

Smoking Prohibition (Children in Motor Vehicles) (Scotland)

Alan Lee

I write in response to the above Bill being considered by your committee.

I fully support this Bill as it affects the health of children under the age of 18 years from second hand passive smoke. As a smoker myself I never smoke in the vehicle where my children are present as I know the health implications this can cause them.

I do believe this new legislation would achieve its aim of protecting children from the effects of second hand smoke and their health. Children should not be exposed to second hand smoke in this way or in any way.

I do not think there is anything in the Bill I would like changed except it should be all smokers within the vehicle and not just the driver. However, I believe the penalties should be a fine and not points off licence.

The legislation should be enforced by Police Scotland. I do not think anyone else can enforce the legislation except from responsible adults in the vehicle. I hope other responsible adult who witness smokers in vehicles with children should report this to the police such as other drivers or pedestrians.

No vehicle should be exempt from the legislation. There is no reason to smoke with children in the vehicle.

In relation to defence that the smoker could not have reasonably know that other occupants of the vehicle were under 18 should lie solely on the responsibility of the driver of the vehicle. The driver of the vehicle should prevent smokers from smoking within the vehicle whether the vehicle belongs to the driver or not, the driver should find out whether other occupants are under 18 or not, it is the drivers responsibility in making sure other occupants wear seat belts so this should lie solely on the driver in making sure all occupants are 18 and above before they smoke.

I hope my submission is useful to the Committee.

Alan Lee