

STATES OF JERSEY

r

CIGARETTE LIGHTER REFILL CANISTERS: SALE TO MINORS

**Lodged au Greffe on 5th October 2005
by Deputy G.P. Southern of St. Helier**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree, in principle, that it should become an offence for any person to sell cigarette lighter refill canisters containing butane, or a substance with butane as a constituent part, to any person under the age of eighteen years; and,
- (b) to request the Economic Development Committee, in consultation with the Home Affairs Committee as appropriate, to bring forward for approval the necessary legislation to give effect to the proposal.

DEPUTY G.P. SOUTHERN OF ST. HELIER

REPORT

Data in this report are taken from “Trends in Death Associated with Abuse of Volatile Substances 1971 – 2003”, St. George’s, University of London, Division of Community Health Sciences, Report 18.

Jersey currently has no legislation covering this area, but there is a voluntary code in place for retailers to prevent the sale of solvent-based products to minors. Anecdotal evidence would suggest that this code is fairly well enforced in large stores, but public perception and hence retailer attention is often directed towards solvent-based glues rather than gas.

The terms “glue sniffing” and “solvent abuse”, which were commonly used in connection with volatile substance abuse, have for some years been inadequate to describe the problem, the term “volatile substance abuse” (VSA) has been adopted by professionals and others concerned with drug abuse. Volatile Substance Abuse is defined as the deliberate inhalation of a volatile substance (gas, aerosol propellants, solvents in glue and other solvents) to achieve a change in mental state, that is, intoxication.

Over the past 18 months, local media have raised public concerns over this issue. The Volatile Substance Abuse conference organised by the Health Promotion Unit last year, involving the participation of Re-Solv, the UK charity dedicated to the issue of solvent abuse, was successful in focussing the attention of a wide range of professionals involved with young people. I, like many, left the conference much better informed about VSA and its dangers. Most significantly, the near-miss involving 4 young people sniffing in a tent brought home to me the need to act now to legislate on this issue.

The most common age for experimentation with solvent sniffing is between 12 and 15. Surveys of health issues locally report that upwards of 50 young people in this age-group had inhaled solvents. The fact that solvents are readily available and cheap makes solvents an attractive option for this age-group. It is a high-risk activity, not only from “sudden sniffing death (SSD)”, but more commonly the risk of injury or accident whilst intoxicated.

Members will note from Table 4 that whilst the number of deaths in the Channel Islands from VSA is not high they may consider that 4 deaths over the past decade is 4 too many. According to the Health Promotion Unit there can be no doubt that there is an underlying, largely hidden, problem in the Island over VSA amongst a proportion of our young people.

Of course no single measure or regulation can be guaranteed to stop abuse and to completely protect young people who are tempted to experiment with drugs of any type. Effective action must depend upon a combination of measures both from a variety of approaches involving drug education, awareness-raising and prevention. However, I believe that the case for the introduction of regulations as described in this proposition would make a significant contribution to addressing the problem.

Despite much progress in reducing deaths among young people under 18 from VSA Figure 3 shows that over 20% of deaths occurred in this age-group in 2003.

The most obvious way forward would seem to be to legislate along the lines of the UK, making the supply of volatile substances to under-18s an offence. The 2 relevant pieces of legislation are –

- ◆ Intoxicating Substances (Supply) Act 1985
- ◆ Cigarette Lighter Refill – Safety Regulations 1999.

My understanding is that the earlier Act has been largely ineffective because of the difficulty of proving that retailer “knows” that the purchaser is under 18, and even worse, under this Act it is the employee who is charged with breaking the law and not the company.

The cigarette refill regulations, on the other hand, have been seen to be successful in playing a part in addressing the problem.

Key points from the latest research conducted into deaths from VSA, conducted by St. George's Hospital, University of London, which are relevant to the possible adoption of these regulations in Jersey are as follows –

- There were 51 deaths associated with volatile substance abuse in 2003, the lowest annual total recorded since data collection methods were stabilised in 1983. The number of deaths in 2002 was 65.
- Since 1992 the fall in deaths has been modest, from an average of 76 per year in 1993 – 1997, to an average of 64 per year in 1999 – 2003.
- Gas fuels continue to be associated with the majority of deaths. In 2003, butane from all sources, including aerosol propellants, accounted for 78% of VSA deaths (40 of the 51 deaths).
- Of the 9 VSA deaths in under-18 year-olds in 2003, 6 were associated with butane cigarette lighter refills, the sale of which to under-18s is prohibited by legislation. The corresponding numbers for 2002 were 24 and 15 respectively.

Table 7 shows deaths across all ages by year for a wide range of sources of volatile substances. Over the past decade it is obvious that the major source for substance abuse, used by two-thirds of abusers, is butane from cigarette lighters and refills. This is shown in graphical form in Figure 10. The majority of deaths are attributed to the abuse of gas fuels. Overall one can distinguish a slight downward trend in numbers of deaths.

The equivalent figures for under-18 year-olds over the same period is displayed in Figure 11. Here one can distinguish a somewhat different trend. Among those aged under 18, deaths from gas fuels fell from 15 in 2002 to 6 in 2003, which was the fourth full year in which legislation (The Cigarette Lighter Refill (Safety) Regulations 1999) was in effect, banning their sale to under-18 year-olds.

In this age-group the average number of deaths associated with lighter fuel fell by 39% following the legislation, from 18.2 per year (1994 – 1999) to 11 per year (2000 – 2003). Whilst figures taken over a relatively short period cannot be taken as definitive, they are indicative that the Regulations have played some part in reducing deaths in under 18s from volatile substance abuse.

It is apparent to me that adoption of this measure would provide a simple and potentially significant mechanism to protect under-18 year-olds from, and especially those in the 12 – 15 age-group who are most at risk, from the dangers of VSA.

By making these Regulations apply to under 18s, we will be putting VSA on the same footing as alcohol and tobacco. Monitoring the effectiveness might come under the responsibilities of the police, the honorary police or trading standards officers, but should not prove difficult.

There are no significant financial and manpower costs arising from this proposition.

TABLE 4

**Number of VSA Deaths in Each Region and Country
1971-1993 and each year to 2003**

REGION or COUNTRY	YEAR											TOTAL
	71-93	94	95	96	97	98	99	00	01	02	03	
ENGLAND:												
North East	88	4	4	5	6	7	7	3	3	6	4	135
North West	183	9	7	9	14	16	8	10	4	4	5	267
Yorkshire/Humber	130	7	5	11	11	4	5	5	10	7	3	198
East Midlands	82	3	10	5	5	10	6	5	9	5	3	143
West Midlands	127	6	9	3	5	6	7	7	5	10	5	190
East	86	6	1	4	11	5	4	7	5	2	4	135
London	177	11	8	6	7	6	7	4	6	2	7	241
South East	143	5	12	9	4	7	4	7	4	10	7	212
South West	78	4	6	5	5	3	8	4	3	5	1	122
TOTAL ENGLAND	1092	55	62	57	68	64	54	52	49	51	39	1643
WALES	60	1	3	3	1	3	7	1	1	5	1	86
SCOTLAND	196	9	9	13	5	10	8	9	9	8	6	282
N.IRELAND	52	2	1	3	3	3	6	2	4	1	5	82
CHANNEL ISLANDS	3	0	2	1	0	0	0	1	0	0	0	7
ISLE OF MAN	0	0	0	1	1	0	0	1	0	0	0	3
TOTAL UK	1403	67	77	78	78	80	75	66	63	65	51	2103

St George's, University of London

FIGURE 3

Age Distribution of Deaths All ages : 1971-2002 and 2003

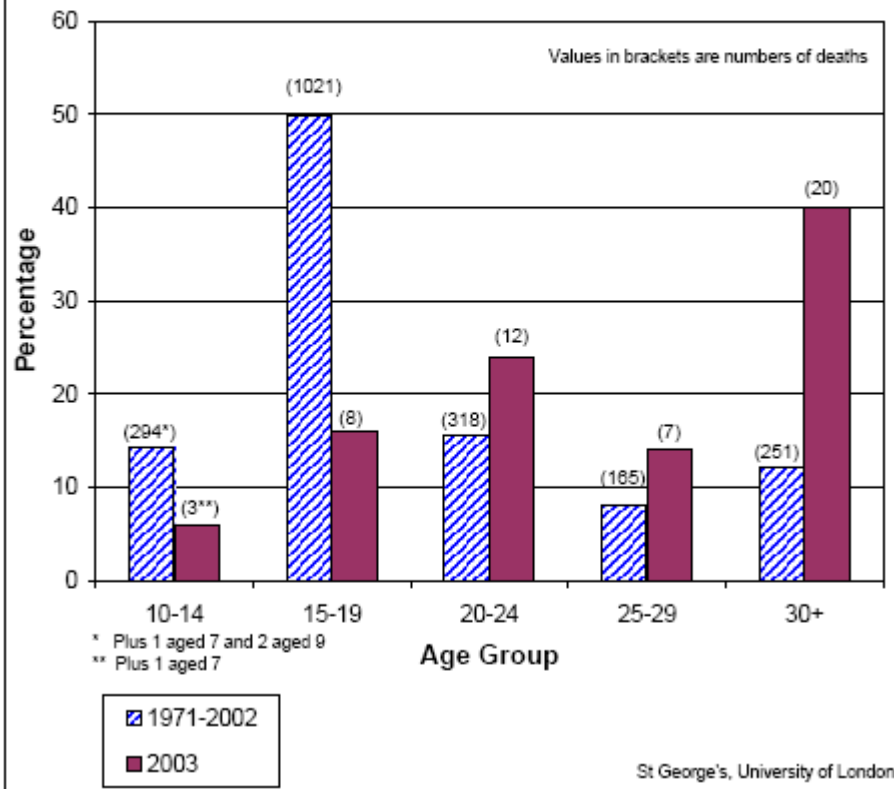


TABLE 7

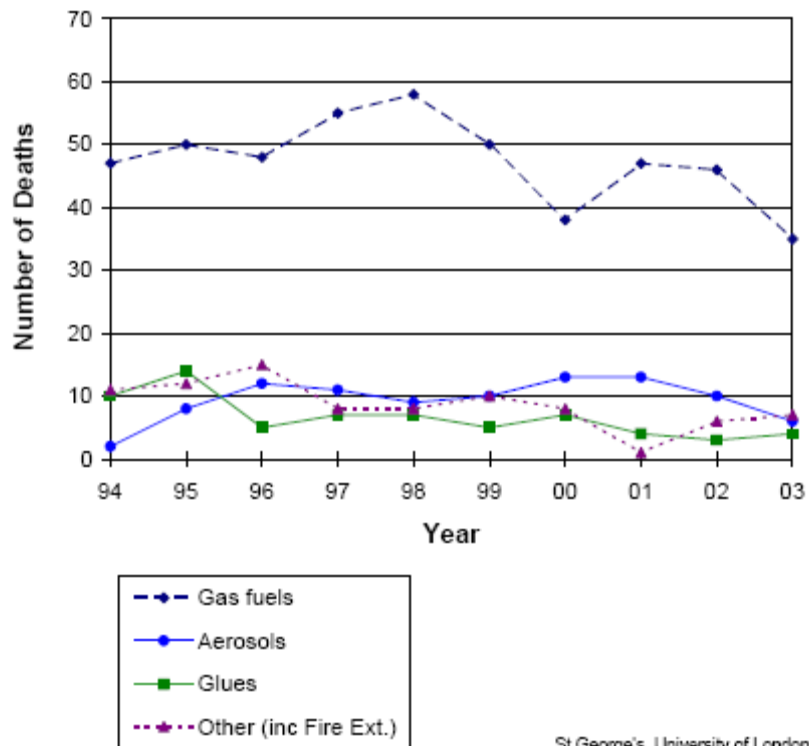
**Primary Substances Abused by Year
1994 to 2003**

SUBSTANCE		YEAR										TOTAL
		94	95	96	97	98	99	00	01	02	03	
GAS FUELS	No.	46	49	48	55	57	50	38	46	46	35	470
	%	68.7	63.6	61.5	70.5	71.3	66.7	57.6	73.0	70.8	68.6	67.1
AEROSOLS	No.	2	5	11	9	8	10	13	12	10	5	85
	%	3.0	6.5	14.1	11.5	10.0	13.3	19.7	19.0	15.4	9.8	12.1
GLUES	No.	8	14	5	8	7	5	6	4	3	4	62
	%	11.9	18.2	6.4	7.7	8.8	6.7	9.1	6.3	4.6	7.8	8.9
FIRE EXTINGUISHER	No.	0	1	0	0	0	1	0	0	0	0	2
	%	0.0	1.3	0.0	0.0	0.0	1.3	0.0	0.0	0.0	0.0	0.3
OTHER	No.	10	8	14	8	7	9	8	1	6	7	78
	%	14.9	10.4	17.9	10.3	8.8	12.0	12.1	1.6	9.2	13.7	11.1
NOT KNOWN	No.	1	0	0	0	1	0	1	0	0	0	3
	%	1.5	0.0	0.0	0.0	1.3	0.0	1.5	0.0	0.0	0.0	0.4
TOTAL	No.	87	77	78	78	80	75	66	63	65	51	700
	%	100	100	100	100	100	100	100	100	100	100	100.0

St George's, University of London

FIGURE 10

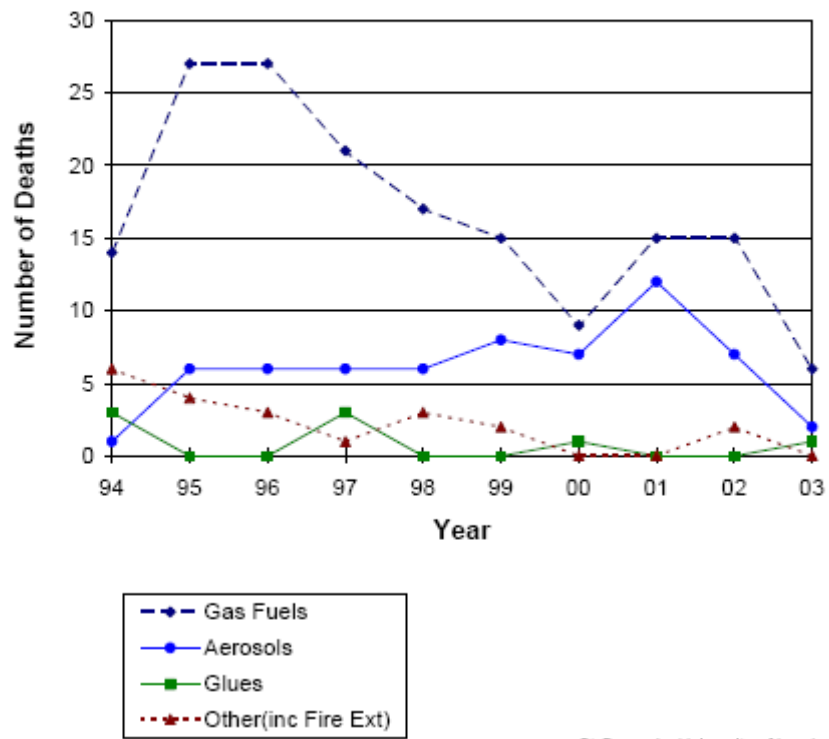
Substances Abused: 1994 - 2003 (all ages)



St George's, University of London

FIGURE 11

**Substances Abused: 1994 - 2003
under 18 year olds**



St George's, University of London