

**ash.**  
action on smoking and health

political  
**bulletin**

## ASH political bulletin issue: 2

Welcome to the ASH political bulletin, the second in a series of regular political briefings from Action on Smoking and Health (ASH).

ASH is a campaigning public health charity working for a comprehensive societal response to tobacco aimed at achieving a sharp reduction and eventual elimination of the health problems caused by tobacco. 115,000 people per year die from smoking-related diseases in the UK and tobacco is a major cause of illness and health inequalities. Tobacco is a powerfully addictive drug that most of its users would like to quit using.

### ***What we want...***

- Raising tobacco prices through the tax system
- Tackling smuggling and the role played by tobacco companies in promoting it
- A comprehensive NHS response to nicotine addiction and support for cessation
- Major public communications programmes aimed at encouraging all smokers to quit and non-smokers not to start
- Increasing provision of smoke-free places – at work, in public places, and through persuasion and awareness-raising, in the home – with a view to eliminating all involuntary smoke exposure
- Consumer protection measures such as improved warnings, comprehensive risk communication; plain packaging, bans on misleading claims, control over retailers
- Regulation of tobacco as a dangerous drug with controls over the contents of cigarettes and smoke, and any health claims made in relation to tobacco and nicotine
- Harm reduction strategies for those who cannot or will not stop using nicotine

We are always happy to help decision-makers with information, briefing, policy analysis and comment. Don't hesitate to get in touch.

### **Our contact details are:**

- [www.ash.org.uk](http://www.ash.org.uk) contains a comprehensive database of information on smoking and tobacco control issues. It includes factsheets and reports dealing with statistics, science and policy issues.
- Ian Willmore (Public Affairs Manager) can also be reached on 078 8764 1344 or [ian.willmore@ash.org.uk](mailto:ian.willmore@ash.org.uk)
- **ASH Scotland** 0131 225 4725
- **ASH Wales** 029 2064 1101



## The director writes...

Dear friends,

700 and 226. These are rapidly emerging as the two crucial figures in the debate on smokefree workplaces and public places.

The first figure is the latest estimate, from Professor Konrad Jamrozik of Imperial College London, of the number of premature deaths in the UK each year from exposure to secondhand smoke in the workplace. The second is the number of deaths from accidents in the workplace, reported by the Health and Safety Executive for 2002/3. In other words, secondhand smoke at work is probably killing three times as many people every year as every type of industrial accident put together.

That's a shocking statistic. It makes a decisive case for ending smoking in the workplace by law. Friday 28th May sees the end of the Government's consultation period for the planned White Paper on public health. The moment of decision is fast arriving. If the Government is serious about achieving its public health targets it must cut the number of smokers. As the Wanless Report clearly showed, the simplest, cheapest and most effective way of doing this is to end smoking at work.

But if that argument does not convince, workplace health and safety still requires new legislation. It is morally wrong to expose employees and members of the public to avoidable health risks in the workplace. It is no more acceptable for employees to be poisoned by chemicals from a rolled up paper tube than from chemicals left in an open bucket.

The public health lobby wants a simple piece of national legislation to end smoking in the workplace. The public backs us – the latest MORI poll on the subject shows 79% for new legislation. The Government may prefer to give new powers to local Councils to act in their own areas – which we would certainly welcome as a good second best. But the so-called “voluntary approach” to the problem has clearly failed. Warm words and exhortation are no longer enough. We need a new law and we need it now.

**Deborah Arnott**  
Action on Smoking and Health

## What can your government do for you?

The Government has now begun drafting an important White Paper on public health, following the recommendations in the latest report from Derek Wanless "Securing Health for the Whole Population" available online from the Treasury website:

<http://www.hm-treasury.gov.uk/>

The Wanless Report called for:

*[...] the forthcoming consultation period, ahead of the White Paper, should be used, inter alia, to seek the public's views about the acceptability of different ways of tackling smoking. There are number of major areas for consideration [including] a workplace/public place ban [...] It is evident from our recent lack of reasonable progress in reducing smoking [...] that the benefits which success from these firmer actions might produce would be expensive to achieve by more conventional techniques of education and advice.*

(Summary page 7)

The public health lobby, including ASH, has pressed hard for new legislation banning smoking in the workplace to be included in the White Paper. This option was strongly backed by the Department of Health task force on "working for health/opportunities in employment" (ASH Director Deborah Arnott was a member of the group). Although clear national legislation would be the best option, the Government seems more likely to propose giving local Councils new powers to act on workplace smoking in their local areas. ASH would support this proposal as a good step in the right direction.

Meanwhile, the hospitality trade continues to push a "voluntary approach". A draft revised version of the trade's Public Places Charter was presented to Culture Secretary Tessa Jowell and Health Minister Melanie Johnson at a meeting in early May. Their plans included more smoke-free areas in bars and restaurants, as well as high-tech ventilation and a possible end to smoking in bar areas. By 2007, 80% of licensed premises would have "smoke-free areas". According to an article in The Observer (Smoking ban in pubs and restaurants moves closer, 9 May 2004), Ministers said that the draft (the second so far produced by the trade) was insufficient to protect employees' health and safety – and they were backed in this view by a letter to the Culture Secretary from TUC General Secretary Brendan Barber.

The White Paper is due to be published in mid-July, although this may slip. The inclusion of clear proposals for an end to smoking in the workplace will

be seen as a key test of whether the Government is serious about meeting the "fully engaged" scenario proposed by Derek Wanless. A healthy population requires a further sharp fall in smoking rates – an end to smoking in the workplace is essential if this is to be achieved.

## The real cost of the voluntary approach

New figures presented at a recent conference organised by the Royal College of Physicians, *Environmental Tobacco Smoke and the Hospitality Industry*, indicated that one hospitality industry employee dies from passive smoking at work every week in the UK.

The figures were calculated by Professor Konrad Jamrozik of Imperial College in London, using the numbers of employees in the hospitality industry, their exposure to tobacco smoke and their likely risk of dying as a result. Currently, virtually all employees in the hospitality industry are exposed to tobacco smoke at work. The exposure of those in pubs and bars is approximately three times greater than that of the average nonsmoker living with a smoker.

Passive smoking at work is estimated to cause 49 deaths each year in hospitality industry employees – twice as many as from domestic exposure in this group. Professor Jamrozik also estimates that environmental tobacco smoke in all UK workplaces causes about 700 deaths each year. The total number of fatal accidents at work from all causes in the UK in 2002/3 was reported by the Health and Safety Executive as 226.

<http://www.hse.gov.uk/press/2003/c03065.htm>

Professor Jamrozik has also calculated that at least 3,600 people below the age of 65 die each year from lung cancer, heart disease and stroke caused by passive smoking at home.

ASH Director Deborah Arnott commented:

*"These are truly shocking figures. They show the utter bankruptcy of the hospitality trade bodies' 'voluntary approach' – which leaves their current and former employees getting sick and dying at the rate of perhaps one a week. That's a high price to pay for the inertia and feebleness of hospitality employers. They also show the urgent need for a new law to end smoking in the workplace."*

## World No Tobacco Day 2004

The topic for this year's World No Tobacco Day is 'Tobacco and Poverty'. In Britain, with its mature tobacco market, we can see first hand the link between long term tobacco use and social deprivation.

The invisible North/South divide between wealth and prosperity is often mentioned in the UK. But the real divide is between the social classes, within and between regions. The smoking population of Britain is more likely to come from social class V than social class I. Smoking kills people from the most deprived communities equally, whether in Derbyshire in the North or London in the South.

Studies by the East Midlands Health Observatory show that between 1999 – 2001 people in the East Midlands more likely than average (31%) to be current smokers were:

- Young people, aged 18-24 (41%)
- Lone parents (47%)
- Unemployed people (43% – especially claimants, 56%)
- People working in lower social class occupations (42%)
- Disabled people (39%).

In Derbyshire Dales & South Derbyshire the proportion of all deaths attributed to smoking is 18%.

In London there is a similar pattern between smoking and social deprivation. One in six deaths in the capital (18%) is caused by smoking, the same as Derbyshire. According to the London Health Observatory most of these deaths are in known deprived areas and it is estimated that deprivation explained nearly half the variation in death rates due to smoking between boroughs. Also the pattern of inequality was similar between parliamentary constituencies: the poorer constituencies have the highest rate of smoking-related deaths.

Westminster has the longest life expectancy for both males and females and Newham has the shortest life expectancy. Difference in average life expectancy between the two London boroughs in the early 1990s was 5.2 years for males and 3.8 years for females, now it has widened to 5.7 years for males and 4 years for females.

If current trends continue, the gap in life expectancy between strategic health authorities is also set to increase.

Studies have found that

- People in social classes IV and V are more likely to smoke than those in social classes I and II.
- They are more likely to suffer ill health and premature death due to smoking.
- They are likely to be more heavily exposed to secondhand smoke.
- Children are almost three times more likely to be regular smokers if both their parents smoke than if neither does.
- Nonsmokers who are exposed to passive smoking in the home have a 25 per cent increased risk of heart disease and lung cancer.
- Approximately 17,000 children under the age of five have been admitted to hospital every year because of the effects of secondhand smoke.

## Like a BAT out of Hell

Wednesday 27th April saw the Annual General Meeting of British American Tobacco, at which Chairman Martin Broughton celebrated the company's achievements in "delivering shareholder value through its strategy of growth, productivity and responsibility".

Mr Broughton attacked "health policy makers" for accepting pressure group proposals "with little basis in sound science". Mr Broughton demonstrated his own grasp of "sound science" by claiming during the AGM that "there are no statistically significant studies showing that environmental tobacco smoke is bad for health". Summaries of the extensive scientific evidence on secondhand smoke and health can be found on the ASH website:

<http://www.ash.org.uk/?passive>

A new report – "BAT's Big Wheeze" - published by ASH, Christian Aid, and Friends of the Earth slammed British American Tobacco for its appalling health, environmental and development record. The report is backed by NGOs from countries damaged by BAT's bad business behaviour.

The report looks at BAT's record in Britain, Brazil, Kenya, Nigeria, Pakistan, Russia and Uganda. It accuses BAT of:

- Making tobacco products which cause about 750,000 premature deaths around the world every year.
- Damaging the health of rural communities in Brazil and Kenya through encouraging the use of dangerous pesticides, in many cases without proper protection.
- Exploiting tobacco growers in Nigeria, through high prices for loaned materials and low prices for their products.
- Flooding Pakistan and Russia with advertising and sponsorship designed to addict a new generation of young people to cigarettes
- Encouraging forest destruction in Uganda.

The report also reveals how BAT recently faced legal action in the US for money laundering and racketeering, and how in Australia it was found guilty of document shredding.

Meanwhile BAT has reported operating profits for 2003 of £2.8 billion. BAT directors are paid huge sums for their activities: Chairman Martin Broughton receives £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, plus other duties such as helping to develop new markets in countries like Vietnam.

Deborah Arnott, Director of ASH, Dr Daleep Mukarji, Director of Christian Aid, Tony Juniper, Director of Friends of the Earth, comment in the introduction to the report that:

*"The bitter truth is that BAT is one of the least socially responsible companies in the world".*

Stung by the report and by sharp questioning at April's BAT AGM from David Taylor MP, Norman Baker MP and others, Mr Broughton used his last AGM speech to lash out at "narrowly based, vociferous anti-tobacco activists". Mr Broughton is now moving to head British Airways. At the AGM he would not say whether he would be applying the same standards of corporate social responsibility at BA that he has at BAT – calling this "a double-edged question".

A full copy of the report can be downloaded from:

<http://www.ash.org.uk/html/conduct/pdfs/batbigwheeze.pdf>

## Public support for workplace smoking ban

A new poll conducted by MORI by Action on Smoking and Health shows overwhelming public support for a new law to end all smoking in the workplace. More than four thousand people were interviewed between 15th April and 4th May 2004. Of those polled, four out of five (80%) support a law to ensure that all enclosed workplaces must be smokefree. Of those who support smokefree laws, 64% want to see national action by Government compared to 21% who preferred new powers for local Councils

Some have suggested that smokefree legislation is a "middle class" concern, even though exposure in the workplace is highest among manual and semi-skilled occupations. But the MORI poll reveals that support for a smokefree workplace law is strong across all social classes:

- 86% of social class AB support the proposal
- 83% of social class C1 support the proposal
- 79% of social class C2 support the proposal
- 72% of social class DE support the proposal.

Even regular smokers support a new law: the poll shows support from 59% of daily smokers and 68% of infrequent smokers. Voters for all parties who support the law are:

- 81% of people intending to vote Labour
- 83% of people intending to vote Conservative
- 85% of people intending to vote Liberal Democrat.

The poll results come as the consultation period ends on the Government's White Paper on public health, due to be published in July, and as new evidence is published showing the success of smokefree legislation in Ireland.

## Letter to The Publican, May 2004

From: Peter Linacre, Managing Director, Massive Pub Company

*I attended and spoke yesterday (Monday 17th May 2004) at a conference held by The Royal College of Physicians entitled 'Environmental Tobacco Smoke and The Hospitality Industry'. Given the importance of this topic it was interesting and somewhat disappointing to observe an almost total absence of anyone from the hospitality industry. In an audience of about 140 there were four representatives from the hospitality industry each from the pub industry - Nick Bish from ALMR, Maureen Heffernan from Laurel, an independent lessee and me.*

*The evidence from the conference needs as wide a circulation as possible in our industry. Apart from the welter of consistent and overwhelming medical evidence about the dangers of ETS, representatives from Australia, New York and Ireland gave clear and detailed backgrounds to the introduction and running of their respective smoking bans. The experience from Ireland will be key. Dave Molloy The Chief Inspector from Ireland provided the most compellingly sound, logical and forceful presentation about the Irish experience - which will be the one that ultimately has most relevance to the UK. The experience from each of the countries shows that there is no discernible economic impact on trade - and in fact there is growing evidence, particularly from New York, that business is growing after the introduction of their ban. When asked about the fact that the Irish pub trade had now come to the conclusion that the economic costs were not a significant factor Dave Molloy made it quite clear that 'Ultimately this is a public health issue, so overwhelming is the data on ETS, that the economic factors are just not relevant'.*

*I implored the RCP to engage with the pub sector and for the extent of their knowledge and research to become widely available to us. But we also need to engage deeply and widely with those bodies who can help publicans in this country begin to understand clearly and objectively the issues at stake. So far there has been no proper debate to match those that took place in Australia, New York and Ireland.*

*What is also clear is that the legal dimension to ETS is only just beginning. We will need to add ETS to our Risk Assessments and to make*

*appropriate provision. The only ultimate provision and safety for us will be a smoking ban. We all need to be forewarned that the next growth area for the legal system will be prosecutions of publicans for not protecting staff from the dangers of ETS. Since April 27 cases have been taken on - this is the start of a tidal wave - in my view.*

*The industry, through the various trade bodies, is looking for a voluntary ban with 80% of premises having smoke free areas by 2007. Having attended the conference I am of the clear view that far too many of us could be fighting legal battles by then, and perhaps we will then be preferring a total nationwide ban.*

*We need to take a very close look at what is happening elsewhere and learn from their experiences. The clearest message from this conference is that on health and legal grounds a ban is an absolute must and an absolute certainty. That it frightens us and requires us to change will, ultimately, be irrelevant.*

*I would strongly recommend that every trade body and industry representative invites some of the speakers from this conference to their next AGM, conference, or workshop. At least that way knowledge of the dangers from ETS and to our livelihoods and businesses will be more widely available.*

Yours sincerely,

Peter Linacre

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**Thompsons solicitors  
workplace smoking  
hotline**

**0800 587 1270**

*Since the last political bulletin, ASH and Thompsons have launched their new hotline through a leaflet called "secondhand smoker?". It is aimed at people who don't smoke themselves but are suffering ill health due to exposure from tobacco smoke pollution at work. Thompsons solicitors and ASH have been very pleased with the response so far .*

## On the Edge

Over half a million people with asthma are living in constant fear that the next attack they have may be the one that kills them, Asthma UK revealed on World Asthma Day (May 4). One person dies every seven hours from asthma in the UK, yet experts say 90% of these deaths are preventable.

The 'Living on a Knife Edge' report was launched to highlight the huge impact that asthma has on the lives of the 2.6 million people in the UK with severe asthma symptoms. In addition to those living with the constant fear of a fatal attack, one in six of this group reports weekly attacks so severe that they cannot even speak to ask for help.

Approximately 500,000 of these people are experiencing severe asthma symptoms because current treatments do not effectively manage their asthma. The other 2.1 million are suffering unnecessarily due to inappropriate care.

In response, Asthma UK launched its Asthma Attack Card, explaining the simple steps to deal with an asthma attack, to help reduce the number of unnecessary deaths.

Donna Covey, Chief Executive of Asthma UK, said:

*"Asthma UK is today calling for asthma to be taken seriously - by the Government and by healthcare professionals, the teachers, employers, family and friends of people with asthma. It is unacceptable that asthma still kills 1400 people every year. The Government must do more to ensure that asthma is made a priority."*

Tobacco smoke pollution is the second most common trigger of asthma attacks in the workplace.

## Local Authority Pack

Guide for Councils and local decision-makers on going smokefree in your locality. The guide will include legal advice on existing Council powers, a draft Charter for a smokefree area, a template for local action setting out progressive steps towards going smokefree, and a summary of existing work being carried out by Councils and others around the country.

Details of the guide can be obtained:  
ASH Public Affairs Manager Ian Willmore,  
020 7739 5902 ([ian.willmore@ash.org.uk](mailto:ian.willmore@ash.org.uk)).

## The Irish Smoking Ban

It is now seven weeks since the workplace smoking ban came into effect on March 29th 2004 – a date that will go down in Irish history as a key moment in securing a healthier future for the whole population.

The ban applies to indoor workplaces, including bars and restaurants. Before March 29th some workplaces had no-smoking policies – but the pub was the last bastion of the smoker. The 'smoky pub' has changed dramatically, with Environmental Health Officers charged with implementation of the ban reporting compliance rates of between 95% and 100%.

Staff in these premises have been shown by polling evidence to be generally delighted to work in a smokefree environment. Other positive benefits include many smokers drastically reducing their smoking levels while others quit altogether. To date all involved in tobacco control in Ireland would consider the ban a resounding success, and we hope that other countries will soon follow suit.

Further details of the legislation, please see [www.smokefreeatwork.ie](http://www.smokefreeatwork.ie)



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