

## Public Health (Wales) Bill: Consultation questions

### Tobacco and Nicotine Products

The Bill includes proposals to ban the use of nicotine inhaling devices, such as e-cigarettes, in enclosed spaces like restaurants, pubs and at work. Shops will also have to join a register for retailers of tobacco and nicotine products, and it will become an offence to “hand over” tobacco and e-cigarettes to anyone under the age of 18.

#### Question 1

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?

Definitely agree –

- Risk of passive inhalation from vaping
- Evidence base on potential risks from chemicals in these devices is currently limited – so could pose further health risk of future
- Sends confused messages – is it/isn't it a cigarette – can't tell first glance.
- Problem enforcing smoking ban in public places/cars if confusion on what is being used
- Promotes copying/replicating behaviour by children and adolescents
- A child public health issue due to their age and vulnerability – cognition, knowledge and understanding immature to be able to make informed choices.
- Smoking/vaping is a leisure activity – should not be allowed in the workplace

#### Question 2

Do you believe the provisions in the Bill will achieve a balance between the potential benefits to smokers wishing to quit with any potential dis-benefits related to the use of e-cigarettes?

Yes

- Need to control products in case additional chemicals are added
- Need to prevent replacing the smoking habit with vaping habit
- Need to ensure those wishing to ‘quit’ smoking are assisted in an organised way
- Access to these can assist quitting but nicotine replacement is addictive so same control as tobacco encouraged.
- Promoting good choices for future population out ways the need for those who are trying to give up smoking by using other forms of inhalation products/e cigarettes as they could use

other forms to help which are not visible to children – i.e. patches or a placebo cigarette which contains no inhalation.

### *Question 3*

Do you have any views on whether the use of e-cigarettes re-normalises smoking behaviours in smoke-free areas, and whether, given their appearance in replicating cigarettes, inadvertently promote smoking?

Yes –

- Sends confused messages – is it/isn't it a cigarette – can't tell first glance.
- Problem enforcing smoking ban in public places/cars if confusion on what is being used
- Children and adolescents understanding immature to be able to make informed choices on what is being used and differences
- E-cigs produce a vapour which looks like a smoke so smoke free must mean smoke free

### *Question 4*

Do you have any views on whether e-cigarettes are particularly appealing to young people and could lead to a greater uptake of their use among this age group, and which may ultimately lead to smoking tobacco products?

Yes–

- Copying behaviour, fashion and media pressure may encourage take up that could lead to 'trying' smoking

### *Question 5*

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

Yes –

- Prevent room for illegal products
- Health& Safety e.g. Fire hazard, exploding devices also needs to be accounted for

### *Question 6*

What are your views on creating a new offence for knowingly handing over tobacco and nicotine products to a person under 18, which is the legal age of sale in Wales?

Yes though difficult to police\_

- Until evidence base is robust on long term use safety

## Special Procedures

The Bill includes a proposal to create a compulsory licensing system for people who carry out special procedures in Wales. These special procedures are tattooing, body piercing, acupuncture and electrolysis. The places where these special procedures are carried out will also need to be approved.

### *Question 7*

What are your views on creating a compulsory, national licensing system for practitioners of specified special procedures in Wales, and that the premises or vehicle from which the practitioners operate must be approved?

Excellent to create compulsory licensing system etc – to protect both the practitioner and the public

- Known significant risk of blood borne infection if not controlled
- Public health risk from unscrupulous practitioners
- Invasive procedure
- Need to protect the vulnerable be it children or adults
- Should adhere to code of practice
- 

### *Question 8*

Do you agree with the types of special procedures defined in the Bill?

Yes but –

- Need to consider fish pedicures also as no age limit stated in previous documents
- Need to consider colonic irrigation unless it is captured elsewhere

### *Question 9*

What are your views on the provision which gives Welsh Ministers the power to amend the list of special procedures through secondary legislation?

Yes but through expert advice and consultation with key stakeholders

### Question 10

Do you have any views on whether enforcing the licensing system would result in any particular difficulties for local authorities?

- May be additional duties but implications for infection and H&S need to be controlled.
- Already inspect tattoo parlours.
- Recent evidence of hepatitis spread via such establishment in Wales. Need to protect children
- Need to apply advertising rules as for smoking

### Intimate piercings

The Bill includes a proposal to ban intimate body piercings for anyone under the age of 16 in Wales.

### Question 11

Do you believe an age restriction is required for intimate body piercing? What are your views on prohibiting the intimate piercing of anyone under the age of 16 in Wales?

Yes–

- Think a legal age limit is definitely required however again this does depend also on the competence/capacity of the child regarding this and perhaps consent of a parent should also be sought between age 16 and 18? Or even raised to 18.
- Need to consider cultural aspects.
- Risk assessment of any consent given required – why would they need at an age below 18yrs
- Are all operators DBS checked?
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### Question 12

Do you agree with the list of intimate body parts defined in the Bill? Whether any other types of piercings (for example naval piercing, tongue piercing) should be prohibited on young people under the age of 16.

Yes agree

- the legal and ethical issues regarding consent and capacity should be considered at this age however for such intimate piercings the issues around vulnerability and safeguarding are also paramount – protecting children from harm should be the first priority and therefore by making the age restriction at 16 would in some way go to enforce this however again as in Question 11 there may still be some young people who would be vulnerable at age 16 – 18 and this needs careful consideration regarding being fully aware and informed of decision to have an intimate piercing – i.e. infection, scarring etc and therefore may be a need to raise the age to 18.
- May have implications for future health – psychological/physical
- Should prohibit advertising of such procedures

## Community pharmacies

The Bill will require local health boards in Wales to review the need for pharmaceutical services in its area, and that any decisions relating to community pharmacies are based on the needs of local communities.

### *Question 13*

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

- Depends what exactly is being proposed as it is unclear-
- Must protect those vulnerable individuals to ensure they can get access to services if they are disabled, elderly, vulnerable, don't drive, have intellectual problems in care etc
- Must be equitable not just efficient based on cost
- Must be truly needs based

### *Question 14*

What are your views on whether the proposals will encourage existing pharmacies to adapt and expand their services in response to local needs?

Definitely agree-

- Reduce GP pressure for non acute care e.g. coughs/colds as they advise now
  - Encourage existing pharmacies to adapt and extend their services – particularly undertaking training in the assessment of competence for children/young people requesting any medication or advice.
  - Need to have link to GP for referral if needed
  - Good examples – flu vaccine, routine vaccination clinics for travel health, BP checks, glucose and weight checks etc - promote as 'well being services' rather than illness support
- Need to diversify and utilise skills of the pharmacist – perhaps employ nurse practitioners in pharmacies

## Public toilets

The Bill includes a proposal that will require local authorities to prepare a local strategy to plan how they will meet the needs of their communities for accessing public toilet facilities. However, the Bill does not require local authorities to actually provide toilet facilities.

### *Question 15*

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?

Publishing it doesn't necessarily mean it will get to the highest risk groups who it may affect. Stating what they will do should be after they have consulted

### *Question 16*

Do you believe that preparing a local toilet strategy will ultimately lead to improved provision of public toilets?

No-

- Difficulty accessing in some areas now – rural Wales shutting public toilets because of cost.
- Needs to be guided by key elements they must provide for public

### *Question 17*

Do you believe the provision in the Bill to ensure appropriate engagement with communities is sufficient to guarantee the views of local people are taken into account in the development of local toilet strategies?

NO-

- Must protect those vulnerable individuals to ensure they can get access to services if they are disabled, elderly, vulnerable, have particular health needs where access required – bowel/ bladder disorders, continence issues, stoma. Also young children.
- How will you seek the views of those most likely to be affected

### *Question 18*

What are your views on considering toilet facilities within settings in receipt of public funding when developing local strategies?

There are positives and negatives to this-

- An example of setting - public houses are paid – will they have to be DDA friendly, would a parent of small child feel happy to enter.
- Those with religious and cultural needs have to be considered
- Thinking of waste issues – who will control
- How would public access during bank holidays, out of hours etc

### **Other comments**

### *Question 19*

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

Some but not all – obesity and alcohol abuse are key problems in Wales also!

*Question 20*

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

As above

*Question 21*

Are there any other comments you would like to make on any aspect of the Bill?

Need more information on each aspect to make further informed responses