

All Party Parliamentary Group on Smoking and Health Inquiry into the Illicit Trade in Tobacco Products

Memorandum from: Trading Standards Institute Tobacco Focus Group, November 2012

1. The Trading Standards Institute (TSI) is a professional membership association which represents trading standards professionals in local authorities, the business and consumer sectors and in central government.
2. The Trading Standards Tobacco Focus Group comprises trading standards professionals from across the regions in England and a representative from Wales.
3. The TSI Tobacco Focus Group met in November 2012 and made the following recommendations to promote effective action in tackling illicit tobacco:
 - It is important to acknowledge at the National level that illicit tobacco crime is not just a matter of concern for health; the supply of illicit tobacco causes wider consumer detriment in local communities. Sustained activity by council Trading Standards against illicit tobacco requires additional support from Trading Standards or government funding for criminal enforcement and activity. Action on illicit tobacco should not be supported solely by the Department of Health.
 - Health and wellbeing boards should identify illegal tobacco as a priority for local action.
 - Collaborative working is critical to success at local and regional level. This not only involves HMRC and the UK Border Agency but also the Police. Working at regional level brings additional benefits. A joined up approach using dedicated intelligence and enforcement capability across Local Authority boundaries helps to support resources and thus action in the smaller authorities.

- Council Trading Standards should have additional powers to take action against non duty paid tobacco products. The existing limitation is a barrier to successful local enforcement action.
- A mechanism to share existing marketing and communications campaigns based on materials that are already available and proven to be successful should be developed. The Tobacco Focus Group does not recommend that individual Local Authorities develop their own campaigns and materials. There is evidence to show that using a consistent message leads to better outcomes.
- The sentencing guidelines issued to Magistrates for offences concerning the supply of illicit tobacco should be reviewed. Fines for such offences presented by council Trading Standards are currently low.