

McCabe  
Centre

FOR LAW  
& CANCER



# STRATEGIC PLAN

2018-2022

*Advancing law to fight cancer*









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## 01

## About The McCabe Centre for Law and Cancer

The McCabe Centre for Law and Cancer is the only centre of its kind in the world advancing law to prevent cancer and to protect those affected by it.

Through world-leading research and capacity building programs, the McCabe Centre upskills lawyers and policymakers to use law as an effective tool to prevent and control cancer and other non-communicable diseases.

The McCabe Centre is a World Health Organization (WHO) Collaborating Centre for Law and

Non-Communicable Diseases and the designated WHO Framework Convention on Tobacco Control Knowledge Hub on legal challenges to the Convention's implementation.

Established in 2012, McCabe Centre is a joint initiative of Cancer Council Victoria, the Union for International Cancer Control (UICC) and Cancer Council Australia based in Melbourne, Australia with Regional Coordinators in the Pacific, Asia and Africa.



From Our Director

Jonathan Liberman

When we established the McCabe Centre in 2012, it was with a strong belief that a dedicated centre for law and cancer could make a lasting global impact on cancer and other non-communicable diseases (NCDs).

Our belief was based on three main ideas: the effective use of law is critical to all aspects of cancer and NCD prevention and control; global cancer and NCD communities need to embrace legal expertise as a core component of their efforts; and resources need to be dedicated to building and sharing legal knowledge and expertise.

While we started with big ambitions, our work has developed beyond our expectations. Our reputation as a global centre of excellence in

advancing law to fight cancer and other NCDs is recognised through our designation as a World Health Organization (WHO) Collaborating Centre for Law and NCDs and a WHO Framework Convention on Tobacco Control Knowledge Hub.

Our impact continues to amplify through our international legal training programs, which have empowered lawyers and policymakers from over 100 countries to effect real and lasting change.

Our Strategic Plan for 2018-2022 sets out our ambition for the next five years. It highlights the role of law as central in fighting cancer and other NCDs; the vital work that needs to be done at national, regional and global levels; and how crucial partnerships and multisectoral collaboration are in achieving sustainable change.

As the Director of the McCabe Centre, it is a privilege to come to work each day, knowing that our work plays a significant role in preventing cancer and other NCDs, and ensuring equitable access to safe, effective and affordable care for people affected by them.





Our heritage

# Rolah McCabe

The McCabe Centre for Law and Cancer 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 partners



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

*“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.”*



**Todd Harper**  
CEO, Cancer Council Victoria

*“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.”*



**Sanchia Aranda**  
CEO, Cancer Council Australia

*“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.”*

## 03

## Why a centre for law and cancer?

**Worldwide, cancer is now the second leading cause of death — and 70 per cent occur in low- and middle-income countries.**

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. By 2010, the economic cost of cancer had reached US\$1.16 trillion annually.

The rapid rise in cancer and other non-communicable diseases (NCDs) places a disproportionate burden on countries that are least equipped to respond. This burden hinders poverty reduction efforts, in particular, by diminishing resources within families, reducing workforce productivity, and placing tremendous demands on already strained health systems.

Tackling cancer and other NCDs is therefore an urgent development priority and one that requires concerted global action. It is essential that countries implement comprehensive and cost-effective strategies to mitigate the growing cancer and NCD burden. The inclusion of NCD-related

goals and indicators within the 2030 Agenda for Sustainable Development recognises this in its efforts to leave no one behind.

The 2030 Agenda is just one of the global frameworks that recognises and propels the prevention and control of cancer and NCDs as a critical health and development priority. Through the World Health Organization (WHO) and United Nations General Assembly, countries have made commitments to implement the WHO Framework Convention on Tobacco Control; the World Health Assembly Resolution on cancer prevention and control; and the global agenda for NCD prevention and control. The effective use of law is crucial for countries to meet these commitments.

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**The rapid rise in cancer and other non-communicable diseases (NCDs) places a disproportionate burden on countries that are least equipped to respond.**

The exposure of individuals and communities to modifiable risk factors for cancer and other NCDs, such as tobacco use and unhealthy diets; the availability and accessibility of health care; the collection and use of health information; and the experiences of people affected by cancer and other NCDs are all powerfully influenced by laws and legal frameworks at domestic, regional and international levels.

Law is one of the most powerful enablers of health and sustainable development — and one of the most cost-effective tools available to governments to protect and promote the health of their people. It shapes norms, cultures and the behaviour of individuals, organisations and governments. For the power of law to be maximised, disciplines and sectors need to be supported to come together to understand and harness their different perspectives, experiences and approaches.

The McCabe Centre is committed to playing a leading role in advancing law to prevent and control cancer and other NCDs. Through the effective use of law, countries can meet their global commitments and ensure they leave no one behind.

## 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.





## 05

## Advancing law to fight cancer

We are fighting for a world that is free from preventable cancer — and where people affected by cancer have equitable access to treatment and care.

### Empowerment

We build the capability of individuals, organisations and governments to use law as an effective tool to prevent and control cancer and NCDs.



### Building Knowledge, Inspiring Action

We use deep technical research to produce world-class thinking; spurring practical action to face cancer and NCDs head-on.



### Fostering Collaboration

We bring together the brightest and most passionate minds from all over the world to impact the prevention and control of cancer and NCDs.





## Our Goals

- 1** 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 Noncommunicable Diseases, WHO Framework Convention on Tobacco Control, and World Health Assembly Resolution on Cancer Prevention and Control.
- 2** 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.
- 3** 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.
- 4** 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.

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## Our focus areas

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

### PREVENTION

1.

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

2.

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

3.

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

4.

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

5.

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

1.

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

2.

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

3.

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

4.

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

5.

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 commitments

- 1 Conduct five 3-week intensive courses on **law and NCD prevention** for at least 50 lawyers and public health practitioners from over 30 countries.
- 2 Conduct **three executive level courses on law and NCD prevention** for at least 75 lawyers and public health practitioners from over 40 countries.
- 3 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.
- 4 **Actively participate in the 2018, 2020 and 2022 World Cancer Congresses**, including leading sessions relating to both cancer prevention and control.
- 5 Strengthen our **alumni community** by establishing a formal McCabe Centre Alumni Network, developing online materials and communication platforms, and conducting three alumni training courses.
- 6 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.
- 7 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.
- 8 Expand our expertise on the role of law in achieving **Universal Health Coverage** across different resource settings.
- 9 Expand our expertise in **alcohol control and overweight and obesity prevention**.
- 10 Integrate a **gender-responsive approach** across all aspects of our work, contributing to the achievement of gender equality.
- 11 **Share our knowledge and expertise** through our website, and by producing at least 20 publications per year.
- 12 Contribute to the **development and implementation of laws and policies** for cancer prevention and control in national and subnational jurisdictions.

# McCabe Centre

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