

Q & A on the Tobacco Bill

If you are in a young person's group which is interested in discussing smoking in Scotland and current proposals which aim to prevent young people smoking, you may find this Q&A of use.

The Tobacco and Primary Medical Services Bill is currently under consideration in the Scottish Parliament. It aims to prevent young people smoking by reducing the availability and visibility of cigarettes to children. The bill would introduce four key measures:

1. Banning the display of cigarettes at point of sale
2. Banning cigarette vending machines
3. Creating a register for tobacco retailers
4. Introducing stricter sanctions against retailers who break the law.

Here we have provided ten questions and answers that have come up during the debate on the tobacco bill which we hope will help inform any discussions you have.

It is really important that young people's views are heard about the proposals in this bill and it is not late to get involved and let politicians and organisations know what you think. You can write directly to your MSP with your views, or the Minister for Public Health who put forward the bill, or the Scottish Parliament's Health and Sport Committee which is in charge of gathering the views of everyone as the bill goes through parliament.

If you would like to get involved further in our campaign which supports the bill, please think about emailing your MSP or letting your local shop know your views. Find out more at our campaign page: www.ashscotland.org.uk/ash/7006.html

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Q1. Why are people still concerned with smoking in Scotland?

A. Smoking rates in Scotland remain high with 24% of all adults smoking and 15,000 young people taking up smoking every year. The reason people care about this is because smoking remains Scotland's biggest killer with 24% of all deaths due to smoking. It costs the NHS in Scotland more than £400 million every year to treat smoking related diseases and it costs the Scottish economy £837 million. Then of course there is the emotional cost to friends and family when a loved one suffers a preventable early death or has to cope with illness.

Q2. Smoking rates amongst young people are going down so why do we need more laws?

A. Smoking rates amongst young people are reducing from previous record levels but they remain high so steps still need to be taken to prevent young people taking up a habit that causes a quarter of all deaths in Scotland. Latest statistics show that 15% of 15 year olds and 4% of 13 year olds are regular smokers. More girls than boys smoke with 14% of 15 year old boys smoking and 16% of girls and 3% of 13 year old boys and 4% of girls.

It is those young people now who will feel the harmful effects of smoking in the future. The younger someone starts to smoke, the harder it is to quit, the more they will smoke in adulthood, and the more harm is done to their health. Someone who starts smoking at age 14 or younger is five times more likely die of lung cancer than someone who starts smoking at age 24 or older, and fifteen times more likely to die of lung cancer than someone who never smokes.

Q3. Why do we need a ban on tobacco displays?

A. A display ban is about stopping advertising to young people not stopping adult smokers buying tobacco or shops selling it. 15,000 young people take up smoking every year in Scotland, and tobacco kills half of its long term users.

The removal of tobacco displays from our shops will close a loophole that allows tobacco to be advertised. Tobacco is strongly associated with leading to young people experimenting with smoking and young people, unlike adult smokers, tend to smoke the most visible and actively marketed brands of cigarettes.

Tobacco companies have invested heavily in packaging and increasing the number of types of cigarette brands since advertising was banned. For example in 1998, there were five variants of the Mayfair brand but by 2008 the brand was available in seventeen formats. The increased number of different types of the same brand means greater visibility and bigger promotional displays.

We can use other means, such as information and education campaigns, to tackle social factors that lead to smoking such as peer pressure, and displays we can tackle through legislation. Even if we did everything humanly possible to restrict the availability of tobacco to children and young people, they'd still be continually exposed to powerful tobacco marketing activity every time they went into a shop - unless we act to remove promotional displays.

Q4. What evidence is there to show removing tobacco displays will reduce youth smoking?

A. There is compelling research evidence that shows young people are influenced by tobacco displays, that these displays promote smoking to children and young people, and are a factor in young people experimenting with cigarettes. There is evidence from countries that have introduced similar policies that it can help to reduce youth smoking when used within a package of measures.

The highly addictive nature of tobacco, while not being responsible for the first cigarette that a smoker tries, does lead many young people who experiment with smoking to become addicted. A child who starts smoking at age 14 or younger is fifteen times more likely to die of lung cancer than someone who never smokes.

We know that the advertising, promotion, and marketing of products works. Promotional displays of cigarettes market tobacco to young people despite it being a lethal product.

Q5. What about the cost and disruption removing promotional displays could cause?

A. Removing displays is a health measure. The cost to health, lives and the NHS must be weighed up against the one-off costs of removing displays and introducing new storage. The change to point of sale displays will not be introduced until 2013 for small retailers to allow for a long lead-in time that could be planned into general redesign and maintenance plans.

Removing these displays will give retailers an opportunity to free up the prime space that takes pride of place in every shop, and rent it out to other companies who want to promote their products. There are many solutions for cigarette storage from simple drawers, cabinets, and overhead hangers to retail automated machines.

Q6. Why ban cigarette vending machines?

A. By banning vending machines, the availability of cigarettes to young people is reduced and the tobacco bill is about preventing young people smoking. Latest statistics show that 10% of 15 year old and 13% of 13 year old smokers say they use vending machines as a source of obtaining cigarettes. No other age restricted product is available in a self service machine.

Banning vending machines does not stop outlets such as bars or hotels or wherever stocking and selling tobacco from the premises, only from having a vending machine.

Q7. Why do we need retailers who sell tobacco to go on a register?

A. A tobacco register will mean that all outlets selling tobacco, from large supermarkets to small mobile shops, will be registered and be on an even playing field for the first time. A register will mean trading standards officers who enforce the law know where tobacco retailers are located so they are able to offer information, advice, and support as well as carry out enforcement work.

Q8. Why do we need new penalties for those who break the law?

A. For the first time retailers will face clear and immediate penalties including Fixed Penalty Notices and Banning Orders when they are found by trading standards officer to be selling tobacco to under-18s. At present the only route for enforcement officers is through the costly and time consuming court system which has led to very few prosecutions. The new penalties will give enforcement officers new tools to enforce existing tobacco sales law and act as a deterrent to those who sell to underage people.

If a retailer is consistently found to be selling to under-18s then they can be banned from selling tobacco for a period of time. Responsible retailers who do not sell to under-18s will benefit from this crackdown on rogue retailers.

Q9. What backing do the proposals in the tobacco bill have from the public?

A. There have been several independent opinion polls carried out and they all show strong majority support for the policies. There is no doubt that the public would like to see children protected from the harms of smoking.

A YouGov plc opinion poll carried out across Scotland in March this year found removing retail displays of tobacco was supported by 57% of those surveyed; the possession of a valid licence as a prerequisite to selling tobacco was supported by 89%; and the suspension of a licence for more than one offence was supported by 86%.

Q10. What other discussions have there been around the tobacco bill?

A. Those that have been involved in discussing the bill including the tobacco industry, retailers, health and professional organisations, and politicians have brought up a number of other suggestions that could become part of the tobacco bill.

One suggestion is outlawing proxy purchasing. This would mean making it illegal for adults to buy cigarettes for under-18s, as it is with alcohol. There has also been a proposal that it should be against the law for young people to buy tobacco as it is for alcohol. At present it is only unlawful to sell tobacco, not to buy it if you are under-18.