

Consultation Response



Consultation on the draft Smoking, Health and Social Care (Scotland) Act 2005 (Variation of age limit for sale of tobacco purchase and consequential modifications) Order 2007 February 2007

Introduction

Children in Scotland welcomes the opportunity to respond to this consultation on raising the purchase age for tobacco products from 16 to 18 years. This response is based on Children in Scotland's previous work in relation to smoking and on the views of our members.

We strongly support the proposal to raise the age at which young people can purchase tobacco legally, as it will help to reduce the availability of cigarettes to children and young people. It should also help to prevent some children and young people from starting to smoke. By doing so, Scotland will be allying itself with other countries, such as New Zealand, Canada and England, where the purchase age for tobacco will rise to 18 on 1 October 2007.

However, for the proposal to have real impact on the numbers of children and young people who smoke, an effective enforcement package will be required, as well as adequate support for young people to help them give up smoking. Furthermore, also essential is a continued effort by the Scottish Executive to educate people about the dangers of smoking and to facilitate a long-term cultural change.

Enforcement

To ensure that the proposal is a success, it is essential that it be accompanied by an effective package of enforcement measures. The Scottish Executive should explore the options for introducing stronger sanctions against those retailers who sell to underage people. Guidance and training for vendors will be required to make them aware of the law and the consequences of breaking it. Vendors should be encouraged to require proof of age and further thought should be given to proof of age cards for young people.

Availability

A large percentage of underage children and young people currently buy cigarettes from shops and retail outlets. Research shows that among regular underage smokers, almost all (86%) 15 year olds and almost two-thirds (62%) of 13 year olds reported buying cigarettes from shops.¹ Raising the legal age for purchasing tobacco to 18 years will make it easier for shopkeepers to spot smokers aged under 15 and therefore, it is likely to have the most impact on that age group. The Executive must create stronger incentives for retailers to be vigilant about identifying and refusing sales by underage individuals.

Cost

It would be useful to explore banning the sale of packs of less than 20 cigarettes. Packets of 10 cigarettes are more easily affordable for young people. Making such packs illegal could help to reduce the number of young people purchasing cigarettes. In Northern Ireland, the Public Health (Tobacco) (Amendment) Act 2004 has already made it illegal to sell packets of cigarettes of less than 20. We encourage the Executive to investigate the impact of this initiative in Northern Ireland.

¹ *Scottish Schools Adolescent Lifestyle and Substance Use Survey (SALSUS)*, ISD Scotland 2003

We also encourage serious consideration of the view stated in *Towards a future without tobacco: The Report of The Smoking Prevention Working Group* that states that raising taxes on tobacco is 'arguably the most effective measure that can be taken to reduce smoking by young people'.² By making cigarettes more expensive, they become less accessible to young people.

Support

If the purchase age for tobacco is raised, appropriate support must be made available not only for those 16 and 17 year olds who currently smoke, but also for younger teenagers. It is important to ensure that these services are developed to meet the specific needs of young people and *are developed in consultation with young people*.

Education

Legislation alone will not prevent young people from smoking. Great effort will be required by the Scottish Executive to bring about the cultural change that is essential for a long-term decrease in the number of young smokers. Children in Scotland congratulates the Executive the 2006 ban on smoking in public places. However, continued efforts are needed to educate and persuade children, young people and their families about the dangers of tobacco and the wisdom of not smoking. To be successful, it is *essential to involve children and young people* in the development of anti-smoking efforts.

Tobacco needs to be made less attractive to young people. So, it is also important that the Scottish Executive works with the UK government to reduce positive images of smoking in the media.

To discuss any of the points raised in this letter please contact Sheona Lawson on slawson@childreninscotland.org.uk or 0131 222 2412.

² *Towards a future without tobacco: The Report of The Smoking Prevention Working Group*, Scottish Executive 2006