

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

NHS Borders

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

We support the Bill as it is estimated that more than 430,000 children are exposed to second-hand smoke in cars each week. The most recent SALSUS data indicate that, in 2013, 22% of 13 and 15 years olds were exposed to smoke in cars at least some of the time and 7% reported that this was the case almost all of the time or all of the time.

Recent research in Wales shows that 81% would support legislation on banning smoking in cars to protect young people from exposure to second-hand smoke. Passive smoking is still a real issue, particularly for children and the vulnerable. We know there is a strong link between childhood exposure to second hand smoke and asthma, chest infections and bacterial meningitis. Research by the Royal College of Physicians has found that passive smoking causes around 9,500 hospital admissions in the UK every year and results in around 40 sudden infant deaths. In addition the Faculty of Public Health UK has stated that children whose parents smoke are around three times more likely to become smokers themselves, thus further increasing their risks of ill health both in the short and long-term. Repeated absence from school, as a consequence of ailments caused by secondhand smoke, can increase the risk of under-achieving with long term implications for health and wellbeing.

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.

There is a growing body of evidence that the he Bill (if enacted) would achieve its aim of protecting children from the effects of second-hand smoke and their health. Some places (e.g. California, South Australia and Cyprus) have already banned smoking in cars in order to protect children from second-hand smoke, which is particularly highly concentrated in the confined space of a car. Evaluations from these schemes should be reviewed in order to inform the Bill.

There is considerable support for such a measure as evidenced by the responses to the recent consultation on the issue, public opinion polls and it has cross government support (ASH Scotland, 2015).

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

Application of a fixed financial penalty may not be the best approach to persons from deprived backgrounds and may increase deprivation and possibility cause damage to children/parent relationships. Information on current schemes in California, South Australia and Cyprus may help decide this question. As an alternative consideration should be given to compulsory

education sessions for offenders about the health effects of second-hand smoke on children.

To avoid the Bill becoming seen as an income revenue stream by the Government, the Bill should state that the funds raised will be used to fund smoking prevention initiatives and research with particular focus on helping people in disadvantaged groups. The monies raised could also be used to ensure that the stop smoking services are adequately funded and continue to be targeted towards disadvantaged smokers.

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

This should be subject to consultation with Police and local authorities.

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

None as all vehicles have confined spaces leading to possible high levels of passive smoking. .

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?

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