



SCOTTISH EXECUTIVE

Health Department
Public Health Division and Substance Misuse

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Your ref:
Our ref:

7 December 2006

Dear Sir/Madam

CONSULTATION ON SMOKING PREVENTION WORKING GROUP REPORT: TOWARDS A FUTURE WITHOUT TOBACCO

Introduction

1. As you may be aware, the Smoking Prevention Working Group's report "*Towards a future without tobacco*" was published on 22 November 2006. Health Ministers have welcomed publication of the report and indicated they will give the recommendations made careful consideration before publishing a full response in due course. ***I am writing to invite comments on the report's recommendations to enable these to be taken into account by Ministers in formulating their response. Comments are invited by 28 February 2007.***

Background

2. Since the first ever action plan on tobacco control designed specifically for Scotland, "*A Breath of Fresh Air for Scotland*", was published in January 2004, enormous progress has been made. Historic smoke-free legislation has been introduced and there is now a nationwide network of smoking cessation services, helping thousands of people to quit. If smoking is to be made a thing of the past, the third big challenge is to prevent people from becoming smokers. Last summer, therefore, the Smoking Prevention Working Group, a sub-group of the Scottish Ministerial Working Group on Tobacco Control, was set up to make recommendations to the Scottish Executive to assist the development of a new long term smoking prevention strategy. It was also asked to advise on the question of evidence to support raising the age of sale of tobacco products from the current age of 16 years.

3. The report makes 31 separate recommendations, which are summarised on pages 7 to 10, to protect or dissuade young people from starting to smoke and to deter adults from encouraging or enabling them to smoke. These recommendations are grouped under the broad headings- targets; research; reducing availability; discouraging young people from smoking and encouraging and enabling young regular smokers to stop; and making it happen.

Action to date

4. Ministers have acted immediately on some of the Group's recommendations and have:-
- Written to the UK Government urging them to ensure duty on tobacco products ensures the price of tobacco products are increased at a rate higher than the rate of inflation and health considerations are taken into account in EU policy tobacco taxation policies (**recommendations 8 and 9**); and that action to tackle smuggling remains a priority (**recommendations 13 to 16**).
 - Taken preparatory steps to implement the Group's recommendation to raise the age of purchase from 16 to 18 subject to the outcome of separate consultation on draft legislation and related Regulatory Impact Assessment which was also launched today. Details are available on <http://www.scotland.gov.uk/consultations/current/> (**recommendation 7**).
 - Accepted in principle, subject to the outcome of this consultation, that recommendations contained in the report should be used as the basis for a 5 year action plan for consideration by the new administration following the Scottish Parliamentary elections in May 2007 (**recommendation 31**).

The SPWG Report and consultation process

5. The following documents are attached:-

The SPWG report "Towards a future without tobacco" – Please go to <http://www.scotland.gov.uk/consultations/current/>

Annex A: Respondent Information Form (to be completed by all respondents)

Annex B: Scottish Executive Consultation Policy

6. Subject to action outlined at paragraph 4 above, we are inviting written responses to recommendations made in the Report by **28 February 2007 although earlier responses would be helpful**. While comments are invited specifically on the recommendations made, this does not preclude consultees from commenting more generally on the Report. We would be grateful if respondents could indicate clearly on their responses the recommendations on which they are commenting as this will aid our analysis of the responses received.

Please send your response to:-

John.glen@scotland.gsi.gov.uk

or

**John Glen
Scottish Executive Health Department
Tobacco Control Division
3 E(R)
St Andrew's House
Regent Road
EDINBURGH
EH1 3DG**

7. If you wish to access this consultation online, go to <http://www.scotland.gov.uk/Consultations/Current> . You can telephone Freephone 0800 77

1234 to find out where your nearest public internet access point is, if you prefer to submit your response by e-mail.

8. To complement the written consultation we will also be holding regional seminars next year to engage directly with stakeholders on the recommendations made. Details of these will be circulated shortly.

Handling your response

9. We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the Respondent Information Form at Annex A as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and will treat it accordingly.

10. All respondents should be aware that the Scottish Executive are subject to the provisions of the Freedom for Information (Scotland) Act 2002 and would, therefore, have to consider any request made to it under the Act for information relating to responses to this consultation exercise.

Next steps in the process

11. Where correspondents have given permission for their responses to be made public, these will be made available to the public in the Scottish Executive Library by 28 March 2007 and on the Scottish Executive website by 4 April 2007. We will check all responses where agreement to publish has been given for any potentially defamatory material before logging them in the library or placing them on the website. **Annex B** contains additional information about Scottish Executive consultation policy, including about access to consultation responses.

What happens next

12. Careful consideration will be given to all the comments received and, as indicated above, will inform the development of a 5 year action plan for consideration by the new administration following the Scottish Parliamentary elections in May 2007.

Comments and complaints

13. If you have any comment about how this consultation exercise has been conducted, or if you have any other queries, please contact John Glen at the above address or call 0131-244-5660.



Mary Cuthbert
Head of Tobacco Policy

**RESPONDENT INFORMATION FORM
CONSULTATION ON SMOKING PREVENTION WORKING GROUP REPORT:
“TOWARDS A FUTURE WITHOUT TOBACCO”**

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Postal Address:

1. Are you responding: (please tick one box)
- (a) as an individual go to Q2a/b and then Q4
- (b) **on behalf of** a group/organisation go to Q3 and then Q4

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in the Scottish Executive library and/or on the Scottish Executive website)?

Yes (go to 2b below)

No, not at all We will treat your response as confidential

- 2b. Where **confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick one** of the following boxes)

Yes, make my response, name and address all available

Yes, make my response available, but not my name or address

Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your **response** to be made available?

Yes

No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

Yes

No

THE SCOTTISH EXECUTIVE CONSULTATION PROCESS

Consultation is an essential and important aspect of Scottish Executive working methods. Given the wide-ranging areas of work of the Scottish Executive, there are many varied types of consultation. However, in general, Scottish Executive consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Executive encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Executive consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Executive web site enabling a wider audience to access the paper and submit their responses¹. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Executive library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Executive consultation papers and related publications (eg, analysis of response reports) can be accessed at: Scottish Executive consultations (<http://www.scotland.gov.uk/consultations>)

The Scottish Executive now has an email alert system for consultations ([SEconsult: http://www.scotland.gov.uk/consultations/seconsult.aspx](http://www.scotland.gov.uk/consultations/seconsult.aspx)). This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). SEconsult complements, but in no way replaces SE distribution lists, and is designed to allow stakeholders to keep up to date with all SE consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

¹ <http://www.scotland.gov.uk/consultations>

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.