

Smoking Prohibition (Children in Motor Vehicles)(Scotland) Bill

Scottish Smoking Cessation Co-ordinators' Group

The Scottish Smoking Cessation Co-ordinators' Group welcomes the opportunity to provide evidence on the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill. The Health and Sport Committee has launched this call for written evidence to inform its consideration of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill.

This Member's Bill was introduced by Jim Hume on 15 December 2014 and the Health and Sport Committee has been designated as lead committee for consideration of it at Stage 1.

The Scottish Smoking Cessation Co-ordinators' (SSCC) response to the Committee's questions are given below.

1. Do you support the Bill? Please provide reasons for your position.

Yes. The SSCC are concerned that children are protected from the harmful effects of second hand smoke (SHS). As a group, children are more vulnerable to the risks of SHS exposure due to smaller airways and faster rates of respiration. They are also less able to make choices regarding mode of transport or to be able to request adults to refrain from smoking in their vicinity. Research has shown that smoke can reach high levels of PM2.5 and exceed healthy guidance limits even under 'realistic' driving conditions with mechanical ventilation or open windows.

2. Do you think the Bill (if enacted) would achieve its aim of protecting children from the effects of second-hand smoke and their health? Please provide an explanation for your answer.

Yes. We believe that if the Bill is enacted and enforced by Police Scotland, it will achieve its aim of protecting children from the harmful effects of SHS. We believe that legislation is the only means of bringing about a change in reducing exposure to second hand smoke for children and young people. We do not think that a voluntary arrangement where drivers decided themselves whether or not to smoke in their own vehicles would be satisfactory and it does not guarantee that the health of young people under 16 would be protected on all occasions that they are present in a vehicle. We consider that if there was a voluntary arrangement many drivers would continue to smoke and be dictated to by their addiction to nicotine.

Yes, however given the increased hand to mouth contact described in young people and children and the evidence on third hand smoking it could go further. The current draft proposal would allow a parent to smoke a cigarette en route to collect a child. The paper highlights results found by Edwards, Wilson and Pierse (2006) who found that base levels of PM did not return to base level until 25 minutes after the

cigarette was extinguished. Work would need to be done around awareness of dangers of smoking in vehicles before a child or young person gets into the vehicle.

We also consider that parents are often less concerned about their own health but would usually have more concern for the health of their children. Therefore we consider that because of this parents who would usually smoke in their vehicles will accept the measure and would equally want to preserve the health of their children.

3. Is there anything in the Bill you would change? If yes, please provide more details.

No.

4. Who do you think should have responsibility for enforcing the proposed legislation and why?

Police Scotland should be responsible for the enforcement of this legislation through their routine monitoring of traffic offences.

5. What type of vehicles do you think should be exempt from the legislation and why?

We believe this should apply to all vehicles and we agree that this should also apply to convertibles, because a convertible car is mostly an enclosed space.

6. What is your view on the Bill's provision for a defence that the person smoking could not have reasonably known that the other occupants of the vehicle were under 18?

This seems adequate although it also seems reasonable to suggest that in the case of any doubt over the age of an occupant of a vehicle, the driver should ask their passenger to confirm their age.

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