

2004 was a successful year in which our campaigning activities went from strength to strength.

We joined forces with other organisations and pressure groups to help maximise our impact.



“The most encouraging event of the last month was a vitriolic attack on Ash (Action on Smoking and Health) by the retiring chairman of British American Tobacco (BAT). He spoke with loathing of the “narrowly based, vociferous anti-tobacco activists” trying to criminalise its customers, without mentioning that BAT killed 7.5 million of them in the last decade. It showed just how painful a pressure group’s sting can be.”

Malcolm Dean, 5 May 2004, The Guardian

The Annual Review gives you a brief overview of some of the ASH campaigns, reports and press briefings. If you have a special interest in any of the articles or would like to read ASH Government submissions or political analysis on tobacco-related issues, they are available on our web site at www.ash.org.uk.

All the reports, letters and press statements referred to in this report are also available from our website.

Choosing Health – the White Paper

The year's hard work lobbying for smokefree legislation bore fruit in the White Paper published as we went to press. Legislation is proposed to end smoking in the great majority of workplaces and public places, although exemptions are to be allowed for pubs which don't serve food and clubs.

This will sharply cut the toll of illness and premature deaths caused by secondhand smoke. There are 2.2 million people working in places where smoking is allowed throughout and a further 10.7 million in places where smoking is allowed somewhere on the premises. The White Paper proposals would protect the great majority of these employees from the risks of secondhand smoke. They would also protect the general public from most risks associated with smoking in enclosed public places.

However, there are no good reasons to exempt employees from the group identified as at most risk, namely staff in pubs and bars. ASH and the public health lobby will continue to press for smokefree legislation to protect all workers. We are also calling on Ministers to make a clear commitment to legislation in the first session of the new Parliament, and for the Labour Party to include this promise in their General Election manifesto.

ASH links up with Royal Colleges

The UK's medical Royal Colleges and their Faculties lobbied for legislation to make all workplaces and enclosed public places smokefree. All the Colleges and their Faculties supported a document launched by the Royal College of Physicians, produced with help from ASH, called *'Tobacco Smoke Pollution: The Hard Facts'*. The Colleges wrote a letter to the Times explaining why a ban on smoking in public places is necessary, which received widespread positive media coverage.

Hospitality trade, secondhand smoke and employee health and safety

In January we increased the pressure on the hospitality trade by spelling out the legal implications of their failure to protect employees' health from the dangers of secondhand smoke. Together with Thompsons, the UK's largest personal injury and trade union law firm, we issued a warning letter to hospitality industry bosses, stating that the 'date of guilty knowledge' under the Health and Safety at Work Act is now passed, and that employers should therefore know the serious health risks faced by staff who cannot avoid inhaling second hand smoke. The letter received extensive media coverage. Subsequently several

hospitality firms have begun to view this issue more seriously, with a number of them now supporting national smokefree legislation.

Secondhand smoke: providing advice to employees

In the spring we issued a new leaflet with Thompsons, providing advice and information to hospitality trade employees about second hand smoke. The leaflet was distributed through trade unions and tobacco control networks across the country. Thompsons are also offering a freephone helpline: 0800 587 1270.

We carried out a joint publicity campaign to launch the leaflet, and in a statement to the press, John Hall, a solicitor at Thompsons, pointed out: *"employers have no more right to allow smoke in the workplace than they do to allow asbestos or coal dust. They need to stop smoking in the work place, or they will face legal action from those who are made ill as a result."*

This campaign is a continuing priority for the coming year. With Thompsons' support, employees whose health has been damaged by secondhand smoke at work can get the information and support they need to bring cases for compensation and this will help set legal precedents that will bind other employers.

Achieving Smoke Freedom: a new Toolkit

ASH teamed up with the Chartered Institute of Environmental Health (CIEH) in August to produce a major new guidance document produced by both organisations called the *Achieving Smoke Freedom Toolkit*. A copy was circulated to all local authorities and PCTs and feedback has been positive.

The new guide is designed to equip local authorities with the information they need to push for all workplaces and enclosed public places in their areas to go smokefree. It shows that local Councils have many relevant powers – but that the Government still needs to change the law on smoking in the workplace to ensure that Council action can be fully effective.

Wanless report backs the case for new smoking laws

'Securing Good Health for the Whole Population', commissioned by the Treasury from Derek Wanless, provided 'powerful backing' to the case for a new law ending smoking in the workplace. Other key ASH recommendations included in the report were a call for the Government to consider setting up a new independent regulatory body for nicotine products and for more ambitious Government targets to reduce smoking prevalence. While the report did not make specific policy recommendations, it did make clear that a substantial further reduction in tobacco consumption was required if the 'fully engaged' scenario of health care is to be achieved and spending on the health service to be contained.

Ash performance review

The results of qualitative research carried out among stakeholders to help improve our performance was overwhelmingly positive with one journalist commenting: "ASH is in renaissance, upping the 'ante', riding the wave of what's happening in the US and Eire".

50th anniversary of Government admission to the links between smoking and lung cancer

On 12th February 1954 the then Health Minister Iain Macleod reported on the findings of a Government-approved scientific committee which had been investigating possible links between smoking and lung cancer. The committee concluded that *"It must be regarded as established that there is a relationship between smoking and cancer of the lung"* and that *"It would appear that the risk increases with the amount smoked, particularly of cigarettes."* (Source: Parliamentary written answer, 15/2/54 and Ministry of Health press statement, 12/2/54)

On this momentous 50th anniversary ASH urged the present Government to act on the evidence of the harmful effects of secondhand smoke. Speaking for ASH, Professor Sir Richard Doll, our President, commented, *"It is clear that a lot of people have not yet appreciated the full extent of the hazards of smoking. It is vital that ASH continues its efforts to inform people, to persuade the Government to improve facilities for the treatment of addiction, and to bring about a ban on smoking at the workplace, comparable to the ban on other chemical hazards."*

'BAT's Big Wheeze'

ASH attended the British American Tobacco (BAT) AGM in April, along with MPs Norman Baker (Lib Dem) and David Taylor MP (Labour) and campaigners from Friends of the Earth and Christian Aid.

The three pressure groups published a new report on the company – *"BAT's Big Wheeze"*. The report looks at BAT's record in Britain, Brazil, Kenya, Nigeria, Pakistan, Russia and Uganda. BAT directors are paid huge sums for their activities: the then Chief Executive Officer, Martin Broughton received £2.4 million a year, and top Tory politician Kenneth Clarke MP is paid £125,000 a year for chairing the company's committee on Corporate Social Responsibility, and for other duties including helping to develop new markets in countries such as Vietnam.

We gave a copy of the report to Mr Broughton and Mr Clarke – in the vain hope that they may have a sense of shame about their activities!

Humiliating defeat for tobacco industry on Point of Sale Regulations

The High Court threw out a challenge to the Point of Sale regulations by the tobacco industry. This means that the only advertising permitted will be an A5 size advertisement at point of sale. All other types of advertising such as tobacco branded shelving units will be banned. Amanda Sandford, who helped the Department of Health put the case together, said: *"The Government has been vindicated. This ruling may also assist other countries that have not yet banned tobacco advertising. The evidence that tobacco advertising encourages young people to smoke is well established. Therefore, a ban is a proportional response to the marketing of a deadly addictive drug."*

Update: WHO Framework Convention on Tobacco Control

The World Health Organisation's Framework Convention on Tobacco Control (FCTC) is the first-ever global health Treaty. It provides the basic tools for countries to enact comprehensive tobacco control legislation and take on the powerful tobacco industry. While the measures in the FCTC represent a minimum set of tobacco control policies, the Treaty explicitly encourages countries to go above and beyond these measures. To date 168 countries (including the European Union) have signed the FCTC and 36 have ratified, only four short of the number required to bring the Treaty into force. This is expected to happen during December 2004. Work will then start on ensuring effective implementation of the Treaty.

ASH website

The ASH website has gone from strength to strength, and is widely acknowledged as one of the best tobacco sites in the world. It has a huge searchable content on every aspect of tobacco control and is easily accessible with hundreds of downloadable documents. The site has become a key factor in our ability to provide information, campaign successfully and to network cost-effectively both nationally and internationally. We continue to prioritise improvement of the website and welcome any feedback and ideas for further development.

Tobacco companies under attack

BAT: The London School of Hygiene and Tropical Medicine (LSHTM) has scored a major victory in the war of words with tobacco giant BAT by creating a website which will host millions of pages of sensitive and incriminating documents related to BAT's activities. Details of the Guildford Archive Project can be viewed at: www.lshtm.ac.uk/cgch/tobacco/guildford.htm

Imperial Tobacco: Imperial Tobacco admitted breaching the UK law banning tobacco advertising and promotion. In August 2003, five months after the Tobacco Advertising Act came into force, Imperial began inserting 'Supertrivia' cards in packs of Superkings cigarettes, which included examples of past Superkings ads on one side and trivia questions on the other. Following a complaint, Bristol Trading Standards Officers investigated and ruled that the inserts constituted an advertisement under the Act.

Philip Morris International: The world's biggest tobacco manufacturer announced in July that it will pay the European Commission a billion dollars in a landmark deal on tobacco smuggling. The agreement sets out how the company will control future smuggling of its cigarettes. In the past tobacco industry executives have denied they aided and abetted smuggling but this agreement highlights that falsehood by showing exactly how smuggling can be controlled.

Accounts 2003-4

A full copy of the audited accounts for the financial year ended 31st March 2004 can be found on the ASH website at www.ash.org.uk/accounts2004

ASH would like to thank the British Heart Foundation, Cancer Research UK, the Department of Health and our individual members for supporting our work during the year.

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