

Impact case study (REF3b)

<p>Institution: University of Stirling</p>
<p>Unit of Assessment: C19 Business and Management</p>
<p>Title of case study: Point of Sale Display of Tobacco Products: direct impact of social marketing research on UK health legislation</p>
<p>1. Summary of the impact</p> <p>Research into point of sale tobacco marketing (POS) by the Institute for Social Marketing (ISM), based in Stirling Management School contributed directly to the passage of the <i>2009 Health Act</i> (England and Wales) and the <i>Tobacco & Primary Medical Services (Scotland) Act 2010</i>, and was instrumental in defending this and equivalent legislation in Norway and Ireland from legal challenge. The UK acts build on ISM research showing that in-shop displays influence consumer behaviour and independently encourage the onset of youth smoking; they require tobacco products to be out of sight at PoS.</p>
<p>2. Underpinning research</p> <p>ISM conducts critical and social marketing research on tobacco in three areas: on behaviour change to prevent smoking uptake and support cessation; into the effects of tobacco marketing on uptake and cessation; and to guide appropriate public health policy. It provides rigorous and timely evidence to help policymakers respond appropriately and quickly to a dynamic and deadly phenomenon. 80,000 UK citizens are still dying prematurely each from tobacco related disease, the vast majority of whom will have started smoking as children.</p> <p>The Youth Tobacco Policy Survey (YTPS), funded by Cancer Research UK, assesses the impact on UK adolescents of policy regulating tobacco marketing. It has already tracked the short-term impact of the <i>Tobacco Advertising and Promotion Act</i> (TAPA), introduced from 2003 to 2005. The study now examines longer-term effects of the TAPA and has been extended to cover other policy changes that may impact on youth tobacco consumption. It is currently monitoring the short to medium term response of adolescents to smokefree public places legislation (implemented in Scotland in 2006 and in England, Wales and Northern Ireland in 2007), increased age of purchase and introduction of pictorial health warnings (both 2008), and the PoS display ban in large shops and supermarkets (implemented in 2012 in England, Wales and Northern Ireland and in 2013 in Scotland; smaller shops in the UK must comply by 2015). Two baseline surveys were conducted before the initial implementation of the ban on tobacco advertising in February 2003. Four follow-up surveys have been completed post-ban (summer 2004, summer 2006, summer 2008 and summer 2011), the last providing crucial baseline measures on PoS. The next follow-up survey is due to take place in summer 2014.</p> <p>The report <i>'Point of Sale Display of Tobacco Products'</i> presented original analyses of the first four waves of YTPS data to examine the effects of the TAPA's restrictions on in-store advertising (http://info.cancerresearchuk.org/prod_consump/groups/cr_common/@nre/@pol/documents/generalcontent/cr_043286.pdf). Data were analysed for 4,400 11-16 year olds from across the UK. Multivariate analyses showed that awareness of tobacco brands and marketing is independently associated with susceptibility to smoke, that overall TAPA had resulted in lower such awareness amongst adolescents, but that POS marketing had actually become more prominent during the course of the study. This fitted with international evidence reviewed in the report. Taken together, the review and the primary data demonstrated that PoS plays a key role in the onset and continuance of smoking by young people. The study also examined the business case for POS marketing, especially from the perspective of small retailers, and potential problems in implementing any changes. These two sides of the debate were weighed in the report's conclusions.</p> <p>The key researchers in the Point of Sale research were led by Hastings, Director of ISM and the Centre for Tobacco Control Research, together with ISM research fellows MacKintosh and Moodie.</p>

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3. References to the research

- MacFadyen L, Amos A, **Hastings** GB and Parkes E (2003). 'They look like my kind of people'- Perceptions of smoking images in youth magazines. *Social Science and Medicine*, 56(3):491-499
- Moodie C, MacKintosh AM, Brown A and **Hastings** G (2008). Tobacco marketing awareness on youth smoking susceptibility and perceived prevalence before and after an advertising ban. *European Journal of Public Health*, 18(5):484-490.
- Hyland A, Hassan L, Higbee C, Boudreau C, Fong GT, Borland R, Cummings KM, Yan M, Thompson M and **Hastings** G (2009). The impact of smokefree legislation in Scotland: Results from the Scottish ITC Scotland/UK longitudinal surveys. *European Journal of Public Health*, 19(2): 198-205.
- Walsh, G., Hassan, L.M., Shiu, E., Andrews, C. & **Hastings**, G. 2010. Segmentation in social marketing: Insights from the EU's antismoking campaign, *European Journal of Marketing*, 44(7/8):1140-1164.
- Moodie, C. & **Hastings**, G. 2010. Plain packaging: A time for action, *European Journal of Public Health*, (20):10-11.
- Moodie, C., **Hastings**, G. & Joossens, L. 2012. Young adult smokers' perceptions of illicit tobacco and the possible impact of plain packaging on illicit tobacco purchasing behaviour, *European Journal of Public Health*, 22(2):251-253.

The research was funded by the following two awards:

Hastings (PI). Cancer Research UK Centre for Tobacco Control Research. Cancer Research UK. October 2007 – September 2012. £1,125,547.

Hastings (PI). Cancer Research UK Centre for Tobacco Control Research (POS Report). Cancer Research UK. July – October 2008. £10,361.

4. Details of the impact

ISM's critical and social marketing research contributed directly to the passage of the *2009 Health Act* (England and Wales) and the *Tobacco & Primary Medical Services (Scotland) Act 2010*, and was instrumental in defending this and equivalent legislation in Norway and Ireland from legal challenge. The UK acts build on ISM research showing that in-shop displays influence consumer behaviour and independently encourage the onset of youth smoking; they require tobacco products to be out of sight at PoS.

PoS marketing covers all in store activities designed to promote tobacco, including advertising, furniture, décor, staff clothing and product displays. The 2002 UK Tobacco Advertising and Promotion Act (TAPA) limited the amount of tobacco *advertising* allowed in shops to one A5-sized poster, but it did not regulate the *display* of products, a gap which was energetically exploited by tobacco companies. Sophisticated and stylish gantries have come to dominate many small shops (where underage smokers typically buy tobacco) and elaborate sales booths were a prominent feature in supermarkets until April, 2013. The Guidelines for Article 13 of the World Health Organization's Framework Convention on Tobacco Control, an international public health treaty ratified by the UK along with over 170 other countries, recommends the removal of all PoS tobacco marketing.

Since 1999, ISM has monitored the nature, extent and effects of tobacco marketing on young people in the UK through the YTPS. Findings from this research, published in a 2008 Cancer Research UK report '*Point of Sale Display of Tobacco Products*' and in related peer-reviewed publications, were influential in demonstrating the public health case for a ban on PoS displays. The report was widely cited between September 2008 and May 2009 in submissions and responses to the UK and Scottish consultations on the proposed legislation. Media interviews

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given by Professor Gerard Hastings contributed to the public debate around the issue. Hansard records of debates in the House of Commons and House of Lords show that the ISM report was considered one of the key pieces of evidence in the passage of the legislation:

Lord Faulkner of Worcester: *“I am delighted that the Government have based their proposals in the Bill on research. Some of the most important research has been carried out by Professor Gerard Hastings, director of the Centre for Tobacco Control Research. He investigated the complex relationship between tobacco marketing at the point of sale and young people’s intention to smoke. He found that: “In 2006, almost half —46 per cent of UK teens—were aware of tobacco marketing at point of sale”. Moreover, the likelihood of a young person stating an intention to smoke may increase by 35 per cent with each brand that they can recall having seen at the point of sale”.* (Hansard, 4 Feb 2009).

The YTPS research has also been instrumental in defending legal challenges to POS legislation both in the UK and overseas. ISM’s Director was appointed as an Expert Witness by the UK, Norwegian and Irish Governments in separate cases brought by tobacco companies. In each instance the challenge was defeated (references in Section 5)

Beneficiaries of the research

Legislators have benefited from the provision of timely and robust research to inform evidence-based policymaking, and the public health community has benefited from a strengthened scientific evidence base on the role of marketing in smoking. The legislation will benefit young people by protecting them from one of the few remaining forms of tobacco marketing. Emerging data (McNeill et al 2011 <http://dx.doi.org/110.1136/tc.2010.038141>) from Ireland (see above), which prohibited PoS in 2009, indicate that the law is correcting inaccurate pro-smoking norms and, in the view of teenagers, making it easier not to smoke.

5. Sources to corroborate the impact

Mentions of the ISM research in Hansard, demonstrating its influence in the passage of the legislation:

Hansard House of Commons Debates, 12 October 2009, Volume No. 497 Part No. 121: Column 105 <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091012/debtext/91012-0017.htm#09101243001635>

Hansard House of Lords Debates, Wednesday 4 Feb 2009, Volume No. 707 Part No. 27: Column 728 <http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90204-0009.htm#09020496000211>

Hansard House of Lords Debates, Monday 9 Mar 2009, Volume No. 708 Part No. 43: Column GC393 <http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90309-gc0002.htm>

Hansard House of Lords Debates, Wednesday 6 May 2009, Volume No. 710 Part No. 70: Columns 576-8 <http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90506-0005.htm>
<http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90506-0006.htm>

Mentions of the ISM research in the consultations in England and Wales on PoS legislation, demonstrating the importance attached to the research:

Cited in: Welsh Government (2010). Annex 1: Consultation-stage impact assessments of regulations supporting the prohibition of the display of tobacco at the point of sale. Consultation document for *Consultation on the draft tobacco control regulations for Wales under the Health Act 2009*, 12 April to 6 July 2010. <http://wales.gov.uk/docs/phhs/consultation/100412annex1ency.pdf>

Cited by the Prime Minister’s Office in response to an e-petition, summarising the Government’s position on PoS:
<http://webarchive.nationalarchives.gov.uk/+http://www.number10.gov.uk/Page18350>

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Mention of the ISM research in responses to consultations in New Zealand, demonstrating the research's international impact and value:

Selak V (2010). *Proposal To Ban Tobacco Retail Displays*. North Shore City: Waitemata District Health Board. Online: <http://www.waitematadhb.govt.nz/LinkClick.aspx?fileticket=-T6jXfdMuA4%3D&tabid=170&mid=575>

Appointment of Hastings as expert witness in legal cases:

http://www.tobaccocontrolaws.org/files/live/litigation/494/GB_British%20American%20Tobacco%20UK%20Lt.pdf

http://www.regjeringen.no/upload/HOD/Vedlegg/judgment_norway_vs_philipmorris_140912.pdf

<http://www.courts.ie/judgments.nsf/23fd4a34bad801d980256ec50047a0a8/7f74fa7216b1332a80257180004acbfa?Open>;

http://www.courts.ie/_80256F2B00356A6B.nsf/0/F1D75F9715F9D1468025715E00546CA9?Open

Mentions of the ISM research in the news and academic media, demonstrating its influence on the public debate:

8. BBC News (2008). Call to curb tobacco marketing. 5th September. Online:

<http://news.bbc.co.uk/1/hi/health/7598573.stm>

9. Smith R (2008). Cigarette packets 'should be blank'. *The Telegraph*, 4th September. Online:

<http://www.telegraph.co.uk/news/uknews/2681981/Cigarette-packets-should-be-blank.html>

10. Siva N (2009). UK hopes bill will tackle smoking in children. *The Lancet*, **274**(9701): 1583.

[http://dx.doi.org/10.1016/S0140-6736\(09\)61934-6](http://dx.doi.org/10.1016/S0140-6736(09)61934-6)