

**ASH/ Passive smoking/ 2nd Letter to the Press Complaints Commission**

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**ASH**  
Action on Smoking  
and Health

29th May 1998

Dear Mr. Toulmin

***Re: Sunday Telegraph reports on passive smoking - ref. 980522***

Thank you for your letter of 21st May, enclosing a response from Andrew Hutchinson of the Sunday Telegraph to our complaint. I will try to deal in full with the points raised in his response.

***Attempt to suggest complaint is emotive and exploitative***

The response starts by talking of 'intense feeling' between pro- and anti-smoking interests who are trying to exploit maximum advantage from the dispute. This is stated as if the Sunday Telegraph is somehow distanced from this fray. I would like to point out that the Sunday Telegraph's editorial, "*A setback for nanny*" (8 March) is a particularly partisan and vitriolic example of intense feeling in the smoking debate. I might also point out that the editor of the Sunday Telegraph launched an intemperate attack on ASH in his press statement of March 27. By comparison, I believe our complaint has been reasoned and measured in tone. However, the tone of the discussion is not relevant to the substance of the complaint - we have no objection to the Sunday Telegraph adopting a strident and emotive posture. What we do object to is the false and misleading statements which have informed its stance, mislead its readers and created a bogus controversy.

***First complaint: the study was withheld because it is embarrassing***

**Use of 'withheld'.** The IARC study may have been mentioned in a WHO report on its work programme, but the study has not yet been published in an academic journal but has been submitted for publication. This is why there has been no publicity - this is absolutely standard academic procedure. The Sunday Telegraph's response appears to mount a defence to the first complaint on the basis of a distinction between the words 'suppressed' and 'withheld'. In fact the complaint goes further than the defence offered in the response. The crux of the complaint is the Sunday Telegraph's assertion that the report was "*withheld with the suggested motive that the WHO did this because it did not want its existing stance on passive smoking proved wrong*"

(quoted from our complaint). The suggestion that the report was withheld must be seen together with the Sunday Telegraph's allegations about the WHO's motives for withholding it. The first point is that the ASH complaint actually uses the word 'withheld', as do the WHO and IARC press releases condemning the Sunday Telegraph's report and stating that the report was not withheld - these press releases are included with the complaint. The report was not withheld, it was going through the normal process of publication.

**Allegation of impropriety.** The second and more serious point is that the Sunday Telegraph alleges, quite incorrectly, an improper motive to the WHO's supposed withholding of the report. The editorial (which is included in our complaint) states: "*There are two reasons for the WHO's deep reluctance to broadcast the findings of its own study. First, of course, the organisation had already taken up a strong position on the harmfulness of passive smoking, and like every organisation and individual, does not like to admit it might have been wrong. Second, so strong has the faith in the evils of smoking become that many people genuinely feel that any intellectual sleight of hand is justified....*". As the report was going through the process of publication in a peer-reviewed journal, this accusation does not stand up. It is in any case based on the Sunday Telegraph's inaccurate interpretation of the results - the subject of the second complaint.

**Conclusion.** The Sunday Telegraph has offered no defence to the key points in the first complaint: firstly, its false allegation that the report had been withheld (it had actually been submitted for publication in the normal academic way) and secondly, its further false accusation that this had been done through embarrassment at the findings and intellectual sleight of hand. The Sunday Telegraph has loudly and publicly accused the WHO of acting without integrity and honesty. This is completely unfounded and insulting. In its response, The Sunday Telegraph has offered no retraction or defence to the substance of the ASH complaint.

***Second complaint: "passive smoking does not cause cancer - official"***

**Routine practice in the medical profession.** To the second complaint, the Sunday Telegraph argues that its approach in drawing inferences from the study is common practice "routinely used by the medical profession to dismiss other supposed health risks". There are two points to make in response. First, if the medical profession does draw conclusions in the same way that the Sunday Telegraph has, then it is wrong to do so, though we do not believe this is routine practice. The Sunday Telegraph's reporting was ridiculed in the British Medical Journal. The Sunday Telegraph may be on to a good story about how negative inferences have been drawn from positive though inconclusive evidence about risks of breast implants and power lines etc. but that is not the issue here.

**Was the correct conclusion drawn?** The second and more substantive point is that even if it was common practice (which it is not), it does not alter the fact that the Sunday Telegraph's reporting is based on an elementary logical error which I have explained several times in correspondence to the

newspaper and to the PCC. The fact that this study in isolation cannot show with 95% confidence that there is a link between passive smoking and lung cancer does not mean it shows with any confidence at all that there is no link (or even a protective effect) and therefore justifies the headline "Passive smoking doesn't cause cancer - official". A correct if over-long headline would read "WHO study suggests link between passive smoking and lung cancer, but does not provide definitive evidence in isolation". This would not, however, be news. Nor would it challenge the broad consensus on passive smoking and lung cancer embodied in major reports by the US-EPA and British Government scientists - it would not be controversial or warrant front page coverage. The Sunday Telegraph's distortion was thus necessary to create news and controversy worthy of prominent coverage and to substantiate the editorial line. Accurate and fair reporting of the actual would results would have done neither.

**Conclusion.** The Sunday Telegraph's response fails to justify its use of the headline "Passive smoking doesn't cause cancer -official", the conclusions drawn in the reporting ("there may be a protective effect") or the entire editorial and accusations made about the conduct of the WHO and IARC. The study does not show what the Sunday Telegraph claims and the scientists involved have sharply rebuked the newspaper for its misleading report of their work.

### ***Other matters***

These other points raised in the response do not bear on the complaints, but I shall respond for completeness.

**1. Context - failing to point out the study was in line with previous studies.** Mr. Hutchinson tries a joke here by acknowledging that the newspaper did not point out that the study was in line with others, which, he says, also show no statistically significant effect. When several studies each show a link between passive smoking and lung cancer, but do not individually provide 95% confidence, it is possible to draw greater confidence from the totality of the results. Combining several independent studies in a 'meta-analysis' effectively increases the sample size and reduces the uncertainties.

**2. No comment from WHO.** It is standard scientific practice not to comment on or release studies that have been submitted for publication in peer-reviewed journals until they are published. The fact that the WHO would not discuss the results of a study conducted by IARC at best justifies a charge of bureaucracy, but certainly not impropriety. No comment from WHO does not excuse the thorough misrepresentation of the results of the study.

**3. Dupes of the tobacco industry.** People will have to judge for themselves whether Victoria Macdonald was helped towards this story and its false interpretation by the tobacco industry. BAT is quoted in her article and its representatives appeared on Sunday morning radio, apparently fully briefed and also in many countries outside the UK. The interpretation adopted by Macdonald is one frequently used by the tobacco industry. The timing of the

story, the Sunday before the Government's report dealing with passive smoking, was particularly helpful to the tobacco industry. Others (The Guardian, BMJ and WHO) have drawn what they consider to be the obvious conclusion. ASH has been more circumspect, but the reporting certainly has many of the hallmarks of a tobacco industry effort. As Macdonald herself states to PR Week "... *I'm not precious, I realise that PR is vital to my job and if I'm offered a good story that shows a client in a good light, I'll do it of course, but only because it's a good story.*" This was a good story only by virtue of its major misrepresentations.

**4. Evasive revisionism.** I stand by the accusation that the follow-up article was evasive revisionism. The 'careful and detailed coverage' did not retract the original false and misleading conclusion but tried to cloak it in more technical scientific language. In doing so it made further misrepresentations. I would particularly draw on the way a quote by the eminent epidemiologist, Sir Richard Doll, was used to imply support for the Sunday Telegraph's stance by suggesting he had 'conceded' a point, whereas he was actually rejecting the Sunday Telegraph line.

**5. Who to believe?** The Sunday Telegraph was trying to show that the issue is the subject of a controversy created by the results of the WHO/IARC study being at variance with the findings of the UK Government SCOTH Committee reported later in the week by the Daily Telegraph. In fact, the only controversy about the WHO report is that created by the misrepresentations in the Sunday Telegraph.

**6. Articles not to the liking of ASH.** The response again tries to suggest that ASH is simply complaining because we do not like "the truth" as reported by the Sunday Telegraph. This is not the case and we are quite content with journalism and comment that opposes our views, and have no objection to it. This complaint has been made because of blatant misleading and inaccurate reporting.

### ***Overall conclusion***

The Sunday Telegraph's response does not address any of the substantive points raised in the two complaints made by ASH. Nor has it offered to retract the unfounded allegations it has made against the WHO/IARC or to correct the clearly misleading headline and coverage.

I would also like to assure the Commission that this is not a trivial issue of semantic pedantry - it was an important and significant story. This false and misleading Sunday Telegraph report was repeated all round the world and created considerable confusion. It will have helped to sabotage the efforts of those working around the world towards tobacco policies based on sound science. Its effect was to undermine the release of an important scientific report later in the week which highlighted a robust consensus on the link between passive smoking and lung cancer. It created the appearance of controversy and confusion where there is in fact increasing clarity. The reporting has successfully muddied the water: in the course of my work I am

still confronted with questions and challenges about this study that adopt the false interpretation made by the Sunday Telegraph. Finally, it shows deep disrespect and contempt for the readers of the Sunday Telegraph who have been misled and let down by the reporting of this issue. Had the reporting been fair and accurate, it would not have been big news.

I look forward to hearing of the PCC's adjudication in due course.

Yours sincerely

Clive Bates  
Director

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