

1. Please read Annex 2 -

<http://www.senedd.assembly.wales/documents/s41486/Consultation%20Letter%20-%20Annex%20B.pdf> and choose your font etc accordingly.

2. Elsewhere they suggest also using numbered paragraphs.

3. This is a call for evidence, it would be great if you could find other, alternative evidence - but failing that I've made suggestions.

4. Having said that, there is also a place for opinion (lets remember that these are politicians, their jobs depend (to an extent) upon gauging public opinion. Also:

5. I'm by no means an expert, your answers may easily be better!

6. Get the form to fill in here: [http://www.assembly.wales/NAfW%20Documents/Assembly%20Business%20section%20documents/Public\\_Health\\_Bill\\_S1Questions/PublicHealth-S1-Proforma-eng.docx](http://www.assembly.wales/NAfW%20Documents/Assembly%20Business%20section%20documents/Public_Health_Bill_S1Questions/PublicHealth-S1-Proforma-eng.docx)

OK, lets go. Gird your loins and Gadewch inni fynd ati a dechrau gwneud y gwaith!

## Public Health (Wales) Bill

### Your contact details

Name:	*
Are you responding as an individual or on behalf of an organisation?	*
Organisation (and role if applicable):	* if yes above
Telephone / Mobile number:	*
Email:	*
Would you like to be added to the Committee's contacts database for future inquiries?	I put "Yes", up to you.

### Availability for oral evidence sessions

The Committee has provisionally agreed to hold oral evidence sessions during the autumn term. **Please note that the Committee has limited time available and will not be able to invite all those who indicate an interest to attend.**

Would you be content to attend a Committee meeting to give oral evidence?	<b>Yes X</b>	<b>No</b>
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Again, up to you.



## Disclosure of information

The Assembly's [policy on disclosure of information](#) is available; please ensure that you have considered these details carefully before submitting information to the Committee.

**We're doing this bit! You'll need the email address below when you've finished. :)**

## Submitting evidence

If you wish to submit evidence, please send an electronic copy of your submission form to [SeneddHealth@assembly.wales](mailto:SeneddHealth@assembly.wales).

Alternatively, you send it to:

Catherine Hunt, Second Clerk,  
Health and Social Care Committee  
National Assembly for Wales  
Cardiff Bay, CF99 1NA.

## Public Health (Wales) Bill: Consultation questions

### Tobacco and Nicotine Products

The Bill includes proposals to ban the use of nicotine inhaling devices, such as e-cigarettes, in enclosed spaces like restaurants, pubs and at work. Shops will also have to join a register for retailers of tobacco and nicotine products, and it will become an offence to "hand over" tobacco and e-cigarettes to anyone under the age of 18.

#### Question 1

Do you agree that the use of e-cigarettes should be banned in enclosed public and work places in Wales, as is currently the case for smoking tobacco?

**No - and then why. In para 28 of <http://www.assembly.wales/laid%20documents/pri-ld10224-em/pri-ld10224-em-e.pdf> (the Explanatory Memorandum or EM), 4 arguments are put forward for the ban: the normalisation of smoking behaviours, the gateway effect, indoor air policy and enforcement of smoke-free policies. You can either make your own points or you can try to address each of these. Renormalising has its own question, below. Evidence against gateway (doh! Its a stupid idea): Nicotine isn't that addictive on its own - <http://www.jneurosci.org/content/25/38/8593>, Never-smokers aren't taking up ecigs in any number - [http://www.ash.org.uk/files/documents/ASH\\_959.pdf](http://www.ash.org.uk/files/documents/ASH_959.pdf). Evidence against indoor air pollution: <http://www.biomedcentral.com/1471-2458/14/18>, <http://www.ncbi.nlm.nih.gov/pubmed/22858449>, <http://www.sciencedirect.com/science/article/pii/S1438463914000972> - "In conclusion, the current study demonstrates that the additional amount of**



carbonyls contributed into the atmosphere by vaping under the given conditions can be deemed to be negligible when compared to levels of the same substances typically found indoors.”. Evidence against vaping making enforcing smoke-free policies harder: a picture of your mod? Talk about smell? It is a silly argument but I guess it must be addressed.

### Question 2

Do you believe the provisions in the Bill will achieve a balance between the potential benefits to smokers wishing to quit with any potential dis-benefits related to the use of e-cigarettes?

Basically, Does the Bill still encourage smokers switching and reduce disadvantages of ecigs? So, No. Read para 373 of the EM (p116 to 117), and also this ECITA blog: <http://www.ecita.org.uk/ecita-blog/assessing-potential-impact-unintended-consequences-vaping-ban-wales>. You could talk about how if it is harder to switch (can't try different flavours in shops) and less appealing to switch (can't use them indoors) then less people will switch and new switchers could revert.

### Question 3

Do you have any views on whether the use of e-cigarettes re-normalises smoking behaviours in smoke-free areas, and whether, given their appearance in replicating cigarettes, inadvertently promote smoking?

Yes, Vaping normalises vaping. Evidence against “renormalising”:  
<http://tobaccocontrol.bmj.com/content/early/2014/04/30/tobaccocontrol-2013-051394>, [http://www.ash.org.uk/files/documents/ASH\\_891.pdf](http://www.ash.org.uk/files/documents/ASH_891.pdf). Picture of a mod might be useful here too.

### Question 4

Do you have any views on whether e-cigarettes are particularly appealing to young people and could lead to a greater uptake of their use among this age group, and which may ultimately lead to smoking tobacco products?

The studies cited by Drakeford so far in support of this idea are the american ones which conflate ever-use with regular use. This is a good debunking of those figures:  
<http://tobaccocontrol.bmj.com/content/early/2015/05/15/tobaccocontrol-2015-052236.abstract>. It is also good to point out that trying an ecig is more likely to protect against future smoking!

### Question 5

Do you agree with the proposal to establish a national register of retailers of tobacco and nicotine products?



IMO this entirely depends, on the one hand there is little point (especially given the TPD), on the other hand if not expensive or onerous then this might be acceptable. Up to you.

### Question 6

What are your views on creating a new offence for knowingly handing over tobacco and nicotine products to a person under 18, which is the legal age of sale in Wales?

Again, not so important IMO - why not throw them a bone? On the other hand if a person is giving a smoking teenager an ecig, I'd say that was a good thing (and if they were ever prosecuted it'd be laughed out of court).



## Special Procedures

The Bill includes a proposal to create a compulsory licensing system for people who carry out special procedures in Wales. These special procedures are tattooing, body piercing, acupuncture and electrolysis. The places where these special procedures are carried out will also need to be approved.

### Question 7

What are your views on creating a compulsory, national licensing system for practitioners of specified special procedures in Wales, and that the premises or vehicle from which the practitioners operate must be approved?

### Question 8

Do you agree with the types of special procedures defined in the Bill?

### Question 9

What are your views on the provision which gives Welsh Ministers the power to amend the list of special procedures through secondary legislation?



*Question 10*

Do you have any views on whether enforcing the licensing system would result in any particular difficulties for local authorities?



## **Intimate piercings**

The Bill includes a proposal to ban intimate body piercings for anyone under the age of 16 in Wales.

### *Question 11*

Do you believe an age restriction is required for intimate body piercing? What are your views on prohibiting the intimate piercing of anyone under the age of 16 in Wales?

### *Question 12*

Do you agree with the list of intimate body parts defined in the Bill? Whether any other types of piercings (for example naval piercing, tongue piercing) should be prohibited on young people under the age of 16.



## **Community pharmacies**

The Bill will require local health boards in Wales to review the need for pharmaceutical services in its area, and that any decisions relating to community pharmacies are based on the needs of local communities.

### *Question 13*

Do you believe the proposals in the Bill will achieve the aim of improving the planning and delivery of pharmaceutical services in Wales?

### *Question 14*

What are your views on whether the proposals will encourage existing pharmacies to adapt and expand their services in response to local needs?



## **Public toilets**

The Bill includes a proposal that will require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing public toilet facilities. However, the Bill does not require local authorities to actually provide toilet facilities.

### *Question 15*

What are your views on the proposal that each local authority in Wales will be under a duty to prepare and publish a local toilets strategy for its area?

### *Question 16*

Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?

### *Question 17*

Do you believe the provision in the Bill to ensure appropriate engagement with communities is sufficient to guarantee the views of local people are taken into account in the development of local toilet strategies?



*Question 18*

What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?



## Other comments

### Question 19

Do you believe that the issues included in this Bill reflect the priorities for improving public health in Wales?

I said here that given that smoking is the cause of the most preventable deaths in Wales, making the most popular option to give up smoking less attractive will harm public health in Wales compared to doing nothing.

### Question 20

Are there any other areas of public health which you believe require legislation to help improve the health of people in Wales?

- Don't give them ideas! Or do, I guess, if you've got a REALLY good one.

### Question 21

Are there any other comments you would like to make on any aspect of the Bill?

- This is the perfect place to tell your smoking/vaping story. Don't be afraid to be emotional :) . Testimonials are very powerful and if they get a load of them I can't see how they will fail to be moved.

