

# United Kingdom


Overall score:

26

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- I. Industry participation in policy development:** The UK government does not accept offers of assistance from the tobacco industry, endorse policies drafted by the tobacco industry, nor invite tobacco industry representatives to attend policy meetings. The UK delegation to the COP does not include tobacco industry representatives. However, there are instances of tobacco industry representatives, or industry-affiliated organisations, participating in informal parliamentary groups.
- II. Tobacco industry-related CSR activities:** Tobacco industry activities described as 'socially responsible' are not banned in the UK. However, UK government agencies and their officials do not endorse, support, form partnerships with, or participate in, tobacco industry CSR activities. Nonetheless, there are instances of parliamentarians accepting tobacco industry hospitality, and of tobacco industry showcasing its products at political party conferences.
- III. Benefits given to the tobacco industry:** The UK government does not grant privileges to the tobacco industry. However, there are no clear rules mandating the government not to provide preferential treatment to the tobacco industry. The major tobacco companies pay very low levels of corporation tax in the UK, although paying low levels of corporation tax is not unique to the tobacco industry. The UK as part of the European Union (EU) has to apply duty-free allowances on tobacco products brought from outside the EU but applies the upper rather than lower limits.
- IV. Unnecessary interaction with the tobacco industry:** There is no evidence that top-level officials attend tobacco industry social functions or that the government accepts assistance from the tobacco industry for its tobacco control activities. However, the register of financial interests shows instances of individual parliamentarians doing this. Despite the FCO guidelines, there are instances of relations between British diplomats and tobacco industry. Finally, while the UK government repeatedly rejects offers of assistance from the tobacco industry, there have been cases of limited engagement between local authority departments, individual MPs and tobacco industry on the issue of illicit tobacco.
- V. Procedure for transparency measures:** In 2017, the UK Department of Health & Social Care (DHSC) issued guidelines for the implementation of Article 5.3 of the FCTC, re-committing the government to publish details of meetings with the tobacco industry, excluding commercially or operationally sensitive information. However, there is no requirement for the tobacco industry and affiliated entities to register with the government. Given the tobacco industry's growing use of third parties and the challenges of tracing its links to, and funding of, third parties, this is an important omission.
- VI. Avoiding conflicts of interest:** General rules regulate political contributions to political parties, candidates and campaigns, and the disclosure of any such contributions. However, no legislation specifically prohibits the tobacco industry from making political donations. No current government officials or their relatives have been identified as holding positions in the tobacco industry.
- VII. Preventive measures:** There is no comprehensive set of rules regulating public officials' interactions with the tobacco industry, aside from the FCO code. There is a government procedure for disclosing the records of interaction with tobacco industry, but this has only been implemented in part. Some agencies (e.g. Public Health England) publish minutes of meetings with stakeholders linked to tobacco industry; some departments (e.g. HM Revenue and Customs (HMRC)) publish very little

detail about meetings; others (e.g. HM Treasury), reported meetings regularly for a period but then stopped. Tobacco manufacturers collect data on profits, taxes, prices, sales, marketing and research spend and are required to provide some of these data to government. However, the government is only allowed to publish information on ingredients and emissions of tobacco products, not sales and marketing data, which prevents tobacco industry activity from being fully transparent to the public. There is no evidence that there is a systematic strategy for raising the awareness of government departments on policies relating to the FCTC Article 5.3 guidelines. Finally, there is no specific policy preventing government officials from accepting tobacco industry contributions, although such interactions are governed by anti-corruption regulations.



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## Recommendations

1. Collect and publish tobacco industry data on profits, taxes, prices, spending on marketing, research and CSR, and local data on sales of all products as recommended by the backbench all-party parliamentary group on Smoking and Health.
2. Implement and embed a government programme to regularly raise and maintain awareness of Article 5.3 and how to comply with it across all government agencies.
3. Require the DHSC to develop and disseminate a comprehensive set of rules for public officials, prescribing standards with which public officials should comply in dealings with the tobacco industry.
4. Require better enforcement of the FCO guidelines.
5. Ban tobacco industry CSR activities in the UK.
6. Create a comprehensive and legally binding lobbying transparency register and make it a legal requirement for tobacco industry-affiliated organisations and individuals to register with the government before lobbying.
7. Avoid conflicts of interest by prohibiting the tobacco industry from making contributions (monetary or otherwise), to government officials. These would include offers of assistance, policy drafts, or study visit invitations. Prohibit public officials from holding positions in the tobacco industry or being seconded to the tobacco industry.
8. Audit HMRC to ascertain whether the government provides preferential tax exemption to tobacco industry and remove duty-free concessions for tobacco products.