

The Rt Hon Francis Maude MP
Minister for the Cabinet Office &
Paymaster General
Cabinet Office
70 Whitehall
London
SW1A 2AS

31.10.12

Dear Mr Maude

Public Information on Carbon Monoxide

I will begin by apologising for the length of this letter, however, the issues I raise are important to the future health of UK holidaymakers and the wider domestic community affected by Carbon Monoxide fumes from carbonaceous fuel.

As I write, I note the important development of the introduction of a new law that all new properties in Northern Ireland must be fitted with Carbon Monoxide alarms. I agree with the sentiment that the law does not go far enough to protect victims' and their survivors and would point to the very interesting statistics gathered by Energy UK & the Dominic Rogers Trust - <http://www.bbc.co.uk/news/uk-20149879>

In essence, whilst the actions of Victims/Survivors of Victims, Public Bodies, Charities, Consumer Bodies and Industry are laudable, they can only be considered by their very nature to be patchy and piecemeal. It is our view that what is required to dramatically reduce the actual or potential for death or injury, is fair legislation and a concerted publicity campaign.

The Mother of one of the victims in Northern Ireland, Katrina Davidson summarised succinctly the views of many in this debate, she has apparently stated:

“We still need to push awareness of carbon monoxide, that it is a killer.”

I am writing to you as I believe that you may have direct responsibility for Public Information Films (PIF), which as I understand was the former responsibility of the Central Office of Information (COI).

I am aware that the government carried out a review of the activities of the COI and it was decided to merge its role with that of the Cabinet Office.

I am afraid it is not clear from the Cabinet Office website if you are indeed the Minister responsible for this area, if not, I would be grateful if you could forward this letter onto the relevant Minister within the Cabinet Office.

This letter will set out key issues which lay at the heart of Public Service Broadcasting (PSB) and PIF and their relationship with the issue of Carbon Monoxide.

Introduction to HolidayTravelWatch:

HolidayTravelWatch (HTW) is British based consumers organisation founded in 1995. Through nearly 17 years of operation, it has provided information, advice and assistance to over 230,000 holidaymakers, through its dedicated helpline and website. This should however be put into context with the 65,000,000 individual trips taken by British Citizens in 2005. It suggests that HTW only receives a small proportion of all complaints, however, these holiday complaints tend to reflect the more serious element of contractual, illness and injury difficulties faced by the consumer.

HolidayTravelWatch is entered onto the EU Transparency Register – ID Number – 63992152960-12.

The Organisation currently provides information and advice, assisting some 90% of all travel consumers who contact HTW, to find a resolution to their travel complaint. The remaining complainants are then given the opportunity to progress toward litigation, through travel law specialists. It is estimated that more than 90,000 holidaymakers have received such legal assistance, and have achieved in excess of £25,000,000 in compensation for their holiday complaints, holiday illness and injuries.

HolidayTravelWatch campaigns on a wide variety of issues, including:

- Package Travel Directive/Regulations
- Travel Insurance
- Aerotoxicity
- Ships Safety
- Crime on-board Ships
- Public Health/Illness issues
- Vessel Sanitation Program
- Kids Clubs
- Crime in Holidays

We are active in producing detailed reports on the Consumer experience and contribute widely at Westminster and throughout the EU Commission. We have also provided commentary to various bodies within Australia, Madrid and New York on travel related issues.

We provide commentary within the media to inform Consumers on travel related issues.

Travel Concerns on Carbon Monoxide:

For several years we have provided extensive commentary on the issue of Carbon Monoxide in the holiday environment.

The Articles and Press Releases we have written and published include:

- An Urgent Question of Standards (2007)
- Several articles relating to CO on aircraft (2007/11)
- The unknown dangers of Carbon Monoxide in camping holidays (2011)
- Loud Question over the 'silent killer' – Carbon Monoxide – in holidays! (2012)
- An Open Letter to APPGSG – Solutions to the Holiday Carbon Monoxide Tragedies! (2012)
- Government called to action to protect holidaymakers from Carbon Monoxide (2012) (**Note: This release was sent to the DoH & BIS and to date no acknowledgement has been received from either department**)
- Consumers call for warning notices to prevent Carbon Monoxide Poisoning (2012)
- Shocking Cost of Carbon Monoxide Poisoning in Holidays – Call for Action! (2012)

In summary, we have concluded (based on data from CO-Gas Safety & APPCOG) that:

1. **316 deaths** occur within the EU (holidays) from CO each year;
2. **14,040 injuries** occur within the EU (holidays) from CO each year;
3. **In the UK**, we estimate within the holiday environment that:
 - a. **11.7 holidaymakers die** each year from CO poisoning;
 - b. **520 holidaymakers suffer with injury** from CO poisoning each year;
 - c. Each person so injured receives **an average of £10,000** in medical treatment from the NHS;
 - d. This equates to a potential **cost to the taxpayer** each year of **£5.2m** from holiday related CO poisoning.
4. We have called for:
 - a. All fuel burning devices, **including portable barbeques**, to have pre-printed warning notices on CO displayed on them, and
 - b. Each holidaymaker booking a holiday should receive a **'Holiday Safety Certificate'** which provides for information and a positive statement that issues such as gas or fire safety have been dealt with according to law and good safe practice.

5. We have estimated that within the main holiday season in the UK (Easter to the end of October), there are approximately **1.5 million Consumers within holiday accommodation** of all descriptions.

Our work with other Campaigning Organisations:

Whilst the discipline of our work relates to the holiday environment, it is a natural consequence of our work that we have made contact with campaigning and victims groups whose primary concern relates to the domestic environment. We have worked to support the goals of these groups and these are principally:

1. Co-Gas Safety;
2. CO Awareness
3. Consumer Safety International.

We have knowledge of other groups and also support their aims and objectives.

The APPCOG (formerly the APPGSG):

We have been privileged to have been invited to the events organised by the All-Party Parliamentary Gas Safety Group which has now been re-formed as the All-Party Carbon Monoxide Group. I was able to attend their re-launch on Monday 15 October 2011 at the House of Commons, led by Mr Barry Sheerman MP and Baroness Finlay.

We have made it known that the report created by APPCOG has tremendous value to advancing safety in this area and would hope that the provisions contained therein will shortly become part of the legislative program

([http://www.policyconnect.org.uk/appgsg/sites/default/files/Preventing%20Carbon%20Monoxide%20Poisoning%20\(colour\).pdf](http://www.policyconnect.org.uk/appgsg/sites/default/files/Preventing%20Carbon%20Monoxide%20Poisoning%20(colour).pdf)).

During the meeting on 15 October, we were able to preview a film created by the Katie Haines Memorial Trust (<http://katiehaines.com/>).

This is a professionally made film and highlights very clearly many of the steps taken by homeowners to make their homes safe for their families. The film however reveals the failure of the homeowner to install a Carbon Monoxide alarm. It was clear that the film was created from the courage & vision of the survivors of Katie and the generosity of members from the film community. It was made clear that such generosity could not be expected in any further film development on this subject matter.

Whilst we welcome the making of this film, we would also state that the same considerations should also be made by holidaymakers who hire a caravan, rent a cottage or simply use portable BBQ's when they are camping.

The film has been placed onto the Trust's website, YouTube and we have promoted it on our own Facebook page.

However, whilst the sentiment at the meeting was that everyone should promote the film, it is clear that what is required is a wider promotion and here I would suggest a vital role for government.

Public Information Films (PIF):

It is a clear fact that for many years, this country has been fortunate in having a wide range of Public Information Films to educate the Public on important Health and Safety matters.

The films in question are well known to many citizens of the UK and it is important to highlight and reflect upon the range and subject matter of these films:

1. **Charley Says** – Stranger Danger (warnings to children about strangers) – Produced by the COI – 1970-1980;
2. **Green Cross Code** – Created by RoSpa – 1970 to present;
3. **Apaches** (a film warning children of the dangers of playing on farms) – produced by COI & HSE – 1977 to present (shown throughout UK and the world!);
4. **Robbie** – Produced by British Transport Films (considered not to be a PIF by some commentators) – 1979 & revised 1986;
5. **Protect & Survive** – (advice on what to do in the event of a nuclear attack) – Produced by HM government – 1970 to 1980;
6. **Lonely Water** – (warning to children about the dangers of playing around water) – Produced by the COI – 1970's;
7. **Front Seat Child** – (warning about carrying children in the front seat of a car) – 1977 to ?;
8. **Never go with Strangers** – (warning to children to be aware of strangers) – 1971 to ?;
9. **Joe & Petunia** (various films made: Coastguard, Flags, Country Code & Worn Tyres) – Produced by COI (?) – 1968, 1973 & 2006 (the Coastguard film was brought up-to-date to include a mobile phone, a computer for the coastguard and an ipod!);
10. **Drinking and driving wrecks lives'** (replaced by have none for the road) – (various films incorporating the theme included: Classroom, A Firemans Tale, Real Lives, Kathy can't sleep, Recovery, Eyes, Victim, In the summertime, Christmas pudding, Dave, Police Station, Mirror, Mark, Mates) – Produced by COI (?) – 1980's to 1990's;
11. **Ambler Gambler** – produced by COI (?) – 1970's;
12. **Supersafe with SuperTed** – produced by COI (?) – 1986;
13. **Reginald Molehusband** – (advice on how to park a car) – produced by COI – 1960's;

14. **Clunk Click Every Trip** – (seat belt advice) – (other films in the series included: Maximillian, Shopping, Accidents at Speed, Myrtle, Loose Objects, Carol) – sponsored by RoSPA – 1971 to 1983;
15. **Julie** – (advice for rear seat car passengers to wear seat belts) – produced by COI (?) – 1998 to 2003;
16. **Carry a Knife, Lose Your Life** – (warnings/advice not to carry knives) – produced by COI (?) – date unknown;
17. **Say no to Strangers** – produced by COI (?) – 1981.

I am also aware of other PIF's regarding Fire Safety, Tufty, Fireworks, Aids and I recall a gas safety film warning about leakages' following holiday periods in commercial or domestic premises.

I think that you will agree that the subject matter of these films is as relevant today as they were when they were made.

It is also important to accept their value in educating the public at large, not just on these subjects but also on a wider platform of health and safety.

Central Office of Information (COI):

I have noted that the origin of the COI began through a private film company which filled a gap in the need to supply the public with vital information.

After the Second World War, the COI produced film which was then offered to broadcasters as I understand it, without charge, for use as fillers in slots where advertising had not been sold. **A valuable support for television in its infancy and through the years to the digital revolution!**

It is my understanding that the COI operated as a non-Ministerial department, and executive agency and a trading fund. The latter point found the COI established by the Government Trading Funds Act 1973 – I note that the COI had as its responsibilities the collection and supply of information to the public and private sectors.

I note the view taken by the government on the operations of the COI and that the functions of the COI were transferred to the Cabinet Office when the COI ceased to exist on 31 March 2012.

The Government's Review on the operation of the COI:

You will of course be aware of the government's own review of the work of the COI and its merging with the Cabinet Office. In particular, I refer to the report of Mr Tee (http://www.cabinetoffice.gov.uk/sites/default/files/resources/coi-comms-review-march2011_0.pdf), and his reference to the government building & working with 'rich' partnerships (at para 1.5.3), the encouragement 'common good' with 'media owners and agencies' (at para 1.5.4)

and the 'principle' conclusion that Partnership, the Common Good and Government to deliver effective public communication (at para 1.5.6).

I refer to the specific recommendations of the report at para 1.6.1, in particular the comment at point 10 which states:

“Government should work with media owners, advertising agencies and civic society to establish a Common Good Communication Council to generate donated creative and media space for public interest or community campaigns. The Common Good Communication Council should have a separate governance structure from, but be supported by, the GCC”.

It is clear from the Cabinet Office Press release (June 2011) (<http://www.cabinetoffice.gov.uk/news/government-publishes-response-coi-review>) that substantial sums have been saved and communication staff levels have been reduced. The follow on from these savings is that the government has set a number of goals including carrying out a review on capability across departments and the strengthening of co-ordination and prioritisation of government communication projects.

I was encouraged to read your own comment that:

“This does not mean the end of vital and cost effective marketing campaigns – such as those campaigns that save people’s lives. However, it does mean that communications spending in the future will never again get out of hand and instead will be more transparent, better coordinated and less bureaucratic”.

Whilst there is no doubt that there are many calls on government resources, it is my view that the government, through its new 'COI' structure should devote some resource toward the serious matter of Carbon Monoxide dangers, whether this is for holidaymakers or domestic users of carbonaceous fuel.

Public Service Broadcasting (PSB):

It is clear that the various media channels are required to demonstrate their obligations to PSB. The designated PSB channels are BBC1, BBC2, ITV1, Channel 4, Channel 5, SC4.

You will be aware that the requirements of PSB are contained within the Communications Act 2003.

I would refer you to Sections 264 to 267 of the Act.

Under Section 265 (1) there is a clear requirement that every public licensed channel and licensed teletext service are obligated to ***‘fulfill the public service remit for that channel’***.

Under Section 265 (2) Channel 3 services and Channel 5 are required to provide a '**range of high quality and diverse programming**'.

Under Section 265 (3) Channel 4 is required to provide:

- a) '**innovation, experiment and creativity**' in programmes;
- b) **appeals to the tastes of a 'culturally diverse society'**;
- c) **makes a 'significant contribution' to include programmes of an 'educational nature and other programmes of educative value'**;
- d) '**exhibits a distinctive character**'.

Under Section 266 of the Act, we can see the requirements on broadcasters to submit statements of programme policy and the central role now accorded to OFCOM in the formulation of that policy and references are made to Sections 277 to 296 of the duties imposed (you will be relieved to read that I do not intend to summarise those sections!)

I note however that Section 64 of the Act requires the various broadcasters to 'carry-on' services previously provided into their digital products. In particular, I note that Section 64 (5) to (9) requires the Secretary of State to review, retain, add to or remove those obligated services. Importantly, Section 64 (6) requires the Secretary of State to have regard to:

'the public benefit to be secured by the addition of the service to the list, or by its retention to the list'.

I would be particularly interested to know:

1. Prior to the implementation of the Communications Act 2003, what was deemed by the government or OFCOM to constitute the minimum or essential services to the public?
2. Following the introduction of the Communications Act 2003, how the list was defined – what were the range of distinct 'carry-on' services?
3. Since 2003, what analysis has the Secretary of State carried out on these 'carry-on' services – what has been considered, removed or added to under these powers?

OF COM:

It is clear that since the introduction of the Communication Act 2003, OFCOM has accepted the challenge of its role as Regulator.

On the subject of PIF's (or Public Information Programming – PIP – as referred to by OFCOM), they considered this matter within their Consultation on 'Commercial References in Television Programming'.

The Consultation principally referred to 'product placements' and they reported their findings in December 2010

(<http://stakeholders.ofcom.org.uk/binaries/consultations/724242/statement/statement.pdf>).

It is perhaps appropriate to reflect upon the proposals for PIP made by OFCOM:

Public Information Programming

Public Information Programming is programming funded by a non-commercial, not-for-profit entity that seeks to educate or inform the audience on matters in the public interest.

A non-commercial, not-for-profit entity is either an individual who operates without seeking to make a profit or an organisation that has non-profit making status. The entity's activities must be wholly or mainly of a non-commercial nature. In cases where such an entity does pursue some activities of a commercial nature, Public Information Programming funded by that entity may not relate to or include any form of reference to those commercial activities.

Public Information Programming must be restricted solely to seeking to educate or inform the audience on matters in the public interest. Examples of matters in the public interest in this context include public health or safety, crime detection/ prevention and education.

The following rules do not enable surreptitious advertising or allow broadcasters to circumvent rules for sponsorship or those prohibiting political advertising. The rules ensure the maintenance of editorial integrity independence, transparency and separation distinction between advertising and editorial content. Broadcasters are reminded that Public Information Programming must also comply with the requirements of all other relevant sections of the Code. Broadcasters should also cross-refer to the rules prohibiting political advertising.

9.37 Public Information Programming is programming which has as its purpose a public interest benefit. Public Information Programming may not be funded with a view to promoting the name, trade mark, image, activities or products of the funder. It may be funded only by a non-commercial, not-for-profit entity.

9.38 Public Information Programming must not be funded by an individual or organisation that is prohibited from advertising on television.

9.39 The funder of Public Information Programming must not influence the content and/or scheduling of the programming in such a way as to impair the responsibility and editorial independence of the broadcaster.

9.40 Public Information Programming must not cover matters relating to political, industrial or public controversy. Similarly, Public Information Programming must not seek to influence the policies or decisions of local, regional or national governments, whether in the UK or elsewhere.

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9.41 Public Information Programming must be identified as such by reference to the name and/or logo of the funder in credits at the start and end of the programming, and also at the start and end of any commercial break. There must be no other information and/or message included in such credits.

9.42 The relationship between the funder and the Public Information Programming must be transparent to viewers.

9.43 Public Information Programming must not relate to, or refer to, any commercial activities of the funder and/or any connected person.

9.44 References to non-commercial activities of the funder are permitted within the Public Information Programming only where they are in the public interest. All such references must be editorially justified and must not be unduly prominent.

I note the range of Stakeholders taking part in this important Consultation and am disappointed to note that smaller charities did not feature in this discussion. Within the OFCOM statement they advised that stakeholder opinion was 'polarised' with views expressed that:

1. PIP's could be viewed as 'propaganda' and 'one-sided';
2. Concerns that editorial independence of PSB could be 'overloaded' by state sponsored programming;
3. Difficulty in defining what is meant by 'public interest';
4. The 'genre was open to exploitation';
5. Questions of funding PIP's created by 'not for profit entities';
6. Concerns on how the opposite opinion would be dealt with;
7. Questions as to which bodies could fund PIP's;
8. Concerns that wealthy or well-funded groups would enable them to put forward their viewpoints;
9. Transparency requirements of PIP's;
10. Some saw the introduction of PIP's as a way to widen declining funding with some considering the principle source of funding was likely to come from the COI;
11. One stakeholder suggested that PIP's which were non-controversial would provide social goals in the public interest;
12. Another considered that PIP's would provide another 'source' of power for those with the 'most resources';
13. Another stakeholder referred to an Ipsos Mori poll which said that evidence suggested that 'awareness of the wider world leads to greater social cohesion'.

We note that OFCOM has decided to defer making a decision on PIP's until such time as 'product placements' and their effects have been considered.

CONCLUSION:

In concluding, I would refer you to the previous comments and questions highlighted above.

It is the view of HolidayTravelWatch that a concerted public awareness campaign is urgently required to promote a greater awareness of the dangers of Carbon Monoxide.

I would hope that the past good work of the COI and the newly acquired responsibilities of the Cabinet Office, would serve as a template and motivation to create such a public campaign.

In addition to the aforementioned, I also ask the following:

1. Since the incorporation of the COI into the Cabinet Office, what steps have been taken to:
 - a. Develop 'rich' partnerships with those engaged within the Carbon Monoxide debate?
 - b. Develop a 'common good' strategy, for the benefit of Carbon Monoxide education with media enterprises?
 - c. Develop the principle that partnership, the common good and government create effective communication on the dangers of Carbon Monoxide?
2. In relation to the findings of Mr Tee, what steps have been taken to:
 - a. Develop a strategy around the 'civil society' or 'big society' to create or bring together the symbiotic partnerships that exist within the Carbon Monoxide debate?
 - b. Develop a strategy to bring together, for the 'common good', media enterprises and those engaged within the Carbon Monoxide debate?
 - c. Develop a 'Common Good Communications Council' (CGCC) to 'generate donated and media space for public interest and community campaigns'?
 - d. Develop a separate governance structure for the CGCC?
 - e. Could you also advise of the membership structure of the CGCC; are the members of any such Council members of the Carbon Monoxide Charities or Consumer Organisations?
 - f. Could you advise how often the CGCC meet and if the minutes of their meetings are publicly available, if not, does this not contradict your view in June 2011 that such matters should be 'transparent'?
 - g. In the event that the CGCC has not been created, could you advise what has been created in its place and reference your answer against points 2 (c), (d), (e) & (f) above?
3. What active role exists or has been taken by the Minister for Civil Society, Mr Nick Hurd MP, to create and promote the opportunity for public communication on the dangers of Carbon Monoxide?
4. In considering this issue, have you or the relevant Minister for PIP's, or Mr Hurd, considered the issue of Carbon Monoxide as an important public message and in doing so, what liaison exists with the Department for Health, Business Innovation & Skills, the APPCOG and the various Charities and Consumer organisations engaged in this debate?

5. In the operation of any consideration or relevant liaisons, what conclusions or strategy has been formed on the issue of public education of Carbon Monoxide dangers?
6. In the event that no such consideration has been made or strategy formed, would you or the relevant Minister be prepared to meet with the Charities and Consumer Organisations with a view to create a roadmap on developing a public communication strategy to warn of the dangers of Carbon Monoxide?

I appreciate that many issues have been raised within this letter, but I am sure that you will agree, we owe it to the victims, their survivors and the extensive work carried out by a great many organisations, over many years, to ensure that any opportunity that exists to advance a public communications strategy on Carbon Monoxide should be taken without hesitation.

If you require any further information from me, then please do not hesitate to contact me directly

Yours Sincerely,

Frank Brehany
Consumer Director
HolidayTravelWatch
frank@holidaytravelwatch.com
07811186563 (private mobile)

Cc: Baroness Finlay of Llandaff
The Rt Hon Mr Barry Sheerman MP
Mr Ed Richards – OFCOM
Mr John Arnold APPCOG (via e mail)
Ms Linda McAven MEP
Mrs Stephanie Trotter OBE – CO-Gas Safety (via e mail)
Mr G Samuels – The Katie Haines Trust (via e mail)
Mrs L Griffiths – CO Awareness (via e mail)
Mr M Pratten – Cornwall Fire Service (via e mail)
Ms S Rogers – The Dominic Rogers Trust (via e mail)
Mrs M Maher – Consumer Safety International (via e mail)
Mr S Hadley – Gas Safety Consultant (via e mail)
Mr H Rogers – Gas Safety Expert (via e mail)