

ash. political
action on smoking and health **bulletin**

Welcome to the ASH political bulletin, the second in a series of regular political briefings from Action on Smoking and Health (ASH).

ASH is a campaigning public health charity working for a comprehensive societal response to tobacco aimed at achieving a sharp reduction and eventual elimination of the health problems caused by tobacco. 115,000 people per year die from smoking-related diseases in the UK and tobacco is a major cause of illness and health inequalities. Tobacco is a powerfully addictive drug that most of its users would like to quit using.

What we want...

- Raising tobacco prices through the tax system
- Tackling smuggling and the role played by tobacco companies in promoting it
- A comprehensive NHS response to nicotine addiction and support for cessation
- Major public communications programmes aimed at encouraging all smokers to quit and non-smokers not to start
- Increasing provision of smoke-free places – at work, in public places, and through persuasion and awareness-raising, in the home – with a view to eliminating all involuntary smoke exposure
- Consumer protection measures such as improved warnings, comprehensive risk communication; plain packaging, bans on misleading claims, control over retailers
- Regulation of tobacco as a dangerous drug with controls over the contents of cigarettes and smoke, and any health claims made in relation to tobacco and nicotine
- Harm reduction strategies for those who cannot or will not stop using nicotine

We are always happy to help decision-makers with information, briefing, policy analysis and comment. Don't hesitate to get in touch.

Our contact details are:

- www.ash.org.uk contains a comprehensive database of information on smoking and tobacco control issues. It includes factsheets and reports dealing with statistics, science and policy issues.
- Ian Willmore (Public Affairs Manager) can also be reached on 078 8764 1344 or ian.willmore@ash.org.uk
- **ASH Scotland** 0131 225 4725
- **ASH Wales** 029 2064 1101



Culture Secretary Tessa Jowell is known to be supportive. Alan Milburn, the new Cabinet policy overlord and Chancellor of the Duchy of Lancaster has previously backed action on secondhand smoke. But Health Secretary John Reid has so far appeared to be an obstacle to progress, claiming in one speech that smoking is just an “obsession of the learned middle class” – for which read a matter of concern to health professionals and other people who know what they are talking about. I very much hope that he will conclude in the end that there are no good alternatives to ending smoking in the workplace if the Government is really serious about cutting smoking rates. There is otherwise a real danger that the Government will present a public health version of the Grand Old Duke of York story – talking up the importance of public health and then losing its nerve when it comes to proposing action.

Meanwhile opponents of action on secondhand smoke are drinking in the Last Chance Saloon, literally in the case of the major pub chains. As this Bulletin shows, the big five chains have now produced their own proposals for restricting but not ending smoking on their premises. But they cover fewer than half the country’s pubs, and their plans would still expose their staff and customers to unacceptable health risks.

Now is the time for those who want to reduce the terrible toll of death and disease still caused by smoking – to smokers and non-smokers alike. There may never be a better opportunity. Politicians and decision-makers who care about tobacco control should be lobbying hard for a clear commitment to legislation on smoking in the workplace to be included in the White Paper.

Deborah Arnott
Action on Smoking and Health

The director writes....

The moment of truth nears for the Government over smoking and public health.

A White Paper on public health is now in preparation, and is due to be published in November. The Government is now trying to decide whether to propose new legislation to end smoking in the workplace. This could come through giving local Councils new powers to act in their areas, or, as ASH would prefer, through legislation on the Irish model covering the whole country.

An end to smoking in the workplace is the essential next step in tobacco control work. Derek Wanless in his report to the Government on public health issues suggested that it might lead to a fall in smoking prevalence from around one in four adults to just over one in five, roughly what could be expected if the price of a packet of cigarettes were to be doubled.

“Securing Good Health for the Whole Population”, box 4.2

www.ash.org.uk/html/press/040225.html

It has been reported in the media that No.10 are sympathetic to the idea of local legislation.

Pub Trade Splits Over Last Try to Stave Off Anti-Smoking Law

The British pub trade has split dramatically over the prospect of a new law ending smoking in the workplace – including hospitality venues.

Five of the biggest pub companies, controlling about 22,000 out of 55,000 outlets in Britain, have abandoned the current “Public Places Charter” initiative and promoted their own scheme in the hope of staving off legislation. The five companies are:

- Enterprise Inns
- Mitchells and Butlers
- Punch Pub Company
- Scottish and Newcastle Pub Enterprises
- Spirit Group

They are promising to end smoking at and behind the bar area of pubs by the end of 2005, and to move from 35% smokefree trading floor space at the end of 2005 to 80% smokefree by the end of 2009.

But ASH has slammed the new plans as “utterly inadequate” to protect the health of pub workers and members of the public. Smoking and non-smoking areas cannot be effectively separated, since smoke drifts. Pub employees will still have to work in smoking areas, threatening their health. And the scheme does not cover more than half the country’s pubs.

If the pub trade manages to stave off legislation covering their businesses, it will effectively be impossible for the Government to ensure adequate protection for non-smokers in other workplaces where smoking is still permitted. ASH and Thompsons solicitors, the UK’s largest trade union and personal injury law firm, are working to identify possible compensation cases against hospitality trade employers under the Health and Safety at Work Act. If the Government does not legislate, these cases will be vigorously pursued.

The pub companies have claimed that an end to smoking in the workplace could cost the UK economy £3.5 billion. This is flatly contradicted by, among others, the Government’s Chief Medical Officer, whose latest annual report estimates that a policy of creating smokefree workplaces in the UK would bring a net benefit to society of between £2.3 and £2.7 billion a year, equivalent to treating 1.3 to 1.5 million people on hospital waiting lists.

ASH Director Deborah Arnott comments:

“This is a last desperate throw of the dice by the biggest players in the pub trade. They spin their plans as a smokefree initiative. But they are nothing of the kind. They will still leave their non-smoking customers gasping. They will fail to protect pub workers from the grim toll of death and disease caused by breathing in other people’s smoke. Finally, this proposal would leave more than half the country’s pubs unaffected. The pub trade seems not to care about public health or the safety of their staff or their non-smoking customers.”

Research released by the Scottish Executive on Thursday 9th September refutes claims from sections of the pub trade that an end to smoking in hospitality venues would be bad for business.

The research, by economists at Aberdeen University, suggests that an end to smoking would benefit the industry by £196 million a year, and save the Scottish economy £299 million a year.

The study cites higher productivity, fewer fire risks and a fall in redecoration costs as major benefits to the trade, and big cuts in NHS spending as a benefit to the whole economy

<http://www.theherald.co.uk/news/23806.html>

SmokeFree Liverpool

Smokefree Liverpool was launched on March 25th 2004. The campaign aims to reduce smoking-related deaths in the city by creating safe places for people to work and relax without being exposed to second-hand tobacco smoke.

Liverpool has double the national average of lung cancer incidence, a level which itself ranks amongst Europe’s highest. Smoking, poor diet and pollution are all contributory factors and each year 1,000 people die in Liverpool from smoking-related diseases: 100 of them have never smoked a cigarette in their lives.

Smokefree Liverpool is a partnership of local health and community organisations including the Roy Castle Lung Cancer Foundation whose founder died 10 years ago as a result of exposure to second hand tobacco smoke.

Over the next three years SmokeFree Liverpool will work closely with employers to create a smokefree environment for all its employees as well as the public.

Smokefree Liverpool will provide:

- Support to develop and introduce a policy on smoking at work
- Support for smokers to quit once the policies have been introduced
- Reward successful smokefree policies with the National Clean Air Award

Bars, restaurants, pubs, clubs and other workplaces across the city will be encouraged and supported to introduce no-smoking policies to enable Liverpool to become a Smoke Free City by 2008, the year the city celebrates its status as European Capital of Culture

European Law on Tobacco Products “Contradictory and Illogical” ASH Warns

The European law which currently makes a certain type of smokeless tobacco illegal is likely to be upheld, according to an official opinion issued on 7th September this year by the European Union’s Advocate General. The European Court of Justice will make a formal ruling on the subject within the next few months but the Advocate General’s preliminary opinion can be seen as a guide to the way the court is likely to rule on this matter.

The case was brought by Swedish Match, the principal producer of a type of oral snuff known as snus. Under EU law, Sweden is the only country in the European Union where this form of smokeless tobacco is permitted. Swedish Match challenged the law arguing that it was discriminatory and unjustified given that cigarettes and other forms of tobacco are more hazardous to health.

Article 8 of the [Tobacco Regulation Directive \(2001/37/EC\)](#) provides that: *“Member States shall prohibit the placing on the market of tobacco for oral use as defined in Article 2(4)”. Article 2(4) defines “tobacco for oral use” as “all products for oral use, except those intended to be smoked or chewed, made wholly or partly of tobacco, in powder or particulate form or in any combination of these forms – particularly those presented in sachet portions or porous sachets – or in a form resembling a food product.”*

ASH believes the ruling demonstrates the need for a fundamental review of the way in which tobacco products are regulated within the EU.

ASH Director Deborah Arnott comments:

“The Advocate General’s opinion does little to resolve the contradictory, illogical law on tobacco which leaves cigarettes legal while snus, which is over 100 times less harmful, is banned.

Whatever the outcome of the European Court’s final ruling, this case demonstrates the need for an independent tobacco regulatory body. One of the key roles of such a body would be to set standards for the levels of toxins and carcinogens in all nicotine products. Additionally, the regulator should have powers to ensure that the promotion of all tobacco products is strictly controlled to prevent them being promoted to attract new users.”

Imperial Coughs to Breach of Ad

Imperial Tobacco has admitted breaching the UK law banning tobacco advertising and promotion.

In August 2003, five months after the Tobacco Advertising Act came into force, Imperial began inserting ‘Supertrivia’ cards in packs of Superkings cigarettes, which included examples of past Superkings ads on one side and trivia questions on the other.

Following a complaint, Bristol Trading Standards Officers investigated and ruled that the inserts constituted an advertisement under the Act.

Smoking at Work

New analysis by ASH of Government statistical surveys shows that secondhand smoke is a far more common workplace problem than is generally believed. More than two million people still work in workplaces with no restrictions on smoking at all. Another ten million people work in places where smoking is allowed somewhere on the premises.

ASH Director Deborah Arnett has described the new figures as “*shocking evidence confirming that tobacco smoke is now the top polluting health and safety hazard in British workplaces*”. Workplace exposure to tobacco smoke extends far beyond pubs and clubs, which in total employ about a third of a million people.

The figures were calculated using the Government’s Labour Force Survey for 2003 and the National Statistics Omnibus Survey, smoking-related behaviour and attitudes module, carried out in October and November 2003. The results have been verified by the Office for National Statistics.

- 2,182,000 people work in places with “*no restrictions on smoking at all*”. This is 8% of those in work in Great Britain
- 10,366,000 people work in places where smoking takes place in “*designated areas*”. This is 38% of those in work.

In May this year, Professor Konrad Jamrozik of Imperial College London estimated for a conference of the Royal College of Physicians that inhaling second-hand smoke at work may cause about 700 hundred premature deaths a year. This is three times the number of people killed in all industrial accidents in the UK.

ASH has also calculated exposure figures by region (table 2 on next page). Scotland and Wales have the highest proportion of employees in workplaces with no smoking restrictions (10%, compared to the figure for all GB of 8%) and Wales has the smallest proportion of employees in non-smoking workplaces (37% compared to 50% for all GB).

For more information go to:

www.ash.org.uk/html/factsheets/html/fact14.html

www.hse.gov.uk/press/2003/c03065.htm

In table 1, on opposite page, percentages are from Smoking Related Behaviour and Attitudes. Numbers are obtained by applying percentages to Labour Force Survey figures. Sub-totals and totals do not match perfectly due to rounding.

(All second row figures in 1000's)

	Managerial and Professional	Intermediate Occupations	Routine and Manual	Not Classified	TOTAL
MEN					
No smoking at all	53% 3,208	40% 1,103	35% 1,869	29% 147	44% 6,450
Designated areas only	38% 2,300	17% 469	51% 2,723	62% 314	40% 5,743
No restrictions at all	6% 363	23% 634	10% 534	10% 51	11% 1,612
Don't work in building with others	2% 121	20% 552	4% 214	0% --	6% 879
WOMEN					
No smoking at all	59% 2,803	61% 1,876	55% 2,263	44% 299	57% 7,194
Designated areas only	37% 1,756	29% 892	36% 1,481	49% 333	36% 4,543
No restrictions at all	2% 95	4% 123	8% 329	3% 20	4% 505
Don't work in building with others	2% 95	6% 185	1% 41	3% 20	2% 252
ALL					
No smoking at all	56% 6,050	52% 3,034	44% 4,160	38% 451	50% 13,639
Designated areas only	38% 4,105	24% 1,400	44% 4,160	54% 641	38% 10,366
No restrictions at all	5% 540	12% 700	9% 851	6% 71	8% 2,182
Don't work in building with others	2% 216	12% 700	3% 284	2% 24	4% 1,091

Table 2 shows smoking restrictions by region. Percentages are from Smoking Related Behaviour and Attitudes, numbers are calculated by applying percentages to Labour Force Survey regional table of all workers (supplied by ONS).

(second row figures all in 1000s)

	Don't Work in Buildings with others	No Restrictions at all	Designated areas only	No smoking at all
North East	43 (4%)	43 (4%)	455 (42%)	542 (50%)
North West	155 (5%)	280 (9%)	1181 (38%)	1491 (48%)
York & Humber	47 (2%)	210 (9%)	908 (39%)	1165 (50%)
East Midlands	81(4%)	121 (6%)	827 (41%)	989 (49%)
West Midlands	24 (1%)	290 (12%)	1014 (42%)	1110 (46%)
East of England	109 (4%)	163 (6%)	1087 (40%)	1387 (51%)
London	69 (2%)	275 (6%)	1065 (31%)	2027 (59%)
South East	161 (4%)	241 (6%)	1448 (36%)	2172 (54%)
South West	171 (40%)	195 (8%)	877 (36%)	1193 (49%)
Wales	40 (3%)	132 (10%)	553 (42%)	487 (37%)
Scotland	72 (3%)	240 (10%)	864 (36%)	1224 (51%)
Total	1091 (4%)	2182 (8%)	10366 (38%)	13639 (50%)

Young people and Smoking

Smoking statistics show that more established smokers are quitting but an alarming trend shows that just as many young people are taking it up. More than 80% of smokers take up the habit as teenagers. About 19% of boys and 25% of girls are regular smokers despite the fact that it is illegal to sell cigarettes to children under 16.

World Health Organisation studies show that this trend is occurring across Europe. The proportion of 15 year olds who smoke tobacco at least once a week ranges from 33 percent in Austria to 16.5 percent in Portugal. A 2003 survey carried out in England by the Department of Health found that 15 percent of 15 year olds were regular smokers (at least one cigarette a week).

What factors influence children to start smoking?

In the United Kingdom about 450 children start smoking every day. Parents are role models for the young and are a main source of primary socialisation. Their influence is paramount, particularly in the pre-school phase of a child's life. Children are three times as likely to smoke if both of their parents smoke and parents' approval or disapproval of the habit is also a significant factor. It has been shown that cutting the number of children taking up smoking depends on reducing smoking among adult role models. De-normalising smoking in the adult world is the best way to tackle youth smoking.

Numerous studies have also shown that most young smokers are influenced by their friends and older siblings smoking habits.

Cigarette smoking and socio-economic group

There is a strong link between cigarette smoking and socio-economic group.

It is notable that the gradient between smokers and non-smokers becomes steeper when a wider range of determinants of disadvantage is taken into account.

Research in 2002 revealed an association between socio-economic group and the age at which people started to smoke.

- in the managerial and professional households, 30% had started smoking before they were 16
- in routine and manual households, 43% had started smoking before they were 16

Smoking and health

As more young people start to smoke, especially young women, we are starting to see health problems normally associated with older smokers. New research from a study of 23,000 non fatal heart attacks found that smokers under the age of 40 are five times more likely to have a heart attack than non-smokers, with women at an even higher risk (WHO MONICA Project Populations Tobacco Control 2004).

Health inequalities are further increased due to the large number of people in lower income groups who are exposed to other people's smoking. Passive smokers suffer an increased risk of a range of smoking-related diseases, such as heart disease and lung cancer with 17,000 under the age of five being admitted to hospital every year because of the effects of passive smoking.

Doctors' Study Produces Final Results after Fifty Years

Fifty years ago ASH President Sir Richard Doll was one of the group of scientific pioneers who first confirmed the link between smoking and lung cancer. At the time four fifths of British adults smoked and even though morbidity from lung cancer had been increasing every year from the beginning of the 1900s, the link between the rising rate of lung cancer and smoking had yet to be established.

At first Sir Richard thought it may be due to the tar on the roads, as tar is carcinogenic, but after interviewing 700 lung cancer patients it emerged that smoking cigarettes was the reason for the high percentage of lung cancer. A further study of 35,000 doctors over three years confirmed the earlier hypothesis.

This year, The British Medical Journal published the latest results from the famous “doctors’ study”, that tracked the smoking habits and mortality rates of almost 35,000 doctors from 1951 to 2001. This is one of the most important public health studies ever conducted, and over five decades has provided conclusive proof of the appalling toll of preventable death and disease caused by smoking.

Since the study began, smoking has killed about 100 million people worldwide. During the present century there will be about a billion tobacco deaths if current smoking patterns continue.

The latest paper, by Professor Sir Richard Doll, Professor Sir Richard Peto, Jillian Boreham and Isabelle Sutherland, shows that stopping smoking increases life expectancy with immediate effect:

- stopping at age 60 gives an average 3 extra years of life
- stopping at age 30 gives an average 10 extra years of life.

The difference in life expectancy between smokers and non-smokers has increased sharply since the start of the study. Non-smokers now live longer because of economic and social development and medical advances, but smokers still die as young as ever.

For more information go to:

(<http://bmj.bmjournals.com/cgi/content/abstract/bmj.38142.554479.AEv1>)

Smoking and Councils: The Definitive Guide to Local Action

The Chartered Institute of Environmental Health (CIEH) and ASH have produced the definitive guide for local Councils seeking to take action on smoking in their areas. The two organisations have produced the “*Achieving Smoke Freedom Toolkit*”.

The new guide is designed to equip local authorities with all the information they need to allow them to push for all workplaces and enclosed public places in their areas to go smoke free. It shows that local Councils have many relevant powers and opportunities for action – but that the Government still needs to change the law on smoking in the workplace to ensure that Council action can be fully effective.

Many Councils around the country are now considering action on smoking, usually through their scrutiny processes. **Any Council engaged in such scrutiny should use the CIEH/ASH toolkit** – copies have been sent to every Council Chief Executive and NHS Primary Care Trust in the country.

The guide can be viewed online at

<http://www.cieh.org/research/smokefree/>

and copies are available from ASH.

Its contents include:

- A comprehensive legal guide to local Council powers and functions in relation to smoking
- A paper explaining why smoking should be a priority for your Council
- A draft Smokefree Charter for Councils and their health partners to publish stating their determination to reduce the harm done by smoking to their local residents
- A template for local Council action, setting out progressive steps over the short, medium and long term
- Examples of good practice from around the country, with samples of publicity materials etc.

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