

Sub Committees on The Smoke-free Premises etc. (Wales) (Amendment) Regulations 2012

Response from the Chartered Society of Physiotherapy

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Committee Clerk
Smoke-Free Premises etc (Amendment) Regulations
Sub Committee
Committee Service
National Assembly for Wales
Cardiff Bay
CF99 1NA

January 17th 2013

Dear Colleague

Re: THE SMOKE-FREE PREMISES ETC (WALES) (AMENDMENT) REGULATIONS 2012

Introduction

Please find a response from the Chartered Society of Physiotherapy (CSP) in Wales to this joint committee review.

Comments from the CSP

Q1. Is there a commercial need for this amendment to exempt performers from smoke free requirements?

The CSP does not consider there is a commercial need for this amendment. If it is felt necessary to protect the 'artistic integrity' of productions, and by opposing exemption this would have a commercial effect, then there is technical expertise available to simulate smoking which would be safe for actors and those around them. It would be better not to show smoking at all but the suggestion made by the CSP provides a compromise.

Q2. Will this amendment achieve its aim of supporting the television and film industry in Wales?

Those in favour of the amendment may consider a case is made but the costs of companies moving from Wales are purely speculative.

Welsh Government can support the television and film industry in Wales in a range of other ways that does not have to include this amendment to legislation.

Q3. Is there sufficient clarity about the circumstances in which the exemption applies?

The Society considers the wording 'where the artistic integrity of the performance ... make it appropriate for a person who is taking part in a performance to smoke ...' is clear but 'artistic integrity' will be subjective.

The key point from the profession is that smoking should not occur on stage or screen, however if it is to be permitted then it should only be done using simulation which is safer for actors, audience and crew.

Q4. Do the conditions offer adequate protection to other performers, production staff and members of the public?

In the CSP's view, the answer to this is no for reasons outlined above.

The Welsh Government's legislation to ban smoking in public places was hailed as 'landmark' in Wales – protecting the public, improving the health of the nation and cutting exposure to smoking for children and young people.

While actors may review a script prior to accepting a role so can make an active choice whether to expose themselves to a smoking environment. Production staff however may not have this luxury and find themselves working in a smoke filled environment without making this decision

This amendment will allow exposure in public places in relation to stage productions.

Q5. Might there be any unintended consequences of introducing this exemption?

The CSP considers the amendment is a retrograde step and an unintended consequence may be that the public may think the Welsh Government is not serious in its commitment to tobacco control. On the one hand the Government is thinking about banning smoking in cars yet on the other hand it is relaxing the ban for stage and screen. It sends mixed messages to the public.

An unintentional consequence may also be that it encourages other industries coming forward to produce their own exemptions promoting Wales as a pro smoking country.

Q6. What health policy considerations are relevant to this amendment?

This amendment will undermine targets in 'Our Healthy Future' and key areas of the 'Tobacco Control Alliance Plan', - a key one being to reduce exposure to second hand tobacco smoke.

Concluding remarks

Physiotherapists work with people who have smoking related problems as part of their everyday work so are keen to see the Welsh Government continue its fight against tobacco use.

The profession is happy to provide only **written** evidence at this stage.

About the CSP and Physiotherapy

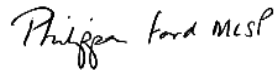
The Chartered Society of Physiotherapy is the professional, educational and trade union body for the UK's 50,000 chartered physiotherapists, physiotherapy students and support workers. The CSP represents 2,000 members in Wales.

Physiotherapists use manual therapy, therapeutic exercise and rehabilitative approaches to restore, maintain and improve movement and activity. Physiotherapists and their teams work with

a wide range of population groups (including children, those of working age and older people); across sectors; and in hospital, community and workplace settings. Physiotherapists facilitate early intervention, support self management and promote independence, helping to prevent episodes of ill health and disability developing into chronic conditions.

Physiotherapy delivers high quality, innovative services in accessible, responsive and timely ways. It is founded on an increasingly strong evidence base, an evolving scope of practice, clinical leadership and person centred professionalism. As an adaptable, engaged workforce, physiotherapy teams have the skills to address healthcare priorities, meet individual needs and to develop and deliver services in clinically and cost effective ways. With a focus on quality and productivity, physiotherapy puts meeting patient and population needs, optimising clinical outcomes and the patient experience at the centre of all it does.

Yours sincerely

A handwritten signature in black ink that reads "Philippa Ford MCSP". The signature is written in a cursive style.

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In association with:
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Welsh Physiotherapy Leaders Advisory Group
Physiotherapy Respiratory Network Wales