

# After the smoke has cleared

Scotland's tobacco control  
legislation

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# Acknowledgement

- In presenting this talk I wish to pay tribute to the creativity and hard work of many in the Scottish Government eg Pam Whittle, Sarah Davidson, Roger Williams, Molly Robertson, Mary Cuthbert
- and NHS Health Scotland eg Sally Haw and Laurence Gruer
- Academic Colleagues eg Jill Pell and Candice Curry
- And past and present Ministers and Members of the Scottish Parliament



# What was the problem?

- Scotland's indifferent health record
- High mortality in working age men and women
- Lung cancer, COAD, IHD
- Marked health inequalities by socioeconomic status
- Half to two thirds of these explained by differences in cigarette smoking rates



# A Breath of Fresh Air for Scotland

- Executive's first ever tobacco control strategy, published in January 2004
- Highlighted risks of passive smoking
- Committed to public dialogue on issue
  - Test public opinion
  - Generate debate
  - Raise awareness
  - Provide robust evidence base for Ministers



## DEPUTY HEALTH MINISTER

“We will sponsor a major debate on actions to minimise the impact of second-hand smoke”

“Smoke-free Scotland might be a long-term vision, but it is a vision that demands our action”



## BBC NEWS JANUARY 2004

“Full smoking ban not in the pipeline”

First Minister Jack McConnell has already revealed his opposition to an outright ban on smoking in public places



# First Minister: 10 November 2004

“The time has come to accelerate our action on health improvement”

“I am proud to announce today that we will, with your support, introduce a comprehensive ban on smoking in enclosed public places”



# Consultation and Evidence Gathering

Four-stage work programme

- Awareness raising of health issues
- Research into current smoking policies; impact of passive smoking on morbidity and mortality in Scotland; and impact of regulation
- Public consultation
- Post consultation analysis and advice to Ministers on future action









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# Outcome

- 53,474 responses – over 1,000 from businesses and organisations
- 80% of respondents would support legislation
- Consultation supplemented international research and Scotland-specific research
- Together they provided robust evidence base for Ministerial decisions
- Level of response promoted confidence in decisions reached
- Smoking, Health and Social Care (Scotland) Bill introduced 16 December 2004



# Understanding the opposition

- Tobacco industry never directly fights the case
- Hospitality industry used as battering ram
- Create scares and undermine confidence



# Predictable tactics

- Three key lines of argument:
  - economic impact, ventilation & passive smoking
- Usual claims of decline in business
- Dispute science – call into question bona fides
- Ignore health and focus on business
- Shift focus from workplace to pub
- Selective use of 'evidence'
- Call for postponement – legislation unenforceable
- Call for compromise – focus on hard cases
- Threaten to break law and/or mount legal challenge



# Licensed trade press activity





# Engaging with the licensed trade

- Proactive engagement with trade press
- Rebuttal of arguments, reaffirming health backdrop & trading statistics
- Liaison with Ireland for latest economic stats
  - 2004 tax returns show 4.4% decline in volume sales
  - '06 monthly increase in takings
- SLTA & SBPA invited on National Implementation Group
- Constant intelligence gathering
  - weekly trade bulletins
  - evolving stakeholder positioning document
- Initial support from Wetherspoons & individual smokefree pubs



# It's a health matter

**“Smoking kills an average of 13,000 Scots per year.”**

**“Every day 35 Scots die ahead of their time because of smoking related diseases. This is our 35 a day habit and we have got to kick it.”**



**“Smoking is the biggest preventable cause of premature death in Scotland.”**

**“Up to 1,000 people lifelong non-smokers die each year in Scotland because of smoking related illnesses.”**





## ***PUBLIC RESISTANCE AND DOUBT***

# A SMOKE FREE SCOTLAND =

What do you think smoke-free would mean for Scotland?



Source: C2DE smokers & non-smokers, Glasgow



# OBJECTIVE

Resistors &  
Doubters



Supporters &  
Believers



Passive smoking is a nuisance,  
not a killer.



# AWARENESS AND UNDERSTANDING

SHS  
Nuisance → SHS  
Killer



- PR to stimulate debate.
- Mainstream “emotive” media (TV, Cinema).
- Ran from 28<sup>th</sup> November – 14<sup>th</sup> February
- Use of editorial platforms





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# WHO ARE WE TALKING TO?

GENERAL PUBLIC	BUSINESS	OPINION FORMERS	MEDIA
Smokers vs non-smokers ABC1s & DEs Young & Old Urban & Rural	Licensed Trade Agriculture Industry Public Sector Offices	Government Trade Unions Trade Bodies Charities Celebrities	Journalists Editors, etc







# BUSINESSES



# Business backing

- Enlisting backing from organisations across the country
- Broadening debate & taking argument away from the licensed trade
- Development of smokefree case studies for the website
- Supporters reception at Edinburgh Castle





# Scottish celebrities back the ban



# Leveraging celebrity support



# Consumer health messaging

- Feature driven activity
- Humanising the issue with passive smoking case studies
  - former bar staff
  - entertainers
- Air quality testing
- Exploiting calendar triggers
  - National No Smoking Day
  - Smokefree anniversaries
- Increasing emphasis on long lead consumer lifestyle titles



# Targeting consumer lifestyle titles





# Public support

- Demonstrating growing public support
- Figures released before Stage Three vote
  - 56% supported the legislation, primarily on the grounds that smoking is detrimental to health and that people disliked it
  - 83 % believe that passive smoking and second-hand smoke poses a sizeable health risk
  - 74% believe that action should be taken to reduce people's exposure to passive smoking and second hand smoke
- Increased from previous Executive research
- Competing with other research pieces (FOREST)





# THE MASS MEDIA CAMPAIGN

Door drop to all 2.3m households in Scotland, supported by press ads



4 weeks prior to implementation



# BUSINESS NOTIFICATION MAILER



## CORE MESSAGES:

- Purpose of the law.
- Obligations.
- Implications.
- Help and support.

# Targeting businesses

- PR support for Executive's business communication
- Core emphasis on SMEs
- Targeted via vertical trades, recruitment & business sections
- Third party/trade orgs backing
  - CBI Scotland, FSB
- Using aspirational entrepreneurs
  - Duncan Bannatyne
- Generated widespread multi-sector coverage ie.
  - Engineering Today
  - SLTN/Publican
  - Personnel Today
  - Facilities Management





Notification maker sent to 173,000 businesses in Scotland during July 2006.



"No Smoking" signage to be deployed in all premises as part of the 'no smoking' ban.



Full Clearance number, interactive signpost and sent to 173,000 businesses in Scotland during November 2006.

Full Customer helpline supported by mass advertising to ensure every business has received one.



All businesses will be exposed to the TV campaign through a 'consumer'.



Clearingtheairscotland.com web site up and running and available to all browsers and browsers in Scotland.



Wall-mounted  
ashtrays



Student unions,  
cafes





# Using media platforms



## Local Platforms



## Other Platforms



# THE MASS MEDIA CAMPAIGN

2 days to  
a smoke-free  
Scotland.

There's never been  
a better time to quit.

Smokeline Scotland 0800 84 84 84



0778 504974

0778 504974

**FREE**  
AIR FRESHENER  
**TODAY**



clearing the air 

**NO SMOKING**

IN ENCLOSED PUBLIC PLACES INCLUDING  
PUBS, CLUBS, CAFÉS, RESTAURANTS,  
HOTELS, COMMERCIAL VEHICLES,  
PUBLIC TRANSPORT AND MOST WORKPLACES.



26 March  
**2006**



[www.clearingtheairsotland.com](http://www.clearingtheairsotland.com)

0778 504974

0778 504974

1 week prior to implementation



# AIRPORT POSTERS IN ARRIVALS IN ALL KEY SCOTTISH AIRPORT







- **introduction went smoothly**
- **ban is being respected**
- **public enforced!**
- **early indications suggest positive effects on most businesses**



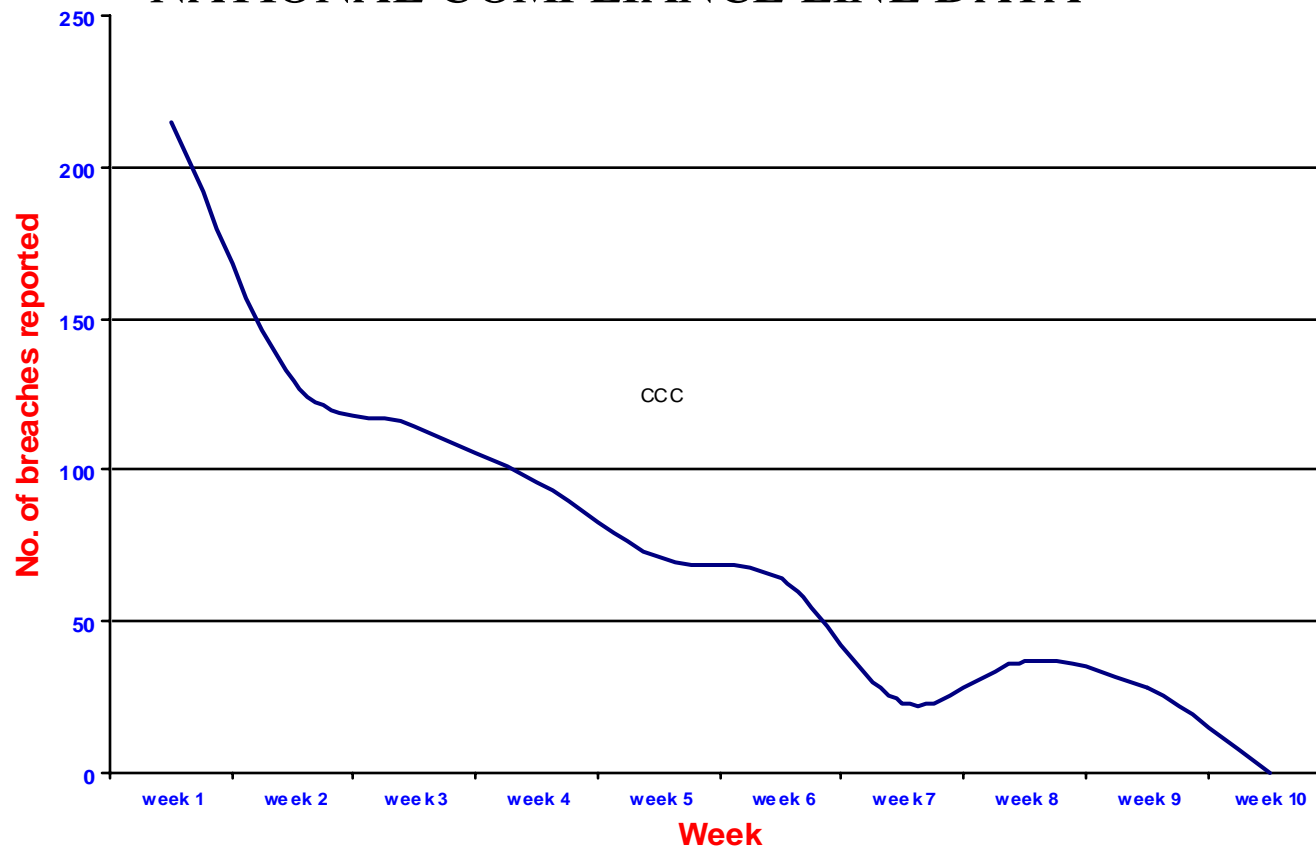
# NATIONAL COMPLIANCE DATA

## 26 MARCH – 30 APRIL

- 15,540 inspections of premises
- 99.4% compliance – no smoking
- Hospitality sector – 99.4%
- Technical infringements – signage – 73.7%



# NATIONAL COMPLIANCE LINE DATA



Week 9:

779 calls

543 alleged breaches



## PUBLIC OPINION

- 84% of 18-24 year olds think smoke-free Scotland 'something to be proud of'
- Omnibus survey May – post ban – sample with smoking prevalence at 44%
- 61% support
- 73% think it is successful or very successful



# Results

- In ten months following the smoking ban Scotlands experienced
- A 17 % fall in admissions for heart attacks
- A 39% reduction in second hand smoke exposure in 11 year olds and non smoking adults
- An 86 % reduction in second hand smoke in bars
- An increase in the number of homes with smoking restrictions
- High and increasing levels of support even amongst smokers



# SMOKING CESSATION

- 3 fold increase in calls to Smokeline
- Substantial rise in demand for help to quit – increased funding to NHS Boards to maximise benefits of ban
- Nicotine Replacement Therapy – sales double in Scotland. Glasgow +110%







**“Scots smoke ban pulls in new punters”**

**“Pub sales soaring despite ban on smoking”**



**“Welcome to a new, smoke-free day”**



**“Pub group toasts ban”**



**“Scottish pubs surf the smoking ban wave”**



**“Smoking ban boost for pub**



**“Smoking ban leads to upturn in pubs’ trade”**



# Why it happened

- Cross party political agreement
- A demonstrable assertion of devolution
- A signature issue for the administration/parliament
- Exemplary consultation and campaign
- The First Ministers visit to Dublin and lessons from NY
- Leadership



## Empowering effect of success

- Helped Northern Ireland, Wales and England introduce their own legislation
- Purchase age raised from 16 to 18 from 1/10/7.....here England helped us!
- Ministers and policy makers now more confident on other public health issues including alcohol and food.



