

# Coordinate across government

Because of issues such as business regulation, excise tax, and cooperation in combating the illicit trade in tobacco, the tobacco industry will often have closer links with Ministries other than Health Ministries — such as trade, business, treasury, customs and revenue, intellectual property and the foreign affairs office. These other Ministries will have their own concerns and agendas and may seek to delay or prevent adoption and implementation of plain packaging because of those concerns.

To assist with the initial coordination with other Government Ministries this Toolkit includes a series of **POLICY BRIEFING PAPERS** which provide basic information about the policy and address the key opposing arguments, explaining the evidence and why those arguments are flawed.

Plain packaging does have implications for these other Ministries which they will need to provide input on, for instance, plain packaging will impact on treasury receipts and there are *alleged* impacts on down trading and illicit trade (see **GUIDE 1.3**). Notwithstanding these concerns, the critical public health agenda should remain the priority.

## 1. Whole of government approach

It is important that coordination occurs across departments to ensure that there is an agreed approach, that the other Ministries understand the need for the policy and are not influenced by the industry's contrived arguments opposing it. It is useful to have agreed lines on each of the key issues that will be alleged by the industry so that mixed messages are not put out by different parts of government.

One possible approach is to form a cross government working group. Another is to ensure all correspondence to any government department about plain packaging are directed to the Ministry of Health for a response. Establishing a whole of government approach to the policy, where possible, can be important for its success and *early engagement* with the other Ministries can be key. For instance, in the UK the Her Majesty's Revenue and Customs produced a full analysis of the likely impact of plain packaging on the illicit market. This analysis identified no evidence or reasons that plain packaging would increase the overall burden of illicit tobacco<sup>1</sup>, which was highly useful in combatting industry arguments can be key, depending on the political situation in a particular country.

## 2. The issues on which cross government agreement should be developed

- The impact of plain packaging on illicit trade – Ministry of Customs and Revenue.
- The impact of alleged down trade or price reductions – Treasury / Ministry of Business/Finance.
- The impact on tax receipts – Treasury.
- The impact on tobacco industry jobs – Ministry of Business/Finance.
- The impact on trademark registration and compatibility with intellectual property law – Ministry for Intellectual Property.

- The 'slippery slope' argument (*i.e. if tobacco now, what next – plain alcohol packaging?*) – Ministry responsible for Intellectual Property and food/alcohol regulation.
- Compatibility with international legal obligations – Ministry of Foreign Affairs.

### 3. External experts and officials from other governments

It can sometimes assist to have external experts on these issues address officials from the other Ministries. For instance, one of the arguments that is put forward most strongly by the tobacco industry is that plain packaging will increase illicit trade. This argument can be very effective in causing concern within other government departments or with Members of Parliament. However, it is a contrived argument used by the industry to oppose many tobacco control measures and the evidence to support the argument in relation to plain packaging is extremely weak. There are a number of academic researchers who are able to effectively and convincingly demonstrate how the industry is wrong in its allegations about illicit trade. If a Ministry of Health considers that an external expert could assist in the policy development or governmental/parliamentary processes, CTFK may be able help with identifying appropriate persons and organising their visit.

In addition, government officials from countries that have already implemented plain packaging are often willing assist to provide information about their policy development and there are many instances of official government visits taking place in relation to the proposed policy. It is highly recommended that Ministry of Health officials make contact with counterparts in those countries that have already adopted plain packaging laws.

1. [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/403495/HMRC\\_impact\\_report.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/403495/HMRC_impact_report.pdf)