Letter from Westminster

Tobacco advertising: a modest advance or a "wet" agreement?

WILLIAM RUSSELL

If the tobacco companies imagine that they have escaped the threat of legislation to curb their advertising activities because of the voluntary agreement reached with the Government after a year's negotiations, they have another think coming. They have certainly bought a little bit of time, but the present Parliament can run until the early summer of 1984—the agreement only lasts until 31 July 1982—and that leaves plenty of leeway for legislation to be introduced. The companies had wanted a four-year agreement, which, because it would have lasted beyond the lifetime of this Parliament, would have made the prospect of legislation fairly remote. It would not be the sort of Bill a new Government would be likely to clog up its timetable with early on. The only promise they have secured from Mr Patrick Jenkin, Social Services Secretary, is that he will try to "persuade" the Commons not to pass any legislation which would come into effect during the lifetime of the voluntary agreement. It would still be possible for a Bill which would take effect after 31 July 1982 to come forward and get at least tacit official backing. Mr Jenkin said he had rejected the four-year proposal because he did not wish to tie his hands, and the industry was not prepared to agree to proposals to reduce cigarette advertising and promotion which justified one of such length. The most he would say for the agreement was that it represented "a modest step forward."

Opposition reaction to the agreement was sceptical to say the least. Mr David Ennals, the former Social Services Secretary, who negotiated the agreement which ran out at the end of March, said it was very wet. The previous agreement had been intended to buy time to allow public opinion to back the need for action so that they could ban cigarette advertising completely.

Mr Jenkin pointed out that legislation would take a long time to get through; meanwhile there would be no agreement and he would have no control over what the tobacco companies got up to. His first responsibility had been to improve the existing safeguards; his second to leave the Government and Parliament maximum freedom to respond to the circumstances.

The welcome from ASH was equally chilly: its spokesman, Mr David Simpson, said the outcome showed that the voluntary agreement system was a complete failure—like the Home Guard trying to fight off a nuclear attack. While he welcomed any step forward, however small, this must surely be the last voluntary agreement, he added.

Legislation would seem likely. Mr Laurie Pavitt, Labour MP for Brent South, who has already indicated he will introduce a Bill if he gets the chance this session, made clear he will not be deterred by the agreement. The problem facing any such legislation will, of course, be the fact that it will have to be taken on a free vote—and that has sabotaged the chances of success for many a piece of potentially desirable social legislation since it gives the backwoodsmen who believe what is being proposed is an attack on personal freedom a chance to create mayhem with the rules of order.

More and different health warnings

Under the new agreement £6m is to be cut from poster advertising expenditure in the year ending 31 July 1982, and a corresponding cut will be made for the eight months left of the current year to which the agreement applies. This represents a 70% reduction, since advertising is currently running at more than £20m a year. In addition, there will be new wordings for the Government health warning, 50% more room on posters for the warning, and smokers will be faced with different warnings on their cigarette packets at different times. The new wording will be: "Cigarettes can seriously damage your health"; "Smoking may cost you more than money"; and "The more you smoke, the more you risk your health." On posters the warnings will include "Think first—most doctors don't smoke" and "Think about the health risks before smoking." The warnings will start from next February.

The industry has also agreed to take steps to stop poster advertising next to schools and playgrounds and to discourage manufacturers of non-tobacco products from including tobacco brand names or designs on goods with a special appeal to young people. In addition cigarette advertisements in the cinema will, provided the British Board of Film Censors agree, carry an X certificate in future, which should at least ensure they are not shown when a U certificate is the main attraction. Why an X certificate is necessary remains a mystery.

The agreement does not cover the sponsorship of sport or the arts—that falls within the responsibility of other Government departments, and there are no signs that either minister—Mr Hector Monro at Sport and Mr Norman St John-Stevs at Arts—is interested in cutting off a healthy source of funds. A supplementary agreement covers the tar yield, and the industry has agreed to reduce that to an average of 15 mg by the end of 1983 from the present level of 16.5 mg.

So far as the Queen's Speech was concerned it proved pretty much as expected. The key phrase was—"Other measures will be laid before you." One Bill not mentioned, but which will be coming, is the Health Services (Miscellaneous Provisions) Bill, which, as the title implies, will cover a wide range of subjects. It was not mentioned for two reasons. It is not sufficiently important, and if no mention is made no embarrassment is caused should the exigencies of the Parliamentary timetable mean it has to be postponed. Among the tidying up measures it is expected to include will be action on the registration and inspection of private and voluntary homes for the elderly. Sir George Young, Under Secretary for Health, said in a recent Commons reply that consultative proposals were to be issued shortly on ways of strengthening the system, and the legislation would take the comments received into account. It was also likely to tackle the problems caused by doctors who persisted in practising when they had become senile or otherwise medically unfit to do so. At present there was no provision to compensate them for their loss of a living, and this was thought to deter the Health Committee of the GMC from reaching a decision in some cases. The Government's views on community health councils were expected shortly and the Bill would also tackle the question of their membership—an important matter, given the allegations of political bias of some CHCs.