	75
Depreciation	1,315	-368	-139	-160	116
Events	5,482	-	-	100	-
<b>TOTAL EXPENDITURE</b>	<b>146,699</b>	<b>107,686</b>	<b>52,891</b>	<b>62,079</b>	<b>62,763</b>

Note:

- Balance of Core expenditure is made up from other funding sources and generated income.
- The Policy & Information work is jointly funded with British Heart Foundation.
- Government Funding for the Training budget above does not include £16,000 for Second Hand Smoke Training
- The negative Depreciation in Policy & Information, Inequalities & Youth is due to a Year End adjustment as Depreciation had been over-estimated.

[REDACTED]

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From: [REDACTED]  
Sent: 05 May 2016 09:09  
To: [REDACTED]  
Subject: FW: UK tobacco control/public health PQs for info

From: [REDACTED]  
Sent: 17 June 2015 11:46  
To: [REDACTED]  
Subject: UK tobacco control/public health PQs for info

### Parliamentary Questions

#### PQ1: Tobacco: Packaging

[REDACTED] To ask the Secretary of State for Health, what estimate he has made of the potential cost to the public purse of the legal challenge on the implementation of the Standardised Packaging of Tobacco Product Regulations 2015.

[REDACTED] (The Parliamentary Under-Secretary of State for Health): The Department has given very careful and measured consideration to all legal aspects of the policy of standardised tobacco packaging and this includes the potential for legal claims and the costs associated with such claims. The Government does not disclose the legal advice it receives but having looked at the evidence considers the public health benefit of standardised packaging to justify these measures and that they are defensible in court.

Hansard Citation: [HC Deb, 16 June 2015, cW](#)

#### PQ2: Public Health Funding

[REDACTED] (Oldham East and Saddleworth): To ask the Secretary of State for Health, what assessment he has made of the potential effect of recently announced changes to public health funding on public health initiatives on (a) exercise, (b) obesity, (c) smoking cessation and (d) sexual health.

[REDACTED] (The Parliamentary Under-Secretary of State for Health): We will shortly publish a consultation on how best to implement these savings in ways that minimise any impact on front-line services.

Hansard Citation: [HC Deb, 16 June 2015, cW](#)

[REDACTED]

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