

4 September 2015

Dear Chair,

Tenovus Cancer Care evidence on the general principles of the Public Health (Wales) Bill

1. Introduction

- 1.1. As Wales' leading cancer charity, Tenovus Cancer Care welcomes the opportunity to respond to the Health and Social Care Committee's consultation on the general principles of the Public Health (Wales) Bill. Tenovus Cancer Care is at the forefront of cancer support; helping those affected by cancer, whether it is through our Mobile Support Units, our Freephone Support Line or through funding the latest cancer research in Wales.
- 1.2. As a co-signatory of the evidence submitted by a group of public health organisations and experts, we fully support those joint recommendations put forward. In the interest of brevity for the committee, we will not go into the same detail on those issues in this submission.

2. Executive Summary

- 2.1. Tenovus Cancer Care has closely examined the development of evidence around electronic cigarettes over the past two years. Whilst we understand the concerns highlighted around re-normalisation and the introduction of younger generations to nicotine addiction, in our view the evidence in support of the restrictions in enclosed spaces is so far not enough to justify legislation at this time.
- 2.2. The introduction of a Tobacco Retailers Register is an important lever against underage sales and illegal tobacco. We fully support the aims of the Bill in this area and believe that this is a substantially positive step in the right direction for tobacco control.
- 2.3. Pharmacies already play an essential role in our communities. Often the first point of contact for minor ailments and a key advisor in whether a person should visit their GP. The provision within the Bill for Health Boards to prepare and publish 'pharmaceutical needs assessments' for their area will be a major lever for improving the services available in communities across Wales. We are wholly supportive of this next step and believe it has the potential to significantly enhance the consistency of smoking cessation services across Wales.
- 2.4. The inclusion within the Bill around the provision of public toilets is another very positive move. Tenovus Cancer Care recognises the importance this will have for people affected by cancer, in particular those who may have continence related issues following a colorectal or urological cancer.
- 2.5. We believe that public health in Wales would be substantially improved by introducing levers in the following areas:
 - 2.5.1. Risk warnings placed on the windows of businesses offering harmful UV tanning.

- 2.5.2. Health Impact Assessments to be used in major decision making.
- 2.5.3. The introduction of nutritional standards in public sector settings.
- 2.5.4. Single aisle sales of alcohol in supermarkets.

3. Tobacco and Nicotine Products

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?

- 3.1. Tenovus Cancer Care recognises the concerns highlighted around the re-normalisation of smoking and introducing new generations of children to nicotine addiction. However, on the evidence available, we have not come to the same conclusion that electronic cigarettes should be brought into line with smoking in public places at present.
- 3.2. Nearly 1,894ⁱ people in Wales die from lung cancer annually. 8 in 10ⁱⁱ of those deaths will be due to lung cancer caused by smoking. Tobacco related deaths continue to be one of the most easily preventable, despite this 21%ⁱⁱⁱ of the Welsh population still continue to smoke.
- 3.3. The comprehensive evidence review^{iv} presented by Public Health England into Electronic Cigarettes shows that use of electronic cigarettes are substantially safer than smoking, and more people are using them as an aid to move away from smoking, rather than for non-smokers to experiment.
- 3.4. Tenovus Cancer Care's 'Quit with Us' campaign engages with a cross section of smokers from Wales. We are finding that using e-cigarettes as part of a suite of measures such as pharmacy support to aid a quit attempt are often successful. In our latest survey two in three people found using electronic cigarettes and help from pharmacies were the most effective way to make a quit attempt.

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

- 3.5. We agree with the proposal to create a tobacco retailers' register for Wales and believe that it will play a key role in lowering the number of young people who become smokers. The introduction of a national register will help to hold retailers to account and it will become more straightforward to monitor trends.
- 3.6. In registering retailers of tobacco local authorities will be able to more easily carry out test purchasing and compliance checks, in turn lowering instances of unscrupulous retailers from selling tobacco products to underage customers and also tackling counterfeit cigarettes from the black market.
- 3.7. We believe that a register as set out in the proposals would be both a practicable and proportionate response.

4. Pharmaceutical Services

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

- 4.1. We welcome the proposals contained the Bill which aim to improve the availability of pharmaceutical services across local health boards, and enhance the powers available to local health board to set out which services they need.
- 4.2. Developing effective smoking cessation services across Wales through community pharmacies will be a critical next step in helping people move away from cigarettes. Level 3 Smoking Cessation services are a critical part in the suite of measures to help a person quit. Intensive one-to-one behavioural support typically involves an initial assessment of the client's needs followed by a six-week behavioural support programme, covering the period immediately prior to the quit attempt and the initial weeks following it.
- 4.3. Through a combination of one-to-one behavioural support and access to pharmacological therapies, successful quit attempts are often made through this method^v. It is notable that in Wales this gold standard service is only offered to smokers in around 30%^{vi} of community pharmacies (Of around 700 community pharmacies in Wales, around 200 offer Level 3 smoking cessation services).
- 4.4. The provision within the Bill for Health Boards to undertake a 'pharmaceutical needs assessment' and to request provisions from pharmacies will play a key role in developing community services across Wales. As highlighted, the current inconsistencies across services such as smoking cessation could be tackled effectively with more strategic control from Health Boards.

5. Provision of Toilets

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?

- 5.1. The work by Welsh Government to make public toilets more readily accessible is an achievable first step that will make a difference to the lives of people affected by cancer who may have a stoma bag; or deal with some form of urinary or bowel incontinence.
- 5.2. Local authority toilet strategies need to be undertaken with key stakeholders and the public, along with ensuring that there are clear actions for improving access across the authority. As public toilets are not classed as a statutory provision for local authorities, they are at risk of being given restricted hours of opening or even closed. Welsh Government should ensure that local authorities do everything within their power to recognise the importance of easily accessible toilets for people with certain medical conditions.
- 5.3. The Royal College of Art^{vii} published a map of every available public toilet within the United Kingdom. The work mapped over 8,000 toilets and is a simple resource for people to use to plan journeys. It also highlighted the range of availability for public toilets across the United Kingdom, with some local authorities not making any provision.
- 5.4. The Health and Social Care Committee would be well placed to examine the work undertaken by the office of the Mayor of London and the Open London scheme^{viii}, where toilet facilities in Marks & Spencer, Tesco, John Lewis, Sainsburys and Asda are available to use without the need to buy anything as part of the scheme.

6. Other comments

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

- 6.1. Tenovus Cancer Care is particularly concerned with how future Welsh Governments and the NHS in Wales will manage continued increases in demand due to preventable diseases. We recognise that controls on food labelling, marketing and restrictions on the sale of goods are not within the competence of the National Assembly for Wales and also that many of the levers required to improve public health do not require legislation. However, we believe that policymakers in Wales should be taking every reasonable step within their powers to improve public health. We have been openly challenging of the Public Health (Wales) Bill because we strongly believe it should go further in protecting and enhancing the health of our nation.
- 6.2. We believe that a minimum age of sale set at 18 is appropriate and we further recognise that the approach to marketing of many e-cigarette brands has been overtly aimed at introducing younger people to nicotine addiction. We will vigorously support both the UK and Welsh Governments efforts to control the marketing of e-cigarettes.

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

- 6.3. As we have highlighted in our joint submission, we believe that the Welsh public would benefit from the introduction of the following health improvement levers:
- *Health Impact Assessments*
 - *Alcohol Display Controls*
 - *Minimum Nutritional Standards*

Warning Labels on Tanning Beds

- 6.4. Skin cancer has seen substantial increases in incidence over a short period of time. Malignant melanoma is the fifth most common cancer in Wales with 609^x people being diagnosed in 2013 with around 120 people dying from it each year.
- 6.5. Skin cancer is highly preventable and caused often by poor knowledge of sun safe behaviour and the risks associated with tanning beds. People who use solariums before the age of 35 increase their risk of developing melanoma by 60%^x.
- 6.6. In Canada^{xi} there has now been positive steps taken to publish health warnings clearly on tanning beds. Tenovus Cancer Care would welcome greater information about the risks associated with the use of tanning beds and for this to be published clearly for users. Whilst labelling isn't removing the fundamental problem of tanning beds being easily accessible, this measure to improve public information, would allow for an informed choice to be made about the harms that an individual would be exposed to.
- 6.7. Australian states and territories have gone even further in a commitment to eradicating skin cancer, making it illegal for any business or individual to offer UV

tanning services for a fee. In Australia total bans of sunbeds have come into in force across New South Wales, South Australia, Victoria, Western Australia, Tasmania, ACT, Queensland and the Northern Territories.

- 6.8. We would welcome the Health and Social Care Committee to dedicate some time in the course of their deliberations of the Public Health (Wales) Bill to consider the application of health messages either on sunbeds or in the windows of businesses that operate sunbeds.

Should you require any further evidence or information about our contributions to the Stage 1 evidence on the Public Health (Wales) Bill, please do not hesitate to get in touch with our Policy Officer, Jon Antoniazzi.

Yours sincerely,



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CC:

Minister for Health and Social Services

Deputy Minister for Health

Chief Medical Officer

Further Queries

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Available to give oral evidence	Yes

ⁱ Wales Cancer Intelligence and Surveillance Unit, 2012. Lung Cancer Mortality. *Public Health Wales*. Available at: <http://www.wcisu.wales.nhs.uk/mortality> [Accessed 24th August 2015].

ⁱⁱ IBID

ⁱⁱⁱ Ash, 2015. *Smoking statistics*. Available at: http://www.ash.org.uk/files/documents/ASH_93.pdf. [Accessed 23rd August 2015].

^{iv} McNeill A, Hajek P et al (2015). *E-cigarettes: an evidence update – A report commissioned by Public Health England*.

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- ^v Ash Wales & Public Health Wales, 2010. *Guidance on standards for training in smoking cessation practice in Wales. Stop Smoking Wales*. Available at: http://www.stopsmokingwales.com/sitesplus/documents/1006/guidance_on_standards_for_training_in_smoking_cessation_practice_in_wales.pdf [Accessed 24th August 2015].
- ^{vi} Thomas, G, 2015. *Community pharmacy services in Wales, 2013-14. Welsh Government*. Available at: <http://gov.wales/docs/statistics/2014/141112-community-pharmacy-services-2013-14-en.pdf> [Accessed 23rd August 2015].
- ^{vii} Royal College of Art. *The Great British Public Toilet Map*. Available at: <http://greatbritishpublictoiletmap.rca.ac.uk>. [Accessed 24th August 2015].
- ^{viii} Legacy London. *Open London*. Available at <http://legacy.london.gov.uk/mayor/priorities/open-london/> [Accessed 24th August 2015].
- ^{ix} Welsh Cancer Intelligence and Surveillance Unit, 2015. *Cancer in Wales. Public Health Wales*. Available at: <http://www.wcisu.wales.nhs.uk/sitesplus/documents/1111/WCISU%20Official%20Stats%20Report%20Final%20English.pdf> [Accessed 24th August 2015].
- ^x Cancer Research UK. *Sunbeds and Cancer*. Available at: <http://www.cancerresearchuk.org/about-cancer/causes-of-cancer/sun-uv-and-cancer/sunbeds-and-cancer> [Accessed 24th August 2015].
- ^{xi} The Canadian Press, 2013. Tanning bed warning labels welcomed by Canadian dermatologists. *CBC News*, 25th February 2013. Available at: <http://www.cbc.ca/news/health/tanning-bed-warning-labels-welcomed-by-canadian-dermatologists-1.1328153> [Accessed 23rd August 2015].