

3.2 Deputy M. Tadier of St. Brelade of the Minister for Health and Social Services regarding banning smoking in cars carrying children:

Following the recent announcement that the Minister is planning to bring forward proposals to ban smoking in cars where children are present, will the Minister explain what action, if any, will be taken to include other enclosed spaces, such as the home, where the risk of harm may be even more acute?

Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):

Ideally no one should smoke anywhere that children can be harmed. The results of the 2013 public consultation on protecting children from second-hand smoke showed an overwhelming majority of people in Jersey would support a ban on smoking in cars carrying children. That proposed legislation is responding to that. What the results did not show was that the same level of support for extending that legislation to other enclosed spaces, such as in the home. The legal ban of people's own homes would also be extremely difficult to enforce. It will not however stop our efforts to encourage people to create smoke-free homes and we will continue working to educate people about smoking and the need to protect our children from serious harm that second-hand smoke can cause.

3.2.1 Deputy M. Tadier:

Is the reason that the Social Survey did not show support for extending it, for example, to the home is because that question was never asked and what the Social Survey did was ask, in this case, a fairly obvious question to which any right-minded person would have to reply: "Yes of course, smoking should not take place in cars with children, and we would support a ban"?

The Deputy of Trinity:

As I understand it, that question was asked and the public consultation with both non-smokers and smokers so that families with children should be encouraged to create smoke-free homes. But the feedback was saying that they did not want legislation for that.

3.2.2 Senator S.C. Ferguson:

By what authority does the Minister consider that she should take over the role of the parent?

The Deputy of Trinity:

I would like to think that I am a parent, a mother and a grandmother. At the end of the day, I am there charged to protect our children from second-hand smoke. We know the effects that smoking does, and especially on children on very young lungs, and if we can prevent some children from developing problems as they grow up, such as asthma and respiratory diseases, then that is a very good thing.

3.2.3 Senator S.C. Ferguson:

Supplementary. By what authority does the Minister consider that she has the right to take over the duties of a parent?

The Deputy of Trinity:

As I said before, the legislation will be coming back to amendment on the Restriction of Smoking 1973 Law and it will be up to this Assembly to make that final decision.

Senator S.C. Ferguson:

Whom private property ...

The Bailiff:

You have asked 2 questions, Senator.

3.2.4 Deputy T.A. Vallois of St. Saviour:

Could the Minister advise then why she has not gone down the route of making tobacco illegal?

The Deputy of Trinity:

That is a very good question. Personally-wise, I think it is something that I would like to see but I know in reality it is very difficult to do that. But I think education again is important. There have been calls from some of our clinicians, because they see the effects of smoking in all age groups, to make Jersey Island smoke-free. For me that is perhaps a step too far.

3.2.5 Deputy S.Y. Mézec:

Is the Minister aware of the situation in Tokyo where smoking is banned on some of the high streets and would she consider something like that appropriate for a place like King Street or Queen Street where despite it being technically outside it is in many ways like an enclosed area and people can inhale second-hand smoke walking behind smokers in the high street.

The Deputy of Trinity:

I was not particularly aware of that one in Tokyo but I will certainly look at it. I think that question about pedestrians on the street was asked during the survey but it did not get much support at this stage.

3.2.6 Deputy M. Tadier:

There are many questions obviously which could be asked, and no doubt will be brought out in the debate, and one issue is that of proportionality. Will the Minister say simply for the record, does she think it is more harmful to smoke in a car with a 10 year-old child with all the windows open or to smoke in a front room with all the windows shut and chain smoke for 3 hours in a row? Which is more likely to do most harm to the children? A 20-minute journey in a car with windows open or a week's potentially smoking with a child locked up in a front room where nobody can do anything about that?

The Deputy of Trinity:

All smoking is harmful. I think that is the most important thing to get across. We have to do one step at a time. When you are smoking in a confined place like a car, with or without the windows open, the children have no choice to get out of the car or perhaps they can with a transport strategy, to get out of the car. So it will have an effect on their young lungs. I would like to think that education; that people take the responsibility of having smoke-free rooms in a house or even smoking outside.

Deputy M. Tadier:

Why is she not offering it?