

**Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill****NHS Greater Glasgow and Clyde**

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

Yes.

The harms of second-hand smoke are well documented, with children being particularly vulnerable to its effects in a stage at which they are still developing. Children are less able to control the environments to which they are exposed and any change in social norms should help to protect children from second-hand smoke exposure.

NHS Greater Glasgow & Clyde were involved in research conducted by Semple et al (2012) investigating second-hand smoke exposure in cars. PM2.5 concentration (mass of particles which measure less than 2.5µm in diameter) was measured within smoking and non-smoking car journeys, with levels in smoking journeys 14 times higher than non-smoking journeys. The US EPA outdoor air guidance deems greater than 35µg/m<sup>3</sup> to be an unhealthy concentration in the air – all smoking journeys exceeded this threshold, even with increased ventilation.

Semple et al (2012) state: *“PM2.5 concentrations in cars where smoking takes place are high and greatly exceed international indoor air quality guidance values. Children exposed to these levels of fine particulate are likely to suffer ill-health effects.”*

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.

Legislation can be supportive in changing social norms, as seen with the Smoking, Health and Social Care (Scotland) Act 2005. Before the legislation restricting smoking in public places, there was concern that it could displace smoking into the home. Research conducted by Haw et al (2010) indicated that this did not seem to be the case and there appeared to be evidence suggesting second-hand smoke exposure in the home had dropped, although the difference was not significant.

Legislation to ban smoking in vehicles would be another supportive measure to increase knowledge and awareness of the detrimental effects of second-hand smoke.

The Glasgow City Schools Health and Wellbeing survey (NHSGGC 2011) shows that 1 in 4 children are still ever exposed to second-hand smoke, indicating more still needs to be done to ensure attitudinal and behavioural change. Any legislation should be supported by information, education and promotion of the health messages around

second-hand smoke in a similar way to the 'Take it right outside' campaign. Differences between exposure vary according to deprivation so it is important that promotional work is proportionally targeted towards areas of higher smoking prevalence.

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?

In line with enforcement of other offences linked with driving e.g. seatbelt use, use of handheld devices, it would make most sense for the enforcement to be undertaken by Police Scotland. Monitoring of traffic offences is routine for Police Scotland, thus monitoring this proposed new legislation should not require additional resources.

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

The definitions outlined in Section 1 of the proposed bill seem adequate in clearly describing what is and is not a 'motor vehicle'. It seems reasonable to exempt vehicles used for human habitation as described.

However, although a convertible car would come under the definition of a 'motor vehicle', it would perhaps be helpful for this inclusion to be more explicit.

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

It seems reasonable, however, unlikely that a driver would not know the age of the occupants of their vehicle. If this was entered as a defence, it would have to be rigorously examined.

## **NHS Greater Glasgow and Clyde**

Haw, S. (2010) 'Fresh Air?' Chapter 3: Substance Misuse: The Implications of Research, Policy and Practice Edited by Joy Barlow  
<http://www.healthscotland.com/uploads/documents/11757-Haw%20-%20Second-hand%20smoke.pdf>

NHSGGC (2011) Glasgow City Schools Health and Wellbeing Survey 2010: Glasgow City Report.  
<http://www.phru.net/rande/Schools%20Survey%202010%20%202011%20Main%20Report/Glasgow%20City%20Final2.pdf>

Semple et al (2012) Secondhand smoke in cars: assessing children's potential exposure during typical journey conditions. *Tobacco Control*  
*doi:10.1136/tobaccocontrol-2011-050197*