

## Strategic Plan 2018 - 2022





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## The McCabe Centre for Law and Cancer

The McCabe Centre exists to contribute to the effective use of the law for the prevention and control of cancer and other NCDs by building knowledge, expertise, capacity and networks at global, regional and domestic levels.

A joint initiative of Cancer Council Victoria (CCV), the Union for International Cancer Control (UICC) and Cancer Council Australia (CCA), it is based at CCV in Melbourne, Australia, where it was established in 2012. The McCabe Centre team comprises staff of CCV in Melbourne, and Regional Coordinators around the world, presently in Fiji (for the Pacific), Kenya (for Africa) and the Philippines (for Asia).

### Building on successes

Following its first five years of operation, a strategic review was undertaken to help shape the Centre's next phase of work in alignment with current global cancer and NCD targets and ambitions. The review included over 30 stakeholder interviews covering key international organisations, governments, funders, and participants in the McCabe Centre's training and capacity-building programs.

This Strategic Plan has been developed based upon the key findings of the strategic review, to articulate a vision and direction for the Centre over the next five years and to maximise the opportunities for the Centre to have positive and lasting impact.







*"UICC is dedicated to taking the lead in **convening, capacity building** and **advocacy** initiatives that unite the cancer community to reduce the global cancer burden, promote greater equity, and integrate cancer control into the world health and development agenda. The McCabe Centre for Law and Cancer is particularly unique in that it spans all three and has a track record of pioneering and positive impact in the short time since its founding."*

**Cary Adams CEO,  
Union for International Cancer Control**



*"The McCabe Centre's work has facilitated great strides to be made in the area of cancer control and law, both internationally and locally, contributing to a wide range of law reform activities. In Australia, they have been instrumental in working with governments to protect people with cancer against providers of unregulated and unproven 'treatments', and laws to support people to plan for their end-of-life care. This work is vital to improve the lives of those diagnosed with cancer, and ensure patients are given every opportunity to make decisions about their treatment and care."*

**Todd Harper,  
CEO, Cancer Council Victoria**



At the McCabe Centre we have played a crucial role in the global movement towards the adoption of tobacco plain packaging and large graphic health warnings. Through our involvement in Australia's world-first initiative, we have developed unparalleled expertise on a wide range of critical legal issues across domestic and international law - including intellectual property, commercial speech, international trade and investment law - which has been shared with governments and civil society across all regions of the world.

Our work in collaboration with UN agencies and civil society partners has catalysed a shift in international approaches to the access to morphine and other controlled medicines. Over the last few years, the international community has emphasised the need for improved access for the relief of pain and suffering, which has historically received little attention. This work has led to groundbreaking changes such as those seen in the Outcome Document of the 2016 United Nations General Assembly Special Session on the World Drug Problem, and the World Health Assembly resolutions on strengthening palliative care (2014) and cancer prevention and control (2017).

In 2013, we became the designated Knowledge Hub on legal challenges to implementation of the WHO Framework Convention on Tobacco Control - the global tobacco control treaty. In this role, we assist the Convention Secretariat to facilitate the exchange of information and cooperation between the 180+ Parties to the treaty, conduct training, and provide technical support to assist governments to develop and implement tobacco control laws, and defend their laws against legal challenges by the tobacco industry under domestic and international law.



## Our vision

A world free from preventable cancers and in which all people affected by cancer have equitable access to safe, effective and affordable cancer treatment and care

## Our mission

To promote the effective use of law for the prevention and control of cancer and other NCDs by building knowledge, expertise, capacity and networks at global, regional and domestic levels

## Our values



**Integrity:** We act with honesty and integrity, bringing open minds and critical thought to all of the issues on which we work.



**Commitment to excellence:** We hold ourselves to the highest standards of performance and professionalism in everything we do.



**Respect:** We work with people of all nationalities, backgrounds, resource settings and beliefs in a culture of mutual learning, enrichment and respect.



**Empowerment:** We work to support others to enhance their confidence, skills and knowledge to develop and implement approaches that are appropriate, effective and sustainable in their own contexts and settings.



**Collaboration:** We collaborate and share knowledge and ideas with our partners, believing that we can achieve more working together than in isolation or competition.



**Human rights:** We believe that the human rights of all people should be respected, protected and fulfilled, and that laws and policies should be non-discriminatory and enable people to enjoy the highest attainable standard of health.



**Reflectiveness:** We reflect on everything we do and the way in which we do it, actively seeking the input of our partners, believing that everything we do can be refined and improved.



## Our strengths

- The technical excellence of our work
- The breadth of our work, across cancer prevention and control
- Our global reputation as a trusted partner and collaborator
- Our capacity to translate knowledge into practical application
- Our global and regional outlook and understanding
- Our commitment to making a real and lasting difference to global health
- Our willingness to lead and to test and develop new ideas and approaches
- Our partnerships and collaborations with governments, intergovernmental organisations, civil society organisations, academic institutions, researchers and health practitioners
- The global and regional networks of lawyers, policy practitioners and health practitioners we have fostered
- Our ability to bring different sectors together to find common ground
- Being a part of CCV, a world-leading multidisciplinary cancer organisation
- Our global reach through UICC's membership, events and networks
- Our national influence through CCA, a national and international leader in cancer policy and advocacy



The McCabe Centre is named after Rolah McCabe, an Australian woman who brought a personal injury claim against British American Tobacco in the Supreme Court of Victoria in the early 2000s. Rolah died of lung cancer, aged 51. She had started smoking in the early 1960s at the age of 12. Rolah's case garnered international attention by exposing British American Tobacco's systematic destruction of thousands of documents under its 'Document Retention Policy'.

## Our goals

- Empower and support countries around the world to meet their commitments under the Sustainable Development Goals, WHO Global Action Plan on the Prevention and Control of Non-communicable Diseases, WHO Framework Convention on Tobacco Control, and World Health Assembly Resolution on Cancer Prevention and Control
- Broaden and deepen knowledge and understanding at global, regional and domestic levels to enable the development and implementation of legal and regulatory frameworks that work to improve the experiences and outcomes of people affected by cancer and other NCDs
- Expand capacity, expertise and networks at global, regional and domestic levels in using the law effectively for the prevention and control of cancer and other NCDs across governments, intergovernmental organisations, civil society organisations and academic institutions
- Support and foster collaboration across sectors including health, justice, trade, and foreign affairs to strengthen policy coherence for the prevention and control of cancer and other NCDs.



## Why a centre for law and cancer?

Cancer is now the second leading cause of mortality globally. In 2015 there were approximately 8.8 million cancer deaths and 14.1 million new cancer cases. This figure is forecast to increase significantly to 21.6 million new cases per year by 2030. Of significant concern is that the greatest increases in cancer cases are expected in low- and middle-income countries (LMICs) where approximately 70% of cancer deaths already occur, predominantly amongst working-age populations, and where health systems are least equipped to respond to the growing number of patients. The economic cost of cancer had reached US\$1.16 trillion annually by 2010.

Tackling cancer is therefore an urgent development priority. It is essential that countries implement comprehensive and cost-effective national cancer plans to mitigate these social, health and economic burdens.

Recognising this, WHO Member States unanimously supported an updated cancer resolution in May 2017 that sets out a clear framework to drive and implement national cancer control strategies, alongside a series of 'best buys' for cancer and other noncommunicable diseases (NCDs). These build on the commitments that States have made through the UN Sustainable Development Goals (SDGs), the global NCD agenda and the WHO Framework Convention on Tobacco Control.

Implementing cost-effective cancer interventions averts preventable cancers and supports the development of strong health systems, which in turn are better able to respond to a range of diseases and patient needs. However many governments, particularly across LMICs, need support to implement these programs or defend them from legal challenges or industry interference.

The global cancer and NCD community are therefore working together to support countries to implement these measures as part of national SDG responses, and are striving for the inclusion of cancer and NCD services in national universal health coverage plans.

The effective use of law is essential for the global community to meet all of these challenges.

The exposure of individuals and communities to risk factors for cancer and other NCDs, the availability and accessibility of health services, treatments and technologies, the use of health information, the conduct of health research, and the experiences and outcomes of people affected by cancer and other NCDs are all powerfully influenced by international, regional and domestic laws and legal frameworks.

Legislation, regulation, litigation, treaties and other international instruments are all essential tools of health policy and practice.

We see law, when conceived, developed and implemented well, as one of the most powerful enablers of good health, at domestic, regional and global levels. It shapes norms, cultures and the behaviour of individuals, organisations and governments.

We believe that for the power of law to be maximised, different disciplines and sectors need to be supported to come together, in a spirit of collaboration, to understand and harness their different perspectives, skills, approaches and experiences.

We are committed to playing a leading role globally in enabling law to be used to its greatest possible effect for the prevention and control of cancer and other NCDs.





## Our work benefits

- Governments
- Intergovernmental organisations
- Participants in our training, capacity-building and networking activities
- Cancer organisations
- Other civil society organisations
- Health practitioners
- Academic institutions and researchers
- People affected by cancer and other NCDs
- People whose health is enhanced by virtue of laws and policies that reduce exposure to risk factors for cancer and other NCD



Our work on cancer treatment and care has informed major law reforms relating to end-of-life decision-making, advance care planning, and the regulation of health practitioners, including protecting people with cancer against exploitation by unscrupulous operators. We have run educational events and developed resources for health practitioners and people affected by cancer on a wide range of topics, including advance care planning laws, regulation of alternative therapy providers, informed consent to cancer care, travel insurance, and employment.



*"The McCabe Centre is unique in its knowledge and expertise in using the law to shape and influence cancer control. Its work to build a network of public health skilled legal professionals is leading to tangible change in how Governments around the world use law and regulation in reducing the burden of cancer in their countries."*

**Sanchia Aranda,**  
CEO, Cancer Council Australia

# A unique role and contribution

Our work is broad, spanning the full spectrum of cancer prevention and control<sup>1</sup>.

## Prevention

Tobacco control, with a focus on legal challenges to implementation of the WHO Framework Convention on Tobacco Control under domestic law, international trade law, and international investment law

Overweight and obesity prevention with a focus on the relationships between unhealthy diet regulatory measures relating to packaging, marketing, product content and fiscal policies, and obligations under international trade and investment law

Prevention of alcohol-related harm, with a focus on the relationships between regulatory measures relating to availability, packaging, marketing, product content and fiscal policies, and obligations under international trade and investment law

The role of evidence in the development and implementation of laws and policies, and in courts and tribunals where regulatory measures are challenged

The development and implementation of policy coherence and effective multisectoral collaboration in the development, implementation and defence of laws and policies across health, trade, investment, sustainable development and human rights

## Control

Availability, accessibility (including affordability), safety, quality and efficacy of cancer treatments and services, and supportive care services, including the relationships between domestic, regional and international legal frameworks and the costs and availability of products and services

Support for patients and health practitioners making medical treatment decisions, with a focus on advance care planning and end-of-life decision-making

Regulation, qualification and education of health practitioners, including building the capacity of health practitioners to understand and apply laws and policies, and protecting people against unproven therapies

The collection and use of health information at individual and population levels to support cancer research and policy development and implementation

Protection of the rights of people affected by cancer, including non-discrimination, access to insurance, working through or after cancer, and the particular needs of adolescents and young adults

<sup>1</sup> We use the word 'control' as it is used in the 2017 World Health Assembly Resolution, 'Cancer prevention and control in the context of an integrated approach' to cover research and information, screening, detection, diagnosis, treatment and care.

## Our areas of work



**Research and analysis:** We conduct high-quality legal and policy research and analysis.



**Making connections and shaping thinking:** We make connections across apparently disparate areas of law, research, policy and practice, shaping the way in which challenges and opportunities are understood and approached.



**Generating and sharing knowledge:** We produce high-quality publications and resources, and share them for use by others around the world.



**Training and capacity building:** We conduct a wide range of training and capacity building activities for governments, intergovernmental organisations, civil society organisations, health professionals and people affected by cancer, through which we support others to develop and enhance their knowledge, skills and confidence.



**Developing and fostering networks:** We bring together people from different countries, sectors, cultures, disciplines and settings, and develop and foster global, regional and national networks of information exchange, peer support and collaboration.



We have developed a unique international legal training programme to build capacity in the use of law to prevent cancer and other NCDs in the context of achieving coherence across health, trade, investment, sustainable development and human rights. Our courses have involved participants from over 90 countries, representing a wide range of sectors of government (eg. Ministries of Health, Trade, Foreign Affairs, Justice, etc), civil society organisations and academia. Programme alumni have since applied the knowledge, expertise and skills acquired during training to implement significant legal and policy developments in their countries, and lead their own regional and in-country training initiatives.

## Our commitments

### 2018-2022:

- Conduct five 3-week intensive courses on law and NCD prevention for at least 50 lawyers and public health practitioners from over 30 countries
- Conduct three executive level courses on law and NCD prevention for at least 75 lawyers and public health practitioners from over 40 countries
- Conduct and/or support others to conduct five training courses on the World Trade Organization Panel decision on Australia's tobacco plain packaging laws, and, in the event of an appeal, a further five training courses on the Appellate Body's decision
- Actively participate in the 2018, 2020 and 2022 World Cancer Congresses, including leading sessions relating to both cancer prevention and control
- Strengthen our alumni community – already, as of January 2018, over 130 people from over 60 countries – by establishing a formal McCabe Centre Alumni Network, developing online materials and communication platforms, and conducting three alumni training courses
- Maintain our WHO FCTC Knowledge Hub website, including providing information and explanation of the WTO Panel decision on Australia's tobacco plain packaging laws, and, in the event of an appeal, the Appellate Body's decision
- Develop tailored legal information and support programs for people affected by cancer, their families, carers and health professionals, including online materials and at least four training events, workshops or webinars per year
- Expand our expertise on the role of law in achieving Universal Health Coverage across different resource settings
- Expand our expertise in alcohol control and overweight and obesity prevention
- Share our knowledge and expertise through our website, and by producing at least 20 publications (academic publications, blogs, fact sheets, and other online material) per year
- Contribute to the development and implementation of laws and policies for cancer prevention and control in national and sub-national jurisdictions





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