

ASH Briefing: No review for England's smokefree regulations

Government commitment on smokefree legislation

Health Minister Anne Milton announced at the Kings Fund on 28th July 2010 that there would be no review of the Health Act 2006, which prohibited smoking in enclosed public places.

In her speech the Minister said *"we are not rolling back the smoking ban... instead we have looked at smokefree legislation and decided not to proceed with the planned review because we feel the legislation is working."*

Several health organisations, most recently the Royal College of Physicians, have argued that the evidence justifies extending the legislation to provide better protection for children. However, tobacco industry lobbyists will be particularly disappointed. Through the "Save our pubs & clubs" campaign, Japan Tobacco International had been seeking to re-introduce smoking to UK public places. However an Early Day Motion in the UK parliament has attracted signatures from only 26 MPs.

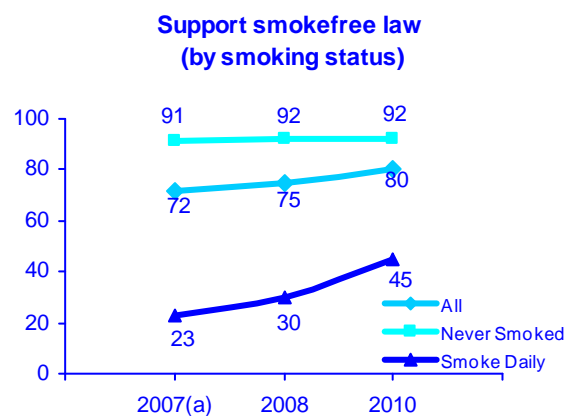
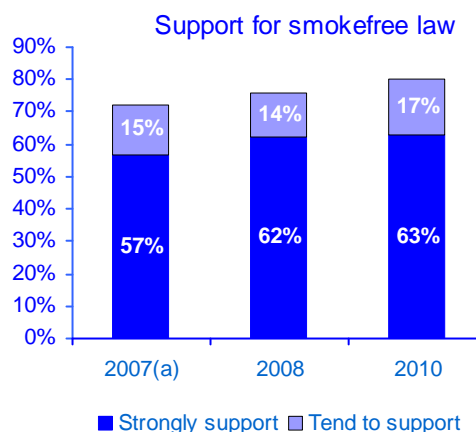
In a speech covering a broad range of public health issues the Minister made a further specific commitment to tobacco control. *"We will keep working on the evidence base for tobacco control and we will say more about our plans in the public health white paper"*, she said.

Support for the legislation

England's smokefree law was passed at a time when public attitudes to tobacco smoke were changing fast. In March 2004 Ireland became the first country to introduce a comprehensive law for smokefree workplaces.

A month after Ireland went smokefree, a MORI poll for ASH¹ showed that there was overwhelming support for the proposition that "All employees should have the right to work in a smoke-free environment" and more than half of adults strongly supported a law similar to that brought in Ireland. When asked specifically about laws banning smoking in shopping malls, restaurants and cafes the great majority continued to support the legislation but when asked specifically about a ban on smoking in pubs and bars the margin narrowed with 49%, *or just under a half*, supporting the law and 38% opposing it. Opposition was strongest among smokers, younger people and those from lower socioeconomic groups.

By December 2005 support for a smokefree law had increased so much that when asked specifically if they would support a ban in pubs and bars, 66% agreed.² Following a vote in Parliament to make the legislation apply to almost all enclosed workplaces, support continued to grow and has grown ever since. Less than three months before the legislation was to come into force across England support had risen to 76% and in our most recent survey 80%.



The opinion of smokers

Some of the greatest changes have taken place in the attitudes of smokers. Half of all smokers now support the smokefree law including almost one in four (23%) who strongly support it. Opposition among smokers (now just 38%) appears to be ebbing away with only one smoker in 6 (17%) strongly opposing the law.

This change appears to be underpinned by a deep seated shift in smokers' attitudes. Smokers are increasingly aware of the harm from secondhand smoke with 75% believing it is harmful to children's health and 70% believing it is harmful to the health of adults.

Daily smokers represent about three quarters of smokers and tend to have stronger views on tobacco policy than those who smoke but not every day but even there, significant changes are occurring. 70% of daily smokers and 85% of non-daily smokers see the law as good for the health of most workers. Importantly, increasingly they see themselves as having benefitted from the law. Half of all daily smokers and almost three quarters of non daily smokers (72%) regard the law as having been good for their own health.

Perhaps surprisingly, there is substantial support among smokers for further restrictions on smoking, 49% support a ban on smoking in children's play areas (30% oppose) and 61% support a ban on smoking in cars with children (22% oppose), In the general population 73% support a ban on smoking in children's play areas and 77% support a ban on smoking in cars carrying children.

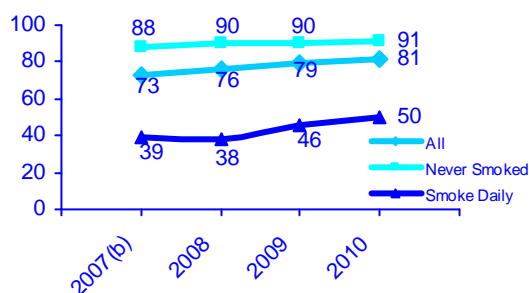
The impact on the hospitality industry

Contrary to industry predictions, there is no objective evidence that the hospitality industry overall suffered as a result of smokefree regulations. The total number of licenses issued by Local Authorities for premises to serve alcohol increased by around 5 % the year England went smokefree.³

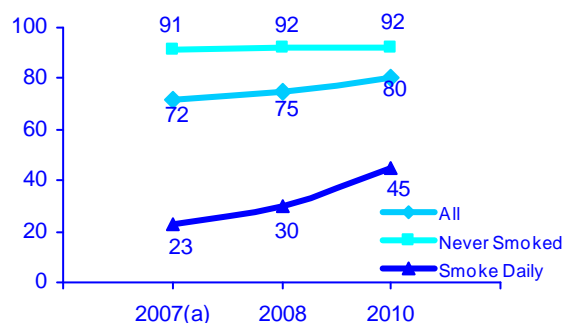
In fact, the total number of people visiting pubs has actually increased since the legislation. An Office for National Statistics survey on attitudes to smoking found that more people are going to pubs.⁴ The survey, which asked 'how often did you visit pubs before the smoking restrictions,' found that 17% of people reported that before smokefree legislation they used to go to the pub *less* often than they do nowadays, while 14% reported that they used to go more frequently. In other words, the survey indicates a net increase of 3% of people going to pubs since smoking restrictions were imposed. The increase is consistent across all age groups and for both men and women.

So how do the pro-tobacco lobby come frequently to cite figures that as many as 52 pubs are closing every week?⁵ A detailed exploration of the potentially misleading use of these figures for the BBC concludes shows that the change is largely a product of how the survey classifies pub. When more food is served the pub will often be de-classified as a pub and re-classified as a restaurant so although it stays open under the same management the survey may show it as having closed as a pub. The report concludes, 'Pubs aren't closing, they are evolving'.⁶

Good for my health
(by smoking status)



Support smokefree law
(by smoking status)



The impact on heart attacks

Two reports published in June 2010 reported some of the measureable benefits from England's smokefree legislation. The first, published in the British Medical Journal concluded that – even allowing for a long-term trend in reduced heart attacks – the law resulted in a 2.4% drop in heart attacks in its first year. The authors calculate that this represents 1,200 fewer emergency admissions.⁷ The study builds on a growing body of evidence linking the introduction of smokefree legislation with a reduction in hospital admissions for acute coronary events

The second estimates that £8.4 million has been saved in emergency hospital care for heart attacks in the same period. The estimates in the Heartsavers report by the London Health Observatory account only for reductions achieved through the immediate impact of the legislation. They do not include savings from the long term effects of reduced second hand smoking.⁸ The report shows approximate savings across England vary from around £0.4 million in the north east region to £1.4m in the south east.

¹ Interviews conducted by MORI interviewed between 15th and 19th April, 29th April - 4th May 2004. Sample size: 4060 Adults

² Interviews conducted by YouGov using an internet panel survey with residents in England aged 18 years and over. Fieldwork conducted 2-7 December 2005. Sample sizes: England 1,995

³ DCMS Statistical Bulletin, Alcohol, Entertainment and Late Night Refreshment Licensing, England and Wales, April 2007 – March 2008. <http://webarchive.nationalarchives.gov.uk/+http://www.culture.gov.uk/images/research/AE-Statistics-bulletin-2008.pdf>

⁴ Smoking related behaviours and attitudes 2008/9, Department of Health, 2009

⁵ British Beer & Pub Association 2009

⁶ Mark Easton, 31 July 2009, Pubs aren't dying – they are evolving; www.bbc.co.uk/blogs/thereporters/markeaston/2009/07/pubs_arent_dying_they_are_evol.html

⁷ Sims M, Maxwell R, Bauld L, Gilmore A. Short term impact of smoke-free legislation in England: retrospective analysis of hospital admissions for myocardial infarction. *BMJ*. 2010 Jun 8;340:c2161. doi: 10.1136/bmj.c2161.

⁸ Heartsavers, London Public Health Observatory June 10. 2010
http://www.lho.org.uk/Download/Public/16171/1/Cost%20savings%20from%20MI_final.pdf