

## Sub Committees on The Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012

Response from Cancer Research UK

Dear Ms Date,

I am writing in response to your consultation on amending the Smoke-Free Premises etc. (Wales) Regulations 2007 to permit smoking by performers.

The smoke-free premises legislation is one of the most successful public health measure introduced in Wales and commands high levels of public support. Cancer Research UK welcomed the publication of the Tobacco Control Delivery Plan In February 2011, and its commitment, among other important areas, to continue to reduce exposure to second hand smoke. We therefore believe that to amend this legislation would be a backwards step. The law was introduced on public health grounds to protect workers and we believe that actors should not be forced to smoke in their workplaces and other members of the film crew should not be exposed to second hand smoke.

We also believe that the vagueness of 'artistic integrity' as a criterion means enforcement is very difficult. While the proposed regulations may attempt to reduce the health harm caused by the change, there will still be smoke exposure at levels harmful to health.

Allowing an exemption for artistic performances means actors can be pressurised into smoking and run the risk of becoming addicted. It can make smoking part of someone's job when there are practical alternatives. Perhaps the most important health risk is that of actors progressing to regular smoking or relapsing. Nicotine is a highly addictive substance and many people find it very hard to stop smoking. When tobacco kills half of its long-term users, it is wrong to expose workers to this risk. While 'tobacco-free herbal cigarettes' might be used instead, they still create tar, carbon monoxide and other toxins that are inhaled by the smoker and those around them.

We understand that practical alternatives are available to simulate smoking on screen, and these are currently in use in Wales (and in Scotland and Northern Ireland, where this restriction is also in place). As alternatives such as CGI and special props are available, and the risks to health are clear, we urge the Welsh Government not to amend the existing regulations.

The costs of smoking related diseases are high for Wales, estimated to amount to £386 million per year<sup>i</sup> for the NHS alone, this is equivalent to £129 per head or 7% of total healthcare expenditure in Wales. Smoking is the largest single cause of avoidable ill health and early death in Wales. Smoking remains the largest preventable cause of cancer, causing one in four deaths from cancer and up to eight out of ten cases of lung cancer. Overall, 5,650 deaths are caused by tobacco each year in Wales.

There have been major achievements in tobacco control, and the Welsh Government continues to be ambitious in attempting to reduce the harm from tobacco. Not only will an exemption undermine the Welsh Government's other tobacco control initiatives, it could set a dangerous precedent for future challenges to the legislation from other industries who deem the law to be affecting their profits and wish to propose their own exemptions.

If you require any further information, please contact Vicky Crichton, Senior Public Affairs Manager, on 0131 243 2641 or [vicky.crichton@cancer.org.uk](mailto:vicky.crichton@cancer.org.uk)

Yours sincerely,

A handwritten signature in black ink that reads "Jean King". The signature is written in a cursive style with a large, sweeping initial 'J' and a long, horizontal tail on the 'g'.

Dr Jean King  
Director of Tobacco Control

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<sup>i</sup> Phillips, C. and Bloodworth, A. "The cost of smoking to the NHS in Wales. Available online at: [http://www.ashwales.org.uk/creo\\_files/upload/default/cost\\_of\\_smoking\\_to\\_the\\_nhs\\_in\\_wales.pdf](http://www.ashwales.org.uk/creo_files/upload/default/cost_of_smoking_to_the_nhs_in_wales.pdf)