Health (Tobacco, Nicotine etc. and Care)(Scotland) Bill

MRC/CSO Social and Public Health Sciences Unit

BACKGROUND

The MRC/CSO Social and Public Health Sciences Unit is a research unit within the University of Glasgow with a focus on promoting health and wellbeing through the study of social, behavioural, economic, cultural and environmental influences on health. We have prepared answers to questions 1 and 3 of the call for written evidence on the Health (Tobacco, Nicotine etc. and Care)(Scotland) Bill.

NVPS AND SMOKING IN HOSPITAL GROUNDS

1. Do you support the Bill’s provisions in relation to NVPs?
We predominantly support the provisions set out in the bill, recognising the need for an approach that balances the nuanced concerns and hopes related to e-cigarettes and other NVPs. It is our view that regulation of e-cigarettes should facilitate their potential contribution to harm reduction at an individual level, while minimising risks at a population level.

We recognise that the regulation of NVPs is a complex, contentious area of debate among academic, health and policy communities, and recommend a nuanced response. While useful long-term evidence of the effects of electronic cigarettes is not yet available, there is broad scientific consensus that they are likely to be less dangerous than tobacco, causing many stakeholders to support their use in tobacco cessation and harm reduction. Conversely, many stakeholders argue against the harm reduction approach, citing the risks of re-normalising smoking, e-cigarettes acting as a gateway to tobacco use, and the potential dangers of direct and second-hand exposure to e-cigarette vapour.

Despite some disagreement on how e-cigarettes should be regulated, there is broad support for measures designed to prevent children and non-smokers from accessing and using e-cigarettes. Research conducted by SPHSU researchers, currently under submission, suggests that e-cigarettes appeal to young people, and young people are typically supportive of e-cigarette regulation. In line with the general consensus on the importance of protecting children from an addictive substance, we support measures targeted at under-18s, including those described in items 2, 3, 4, 6, 7 and 17. Regarding item 17, we would stress that the marketing of an addictive substance by transnational tobacco companies looking for new marketing opportunities should be strictly controlled.

3. Is there anything you would add/remove/change in the Bill with regards to NVPs or smoking in hospital grounds?
Item 17 – Rather than restrictions on any NVP advertising, we suggest that simple and plain product advertisement and supply of information about the product (e.g. content, points of purchase, etc.) should be allowed. However, we are of the opinion that the content of advertisements and promotions
should be regulated to prevent it from being targeted at young people and non-smokers. We support legislation to ban any form of advertising and promotion of e-cigarettes which associates e-cigarette use with positive images (e.g. freedom, emancipation, independence, “coolness” etc) or promotes e-cigarette use as a positive lifestyle. We support regulation rather than voluntary agreements because evidence suggests that voluntary agreements do not work[1].

Item 18 – While it is positive that the Bill would empower Ministers to prohibit the free distribution and nominal pricing of NVPs, we would recommend that the Bill itself specifically prohibits the free distribution and nominal pricing of NVP, as well as corresponding promotional activities.

In addition to the measures included in the Bill, we recommend that the Government follow a precautionary principle approach by including e-cigarettes (and potentially relevant NVPs) in the prohibition of the use of tobacco products in enclosed public spaces. Given the current lack of evidence about the harms of e-cigarette vapour and the potential of public e-cigarette use to renormalise smoking behaviours, we believe that a precautionary approach is the most sensible at present.

We are happy to provide further evidence on the topic of NVPs. Researchers at SPHSU have conducted research projects examining young peoples’ views on e-cigarettes and mass media representations of the debate around e-cigarette regulation.

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