

Cancer Research UK's response to the consultation by the Government Chief Scientific Adviser on Guidelines on Scientific Analysis in Policy Making

Cancer Research UK is the world's largest independent organisation dedicated to cancer research; in 2008/2009 our total spend on cancer research activity was £355 million. Our vision is that 'Together we will beat cancer'. We carry out world-class research to improve our understanding of cancer and to find out how to prevent, diagnose and treat different types of the disease.

Cancer Research UK welcomes the opportunity to respond to this consultation on scientific analysis in policy making. We are restricting our comments to address question 3b regarding the independence of expert advisors and to draw attention to the Government's obligations under Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC). These obligations relate specifically to government interactions with the tobacco industry and are summarized below.

The guidelines give detailed recommendations on '*establish(ing) measures to limit interactions with the tobacco industry and ensur(ing) the transparency of those interactions that occur*' and how to '*avoid conflicts of interest for government officials and employees*'.

They state that '*Parties should interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products*'. We would wish to point out in this context that regulation refers to the technical regulatory aspects and not the public health policy underpinning regulation in which the tobacco industry should have no role.

We believe that in light of these agreed guidelines on FCTC Article 5.3, the Department for Business, Innovation and Skills should, along with other Departments, review and publish its policy on interactions with the tobacco industry.

Guidelines on Article 5.3 of the Framework Convention on Tobacco Control

The UK Government is a Party to the WHO Framework Convention on Tobacco Control. The 3rd Conference of the Parties in November 2008 agreed guidelines for the implementation of Article 5.3, which applies to the '*protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry*'. The aim is to assist Parties in meeting their legal obligations under Article 5.3 of the Convention, because the guidelines recognise that '*the broad array of strategies and tactics used by the tobacco industry to interfere with the setting and implementing of tobacco control measures is documented by a vast body of evidence*'.

The first guiding principle of the guidelines states: '*There is a fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy interests*'

Regarding interactions with the tobacco industry, detailed recommendations are made to '*Establish measures to limit interactions with the tobacco industry and ensure the transparency of those interactions that occur*' and to '*Avoid conflicts of interest for government officials and employees*'.

Therefore, *'Parties should interact with the tobacco industry only when and to the extent strictly necessary to enable them to effectively regulate the tobacco industry and tobacco products'*. Also, *'Where interactions with the tobacco industry are necessary, Parties should ensure that such interactions are conducted transparently. Whenever possible, interactions should be conducted in public, for example through public hearings, public notice of interactions, disclosure of records of such interactions to the public'*. Importantly, *'Parties should formulate, adopt and implement a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry.'*

The guidelines expand on how government officials should conduct themselves in relation to the tobacco industry. These include full disclosure of conflicts of interest, divesting themselves of direct interests in the tobacco industry, not awarding tobacco control related contracts to those with conflicts of interest, and not allowing any person employed by the tobacco industry or any entity working to further its interests to be a member of any government body, committee or advisory group that sets or implements tobacco control or public health policy. Furthermore, *'Taking into account national law and constitutional principles, Parties should have effective measures to prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates or campaigns, or to require full disclosure of such contributions'*.

We would be happy to provide any further information or detail as required. Please contact Jean King, Director of tobacco control at jean.king@cancer.org.uk or on 020 7061 8150.

The full report of the 3rd COP including the Article 5.3 guidelines can be found at http://www.who.int/gb/fctc/PDF/cop3/FCTC_COP3_DIV3-en.pdf

The evidence has been summarised in the WHO Report 'Tobacco industry interference with tobacco control' WHO, 2008 which is available at http://repositories.cdlib.org/tc/whotcp/TI_Interference/