

Petitions Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date:

25 November 2014

Meeting time:

09.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

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Agenda – Supplementary Documents

P-04-601 Correspondence – Petitioner to the Committee

Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

P-04-601 Proposed Ban on the Use of e-cigarettes in Public Places (Pages 1 – 4)

P-04-601 Proposed Ban on the Use of e-cigarettes in Public Places – Correspondence from the Petitioner to the Committee, 20.11.14.

William Powell AM
Assembly Member for Mid & West Wales
Chair Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff CF99 1NA

Dear Mr Powell,

Firstly I would like to thank the Petitions Committee for continuing to keep me and my colleagues at the Save E-cigs campaign updated on the correspondence relating to our petition opposing the ban on the use of e-cigarettes in enclosed public places.

Recently your committee very kindly sent me a copy of the Health Minister's response to our petition. Whilst we agree with him that smoking is a huge risk to public health in Wales, we fail to understand why he continues to put forward the arguments he does in relation to the ban on the use of e-cigarettes.

We feel that these arguments contradict the Minister's public pronouncements regarding his desire to 'empower people' to take control of their lives in order for them to live a healthier lifestyle. In switching from tobacco cigarettes to e-cigarettes, vapers are doing exactly that. E-cigarettes are after all at least 95 times safer than tobacco cigarettes according to the latest research produced by Professor Peter Hajek, director of the Tobacco Dependence Research Unit at Barts and The London School of Medicine and Dentistry, Queen Mary, University of London. As Professor Hajek said at a recent public meeting in London: "It is not a medicinal claim to state that e-cigarettes are 95 times safer than smoking; it is simply the truth."

Smokers cost the Welsh NHS £1 million per day in smoking related admissions according to the Minister, yet vapers cost the Welsh NHS nothing at all. As vapers purchase all their own equipment and supplies there is no cost to the Welsh taxpayer.

It is welcome news that smoking prevalence in Wales has decreased by two per cent in the last two years. This decline coincides with a significant rise in the number of vapers in Wales, now 100,000. As Professor Robert West, Professor of Health Psychology and Director of Tobacco Studies at University College London's Department of Epidemiology and Public Health points

out¹, there is a direct link between a rise in e-cigarette use and a fall in tobacco cigarette use. This should be a cause for celebration not concern.

E-cigarettes are part of the solution and the Minister is never going to achieve his stated intention of reducing smoking levels to 16 per cent without them.

Lousie Ross, Stop Smoking Service Manager for the Leicestershire Partnership NHS Trust is just one of a growing number of smoking cessation and health professionals who are embracing e-cigarettes. Since becoming an e-cigarette friendly stop smoking service she has seen a 20 per cent rise in smoking cessation rates².

In his letter the Minister once again states that there is 'insufficient evidence' about the long term safety of e-cigarettes. This is simply not true. There have been more than 130 independent studies into e-cigarettes and new research is being produced on an almost daily basis. There is never a situation when it is safer to smoke than it is to vape and as ASH research shows 99.9 per cent of vapers are either smokers or former smokers.

Perversely, if vaping were to be banned from enclosed public spaces, then there would be an increase in smoking rates. In Spain where a ban on the use of e-cigarettes in public places has been introduced, there has been a 70 per cent fall in the number of vapers³. People that had made the switch to e-cigarettes are unfortunately now smoking again. Smoking rates also increased in New York by a staggering 2.1 per cent following the introduction of a ban on the use of e-cigarettes in public.⁴ A ban on the use of e-cigarettes in public would force vapers to vape alongside smokers thus exposing them to the dangers of second-hand smoke.

The Minister continues to insist that e-cigarette use in enclosed public spaces renormalises smoking and acts as a gateway to smoking. The aforementioned Professor Robert West conducts a regular study entitled the Smokers Toolkit Study⁵. This study demonstrates that the idea of renormalisation is a complete myth and far from e-cigarettes acting as gateway into smoking, they are found to be a gateway away from smoking. Further research produced by ASH demonstrates clearly that e-cigarettes are not being used by children and nor are they even found to be appealing to children⁶.

The ban on smoking in enclosed public places was introduced to benefit the health of non-smokers whose health was put at risk as a result of being in close proximity to smokers.

¹ Professor Robert West speaking at the E-cigarette Summit, The Royal Society, London on the 12th of November 2013.

² [https://www.dropbox.com/sh/ktis00soz0klcvp/AAAF5Mk5GG6Rq1lf9qsLDn_wa/16.40 Louise Ross.pdf?dl=0](https://www.dropbox.com/sh/ktis00soz0klcvp/AAAF5Mk5GG6Rq1lf9qsLDn_wa/16.40%20Louise%20Ross.pdf?dl=0)

³ <http://www.thinkspain.com/news-spain/24345/e-cigarette-sales-in-spain-drop-by-70-per-cent>

⁴ <http://www.churnmag.com/news/smoking-rates-increase-new-york-e-cigs-banned/>

⁵ <http://www.smokinginengland.info/downloadfile/?type=latest-stats&src=11>

⁶ http://www.ash.org.uk/files/documents/ASH_891.pdf

Therefore the only possible justification for including e-cigarettes within this ban must also be to protect the health of non-vapers. Is passive vaping dangerous? No. A major scientific study undertaken by Dr Konstantinos Farsalinos and Professor Riccardo Polosa concluded that the “effects of e-cigarette use on bystanders are minimal compared with conventional cigarettes.”⁷ A review of the available literature conducted last year by researchers at the Drexel University School of Public Health in Philadelphia concluded that “exposures of bystanders pose no apparent concern.” Finally the US Food and Drug Administration conclude that all other substances measured for e-cigarettes were far below allowable levels for human inhalation. They state that levels are so low that it is more hazardous to an individual’s health to breathe the air in any major metropolitan city during rush hour.

The Minister once again insists that the use of e-cigarettes in public undermine the smoking ban? Once again we ask where the evidence is. The Chartered Institute of Environmental Health have stated that there is a 99.7 per cent compliance rate with the smoking ban⁸, and they have found no evidence to support the idea that the use of e-cigarettes in public is undermining this.

As you may be aware the Scottish Government has recently launched their own consultation relating to e-cigarettes. In marked contrast to the Welsh Assembly Government they are actively engaging with the experts from the beginning.

The independent experts cited in this letter are just some of a growing number of institutions and individuals that have come to understand the benefit e-cigarettes have to offer in public health terms. As Professor John Briton from the Royal College of Physicians, who gave evidence in the Scottish Parliament this week said: “If all the smokers in Britain stopped smoking cigarettes and started using e-cigarettes we would save five million deaths in people who are alive today. It’s a massive potential public health prize.”⁹

We continue to remain very concerned that the Minister refuses to engage with expert opinion and that the arguments he puts forward in defence of his proposed ban increasingly lack any credibility in the face of the evidence, a tiny fraction of which we have put before you in this letter.

⁷ Safety evaluation and risk assessment of electronic cigarettes as tobacco cigarette substitutes: a systematic review: Konstantinos E. Farsalinos and Riccardo Polosa published online 13 February 2014 *Therapeutic Advances in Drug Safety*

⁸ Meeting of the All-Party Groups on Smoking and Health, Pharmacy, and Heart Disease 10 June 2014

⁹ The Independent Newspaper, 29 March 2013

We hope that the Petitions Committee will take on board our concerns and insist that an expert public hearing be held to discuss the impact of this proposed ban. From the assembly members we have spoken with we know such a move would garner significant cross party support.

Once again, thank you for your efforts to date and for continuing to keep us informed.

Yours sincerely

Simon Thurlow

On behalf of the Save E-cigs Campaign