

A quick guide to the new smoke free law

The new law is being introduced to protect employees and the public from the harmful effects of second hand smoke.

Key points are:

- From 1 July 2007 it will be against the law to smoke in virtually all enclosed and substantially enclosed public places and workplaces. See below for definitions.
- Public transport and work vehicles used by more than one person will also need to be smoke free.
- No-smoking signs will have to be displayed in all smoke free premises and vehicles.
- Staff smoking rooms and indoor smoking areas will no longer be allowed, so anyone who wants to smoke will have to go outside.
- Managers of smoke free premises and vehicles will have legal responsibilities to prevent people from smoking.
- If you are uncertain where you can or can't smoke, just look for the no-smoking signs or ask someone in charge.



Penalties and fines for breaking the smoke free law

If you don't comply with the new smoke free law, you will be committing a criminal offence. The fixed penalty notices and maximum fine for each offence are:

- Smoking in smoke free premises or work vehicles: a fixed penalty notice of £50 (reduced to £30 if paid in 15 days) imposed on the person smoking. Or a maximum fine of £200 if prosecuted and convicted by a court.
- Failure to display no-smoking signs: a fixed penalty notice of £200 (reduced to £150 if paid in 15 days) imposed on whoever manages or occupies the smoke free premises or vehicle. Or a maximum fine of £1000 if prosecuted and convicted by a court.
- Failing to prevent smoking in a smoke free place: a maximum fine of £2500 imposed on whoever manages or controls the smoke free premises or vehicle if prosecuted and convicted by a court. There is no fixed penalty notice for this offence.

Local councils will be responsible for enforcing the new law in England.

A telephone line (0800 587 166 7) will also be in operation from 1 July 2007 to enable members of the public to report possible breaches of the law. This information will be passed to local councils to follow-up as appropriate.

Is “smoke free” leading us anywhere?

Like many people, I am in two minds about the smoke free legislation. On the one hand, as a non-smoker (or more accurately a former smoker) I do want to be able to avoid smoke from other people and I think the health reasons for not smoking are compelling. On the other hand, I don't like the “banning mentality” and I do wonder in which direction it may lead us as a society.

It may be argued that smoking is an open-and-shut-case for banning in public spaces. It can't be right for those who smoke to compel others to inhale their fumes. In addition, the damage to the health of a smoker is going to be great, but isn't that their business? We don't stop people taking other equally huge risks like sailing around the world single-handed, climbing mountains, bungee jumping or riding motor bikes, do we?

The truth is that smoking tobacco is a drug dependency and like any other dependency, once it has got a grip, it is fiercely difficult to shake off. We do need to change to a mainly non-smoking society eventually, but in the meantime, we must be patient and remember what an essential part of



our culture smoking has been for such a long time. Especially in those dark days of the wars of the 20th century, smoking provided an opportunity for sharing and good camaraderie in times of fear and personal danger and bereavement.

This photo from 1939 shows, from left to right, Fr. Keith, Fr. Harris, Fr. Peck and Fr. Souttar.

Fr. Michael Peck, who is seen sporting a fag, was one of the most popular of the many curates who worked at Holy Cross, and when I arrived in Greenford in 1982, his name was being spoken of with great love and respect some 37 years after his departure. We must try and not become obsessed by smokers who are, after all, normal people like you and me, and some of them are even friends or members of the family! We don't want to approach the matter in the spirit of a witch hunt, do we!

The obvious question is – what's next? Booze? Sex? We already have the busybodies telling us what food to eat and not to eat, don't we? And the worrying thing is that if we want to make our own choices which the Government's experts don't like, they have our images on CCTV now almost everywhere and our purchases can be tracked through our credit and loyalty cards as well.

We may not be entering the year 1984 quite, but the makings are there and I don't feel comfortable. I can't imagine a Government led by Gordon brown or David Cameron knowingly going down the route to Big Brother, but it feels like a slippery slope and I don't want to end up slipping down it all the way to a nightmare.

Neil Richardson