

From: Graham Gibbens, Cabinet Member for Adult Social Care and Public Health

Andrew Scott-Clark, Director of Public Health

To: Health Reform and Public Health Cabinet Committee

22 November 2018

Subject: **Illicit Tobacco in Kent**

Classification: Unrestricted

Previous Pathway: This is the first committee to consider this report

Future Pathway: None

Electoral Division: All

Summary: A recent survey conducted by NEMS Market Research reveals a unique profile of illicit tobacco use in Kent. The profile indicates that illicit tobacco sales are predominantly undertaken in local shops and that hand rolled tobacco is more prevalent than cigarettes in the illicit market. The illicit trade undermines the work and resources Public Health and other agencies deliver to reduce smoking prevalence, making cigarettes and tobacco affordable to the adult population and also available to children at “pocket money prices”. Illicit Tobacco is often linked to organised crime, targeting criminal activity in the most deprived local communities. Kent Public Health and Kent Trading Standards are working collaboratively as part of a regional initiative to develop a wider strategy across the South East to unify resources and intelligence to tackle illicit tobacco trade at a larger scale.

Recommendation: The Health Reform and Public Health Cabinet Committee is asked to:

- a) **Comment on and Endorse** the contents of this report;
- b) **Agree** to the proposal of a partnership approach between Public Health South East and Trading Standards South East to develop a regional plan to reduce the supply and demand of illicit tobacco;
- c) **Acknowledge** the issues and concerns that illicit tobacco poses to Kent; and
- d) **Seek** a further paper on the progress of a regional approach to tackle illicit tobacco

1. **Background.**

1.1 In the last year, smoking prevalence among adults in Kent has increased by

1.1% to 16.3¹% in 2017, but the rate among Routine and Manual workers has increased at a higher rate (3.4%) in the same period to 32.4²%. Smoking is an indicator of health inequalities, so this demonstrates that inequalities is increasing in Kent and around 1/3rd of the lower socio-economic population are smokers. Increased pricing of cigarettes has shown to be a significant government lever to trigger smokers to quit. The sale of illicit tobacco undermines the work aimed at reducing smoking prevalence by offering a cheaper option for those who might otherwise see price as reason for stop smoking.

Children in areas with the highest deprivation are most vulnerable as they are targeted by criminals who sell illicit tobacco thereby perpetuating inequity. The Government’s Tobacco Control Plan (2017) sets out the ongoing plans to tackle this at a national level to both reduce demand and disrupt supply.

As the illicit tobacco trade becomes more sophisticated in its endeavours to conceal and supply tobacco products, enforcement agencies have obtained evidence that suppliers of illicit tobacco are associated with organised criminal networks that also deal in people trafficking, Class A drugs and child sexual exploitation. It is important therefore that the issue of tackling illicit tobacco needs to be coordinated with other agencies in relation to other crimes.

1.2 Introduction

1.3 In 2017 Public Health England South East commissioned market research to understand the illicit tobacco market and to establish the baseline market share. The outcome of the research was presented in early 2018 providing results across the South East and at individual Local Authority level.

The research showed that the greatest prevalence of illicit tobacco smokers was among males aged 16-54 with presence across all demographic groups and areas. Although in most of the South East illicit tobacco was traded behind closed doors, intelligence from Kent shows that local shops are a significant source of illicit tobacco.

<i>Q: Where do you Buy Illicit Cigarettes or Tobacco From?</i>	Average response from SE Total survey	Kent Response
Shop	35.7%	69.8%
Street hawker (approached by seller)	10.3%	9.9%
Car Boot Sale	3%	7.5%
Pub/Club	16.7%	7%
Private Address	18.7%	2.9%
Social Media/internet	3.7%	0%

Source: NEMS Market Research, South East Illicit Tobacco Study 11.02.18

5.1% of those surveyed in Kent said they have bought illicit tobacco and of those

¹ Public Health England, Local Tobacco Profiles, September 2018 taken from APS 2017

² As Above

62.9% reported buying illicit tobacco at least once a week compared to 29% average across the South East. 22.4% of respondents buy less than a quarter of their cigarettes through illicit means although 50% said that all of the hand rolled tobacco they use is all from illicit means. The survey provides a unique profile for Kent revealing that an estimated 5% of smokers may be purchasing illicit cigarettes and tobacco, (the majority being hand rolled tobacco) with most of it being purchased regularly from shops.

Attitudes to illicit tobacco

Awareness of illicit tobacco was higher among smokers than non-smokers. Illicit tobacco was found to enable smokers to continue the habit when they could not otherwise afford to.

There was a significant number of people that were uncomfortable with illicit tobacco. 88% of the Kent illicit buyers were uncomfortable or very uncomfortable with the issue. Influences that affect concern include:

- Targeting of children in the sale of illicit tobacco increased the likelihood of reporting significantly, across all demographic groups and smoker types.
- The majority (even among smokers) did not want their children to start smoking and the majority thought that illicit tobacco increases the chances of children starting to smoke
- We know that the illicit tobacco trade is specifically targeting children, particularly vulnerable children, in order to sustain a local market.

Reporting

The police were seen to be the go-to agency for reporting the sale of illicit tobacco, although in reality trading standards are more appropriate. A telephone hotline was the preferred reporting mechanism and combined, digital forms of reporting were preferred by almost a third of those likely to report. District Authorities were also seen as a potential source. They could potentially have a role in contacting leaseholders of shop premises where illicit tobacco has been found and access local CCTV footage that may alert suspicious behaviour.

Tackling Supply

Kent Trading Standards have noted that criminals have become more sophisticated in their methods of concealment as enforcement steps up. Public Health England South East and Trading Standards South East (TSSE) are exploring ways of working to upscale resources to link up different enforcement and surveillance organisations across a larger area and sharing surveillance and intelligence between them. This approach will have a greater impact on the level to which criminal gangs can be infiltrated.

Recommendations to decrease demand, increase reporting:

The overall aim to tackle illicit tobacco is to:

- i) Decrease demand – by raising awareness of the issues surrounding illicit tobacco, its targeted approach to children and attracting crime to the locality and reduce the number of smokers in Kent
- ii) Increase reporting by developing and promoting a central intelligence

- point and making reporting available in a range of ways
- iii) Disrupt supply by building on and supporting the resources needed for Trading Standards to undertake seizures of illicit tobacco and to work with other agencies effectively to bring prosecutions.

Public Health England South East, TSSE and the HMRC are starting a co-ordinated approach to deliver a strategy to cover these aims across the South East region. There are economic advantages of delivering an approach at a regional level although resources to deliver this remain a challenge.

1.4 **Conclusion**

The illicit tobacco market in Kent represents an estimated 5.1% of smokers. The illicit market undermines the work and resources Public Health and other agencies deliver to reduce smoking prevalence, providing a cheaper option for those who might otherwise see price as a reason for stop smoking. There are advantages of working to scale across the South East to deliver regional and local initiatives through shared intelligence and resources. Kent Public Health and Kent Trading Standards are working collaboratively as part of a regional initiative to develop a wider strategy across the South East with Public Health England South East, TSSE and HMRC partners to tackle illicit tobacco trade on a greater scale.

Recommendation: The Health Reform and Public Health Cabinet Committee is asked to:

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Background Documents

None

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