Public consultations: UK experience

Andrew Black
Tobacco Programme Manager
• Formal public consultations are a useful step in the policy making process

• They provide valuable information to support decision making

• Used extensively in the UK
• Possible sources Government may consider for making policy decisions:

  – Results of public consultation
  – Scientific and academic evidence
  – Legal advice
  – Political considerations
  – International obligations
  – Public opinion
• In recent years, the Government has consulted on various tobacco control policy proposals:
  – Smokefree legislation
  – Picture health warnings
  – Tobacco vending machines
  – Ending tobacco displays in shops

• Consultation on tobacco packaging, including standardised packaging, to be published shortly
• Consultations on tobacco control proposals generate large numbers of responses

• Consultation on the future of tobacco control policy (2008) prompted over 97,000 responses

• Opinions tend to be polarised
• Through consultation, Government seeks views, evidence and opinions from interested parties

• **But**, is not an opinion poll

• Consultations are not necessarily representative of the population – motivated people tend to respond
UK's consultation code of practice:

• Formal consultation should **take place at a stage when there is scope to influence** the policy outcome.
• Consultations should **normally last for at least 12 weeks** with consideration given to longer timescales where feasible and sensible.
• Consultation documents **should be clear** about the consultation process, what is being proposed, the **scope to influence** and the **expected costs and benefits** of the proposals.
• Consultation exercises should be designed to be **accessible** to, and clearly **targeted** at, those people the exercise is intended to reach.
• **Keeping the burden of consultation to a minimum** is essential if consultations are to be effective and if consultees’ buy-in to the process is to be obtained.
• Consultation responses should be **analysed carefully** and **clear feedback** should be provided to participants following the consultation.
• Officials running consultations should seek guidance in how to run an effective consultation exercise and **share what they have learned** from the experience.
Tobacco packaging consultation:

• To be published shortly
• Government has an entirely open mind
• Any person or organisation with an interest is encouraged to respond
• The consultation will seek evidence about the additional public health benefit that standardised packaging might bring, and any unintended consequences
• To be published by the Department of Health:
  – Consultation document
  – Impact Assessment (IA)
  – Equality Impact Assessment
• Academic evidence review to be published at the same time by the UK Public Health Research Consortium
• General questions in consultation document and specific questions in the IA
• Ways of responding:
  – Online consultation portal
  – Email
  – Paper based response form

• Also expect a large number of postcards and petitions
• Awareness raising of consultation

• Challenges of analysis

• Government will publish an overview of responses to the consultation in due course
• Protecting tobacco control from vested interests
• "Tobacco Control Plan for England" (published 2011)
• To fulfill FCTC obligations (Art 5.3):
  – In the future, organisations engaging with the Department of Health on tobacco control, for example by responding to consultation exercises, will be asked to disclose any links with, or funding received from, the tobacco industry