



Jamie Hepburn, MSP
Minister for Sport, Health
Improvement & Mental Health
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Dear Jamie Hepburn

25th February 2015

We write to express our great satisfaction over your appointment as Minister for Sport, Health Improvement and Mental Health in November 2014. VOX is Scotland's national mental health service user-led organisation and works in partnership with mental health and related services to enable service users to contribute positively to changes in the services which serve them and wider society. As such, VOX has long supported the appointment of a Minister with a title emphasising specific responsibility for mental health, and we look forward to developing a strong and constructive relationship with you on matters of mutual interest.

Unfortunately, our first correspondence with you must address a grave and compelling issue for many of our members – namely, the retention of the smoking ban exemption currently enjoyed by the grounds of mental health facilities. We feel that the current arrangement (which permits smoking in the grounds of mental health facilities) represents a humane and judicious approach to a complex issue, and note that Scottish Government policy on this issue – articulated in *Creating A Tobacco Free Generation* (2013) – unambiguously supports retention of an exemption for mental health facilities by stating that any effort to introduce a comprehensive smoking ban in NHS premises “*will not apply to mental health facilities*” (p.27 and p.43).

Unfortunately, two agencies have misinterpreted this policy. In January 2015, NHS Health Scotland drafted an Implementation Guide which, in our opinion, does not reflect the above policy intent, whilst NHS Greater Glasgow and Clyde currently seeks to impose a comprehensive smoking ban on the basis of what we regard as a faulty interpretation of Government policy. We enclose copies of the documents generated by these two agencies to illustrate this point and demonstrate the manner in which Scottish Government policy is being misinterpreted.

We are uncertain how the policy intention could have been so misunderstood that a special health board has produced flawed guidance on this issue, and that NHS Greater Glasgow and Clyde now seeks to act on the basis of this flawed interpretation. We seek clarification from yourself regarding Scottish Government policy on this issue.

VOX and its members strongly support Government policy and appreciate the many benefits to be derived from smoking cessation, but we also believe that arbitrarily enforcing nicotine withdrawal at a time when an individual is experiencing profound distress while confined within a mental health facility is unlikely to support long term smoking cessation but – on the contrary - will serve to maximise patient distress, delay recovery, extend hospital stays and undermine the therapeutic relationship between patients and NHS staff. Addictions research also reveals that individuals are most likely to permanently renounce tobacco when they opt to do so at a time of their choosing and with the full support of family and friends, and such conditions are unlikely to obtain when a patient is admitted to hospital while experiencing acute mental illness.

VOX has consulted widely on this issue and we enclose copies of our consultations to contextualise our concerns. Based on this research, VOX and its members strongly believe that introducing a comprehensive smoking ban in NHS facilities (including psychiatric hospitals) will merely serve to magnify patient distress to no good end, and we ask you to clearly reiterate the smoking ban exemption for mental health facilities outlined in *Creating A Tobacco Free Generation* to help resolve this matter in a swift and sensitive manner.

We are deeply sorry that our first correspondence with you must include a request for action on this vexatious topic, but we only recently obtained copies of the enclosed Implementation Guidance documents and believe that, without your intervention, other health boards and local authority partners may seek to introduce smoking bans throughout their facilities in 2015.

We thank you for your attention to this matter and look forward to hearing from you in due course. VOX is a membership organisation with both individual and group members and expresses the views of many individuals with a lived experience of mental illness. Some of our member organisations have also consulted around this issue and share our concerns over the introduction of a comprehensive smoking ban. We enclose copies of this supplementary evidence and the concerns expressed in this letter are fully endorsed by the following VOX group members – Acumen, Highland Users Group, Klacksun, Mental Health Network Greater Glasgow, Plus Perth and Kinross, User and Carer Involvement and West Dunbartonshire Mental Health Forum.

With every best wish

Yours sincerely

JOYCE MOURIKI, MBE
Chair, Voices of Experience