

## **Minutes from the Smoking and Health Cross Party Group**

**Ty Hywel, Wednesday 26 June 2019 @ 12.30**

**Chair:** John Griffiths AM

**Speakers:** Suzanne Cass, Chief Executive ASH Wales  
Matthew Cridland, Manager, Trading Standards Newport City Council

### **Attendees:**

Suzanne Cass, Chief Executive, ASH Wales  
Dai Lloyd AM  
John Griffiths AM  
Becs Parker, Senior Communications Officer, John Griffiths AM  
Georgie, Representative of Darren Millar AM  
Helen West, Representative of Julie Morgan AM  
Jack & Chloe, ACT Training Bridgend  
Maura Matthews, Prevention Lead, Tenovus  
Gemma Roberts, Public Affairs Officer, Cancer Research UK  
Rhodri Thomas, Associate Director, Community Pharmacy Wales  
Clive Jones, Professional Lead, Powys Trading Standards  
Simon Wilkinson, Regulatory and Frontline Services Policy Officer, WLGA  
Stuart Phillips, BWY Canine  
Huw Cook, Communications Officer, British Lung Foundation  
Martin Fidler Jones, Policy Officer, Tenovus  
Robert Bevan, Wales Crimes Against Business  
Eric Kendall, Government Agency Intelligence Network (GAIN)  
Andrew Burgoyne Huw Cook, British Lung Foundation  
Mandy Powell, Head of Policy, ASH Wales  
Julie Edwards, Senior Administrator, ASH Wales (Minutes)  
Beth Mahoney, Marketing and Communications Manager, ASH Wales  
Kimberley Martin, Marketing Officer, ASH Wales

### **Apologies:**

Emma Henwood, British Heart Foundation  
Adam Fletcher, British Heart Foundation

Joseph Carter, British Lung Foundation  
Stephen Carr, WLGA Safer Communities  
Ian Tumelty, Wales Crimes Against Business  
William Farnham, Neighbourhood Watch  
Lowri Jackson, Royal College of Physicians  
Llyr Gryffudd AM  
Darren Millar AM

## 1. **Welcome and Introductions**

John Griffiths AM (JG) welcomed everyone to the meeting and introductions were made. JG set the scene for the meeting which focussed on Illegal Tobacco, how it's impacting our communities and the challenges facing enforcement agencies.

JG introduced Suzanne Cass (SC), Chief Executive of ASH Wales.

SC said that the picture around Illegal tobacco is now well documented. Wales has the highest UK rate at 15%, translating into around 1 million illegal cigarettes being smoked every day in Wales.

Cutbacks in enforcement mean this is a challenging space to work in with criminals able to adapt to their environment. The landscape for catching and punishing criminals is now ever changing and we need to be able to respond to this. Alongside of this 9% of young people aged 15-16 currently smoke, and this figure has remained unchanged for 4 years.

We know that people access illegal tobacco from a variety of sources including private addresses, pubs and clubs and retail premises.

Today's meeting will explore the existing and forthcoming measures in place to combat the problem, including the Retail Register, Tracking and Tracing and the Illicit Trade Group. We will hear from different organisations working in this area, as well as young people about their smoking habits and access to tobacco.

SC then introduced Matthew Cridland, Trading Standards Manager at Newport City Council.

MC gave an insight into his area of Newport – the problems Trading Standards face on a daily basis and how they are tackling it.

MC shared a state of the nation snapshot of the number of illegal tobacco sale figures compiled from Trading Standards Officers across Wales for the 18/19 year.

- Under age sales 13
- Facebook and social media 54
- 16 from pubs and clubs
- 110 from residential premises
- 14 in the workplace
- 199 from shops/retail premises

He commented that the actual figure is higher as approximately 6/7 trading standards don't record their figures in the same way. MC went on to describe why Newport Trading Standards have made Illegal Tobacco a priority and why it cares about the problem. Illegal tobacco affects vulnerable people, poor people and young people. The aims of the Wellbeing and Future Generations Act include Equality, Health and Prosperity. If we are to stand any chance of achieving these aims then we have to tackle illegal tobacco. Selling illegal tobacco to those who are most vulnerable allows young people to start smoking and for existing smokers to smoke more, when otherwise they might have given up. It impacts on communities and it hinders a fair trading environment for genuine businesses.

Counterfeit products often contain high levels of heavy metals such as cadmium. He also pointed out that testing of recently seized products resulted in every one failing the flammability test. MC also pointed out that when an analysis was carried out of premises selling illegal tobacco they were nearly all based in areas of high deprivation and therefore targeting our poorest communities.

MC shared details of the pressures trading standards enforcement teams are facing. If a considerable amount of time is dedicated to carrying out raids and test purchases then staff are unable to focus on other projects which results in increased vulnerability in other areas. In the last 5 years they have carried out 23 prosecutions equating to 152 months in prison (actual and suspended). They use a variety of tactics including unsolicited door knocks and surveillance; they require judicial approval in order to make this happen which takes time and resources. A lot of these cases don't reach as far as prosecution. Criminals are quick to change ownership of the premises and current consequences don't really have much of an impact on them.

The end result of this is that vulnerable people continue to be exploited. Poorer people are their customers and their health is at risk. It's expensive to prosecute these criminals and the resources going into combatting illegal tobacco results in an unmet need in other areas of rogue trading.

MC finished by saying that his authority is just one of 22 and others will have their own perspective.

SC thanked MC and invited the two young people in the room Jack and Chloe from ACT Training to share their perspective on young people's habits and access to tobacco.

Jack and Chloe commented

- Illegal tobacco is easy to get hold of – shops rarely ask for ID and regularly offer single cigarettes from under the counter
- Illegal tobacco is an easy option when you have no/little money – price of cigarettes is constantly going up
- It's easier to buy tobacco than alcohol
- Tobacco is expensive and half of J's money goes on this
- They started smoking because of their peers/social smoking
- Their parents smoked
- It did not take long before they were addicted; not that easy to give up

- J feels that cigarettes calm him down; they're part of his daily routine
- Now vaping - vaping mirrors the routine of smoking
- Little information given out in school about the consequences; smoking was rolled into substance misuse lesson

SC then invited colleagues in the room to share their own pieces of work around Illegal Tobacco

EK from GAIN sits on the All Parliamentary Anti Illicit Trade Group, which aims to raise awareness of illicit trade in Britain. He shared his own insight into the work of organised crime groups.

EK explained that Illegal Tobacco has links to ongoing organised crime; criminals are keen to diversify how they generate their income and illegal tobacco fits the bill. There is a lot of activity in the Midlands and London – huge amount of exploitation including children who are groomed to sell it – money laundering. Scotland have their own model of sharing expertise around Illegal Tobacco. JG asked for more detail on this. EK continued that the Scottish model involves more partnership working; there is a commitment from different organisations that Illegal Tobacco needs to be tackled. Wales is getting there slowly and now has more of an appetite to solve the problem by sharing the intelligence picture.

JG then left the meeting and handed over to SC:

### **Open Discussion:**

#### **How can the third sector play an active role in the challenge of illegal tobacco?**

The following points and discussions took place during the open session:

ASH Wales submitted a bid in March 2018 for a 3 year enforcement and communications programme. We are expecting an announcement shortly regarding this. CJ commented that since that bid was submitted over 350 million illegal cigarettes have been smoked in Wales. The problem is getting bigger; its affecting illicit trade, the safety of our communities and impacting health.

RB from Wales Crimes Against Business commented that these issues have been talked about for a long time. Community Safety has to be a priority. There is work in Scotland that could be mirrored here in Wales.

CJ commented that it would be helpful to map crime gangs to resources that can be targeted. PCCs also have key responsibilities and should be part of the conversation around tackling illegal tobacco.

SF at HMRC said that duty from cigarettes and tobacco goes into healthcare and we need to ensure that this message gets across too. SF also commented that additional resources are needed at Border Control which would stop a lot of the illegal tobacco reaching local communities.

SW commented that investment needs to be put into prevention. This takes a longer term approach which isn't always popular with politicians.

EK briefly explained the strategy of responding to organised crime, Pursue, Prevent, Protect and Prepare. The strategy is about reducing the threat and the vulnerability which will then reduce the level of serious organised crime and what law enforcement response should be.

SC commented that there is no standardised reporting model for Illegal Tobacco. There needs to be additional cross government working around health and safer communities – the link is not currently being made.

HMRC commented that tracking and tracing will have an effect on Illegal Tobacco.

CJ commented that seizures by enforcement agencies are written off by criminals as a drop in the ocean and they know all too well that the resource lacks staff and funds. There needs to be one profile for Wales across all agencies. A clear explanation that this is the threat to Wales.

SP shared his experience of working in East Sussex, which is just half a county. They have recognised the problem of Illegal Tobacco and have dedicated £360,000 to the problem this year. Across the whole of Wales we dedicate just £10,00 a month to combatting the issue.

Chloe said that more support is needed for young people who want to give up smoking. This was endorsed by others in the room who felt that young people should be more involved in the conversation. The messaging around Illegal Tobacco needs to be right. Communities are deaf to health messaging and maybe the messaging needs to be about funding terrorism and serious organised crime. Need to make the point that it isn't a Robin Hood crime.

HMRC emphasised the need for additional enforcement. Some communities are ghetto areas for the supply of alcohol and tobacco with links to modern slavery. The police need to be on board. MC said that some of the success in Newport has come from involving Gwent police at a high level – formal relationships are important so that plans are joined up and are endorsed from the top.

MC also mentioned a model that Hereford has adopted which is a multi agency targeted enforcement strategy. It's based on the 'rogue trader' model and includes a hotline in order to maximise the effectiveness of the money being allocated to the problem.

SB at HMRC said that in his conversations with the public they are clear that they don't want illegal tobacco in their area. They support more action in their communities and he believes the backing is there if the right message is communicated.

GR asked the young people what key message made the difference in them wanting to reduce their smoking and switching to ecigs. They commented that understanding their CO levels and the messaging around Illegal Tobacco has enabled them to start quitting. Support from parents who have also smoked but now given up has also helped.

SC thanked everyone for their contributions.

MP said the next meeting will be in November. Before then we will produce a report that will cover the actions and recommendations from the meetings over the last 12 months.

**A summary of the conclusions and calls to action made during the meeting:**

- The threat of Illegal Tobacco is increasing
- Time spent on tackling illegal tobacco leaves other areas of illicit trade neglected, resulting in the unmet needs of vulnerable people and less safe communities
- Calls for a Mapping exercise of where Serious Organised Crime gangs are located; so that resources can be better targeted
- An all Wales profile of illegal tobacco
- Health and Safer communities need to be more aligned; more effective use of limited budgets
- Involvement of the third sector in building a stakeholder group for further action
- Standardised reporting model for Illegal Tobacco
- More support for young people – aged 16-24 who want to give up smoking.