

## Annual Report 2010–2011 For Annual General Meeting, 15 October 2011

### Chairman's report 2011.

January saw Spain finally implementing its toughest anti smoking laws yet, after much bullying by the WHO. The same old lies were trotted out inasmuch that smoking bans have no effect on businesses. Of course all the closures in this country were totally ignored!

January also saw FOREST, through SOPAC, somehow got engaged to the CIU. We wait with baited breath for a CIU stampede to overturn the ban! Unfortunately the sleeping leviathan refuses to awaken!

February saw a ridiculous attempt by the "White Horse Action Group" (WHAG) [Daventry based], who decided to club together to save their local village pubs-the point being, they closed through a rapid loss of customers post 2007 smoke-ban! So, why would they suddenly yearn to save that which they didn't use? They never replied to our representation so perhaps we'll never know! On that theme Dr Evelyn Gillan, chief executive of Alcohol Focus Scotland, said that the alcohol industry had learned from tobacco companies on how to influence decision-makers. That doesn't bode well for the pubs then does it!

March excitement was via Chelsea boss Carlo Ancelotti wanted to reach the Champions League final this season - so he can break Wembley's smoking ban! Preparatory letters were drafted but sadly Chelsea didn't get there! March also saw the evil minded video game "Smoker Sniper". Sick & twisted beyond belief, the instructions were simple "Kill the guy, he's a smoker."

The Welsh Assembly announced its intention to 'discuss' banning smoking in cars with interested parties. Despite our application for two seats we were obviously not accredited as interesting enough! Interestingly it was reported that there had been an alarming rise in home drinking! Well, well, well.

Dave Atherton flew the flag for f2c in Amsterdam & Austria and did a sterling job on foreign shores.

June saw the meeting at the House of Commons where all f2c'ers had the opportunity to meet with their MP. F2c rose to the challenge magnificently but MPs failed abysmally as only 1 MP was spoken with on the day, although, happily, two more met with f2c members after the HofC do. Our thanks are extended to Simon Clark (FOREST) who organised the bash.

Soon after the limited success of the House of Commons we had the joy of making serious inroads into the anti tobacco terrorists-thanks to an anti tobacco terrorist by the name of Paul Bartlett, who thought he was a version of the New York loony, Michael Bloomberg. July 16th will go down in bloggers history (as well as anti bansters history) as the day the anti tobacco world was shot up the backside as Stony Stratford turned out in style to protest his (Bartlett's) lunatic street smoking ban proposals. Full marks go to f2c member Dick Puddlecoate for getting such a marvellous protest organised in such a short period of time and, of course, to blogosphere which descended on the little market town that glorious day. A couple of days later the Bartlett proposal was dismissed by a show of hands...148 v 2. (One of the two votes 'for' being his own!)

Fresh after that success we suddenly get thrown back into reality as Alan Dee advocates all smokers being 'snipered', so as to cure the smoking problem (as he sees it). Despite vociferous objections to the paper, editor & Press Complaints Commission the article, murderous in its intent, is deemed suitable and none inciting!

Fellow blogger "Smokin' Hot" lays out plans for cheap 'baccy runs'; ie, ferry trips to Belgium-things look promising, though sadly the first 'run' coincides with f2c's AGM on Oct 15th.

It has been a steady year in the face of ever increasing demands for more anti tobacco sanctions but f2c have made important contributions to the now growing anti ban movement. The biggest problem we have, however, is a very weak government who recognise the loss of human rights but don't feel inclined to remedy this loss. However, we are growing in numbers of MPs supporting our cause and that has got to be good news thus we must work to improve.

On the 'home front' I must congratulate our most diligent members for we have introduced the f2c Triblogology (3 part 'in depth' blogs) and, more importantly, the f2c newsletter has been grabbed by the scruff of its neck, beaten into submission and has re-emerged as a professional, highly informative monthly publication. Sincerest thanks go to Karen who has taken charge of the newsletter, lock, stock and two smoking pen tips!

We also need to thank another female member who has donated much time and effort in producing a member's survey (in an anonymous response category) so that truthful answers would be forthcoming. We await the results with great interest as the whole idea is also to pinpoint f2c's strengths and weaknesses. We can only benefit from this exercise-thank you very much Carol.

Of course, it takes input from all our members to keep this organisation in the forward mode it constantly is, therefore as Chairman of this unique pro choice organisation I thank you all, new members and old, for your commitment and drive, for it is this and this alone that keeps us at the front of the anti ban league and the respect of many in powerful places.

Thank you all  
Phil Johnson  
Chairman

## Accounts – Belinda Cunnison

**FREEDOM 2 CHOOSE  
INCOME AND EXPENDITURE ACCOUNT  
FOR THE PERIOD 1 JULY 2010 TO 30 JUNE 2011**

	2010		2011
<b>INCOME</b>			
Donations	731	Donations	220
Standing orders	1,293	Standing orders	1,027
Membership	68	Membership	49
Renewal	847	Renewal	834
Advertising	173	Advertising	120
Shop sales	122	Shop sales	0
NET interest	0	NET interest	0
Scotland income	241	Scotland income**	147
	4		
 Total income	 3,475		 2,398
<b>EXPENDITURE</b>			
Marketing	2,075	Marketing	705
Post & phone	957	Post & phone	322
Travel	128	Travel	548
Miscellaneous*	77	Miscellaneous*	53
Corporation tax	62	Corporation tax	24
Website fee	60	Website fee	60
Paid to Scotland**	2410	Paid to Scotland**	241
 Total expenditure	 3,600		 1,861
 <b>SURPLUS/DEFICIT OF INCOME OVER EXPENDITURE</b>	 <b>-125</b>		 <b>538</b>

*\*Donated to Freedom to Choose (Scotland) to enable attendance at Holyrood Conference, September 2009.*

*\*Replacement printer £34.99 for secretary, £18.50 for drinks for function*

*Membership fee in 2010 for TICAP was waived.*

*\*\*Income collected on behalf of and paid to Freedom to Choose (Scotland) (largely through Paypal).*

*\*\*Income collected on behalf of and paid to Freedom to Choose (Scotland) (largely through Paypal).*

**FREEDOM 2 CHOOSE  
BALANCE SHEET  
AS AT 30 JUNE 2011**

	Notes	30 June 2011	
		£	£
<b>CURRENT ASSETS</b>			
Bank Current Account		2,612	
Paypal Account		81	
Petty Cash		0	
Balance of cheque 102052 to be repaid	3		
<b>Total</b>			2,696
<b>LESS CURRENT LIABILITIES</b>			
Taxation			25
<b>CURRENT ASSETS LESS CURRENT LIABILITIES</b>			2,671
<b>CAPITAL AND RESERVES</b>			
Carried forward (bank/paypal)			2,196
Corporation tax 08-09			-62
Surplus of Income over Expenditure during the period			537
			2,671

**Notes:**

I have presented two years' accounts together in order to show differences.

We are back in surplus again after showing a deficit for 2009/2010. Both income and expenditure have dropped noticeably since last year.

Expenditure on advertising has dropped since the organisation terminated an advertising contract at the end of 2010, and telephone expenditure has also dropped since a cheaper phone plan was acquired. Most of the expenditure is on travel and accommodation for attending and addressing meetings.

All donations are lower than last year, with one-off donations (2010/2011: £220; 2009/2010: £731) dropping off more sharply than regular donations (2010/2011: £1027; 2009/2010: £1293). Membership has remained steady, with a net drop of two new members and one renewal.

Advertising revenue is also lower and there has been no shop income this year, but significant savings in expenditure still leave the organisation in surplus.

*Verified by Mr Howard Woolnough;*

*"I have examined the attached Income and Expenditure Account and Balance Sheet together with the books of account and information given me.*

*In my opinion they accurately portray the position of Freedom to Choose at 30 June 2011.*

*H J Woolnough*

*28 September 2011"*

## **MEMBERSHIPS – Pete Jackson**

### **1) Membership schemes.**

The Freedom2Choose membership schemes are unchanged and are as follows;

- £10 Full membership with newsletter and voting rights + membership card.
- £5 Full discretionary hardship membership with the same advantages as above.
- £5 Junior membership with newsletter and membership card and no voting rights.
- £2 Associate membership with no rights or privileges (for Clubs only).

### **2) Membership statistics.**

The current levels of membership are laid out below.

#### 2.1) Current membership status.

Freedom2Choose has at the time of writing this report 89 members;

- 2.1.1) We currently have 89 fully paid up.
- 2.1.2) We currently have no discounted member.
- 2.1.3) We have no junior member.
- 2.1.4) We have no associate members.

## Political Arena – Dave Atherton

Four years after the smoking ban it seems the king is dead, long live the king. Anyone in a coma could be forgiven that there has not been a change of government, after thirteen years of Labour. The Conservative Party and especially the Liberal Democrats seem to want to embrace the nanny state with the same zeal that makes a polemic look half hearted. The smoking ban goes unamended, in fact it has been more embedded, the display ban has not been repealed either, plain packaging, vending machines outside smoking and bans in cars on the agenda. Andrew Lansley the Health Secretary has allowed Deborah Arnott's mate Anne Milton, Junior Health Secretary complete discretion. An ex cancer nurse the only matter which will stop her is the common sense of the rank and file Conservative MPs.

Outside smoking bans seem to have been neutralised by the Stony Stratford protest and full credit goes to Dick Puddlecote and UKIP, with 10 F2C'ers increasing the numbers significantly. Paul Bartlett recently suffered a motion of no confidence defeat of 8-1. This has put outside bans back 5-10 years.

Europe is one of the biggest obstacles, with John Dalli the European Health Commissioner eager to see the UK's blueprint implemented in the rest of the EU. I believe the current European crises will slow him down and the eastern Europeans will tell him where to go and the Club Med countries will just ignore him. The Dutch Health Minister has also told Dalli that smoking restrictions are a matter of subsidiarity, whereby it is a matter for national not European governments. My colleague Wiel Maessen at TICAP can take much credit.

I sense that smoker-phobia may have reached its zenith. The anti smoker crowd with all their hubris have decided to include drinking mostly and to a lesser extent obesity in their quest for the perfect body. F2C have been particularly successful in getting the message out to the public that "it's you next." Events have completely vindicated us as Lansley toys with minimum pricing, restrictions on advertising and promotions. Also taxation of fizzy drinks and fatty foods seems to be in his in-tray too. This is a gift and now everyone will be feeling the wrath of the nanny state and we will garner much sympathy.

The war on the nanny state will be also won in the media. The oxygen of publicity in mainstream media, TV, radio, newspapers and internet. The latter we run while playing catch up on the rest. As a media strategy I believe F2C and our press office should write to most of the major papers, especially health editors and TV programmes like BBC Breakfast and put myself forward as a spokesman on drinking, obesity as well as smoking.

My highlight of the year was my interview and debate with Ms. Arnott of ASH on CNN. The producer thought the programme was "great television" and will be getting us back. The first thing I noticed was meeting me she really did seem to be scared of me. The fear was obvious. Whether she expected me to become overly aggressive or abusive or that I know infinitely more than her I am not certain, maybe both. Anyway I kept my cool and good manners and she felt confident enough to have a go at me in the Green Room for "not being an expert." Believe you me she was rattled. Other appearances on the BBC and Manchester Radio have cemented my experience and I now have no fear. I am also in demand on the lecture circuit at universities and other speaking events and have four essays I need to write for publications.

In conclusion it has been a busy year where F2C have seen their profile raised and we are in a fine position to which Phil has steered us.

## Smoking Bans in Germany A Chronology – Andy Davis

2007: All 16 state parliaments adopted smoking ban laws covering the hospitality sector, state buildings, schools etc. (The ban for federal buildings and public transport was a federal law and so adopted nationwide)

2007/08: These laws came into effect, however none of them included a total ban for the hospitality sector (smoking rooms, proportionally smaller to the rest of an establishment and/or venues declaring themselves smokers' club were permitted).

July 2008: German constitutional court ruled that bans for the hospitality sector were to be either total bans or designed in such a way as not to disturb competition for smaller bars.

2008/09: 15 of 16 state parliaments liberalized their smoking bans by adding an exemption for bars with less than 75 m<sup>2</sup> and where no (cooked) food served (and no access for people under 18) was allowed.

2010: The total ban in the small state of Saarland came into effect (after being delayed by the constitutional court), the Bavarian plebiscite (referendum) led to an immediate (almost) total ban.

However the referendum was not widely publicised beyond those who would not support it. And thus the ban won the day with a not very democratic 38% turnout.

2011: Plans for a total ban in Nordrhein Westfalen (Germany's biggest state) and similar developments in other states after elections this year where new coalition governments (especially when the Green Party is involved) pushing through bans.

Summary of current situation in Germany:

Saarland: Germany's only total ban at the time of writing, in what is a tiny state.

Bavaria: total ban (except for certain invitation-only meetings in hospitality venues or a single room of such a venue). However I have personally seen the rules being bent further in bars and Shisha venues.

Nordrhein Westfalen: the state with the highest number of different exemptions (smoker's rooms, mall bars with less than 75m<sup>2</sup>, certain invitation-only meetings, tents, Carnival and similar regional fests, and smokers' clubs - although the latter exemptions has been virtually impossible for the hospitality sector under recent court rulings.

The curtailment of smoker's clubs will make the forthcoming blanket ban easier to implement. If there is no option for a smoker's club exemption, then venue goes (note not staff) can only be 'protected' by a total ban. The air management option has already been quashed in readiness for a potential exemption. A Germany version of the 'no safe level' doctrine was produced in a recent paper produced by anti-tobacco.

The NRW ban has yet to be passed, but is expected to by the end of the year, and could come into force anytime from January 1st 2012.

The new state health minister is Germany's answer to Patrica Hewitt, with the added prejudices of being an ex-smoker and Green Part member.

The remaining states: General exemptions for the small non-food bars (see above) and smaller smoker's rooms, varying in severity (Hamburg being stricter about food, Hessen being more flexible about invitation-only parties, e.g.)

Several states have a theoretical exemption for perfectly ventilated in their laws, which can't be made use of in practice because of the 'No Safe level' report was used in anticipation of the alternative option.

As with all the recent moves away from choice in Germany, much of this can be put down to Germany's recent 'Green shift'.

Just when you thought the Japanese Tsunami was damaging enough.....