

SHETLAND NHS BOARD

CONSULTATION ON SMOKING IN PUBLIC PLACES

Purpose of Paper

This paper presents the results of the Board wide consultation on smoking in public places and recommends a response to the Scottish Executive on behalf of the Board.

Background

Smoking is the biggest cause of premature death and ill health in Scotland. It is now estimated to claim over 13,000 lives each year and costs the NHS in Scotland an estimated £200 million per annum.

In January 2004, the Scottish Executive published the first ever action plan on tobacco control specifically for Scotland. This plan, '*A Breath of Fresh Air for Scotland*', sets out proposals for reducing tobacco related harm. It indicated the need for:

- More public education on the health risks involved with second-hand smoke;
- Firm action to extend smoke-free zones in enclosed public spaces; and
- An open public debate on the dangers involved in passive smoking and how to reduce exposure.

The Scottish Executive is undertaking a wide-ranging consultation process. It provided a consultation pack on smoking in public places, which was widely distributed amongst staff and members of Shetland NHS Board. The pack contained information on how existing policies on the provision of smoke-free zones in businesses in Scotland are set, and options for future national policy, specifically in relation to imposing statutory controls via new public health laws to restrict smoking in enclosed public places. It also contained fact sheets which set out some of the health risks of exposure, some information about passive smoking in the workplace and a little about what is happening in other countries.

In reaching its decision on future policy, the Scottish Executive will supplement responses to the consultation document with:

- research into international experience and evidence about the health and economic impact of action to limit the effects of second hand smoke;
- research on current practice and attitudes within Scottish businesses;
- an analysis of public opinion; and
- a more detailed assessment of the health impact of passive smoking in Scotland.

Recommendations

The Board is asked to

- a) note the responses of its members and employees to the consultation; and
- b) agree to respond to the Scottish Executive Consultation on Smoking in Public Places with the specific message that the Board supports a complete ban on smoking in public places.

DR SARAH TAYLOR
Director of Public Health
20 August 2004

SMOKING IN PUBLIC PLACES: A RESPONSE ON BEHALF OF SHETLAND NHS BOARD

1. Having considered the health risks associated with passive smoking, do you think that further action needs to be taken to reduce people's exposure to second hand smoke?

100% of respondents said that further action should be taken to reduce people's exposure to second hand smoke.

'Having consulted with members of this section [of the workforce], the need for a total ban on smoking in public places is felt strongly - as individuals, as members of staff, and as trainers of other staff.'

2. Would you support a law that would make enclosed public places smoke-free? (Public places include workplaces and public transport)

100% of respondents said they would support a law to make enclosed public spaces smoke-free.

- *'Smoking should be prohibited both in buildings and within boundaries of all health owned premises. Penalties should be enforced.'*
- *'The only loss is people's loss of freedom of choice. There are many other examples where choice is restricted in order to safeguard others e.g. speed limits, drinking and driving.'*

3. If a law was introduced, do you think there should be any exemptions to it? (i.e. any enclosed public places where smoking should be allowed)

There was some disagreement on this point; it was suggested that an exception might be made for patients with mental health problems, and in designated areas in prisons or residential homes. An alternative view was that these patients/residents should be offered Nicotine Replacement Therapy, which would remove the need for any exceptions to the smoking ban.

Those who said that there should be no exceptions said that the smoke is still harmful and that any exemptions would have to be very tightly regulated so that people didn't flout the law. It was felt that all restaurants should be totally non-smoking; that having designated areas doesn't work.

4. If we decide not to introduce a law, what more could be done to encourage individual businesses to take voluntary action to become smoke-free or to provide more smoke-free provision?

It was generally felt by respondents that expecting voluntary action on smoking in public places was ineffective and that some financial incentive might make it more likely that individual businesses would provide smoke free areas. It was also felt that more public awareness of the dangers of second hand smoke would be useful.

'I feel it is very difficult to see what more could be done unless segregation by law could be made compulsory.'

5. What else could we do to reduce people's exposure to second-hand smoke?

The respondents felt that if no ban was imposed, it would be important to develop the provision of smoking and non-smoking public places, thereby permitting choice. It was also felt that a progressive increase in duty on tobacco might be effective in reducing people's exposure to second-hand smoke.

- *'Have segregated areas for non-smokers and smokers (with air conditioning/fans etc)'*
- *'More education, practical help and support to parents who smoke. The evidence of harm to children and babies continues to mount.'*
- *'More encouragement to support "considerate smokers." Many are thoughtful and won't light up in e.g. restaurants, but there are still many who do not consider those around them.'*

6. Please let us know about any other views you have about smoking in public places

It was felt very strongly that, particularly in the hospitality sector, unless there is a ban in law, most businesses believe they will lose out if others stay 'smoky.' The Irish experience is encouraging as it shows that a ban can work with the right amount of effort, commitment and political will. A ban may also help many smokers who want to give up. It should not be seen as an infringement of civil liberties for smokers, but an improvement in the civil liberties for the majority - i.e. non-smokers. "Not anti-smokers but anti-smoky places."

- *'If people want to smoke I think they should be given the choice but I do feel strongly that they should be segregated from non-smokers.'*
- *'It is offensive to inflict foul smell on other people's hair and clothing. There should be no smoking in pubs, bars or restaurants.'*
- *'I firmly believe that smoking should be banned in public places. This still allows smokers the choice of smoking outside or at home. Currently non-smokers choice restricts socialising, as they cannot escape passive smoking.'*

Conclusion

Taking into account the views of all respondents, it is clear that there is support among Board members and staff for a complete ban on smoking in public places.