

**DUNDEE ASSOCIATION FOR MENTAL HEALTH****KANDAHAR HOUSE, 71 MEADOWSIDE, DUNDEE, DD1 1EN****TELEPHONE: 01382 227288****FAX: 01382 522527****EMAIL: DAMH@WWWMAIL.CO.UK**

John Glen
Scottish Executive Health Dept
Tobacco Control Division
3 E[R], St Andrew's House
Regent Rd
Edinburgh EH1 3DG

24th May 2005

Dear John,

Smoking, Health and Social Care[Scotland] Act 2005

Please find attached the DAMH response to the draft regulations for the above, together with the respondent information form.

Yours sincerely

Tom Garnett

TOM GARNETT, DAMH EXECUTIVE OFFICER



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The Smoking, Health and Social Care[Scotland] Act[Prohibition of Smoking in Certain Premises]Regulations 2005 : Draft

Response from Dundee Association for Mental Health

- 1] DAMH welcomes the move towards prohibition of smoking in certain wholly enclosed public places. With reference to Q10, however, having provided day-care support for 20 years in Dundee for people with experience of mental health difficulties, we have concerns on the impact on our clients if our type of day-care service is not included as an exempt category as defined in Schedule 2.
- 2] Annex B, in the preamble to Q8 refers to the traditionally high smoking rates for those with experience of mental health difficulties, which reflects our own experience. We welcome targeted health promotion campaigns to provide smoking cessation information and services for this client group and would support an approach which makes non-smoking the norm and which restricts the places where users, staff and visitors are allowed to smoke.
- 3] Our concern is that a total prohibition could discourage people from attending as frequently, or at all, thereby reducing the opportunities for early identification of problems and for provision of support as needed. The result, in seeking to address one health problem by prohibition, could be to create others.
- 4] In the first instance, we would propose the extension of the definition of a psychiatric unit to include units, the whole or main purpose of which is **to support** persons with a mental disorder. As proposed in the preamble, we agree that we should explore whether arrangements might be developed to allow the legislation to extend to some or all psychiatric hospitals and units in due course. [Included in these arrangements would be the dedicated smoking cessation campaigns which would have had a chance to become established]

Tom Garnett, DAMH Executive Officer on behalf of DAMH.