

SCOTTISH MINISTERIAL WORKING GROUP ON TOBACCO CONTROL

MINUTES OF MEETING ON 11 November 2015

Present

Chair: Maureen Watt, Minister for Public Health

Members:

Prof Linda Bauld – University of Stirling
Moyra Burns – Scottish Health Promotion Managers
Sheila Duffy – Chief Executive, ASH Scotland
Prof James Friend – Fellow of the Royal College of Physicians of Edinburgh
Celia Gardiner – Tobacco Programme Manager, NHS Health Scotland
Councillor Peter Johnston – COSLA
Louise Macdonald – Chief Executive, Young Scot
Abdul Qadar- National Federation of Retail Newsagents (Scotland)
Dr Alison McCallum – Director of Public Health NHS Lothian
Dr James Cant – British Heart Foundation
David McNeill – Young Scot
Gregor McNie – Cancer Research UK
Helen Reilly – Public Affairs Officer, BMA
Garrick Smyth – COSLA
Craig Somers – Chief Officers of Environmental Health Group
David Thomson – Scottish Chief Officers of Trading Standards
Dr Andrew Fraser – Director of Public Health Science, NHS Health Scotland
Prof Sally Haw – Centre for Public Health & Population Health Research, University of Stirling

Apologies

Heather Dick – The Royal Environmental Health Institute
Geoff Earl – Royal College of Nursing
Prof Gerard Hastings – Centre for Tobacco Research, University of Stirling
Doug McLean – Lead for Excise Disruption, HMRC
David Martin – BRC
Paul Waterson – Scottish Licensed Trade Association
Peter Cheema – Scottish Grocers Federation
Irene Johnstone, British Lung Foundation
Prof Amanda Amos – University of Edinburgh

SG Officials:

Fiona Dunlop – Tobacco Control Team
John Glen – Tobacco Control Team
Daniel Kleinberg – Acting DD.....
Siobhan Mackay - Team Leader Tobacco Control Team
Rebecca Shevlin – Tobacco Control Team
Craig Kellock - Scottish Government Analytical Services Division

ITEM 1: Welcome & Introductions

1. **The Minister** welcomed everyone to the meeting and noted that the observance of a two minute silence would take place at 11.00.a.m.

2. **The Minister** acknowledged receipt of further written Article 5.3 declarations and asked Members to declare if there were any additions to the statements previously provided. The Group indicated that there were no further changes to report since the previous meeting.

3. **The Minister** noted the Apologies and that the Minutes of the last meeting of the Group held on 24 March 2015 had been cleared in advance of the meeting. There were no additional comments on the Minutes. **The Minister** advised the Group of changes to its membership and welcomed those new members to the Group. **The Minister** noted that the Strategy Progress Report had been circulated to members and invited Members to make comments throughout the meeting and provide feedback to the Tobacco Control Team with any thoughts on the Report. She also noted that this continues to be a varied and fast moving policy area and thanked the members for their continued work to reduce the harm caused by tobacco. There had been significant developments since the last meeting for example:-

- The Health Bill had been introduced to Parliament covering among many things a range of measures to regulate electronic cigarettes and strengthen tobacco control measures.
- A Private Bill to restrict smoking in cars where children are present had been introduced to Parliament.
- Scottish Government continues to work closely with the UK Government in preparation for the implementation of the revised Tobacco Products Directive and Standardised Packaging regulations.

ITEM 2: E-Cigarettes : Latest Evidence and Discussion

4. **Professor Linda Bauld** gave an overview of the latest developments around e-cigarette evidence. A copy of her presentation has been circulated with these minutes. **Allison McCallum** reported the latest discussions amongst the Directors of Public Health and Health Promotion Managers regarding their position statement on e-cigarettes. The statement would include the message that e-cigarettes are a safer alternative to smoking and were a useful part of any harm reduction strategy. Consideration was being given to what the statement might say with regard to use in front of children, in pregnancy and in enclosed settings.. **Dr Andrew Fraser** advised on work being undertaken to develop guidance for smoking cessation services around e-cigarettes and the work on the NHS Health Scotland e-cigarette position statement.

5. Following discussion, there was broad agreement across the Group that the purpose of any NHS advice on e-cigarettes would be to give a clear guidance to service practitioners on how to engage with e-cigarette users. There was concern

that multiple statements could risk creating more confusion than they might seek to address. There was broad agreement that the statements being prepared by NHS HS and Directors of Public Health should complement each other and **Siobhan Mackay** suggested that consideration might be given to the possibility of a joint statement.

ACTION: NHS HS, Directors of Public Health and Scottish Government should explore the potential for a joint statement on e-cigarettes.

ITEM 3: Update on Strategy Progress, legislation, latest statistics and Discussion

6. **Siobhan Mackay** reported that on 15 December 2014, Jim Hume, MSP, had introduced his Private Members Bill on smoking in cars. The Scottish Government had made clear that it supported the principles of the Bill. The Bill received unanimous support at Stage 1. The Health and Sport Committee's Stage 2 consideration of the Bill was due to be held on 17 November 2015.

7. In June 2015, the Scottish Government had introduced the Health (Tobacco, Nicotine Etc. and Care) (Scotland) Bill. The Bill contains the following measures:

- Minimum age of 18 for the sale of NVPs (nicotine vapour products),
- Prohibition of sales of NVPs from vending machines,
- The purchase of NVPs on behalf of an under 18 (proxy purchase),
- Mandatory registration for the sale of NVPs,
- Banning certain forms of domestic advertising and promotion of NVPs,
- An age verification policy for sales of tobacco products and NVPs,
- Banning unauthorised sales of tobacco and NVPs by under 18s,
- A smoke-free perimeter around buildings on NHS hospital sites,

8. She confirmed that the Committee had completed their Stage 1 consideration of written and oral evidence and published their report on 9 November 2015. This demonstrated clear support for the Bill and made some recommendations for Scottish Government to consider.

9. **Siobhan Mackay** spoke to the Strategy update, which had been provided to the Group in advance of the meeting, and thanked Members for their input across a range of actions. Examples include The ASSIST peer led project which was being progressed by Tayside, Lothian and Greater Glasgow and Clyde Boards. This was progressing well and receiving positive feedback from both teachers and the young people involved. The display ban had been introduced for small shops in April and compliance levels were high. Further consideration needed to be given to a review of the Tobacco Register as set out in the current Strategy and also the audit of Article 5.3 compliance. The "Take it Right Outside" campaign had been re-launched

by the Minister in October. ASH Scotland was undertaking “Second Hand Smoke” training work which complimented the campaign message. The “Green Curtain Campaign” had been developed by NHS HS and launched by the Minister in March to promote the national smokefree grounds policy. Scottish Prisons Service was leading work on smoke free prisons and it was reported that NHS Health Scotland had produced a prison cessation specification. The Heat target had been a particular challenge for Boards but this should be seen in the context of significant reduction in smoking prevalence from 23% to 20% during 2013 and 2014. Scottish Government continues to work with NHS Health Scotland and NHS Boards around the recommendations of the smoking cessation review.

10. **Craig Kellock** gave a progress update on the latest statistics regarding the 2034 target and smoking prevalence. A copy of his presentation is attached to this minute.

ITEM 4: Update on Packaging Evidence

11. **Sheila Duffy** presented to the group an update on plain packaging and dispelled some of the myths put forward by those that objected to the measure. A copy of her presentation is attached to this minute.

ITEM 5: PREVENTION SUB-GROUP

12. **Louise Macdonald** gave a verbal update on the work of the Sub-Group on Smoking Prevention. There has been significant progress to report. Work was progressing well, co-ordinated by NUS Scotland, focussing on student campuses in Higher Education (HE) and Further Education (FE), to embed tobacco control within the mind set of educational establishments. Uptake had been particularly encouraging. A new youth work strategy had been developed. An Education Policy Summit had taken place on 14 April 2015 which looked at embedding smoking prevention more substantively into Curriculum for Excellence (CfE) and wider learning. The ‘ASSIST’ Pilots were up and running and the Group would keep a watching brief on developments. An insight day had taken place looking specifically at inequalities. The Group would now take stock and a progress report would be submitted to the Minister before the end of the year. One task would be to link into the work relating to “Fairer Scotland”. She confirmed that the focus of the Group going forward would be on inequalities. Work was also on-going with the audit of local tobacco control plans.

13. In June 2015 an initial meeting was held between Tobacco Policy team from Scottish Government and the Improvement Services to consider opportunities to align the national requirement for local tobacco action plans to the work of the Improvement Services with local authorities and Community Planning Partnerships.

14. It was agreed that there were opportunities to raise awareness of the importance of tobacco control with local authorities and community planning including looking at the impact of tobacco on local communities and the potential for tobacco control actions to contribute to achieving broader performance indicators and outcomes within the council including reducing inequalities in health.

15. A subsequent meeting in October focused on Community Planning Partnerships and linking tobacco control with the work of the Improvement Services are involved in across a small number of local authorities on developing Community Planning Outcomes Profiles. This will provide better and more consistent data for CPP boards to support them: assess if the life of their community is improving over time.

16. **David McNeill** tabled an update paper on the Young Scot and PASS entitlement card.

ITEM 6: Enforcement Group Update

17. **David Thomson** provided the Group with an update on enforcement activities. He explained that the failure rate on test purchases was down from 12% the previous year to 8%. A copy of the full report is attached.

18. He gave an update on the work to identify illicit tobacco and indicated that Dixie the tobacco sniffer dog had taken part in a number of successful seizures. He also referred to the briefing paper produced by West of Scotland Age Restricted Products Group in order to gauge compliance with the requirements of the display ban. The main findings included 89% compliance among retailers. The survey also revealed that 95% of premises spent less than £250 on adjusting their display to comply with the ban.

ITEM 11. AOB AND DATE OF NEXT MEETING

19. There were no additional substantive items. The Minister confirmed that Secretariat would circulate a date of the next meeting to members once finalised.

Tobacco Control Team
November 2015