

2005

Office of Tobacco Control
Annual Report





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chairman's statement

As Chairman of the Office of Tobacco Control, I am pleased to present the 2005 Annual Report at the end of another successful year.

Sadly, however, I must begin by reporting the death of our Chief Executive, Tom Power on 25 November 2005. On behalf of the Board, management and staff of the Office, I would like to record his invaluable leadership and commitment not just to this organisation but to tobacco control policy in Ireland and around the world.

A former senior official of the Department of Health and Children, Tom's contribution to tobacco control policy in Ireland was immense. In the late 1990s he guided the Joint Oireachtas Health and Children Committee in its deliberations on the issue of health and smoking and played a critical role in the development of the policy document *Towards a Tobacco Free Society*. Adopted as government policy in 2000, this seminal report continues to guide the Office today in its efforts to curb tobacco addiction and eradicate tobacco from society. Tom's greatest legacy to tobacco control was the introduction of the smoke-free workplace legislation in Ireland. His vision and commitment in ensuring the passage of this legislation into law cannot be overestimated. Literally millions of people in Ireland and around the world will owe Tom Power a debt of gratitude for his achievement.

In 2005, the Office continued to monitor and coordinate the implementation of the smoke-free workplace legislation through the National Tobacco Control Inspection Programme. The public's support of the measure was reflected in independent research published on the first anniversary of the legislation. An overwhelming 98% of the Irish public believed that workplaces were healthier since the introduction of the law on 29 March 2004. The law has been vigorously upheld with national compliance at 95%. However, vigilance remains necessary

and active enforcement is a key tool in ensuring continued high levels of compliance. This report details compliance nationally and regionally, including information on prosecutions taken by various Health Service Executive (HSE) areas. We thank and acknowledge the commitment and dedication of our partners in the enforcement of the legislation, particularly the Environmental Health Officers (EHOs) of the HSE, and the Health and Safety Authority.

The legislation has already contributed to greater protection for all from the harmful effects of second-hand smoke and the promotion of a tobacco free society. Preliminary results from a number of pre and post ban studies by the Research Institute for a Tobacco Free Society demonstrate the positive health benefits already accruing from the measure. These results are confirmed by the study published in the British Medical Journal in October showing an 80% decline in cotinine concentrations (exposure to second-hand smoke) in bar workers in the Republic of Ireland.

The smoke-free workplace legislation is only one part of a wider suite of tobacco control measures introduced over recent years. In 2005, the Office continued the implementation of a comprehensive and integrated tobacco control programme.

Cigarette smoking prevalence, based on data monitored and published by the Office, declined to just under 24% by December 2005 from 31% in 1998 and 27% in 2002 (Slán surveys). There was a slight reversal in the downward trend over 2005 highlighting the need for rigorous, sustained and multi-faceted programmes to combat the tobacco epidemic.

Irish women are now smoking at similar rates to Irish men despite increased awareness of the risks involved. This is being reflected in the disease profile among women, particularly lung cancer rates where it is estimated that by 2020 lung cancer will be a predominantly female disease.

It is of serious concern that almost one fifth of 15-18 year olds continue to smoke. Access and affordability are key issues. The Office regards the prevention of smoking among young people to be of paramount importance.

Tobacco is highly addictive and breaking the cycle of addiction is an enormous challenge. Three quarters of all smokers want to quit with almost two thirds having tried at some stage to give up. Proven cessation strategies must be pursued to support smokers in their cessation efforts and we look forward to working closely with the HSE on this issue.

The facts remain: smoking is the leading preventable cause of premature mortality, killing almost 6,000 people in Ireland each year. Lifetime smokers have a 50% chance of dying from tobacco related illnesses. Half of these will die in middle age losing on average 22 years of life.

Best national and international evidence indicates that the most effective means of addressing the tobacco epidemic is through price. This Office continues to recommend substantial tax increases on an annual basis, significantly above the rate of inflation. This would assist in curbing the incidence of smoking, especially among young people.

The ratification of the world's first public health treaty, the World Health Organization's (WHO) Framework Convention on Tobacco Control (FCTC) is greatly

welcomed by the Office and we look forward to assisting the Tánaiste and Minister for Health and Children, Ms Mary Harney TD and the Minister of State, Mr Seán Power with the introduction of further tobacco control measures provided for in the Convention in the coming years.

I would like to acknowledge the on-going support and commitment of the Department of Health and Children, in particular the Tobacco Control Unit.

Once again the active engagement of civil society groups including ASH Ireland, Irish Cancer Society, Irish Heart Foundation and the trade union movement is to be commended and we will continue to work closely with all our partners to achieve our common goal.

I wish to conclude by expressing my sincere thanks to the Board, management and each member of staff of the Office for their hard work, commitment and professionalism during a very difficult year. I would like to thank Raphael Mitchell who was our acting Chief Executive during 2004/2005, and acknowledge the work of the staff of the Office at a difficult time of transition. I particularly welcome Marie Killeen's appointment as acting Chief Executive.

The Office looks forward to the fulfilment of its objectives as outlined in the *Towards a Tobacco Free Society* report. We will continue to pursue these with energy and enthusiasm. In particular, we intend to pursue the protection of children from smoking as our main priority.



Dr Michael Boland
Chairman

93%

of people think smoke-free workplaces are a good idea



summary of achievements in 2005

Across all areas of the Office's remit, 2005 proved to be a very active and rewarding year. The focus during this period was on the five strategic objectives outlined in the 2005 business plan.

- Research published in *Smoke-Free Workplaces in Ireland: A One-Year Review* showed that the workplace legislation continues to enjoy tremendous public support. A survey of attitudes found that a year after its introduction 93% of people, including 80% of smokers, think the law was a good idea. 98% of those surveyed believe that workplaces are now healthier because of the smoke-free law.
- An event to mark the first anniversary of the smoke-free workplace legislation was held on 29 March 2005. Preliminary research findings, demonstrating the associated health benefits already accruing to Irish society, were presented at the event. Representatives of the many organisations who supported the implementation of the measure were in attendance highlighting the broad based community ownership of the issue.
- During 2005 there were 35,042 inspections carried out under the National Tobacco Control Inspection Programme, which is coordinated by the Office in cooperation with the HSE. EHOs found that 95% of workplaces inspected were compliant with Section 47 of the Public Health (Tobacco) Acts, 2002 and 2004. Such high compliance levels were endorsed by a TNS mrbi survey, completed in December of 2005, which reported that 98% of all indoor workers believed their place of employment to be smoke-free.
- The lo-call Smoke-Free Compliance Line continues to play a key role in building and maintaining compliance with the smoke-free workplace legislation. During 2005 there were 1,353 calls to the line.
- There were 38 prosecutions taken in 2005 for permitting smoking in an enclosed workplace and/or for the non-display of no-smoking signage. Of these, 32 were in respect of licensed premises.
- In November 2005 Ireland became the 101st country to ratify the WHO's Framework Convention on Tobacco Control.
- The Office continued to monitor monthly smoking prevalence and behaviour during 2005. December data showed that overall numbers smoking (15 years or older) remains less than 24%.
- Throughout 2005 the Office met with a host of international groups and parliamentary delegations. Such cross border communication and sharing of best practice plays an important role in the development of a global response to what is a global public health issue. During the year the Office was also invited by the WHO to join the drafting group for the European Report on Tobacco Control 2006.
- To meet the evolving needs of the organisation, its staff and other stakeholders, the Office completed its move to new corporate accommodation in Naas, County Kildare in late July.

functions of the Office of Tobacco Control

The Office of Tobacco Control is a statutory body set up to implement and manage the Government's tobacco control policy as outlined in the report *Towards a Tobacco Free Society*, published in 2000.

The Office is committed to supporting the Government's policy of promoting a tobacco free society by performing the functions assigned to it under the Public Health (Tobacco) Act, 2002 in a professional and independent manner.

These may briefly be summarised as follows:

1. To advise the Minister for Health and Children, and assist him or her in the implementation of policies and objectives of the Government, on the control and regulation of tobacco products generally;
2. To consult with relevant national and international bodies on developments in tobacco control;
3. To advise the Minister on any further actions that should be taken to reduce or eliminate smoking or its effects;
4. Organise research and disseminate the results;
5. Coordinate a national inspection programme in cooperation with the health boards;
6. To advise the Minister as required on the manufacturing and marketing activities of the tobacco industry;
7. To perform such other functions as the Minister may assign to the Office from time to time.

In addition, the Office of Tobacco Control will perform certain specific functions such as the maintenance of a register of retail premises and conduct compliance testing on tobacco products.

A woman with short dark hair, wearing a brown cardigan and pink trousers, is riding a maroon bicycle in the foreground. She is smiling and looking towards the camera. In the background, a man in a light blue sweater and dark trousers is also riding a bicycle, looking towards the camera. They are on a paved path next to a body of water with a cloudy sky in the background.

less than

24%

of the Irish population
are smokers

Source: TNS mrbi Smoking
Prevalence Tracker, December 2005
(Sample = 15+ years)

board members

The Board of the Office of Tobacco Control is appointed by the Minister for Health and Children.

The Board consists of twelve members from a wide range of relevant disciplines including medicine, academia, health service management, the Health and Safety Authority and the Department of Health and Children.

The Chair of the Board is Dr Michael Boland who is Director of the Postgraduate Resource Centre at the Irish College of General Practitioners.

During 2005 the Board met seven times. At the end of December 2005 the following were members of the Office's Board:

1



2



3



4



5



6



7



8



9



10



11

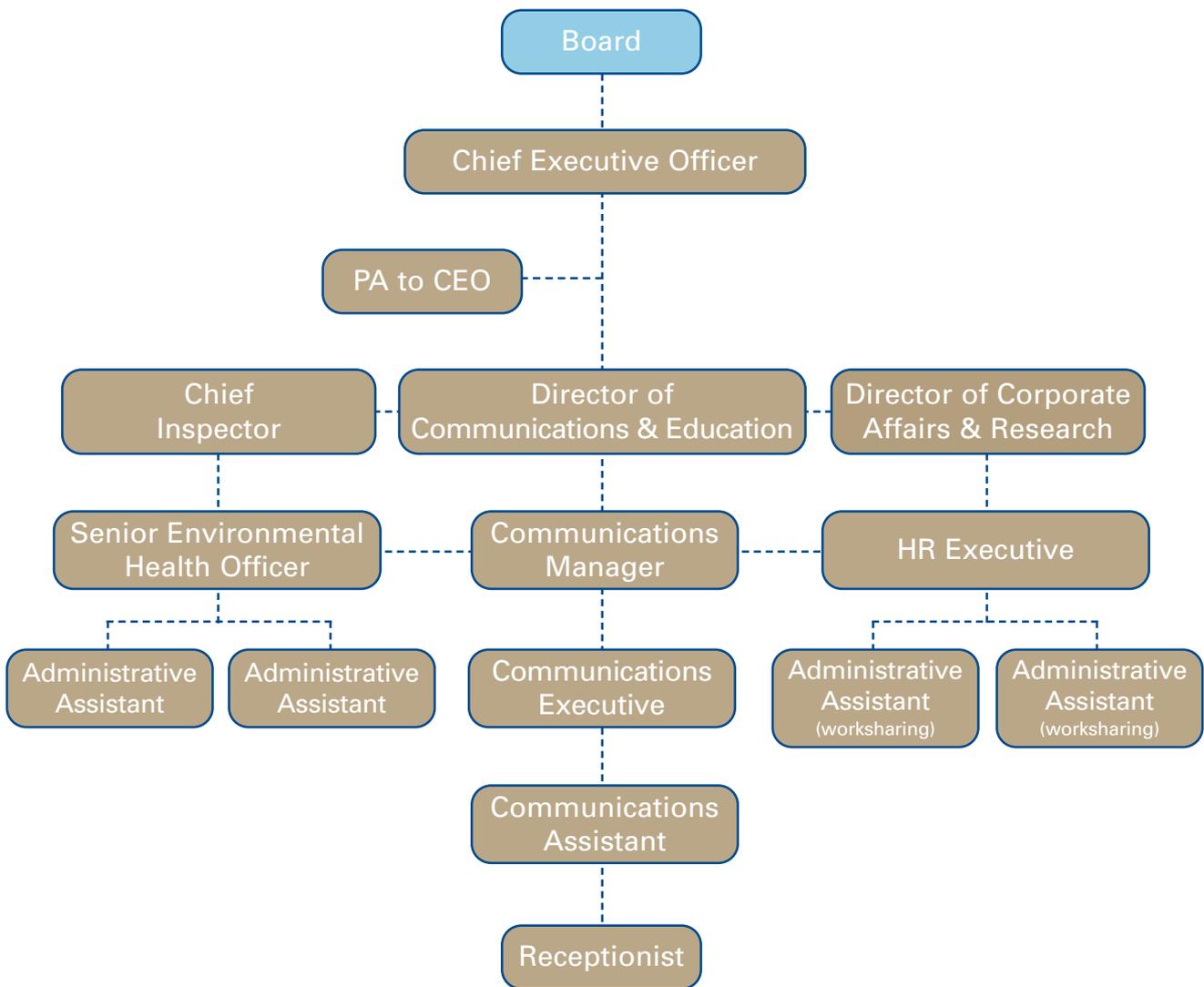


12



1. **Dr Michael Boland** (Chair)
Director
Irish College of General Practitioners
2. **Dr Shane Allwright**
Senior Lecturer in Epidemiology
Trinity College Centre for Health Sciences
3. **Tony Christie**
Principal Environmental Health Officer
Health Service Executive Southern Area
4. **Dr Patrick Doorley**
National Director Population Health
Health Service Executive
5. **Chris Fitzgerald**
Principal Officer
Department of Health and Children
6. **Nuala Flavin**
Director of Development/
Programme Manager
Health and Safety Authority
7. **Ann Guilfoyle**
Board of Management Member
Scoil an Bhreac Chluain
8. **Dr Brendan O'Shea**
General Practitioner
Newbridge
9. **Donal O'Shea**
Chairman
Beaumont Hospital
10. **Dr Edward O'Sullivan**
Vice Chairman
Cork City General Practitioners Cooperative
11. **Eileen O'Sullivan**
Director of Teaching Practice
University of Limerick
12. **Prof. Michael P Ryan**
Department of Pharmacology
University College Dublin

organisational chart



objective

ensure compliance

01

objective 1

To **ensure compliance** with the relevant provisions of the Public Health (Tobacco) Act, 2002 and the Public Health (Tobacco) (Amendment) Act, 2004.

As indicated earlier in this report, the Office has a range of monitoring and inspection responsibilities to ensure compliance with the Public Health (Tobacco) Acts, 2002 and 2004. Specifically, the Office's role includes:

- Development and monitoring of the national legal requirements on the tobacco and linked industries;
- Development and monitoring of the National Tobacco Control Inspection Programme for the smoke-free workplace legislation;
- Acting as an authorised officer and initiating legal action as necessary;
- Evaluating existing and proposed statutory provisions on tobacco control and making proposals where necessary;
- Monitoring international developments in lawmaking and litigation in the area of tobacco control.

As anticipated, much of the Office's work during 2005 was directed towards ensuring compliance with the smoke-free workplace legislation. In accordance with Section 10 of the Public Health (Tobacco) Act, 2002 this was implemented through the coordination of the National Tobacco Control Inspection Programme in cooperation with the HSE. EHOs are the authorised officers under this new legislation charged with the investigation of any breaches of the Acts and are central to its enforcement. Through its inspection programme, the Health and Safety Authority also monitors compliance with the legislation in enclosed workplaces (such as offices and factories) not covered by the Environmental Health Services.

A review of 2005 compliance data highlights the undoubted success of the smoke-free workplace initiative. Compliance figures show that the vast majority of enclosed workplaces are smoke-free while the measure enjoys tremendous public support.

During 2005 the Office carried out a range of activities to ensure continued compliance with the measure. These included the coordination of the National Tobacco Control Inspection Programme as carried out by EHOs and the monitoring of a lo-call Smoke-Free Compliance Line. The Office also ran a national public information campaign to inform employers, employees and the wider public of the successful implementation and enforcement of the law and the importance of continued compliance.

National Tobacco Control Inspection Programme

During 2005 a major plan of work was carried out under the National Tobacco Control Inspection Programme including:

- Completion of 35,042 inspections by EHOs resulting in 38 prosecutions being sought for non-compliance with the smoke-free workplace legislation;
- Ongoing monitoring of the Smoke-Free Compliance Line. Calls numbered 1,353 in 2005;
- Membership of a working group established to prepare guidance on the requirements of the smoke-free workplace legislation with particular reference to outdoor smoking areas;
- Organisation of an EHO seminar to examine enforcement issues relating to smoke-free workplaces;

- Assisting the HSE in the development of a national tobacco control database;
- Chairing the National Protocol Steering Group and, in conjunction with the review committee, undertaking a review of the national protocols of the inspection programme.

Workplace Inspections

The primary source of information on compliance with the smoke-free workplace legislation is data from the programme of inspections undertaken by each HSE area. This information was generated by the use of national protocols and records and indicates the level of national compliance.

By the end of 2005, EHOs had conducted a total of 35,042 inspections/compliance checks nationally. The following tables and charts outline the information gathered from the National Tobacco Control Inspection Programme.

Table 1 below provides a summary of the data on complaints, inspections and compliance levels. The overall finding from the data is that national compliance levels have remained high during 2005. In respect of the smoke-free workplace provision (Section 47), 95% of premises inspected were found to be compliant. As regards the 'No Smoking' signage provision (Section 46), reported national compliance is 87%.

Table 1: National Compliance Data

Business Type	Complaints	Inspections	Section 47 % Compliant	Section 46 % Compliant
Hotel	57	1,456	94%	90%
Restaurant	49	7,854	98%	88%
Licensed Premises	758	9,843	87%	91%
Other	323	15,889	98%	84%
Total	1,187	35,042	95%	87%

Chart 1: Section 47 Smoking Prohibition - % Compliance by Health Service Executive Area

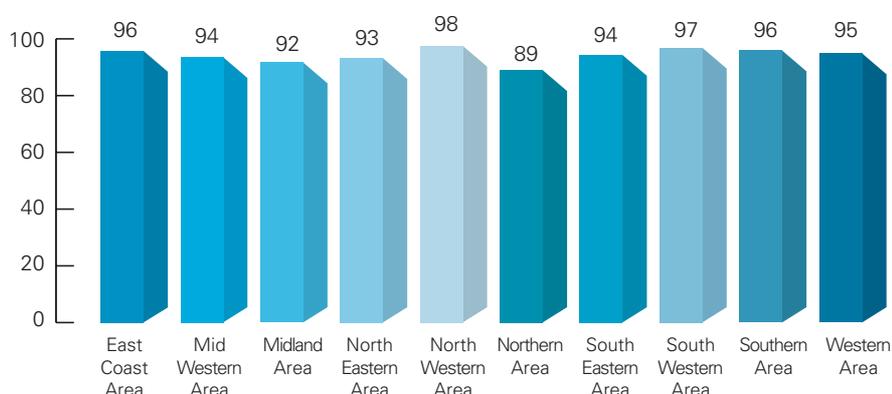


Chart 1 presents the compliance rate by HSE area in respect of the smoke-free workplace provision. Levels of compliance ranged from 89% to 98%.

Chart 2: Section 46 'No Smoking' Signage - % Compliance by Health Service Executive Area

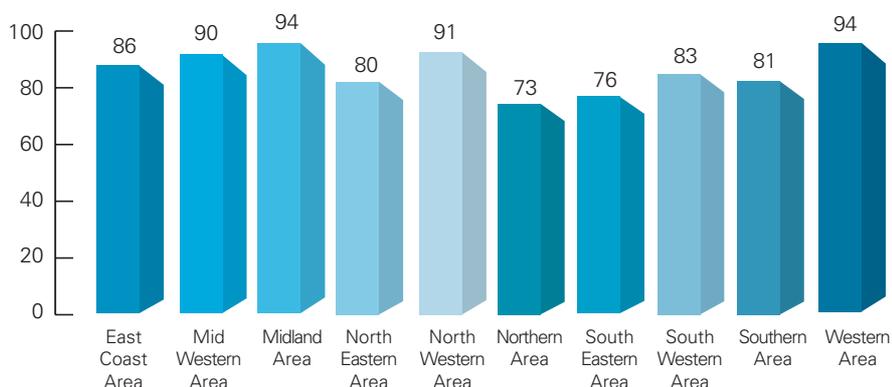


Chart 2 presents the compliance rate by HSE area in respect of the 'No Smoking' signage provision. Levels of compliance ranged from 73% to 94%.

Prosecutions

In 2005, 38 prosecutions were taken for both signage offences and for permitting smoking in an enclosed workplace:

- 32 were in respect of licensed premises;
- Four related to taxi companies;
- One was against a retail shop;
- One was against a member of the public for smoking in a specified place.

37 of the cases were successful while one was dismissed.

The numbers of prosecutions taken in each HSE area are as follows:

- Seven in the HSE South Eastern Area;
- Seven in the HSE Mid-Western Area;
- Six in the HSE Northern Area;
- Six in the HSE Western Area;
- Five in the HSE Midlands Area;
- Three in the HSE North Western Area;

- Two in the HSE North Eastern Area;
- One in the HSE Southern Area;
- One in the HSE South Western Area.

Smoke-Free Compliance Line

The lo-call Smoke-Free Compliance Line (1890 333 100) became operational on 29 March 2004 to coincide with the introduction of the legislation. The line aims to offer additional support to building and maintaining compliance with the legislation. The continued availability of the lo-call Smoke-Free Compliance Line is an important part of the National Tobacco Control Inspection Programme which ensures that people are provided with an effective route through which to register their concerns or complaints in relation to non-compliance with the law.

During 2005, a total of 1,353 calls were made to the compliance line. Call volumes have dropped considerably compared to 2004 levels, a testament to the high levels of compliance with the law and the acceptance of the legislation among the general public.

Table 2: Smoke Free Compliance Line

Call Type	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Complaint	128	109	159	155	89	108	55	43	53	63	64	52	1,078
Info Request	2	0	0	1	1	4	4	0	1	3	0	0	16
Query	39	32	40	40	14	11	7	6	1	1	7	1	199
Prank	6	4	5	10	6	2	1	2	1	0	3	20	60
Total calls	175	145	204	206	110	125	67	51	56	67	74	73	1,353

The proportion of complaints to the compliance line has increased, reflecting significantly fewer information requests and increased public understanding and familiarity with the legislation. Complaints accounted for 1,078 or 80% of the calls received compared to 60% the previous year. 71% of the calls (965) during 2005 were received in the first six months of the year.

During the 12 month period under review, 708 (66%) of the 1,078 complaint calls received related to the hospitality sector of which 639 were in respect of licensed premises.

While call volumes have decreased, the Smoke-Free Compliance Line continues to fulfil its function of providing an additional support to the National Tobacco Control Inspection Programme as well as a convenient and cost-effective avenue for those who wish to report infringements of the smoke-free workplace legislation.

Queries

In addition to calls received through the Smoke-Free Compliance Line, the Office's Inspectorate unit responded to over 700 information queries and complaints concerning the smoke-free workplace legislation and provided guidance to the hospitality industry and other workplaces.

National Protocol Steering Group

In advance of the introduction of the smoke-free workplace legislation, the Office, in consultation with the HSE and the Department of Health and Children, produced a series of guidance protocols and records together with an associated database. This initiative was aimed at ensuring a consistent approach among EHOs to the enforcement of this tobacco control measure.

During 2005 a review of these protocols was initiated in light of the operational experience of and feedback from EHOs. A subcommittee of the National Protocol Steering Group, chaired by the Office, conducted the review and will oversee the production of revised and amended protocols in early 2006.

Seminar for Environmental Health Service Staff

Enforcement is critical to an effective inspection programme. To review this aspect of the programme the Office organised a seminar for EHOs in 2005.

The purpose of the seminar was:

- To take stock of the enforcement aspect of the inspection programme and review case law;

- To facilitate the exchange of information and experience gained through the developing case law;
- To provide training on presenting evidence under cross-examination on what is a new area of law.

There was positive feedback to this event, and information sharing will continue to be invaluable to all involved in tobacco control enforcement.

National Database

The Office is assisting the HSE working group, which is tasked with the development of a national tobacco control database. When completed, this database will provide a national platform for capturing information generated by the National Tobacco Control Inspection Programme. This will be a valuable asset in assisting policy formation and resulting initiatives.

Outdoor Smoking Areas

The Office, as well as representatives of the EHOs, was part of a working group chaired by the Department of Health and Children. The working group was established to prepare guidance on the requirements of the smoke-free workplace legislation with particular reference to the exemption concerning outdoor smoking shelters/ areas. The working group submitted a final draft of guidance to the Department in May 2005 and this is currently under consideration.

Public Information Campaign

In spring 2005 the Office ran a national television and radio advertising campaign based on the theme 'Smoke-free is working, let's keep it that way'. The campaign, which was initially launched in late 2004, was the third phase of a public information programme designed to raise awareness of the smoke-free workplace legislation, build support for the measure and communicate the high levels of compliance.

The campaign reinforced the message that smoke-free workplaces work for employees' health and well-being. It also served to remind people that there is a lo-call compliance line that people can contact to register complaints or request information.

95%

of premises inspected as
part of the National Tobacco
Control Inspection Programme
were found to be compliant

objective

**advise the Minister for
Health and Children**

02

objective 2

To **advise the Minister for Health and Children** and assist her in the implementation of policies and objectives of the Government on the control and regulation of tobacco products

One of the primary functions of the Office is to advise the Minister for Health and Children in relation to tobacco use, its effects generally on people and to recommend measures which would reduce or eliminate smoking and its effect on society.

Specifically the Office has responsibility for assisting the Minister in the implementation of policies and objectives of the Government concerning the control and regulation of tobacco products. The Office is tasked with providing advice on request regarding:

- The manufacture, importation, sale or supply and smoking of tobacco products;
- Strategies employed by manufacturers, importers, distributors or retailers of tobacco products;
- Technology used in the manufacture, production, marketing of tobacco products and related innovations in this regard.

The Office coordinates and monitors compliance with the smoke-free workplace legislation through the National Tobacco Control Inspection Programme and keeps the Minister and other relevant authorities briefed as well as advising on the effectiveness of this legislation generally.

During 2005 the Office continued to monitor cigarette smoking prevalence and behaviour on a monthly basis to gain a detailed picture of smoking patterns in Ireland and to identify trends in this pattern. This information is

forwarded to Government on an ongoing basis and helps to inform policy decisions, and contributes to the evidence base for developing measures required to achieve a tobacco free society.

Best national and international evidence indicates that the most effective means of addressing the tobacco epidemic is through price. In our pre-Budget submission, the Office expressed the view that an increase in tobacco taxes, especially on cigarettes and roll-your-own tobacco, would have a significant deterrent effect on young people, preventing many thousands from taking up smoking in the first place. Unfortunately, the 2006 Budget did not include any change to tobacco excise levels, resulting in cigarettes being more affordable now than ever before.

The Office prepared and submitted to the Minister for Health and Children its Annual Report 2004 pursuant to the provisions of Section 25 of the Public Health (Tobacco) Act, 2002. This report outlined the main activities of the Office during 2004 and included financial accounts for the year.

The Office worked with the Tánaiste and her officials from the Department of Health and Children during 2005 to ensure Ireland's ratification of the WHO's Framework Convention on Tobacco Control (FCTC). The FCTC, which is the world's first public health treaty, aims to reduce tobacco related deaths and diseases. On 7 November 2005 Ireland became the 101st country to ratify the FCTC.

objective
undertake research

03

objective 3

To **undertake research** and disseminate the results in support of evidence based tobacco control initiatives

A strong evidence base is required to underpin tobacco control programmes and in the development of effective public health policy. As a result, research is a key element of the Office's activities. Our functions in this regard are outlined under Section 10 of the Public Health (Tobacco) Act, 2002. These include:

- Undertaking, sponsoring or commissioning of research aimed at identifying measures likely to reduce the incidence of smoking or its effects;
- Preparing and publishing relevant research reports.

The Office discharges this function by providing funding to the Research Institute for a Tobacco Free Society. The Office commissions specific projects from the Research Institute as well as commissioning work with other relevant organisations and agencies.

During 2005 the following work in this area was progressed:

- The Research Institute for a Tobacco Free Society;
- All Ireland Bar Study;
- Trends in Cigarette Smoking – Tracker Survey;
- Public opinion surveys;
- Lifestyle Survey.

The Research Institute for a Tobacco Free Society

The Research Institute is a limited company formed as a partnership between the Office of Tobacco Control and ASH Ireland/Irish Heart Foundation/Irish Cancer Society. The Office continued funding of the Research Institute in 2005.

The main aim of the Research Institute is to form a multi-disciplinary academic community around the issue of tobacco control and to support the development of a tobacco free society by engaging in research in all aspects of tobacco from a public health perspective, including the following disciplines — chemistry, biochemistry including toxicology, economics, law, behavioural sciences including marketing and advertising, education, actuarial, epidemiological and medical as well as other health service disciplines.

The Research Institute is progressing a number of projects on the impact of the smoke-free workplace legislation. The primary aim of this legislation is to protect third parties, particularly workers, from exposure to the harmful effects of second-hand smoke. Preliminary findings from these studies are positive in terms of benefits already accruing from the measure. Studies are due for publication in 2006.

All Ireland Bar Study

The Office part-funded (through the Research Institute for a Tobacco Free Society) the All Ireland Bar Study led by Dr Shane Allwright on the health impacts of the smoke-free workplace legislation.

The study clearly indicates that the high rate of compliance with this new measure is translating into better air quality in bars resulting in improved health for workers.

The first results of the study were published in the British Medical Journal (BMJ) during 2005. This research showed that:

- Among non-smokers, cotinine concentrations in the saliva declined by 80% in the Republic and 20% in Northern Ireland;
- Work-related exposure to second-hand smoke dropped significantly in the Republic but dropped only slightly in Northern Ireland;
- Exposures outside work also dropped significantly in the Republic but increased in Northern Ireland;
- In the Republic, after the introduction of the legislation, there was a significant drop in the proportion of bar staff experiencing respiratory symptoms.
- 17.6% of 15-18 year olds smoke while only 10% of those aged 71 years and over smoke;
- The age group with the highest rate of smoking prevalence is 19-35 year olds with 32.4% reporting smoking behaviour;
- Cigarette smoking rates are highest in Dublin (25.7%) with Connacht/Ulster having the lowest rate (20.9%);
- Five cigarette brands continue to dominate the market with noticeable differences in consumer patterns according to gender and age.

Summary findings from this research are outlined in Appendix A.

*(Please note that different survey methodologies were used by Slán)

Trends in Cigarette Smoking – Tracker Survey

The Office monitors cigarette smoking prevalence and behaviour on a monthly basis to gain a detailed picture of smoking patterns in Ireland and to identify trends in this pattern. This monthly tracker commenced in July 2002. The reported data is particularly useful in informing government policy decisions and contributes to the evidence base for developing measures required to achieve a tobacco free society.

The data set is compiled from a telephone survey conducted by TNS mrbi research agency. The data consists of a collection of 1,000 responses per month from the Irish population over 15 years of age and is nationally representative in terms of gender, age, social class and region.

Cigarette smoking prevalence is analysed under these demographic classifications in order to further our understanding of smoking behaviour. Cigarette consumption and brand choice data is also presented.

The latest research data available shows that the numbers smoking in Ireland in 2005 have declined to less than 24% from 31% in 1998 and 27% in 2001 (Slán Survey)*. However, this downward trend in smoking prevalence did show a slight reversal in 2005 highlighting the need for sustained comprehensive tobacco control campaigns. Among the main findings of the research are:

- 24.1% of all females aged 15 years and over smoke compared to 23.7% of all males;

Public Opinion Surveys

During 2005, the Office commissioned TNS mrbi to undertake research on public support for the smoke-free workplace legislation including attitudes and behaviours towards compliance with the law.

Public opinion on the smoke-free workplace legislation

In March 2005, almost a year after its introduction, a survey of attitudes showed overwhelming public support for the smoke-free workplace legislation:

- 93% of people think the introduction of the law was a good idea, including 80% of smokers;
- 96% of people believe the law is successful, including 89% of smokers;
- 98% of people feel that workplaces are healthier since the introduction of the law, including 94% of smokers.

This research shows that the smoke-free law is almost universally recognised as a success and a positive public health measure among both smokers and non-smokers alike.

Research on public attitudes and behaviour on compliance

Surveys on public attitudes in respect of compliance with the smoke-free workplace legislation were

conducted in February and December 2005. Similar studies were conducted during 2004 both before and after the introduction of the law. The latest data again indicates compliance with the measure is high and mirrors the findings of the National Tobacco Control Inspection Programme:

- All enclosed workplaces
 - 98% of all indoor workers report that their work atmosphere was not smoky since the introduction of the smoke-free workplace law.
- Pubs
 - Since the introduction of the new law, 95% of those surveyed who visited the pub within the previous fortnight reported that the atmosphere was not smoky. The comparable figure before the introduction of the smoke-free workplace law was 46%;
 - 95% of all smokers surveyed who visited the pub within the last fortnight either smoked outside or did not smoke at all. Almost one in five smokers chose not to smoke at all when out socialising.

Lifestyle Survey

The production of reliable baseline data for a representative cross-section of the Irish population is essential to inform future tobacco control policy and programmes.

During 2005 the Office commissioned TNS mrbi to conduct a Lifestyle Survey amongst the general public to determine and measure Irish people's attitudes towards smoking and tobacco use in general. The survey also explored the attitudes and opinions of the Irish public towards the regulation of tobacco use and the levels of support for tobacco control measures.

The survey will enable factors to be re-measured in the future. In this way trends can be identified and changes monitored so as to ensure the most effective tobacco control initiatives are pursued. The main findings of the Lifestyle Survey will be published during 2006.



objective
communicate
the benefits

04

objective 4

To actively communicate the benefits of a move towards a tobacco free society

A primary objective for the Office is to inform public opinion and build support for tobacco control measures. Evidence shows that environmental controls and comprehensive regulation of tobacco products play a vital role in reducing tobacco consumption particularly among young people. Such controls however can only be effective when those affected by them are fully aware of their obligations and when society in general supports them and demands compliance with them.

In the context of 2005 the Office focused on the following communication activities:

- Building on the successful implementation of the smoke-free workplace initiative. The Office highlighted both the high levels of compliance with and benefits of the new legislation;
- Marking the first anniversary of the law's introduction on 29 March 2005;
- The publication of *Smoke-Free Workplaces in Ireland: A One-Year Review*;
- International collaboration with similar agencies and organisations;
- Continued cooperation with the Department of Health and Children and the HSE as well as other national and regional bodies with shared interests.

The Office also issued press releases, handled media queries and hosted various media briefings. It distributed publications and guidance documents, handled general information queries and undertook a redesign of its website www.otc.ie

Smoke-Free Workplaces – First Anniversary

To mark the occasion of the first anniversary of the smoke-free workplace legislation the Office hosted an

event in Dublin on 29 March 2005. Hosted by Mr Séan Power TD, Minister of State at the Department of Health and Children, the occasion focused on the successful implementation of the measure and acknowledged the commitment of all key partners and stakeholders who supported and campaigned for its introduction.

Preliminary research, which demonstrated the health benefits of the law, was also presented at the event. Findings showed that the air quality in pubs has improved dramatically since the introduction of the smoke-free law and details of these studies are included on page 20 of this report.

A publication entitled *Smoke-Free Workplaces in Ireland: A One-Year Review* was produced at this time and included information on:

- Compliance;
- Public opinion;
- Health effects;
- Bar sales, hospitality employment and tourism data.

International Links and Activities

During 2005, the Office continued to strengthen its international links with relevant organisations and networks and contributed to collaborative projects.

World Health Organization

The WHO's Framework Convention on Tobacco Control is the world's first public health treaty and aims to reduce tobacco related deaths and diseases. As outlined earlier in this report, the Office worked extensively with the Tánaiste and her officials from the Department of Health and Children during 2005 to ensure Ireland's ratification of the Convention on 7 November.

During 2005 the Office was also invited by the WHO to

join the drafting group for the European Report on Tobacco Control 2006. The Office organised and hosted the first meeting of the drafting group in Dublin in November.

Visiting Delegations

In recognition of Ireland's introduction of groundbreaking smoke-free workplace legislation the Office met with international and parliamentary delegations from around the world. Interest focused on the role of the Office in preparing for and coordinating the introduction of the legislation as well as ongoing monitoring and inspection. European delegations came from Belgium, Denmark, England, Finland, France, Jersey, Northern Ireland, Norway, Scotland, and Wales. Delegations from Australia, Malaysia and Hong Kong also visited.

Conferences and Meetings

Representatives of the Office participated in numerous working group meetings on the development of tobacco control policy across Europe. Presentations were also made at a number of events and to a number of interested parties. These included the Spanish Ministry of Health, the UK Parliamentary Health Committee, Cancer Research UK and the Northern Ireland Health Economics Forum. A presentation was also delivered to the Smoking Issues for Ireland in the 21st Century forum organised by the HSE North Eastern.

In addition, staff attended such events as the Smoke Free Europe Conference in Luxembourg, the WHO European Strategy for Tobacco Control expert meeting in Paris and the Tobacco-Health Inequalities and Illicit Trade workshop organised by the Department of Health in the United Kingdom.

Partnership

Extending ownership of the tobacco free society initiative is a key task for the Office. We continued to communicate with key parties, such as trade unions, and encouraged the active participation of people and organisations at home and abroad in tobacco control activities.

The involvement of non-governmental organisations is a key element in the development of effective tobacco control policies. In this regard, the partnership of the Office with ASH Ireland, the Irish Cancer Society, the Irish Heart Foundation and the Environmental Health Officers' Association was invaluable.

Clearly, in the context of our enforcement activities, maintaining close links with a wide range of agencies is

essential. Throughout 2005 the Office worked closely with the Department of Health and Children as well as the HSE and the Revenue Commissioners.

Information Queries

In 2005, the Office responded to in excess of 1,300 requests for information that were communicated to the Office by means of phone, fax, email and letter. The Office's website also has a 'contact us' email function and a significant number of requests were received via this method. Enquiries from health professionals relating to the area of tobacco control were also handled.

Press Queries and Media Relations

There was significant national media interest during 2005 in tobacco control measures with particular interest in the monitoring of the smoke-free workplace legislation. As Ireland was the first country in the world to introduce such legislation, it has gained the attention of the international media resulting in a considerable and sustained demand for input to printed media and participation in news, current affairs, documentary and other radio and television programming.

As a result, the Office handled approximately 250 press queries. Many of these queries resulted in interviews with a spokesperson from the Office for a wide range of print and broadcast media both nationally and internationally. Our activities were widely reported in the media during the year.

Website

The Office's website www.otc.ie plays a vital role in communicating with and disseminating information to a wide variety of both national and international audiences, including the general public, media, social partners, health professionals, regulatory partners and non-governmental organisations. The website is updated regularly with press releases, publications and relevant information on a range of tobacco control related material.

In 2005, the Office undertook a redesign of the website to facilitate easier access and navigation and to introduce a number of new features and sections. These included further development of the site's content management system and a number of design-led enhancements to update the look and feel of site.

On average over 1,200 unique visitors accessed the site each month during 2005.



on 7 November 2005
Ireland became the

101st

country to ratify the World Health
Organization's Framework
Convention on Tobacco Control

objective

**develop the
effectiveness and
capacity of the Office**

05

objective 5

To continue to **develop the effectiveness and capacity of the Office** and its people to ensure it meets its functions as a statutory body

Becoming a more efficient and effective organisation is one of the key ongoing goals for the Office. In order to achieve this goal the Office implemented a range of initiatives during 2005 in the following areas:

- Office accommodation;
- Information technology;
- Human resources and training;
- Policies and procedures;
- Finance.

Office Accommodation

Since its inception, the Office had been based at temporary offices in Clane, Co Kildare. At the end of 2004, the Office received approval from the Department of Health and Children to find new office accommodation, which would more effectively meet the evolving needs of its staff and other stakeholders. The location chosen for the new accommodation was Willow House in Millennium Park, Naas, County Kildare.

Willow House fulfils the requirements of the Office both from a value-for-money perspective and in terms of the space available. The Office occupies the second floor of the building, which has a modern and spacious layout. The accommodation includes individual offices and open plan areas as well as a meeting room and a boardroom. The location of the accommodation allows ease of access from the M7 motorway and mainline rail. The HSE, with which the Office has regular dealings, is also located within Millennium Park.

The move from the Office's previous location in Clane was successfully completed in two days with minimal disruption to the normal workings of the Office.

Human Resources and Training

The effective development of our staff and human resources is of central strategic importance to the Office and is critical to our operational effectiveness. In this context, the ongoing development of staff skills and the recruitment of new staff are critical factors.

During 2005 a number of recruitment competitions were successfully processed and training was provided for staff in the following areas:

- Information technology;
- Ergonomics;
- Recruitment skills;
- Public relations.

Information Technology

Developing our information technology (IT) capability allows the Office to create a better working environment for our staff and enables them to perform more effectively.

A number of improvements to the Office's IT infrastructure were progressed during 2005 facilitated by the move to our new office accommodation. These included the installation of new workstations, the upgrade of anti-virus software and the purchase and installation of an additional router.

Policies and Procedures

Ensuring the corporate fitness of the organisation, by having in place appropriate policies and procedures, is a key requirement for the Office. In 2005, new office policies and updates were issued to staff in a number of areas.

Ongoing work continues in the advancement of human resources best practices in line with developments throughout the public service.

Finance

A core function of the Corporate Affairs department is to monitor and report frequently on the Office's allocated budget and ensure that we meet our requirements under the accountability and the prompt payments legislation.

The Office received a budget allocation of €1.8m in 2005 and was given approval to claim approximately

€450K on capital expenditure. Our financial accounts (unaudited), outlined in the following section, detail how this allocation was expended.

In order to enhance the accounting systems and corporate governance procedures in the organisation, an internal auditor, appointed during 2005, has completed a review of the Office's financial procedures. An extensive business risk assessment is also nearing completion. This involved each department identifying risks that could affect the achievement of the Office's business objectives. Each risk will be assessed in terms of possible impact and likelihood of occurrence. This risk assessment is the first step in the development of a formal risk management programme for the Office.



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**prosecutions were sought for
non-compliance with the
smoke-free workplace legislation**



financial accounts

statement of accounting policies

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the financial statements.

A. Basis of Accounting

The financial statements are prepared under the accruals method of accounting, except as stated below, and under the historical cost convention in the form approved by the Minister for Health and Children, with the concurrence of the Minister for Finance in accordance with Section 24 of the Public Health (Tobacco) Act, 2002.

Financial Reporting Standards recommended by the recognised accountancy bodies are adopted, as they become operative. The Office also complies with the accounting standards issued by the Minister for Health and Children.

B. State Grants

Grants from the Department of Health and Children are accounted for on a receivable basis.

Grants from the Department of Health & Children are the amounts for the year allocated by the Department up to the date of certification of these accounts by the Chief Executive Officer.

C. Tangible Assets and Depreciation

Tangible fixed assets are shown at cost less accumulated depreciation. Depreciation is charged in the income and expenditure account, on a straight-line basis, at the annual rates set out below, so as to write off the assets, adjusted for estimated residual value, over the expected useful life of each appropriate category.

(i) Computer equipment and software 33%

(ii) Fixtures and fittings 15%

(iii) Communications equipment 15%

A full year's depreciation is provided for in the year of acquisition.

D. Capital Account

The Capital Account represents the unamortised value of income from the Department of Health and Children used for capital purposes.

statement of income and expenditure

For the year ended 31st December 2005

	Note	31/12/2005 €	31/12/2004 €
Grant Income	1	1,838,000	2,451,300
Sundry Income	2	2,554	1,645
		<hr/>	<hr/>
		1,840,554	2,452,945
Transfer to/(from) Capital Account	8	19,206	8,833
		<hr/>	<hr/>
		1,859,760	2,461,778
Salaries & Wages	3	733,390	787,477
Other Operating Costs	4	1,470,679	1,511,361
		<hr/>	<hr/>
		2,204,069	2,298,838
Surplus/ (Deficit) for the period		(334,309)	162,940
Balance at 1st January 2005		385,083	222,143
Balance at 31st December 2005		40,774	385,083

The accounting policies on page 32, and the notes 1 to 10 form part of the financial statements.

The Office has no recognised gains or losses other than those dealt with in the Income and Expenditure Account.

balance sheet

As at 31st December 2005

	Note	31/12/2005 €	31/12/2004 €
Tangible Assets	5	31,365	50,572
Current Assets			
Bank		778,569	-
Debtors & Prepayments	6	86,549	1,102,825
		<hr/>	<hr/>
		865,118	1,102,825
Creditors - Amounts falling due within one year			
Bank overdraft		-	405,453
Creditors & Accruals	7	824,344	312,289
		<hr/>	<hr/>
		824,344	717,742
Net Current Assets		40,774	385,083
Total Net Assets		72,139	435,655
Financed by:			
Income & Expenditure Account		40,774	385,083
Capital Account	8	31,365	50,572
		<hr/>	<hr/>
		72,139	435,655

cash flow statement

As at 31st December 2005

	Note	31/12/2005 €	31/12/2004 €
Reconciliation of surplus to net cash inflow from operating activities			
(Deficit)/Surplus for the period		(344,309)	162,940
Transfer to/(from) Capital Account		(19,206)	(8,833)
Depreciation Charge		31,100	30,214
Fixed asset disposals		27	-
(Increase)/Decrease in Debtors		1,016,276	(1,066,663)
(Decrease)/Increase in Creditors		512,056	(65,506)
Deposit Interest		(2,554)	(1584)
Net Cash outflow from Operating Activities		1,193,390	(949,432)
<hr/>			
Cash Flow Statement			
Net Cash inflow from Operating Activities		1,193,390	(949,432)
Return on Investments and Servicing of Finance			
Deposit Interest Received		2,554	1,584
Capital Expenditure			
Payments to Acquire Tangible Fixed Assets		(13,121)	(21,381)
Disposal Proceeds		1,200	-
Increase/(Decrease) in Cash		1,184,023	(969,229)
<hr/>			
Reconciliation of net cash flow to movement in net funds/(net debt)			
Net funds at start of year		(405,454)	563,775
Net Cash outflow		1,184,023	(969,229)
Net funds/(debt) at end of Year		778,569	(405,454)

notes to the Financial Statement

For the year ended 31st December 2005

	Note	31/12/2005 €	31/12/2004 €
1. Grant Income			
Department of Health & Children Grant		1,838,000	2,383,300
ERHA Recurring Costs Grant		-	68,000
		1,838,000	2,451,300
2. Sundry Income			
Deposit Interest		2,554	1,645
Miscellaneous		-	-
		2,554	1,645
3. Wages and Salaries			
Staff costs comprise:			
Salaries and wages		310,770	326,822
Seconded salaries		401,118	428,095
Social Insurance Costs		21,502	24,302
Staff Temping		-	8,258
		733,390	787,477
4. Other Operating Costs			
Audit Fee		10,100	6,600
Travel Expenses		28,317	32,733
Training		7,903	2,349
Insurance		3,485	4,459
Stationary, Publications and postage		20,144	19,852
Telephone and internet		34,226	26,914
Research Institute		414,122	104,000
Additional Research Costs		146,272	104,633
Cleaning and Housekeeping		10,012	11,215
Inspection Framework		99,264	121,840
Expert Witness Costs		48,267	-
Rent and Service Charges		101,772	43,928
Legal and Professional Fees		105,899	73,987
Conferences		-	207,302
Communications and education		361,201	661,386
Fixed Asset Disposals		27	-
Depreciation		31,100	30,214
Other Operating Costs		48,568	59,949
		1,470,679	1,511,361

	Computer Equipment €	Communications Equipment €	Fixtures and Fittings €	Total €
5. Tangible Fixed Assets				
As at 1st January 2005	136,575	25,461	19,890	181,926
Addition for this year	12,086	0	451,035	463,121
Assets released/disposed	(4,076)	0	0	(4,076)
Capital grant	0	0	(450,000)	(450,000)
As at 31st December 2005	144,585	25,461	20,925	190,971
Accumulated Depreciation				
As at 1st January 2005	107,432	13,638	10,285	131,355
Charge for this year	24,142	3,819	3,139	31,100
Assets released	(2,849)	0	0	(2,849)
As at 31st December 2005	128,725	17,457	13,424	159,605
Net Book Value				
As at 31st December 2005	15,860	8,004	7,501	31,365
As at 31st December 2004	29,143	11,824	9,605	50,572

	Note	31/12/2005 €	31/12/2004 €
6. Debtors and Prepayments			
Accrued Income DOHC		-	1,091,833
Prepayment		51,361	9,592
Deposit Interest receivable		3,057	1,400
Fit-out costs receivable		32,131	-
		86,549	1,102,825

7. Creditors and Accruals			
Supplies and Services		682,892	185,099
Audit		10,100	6,600
Payroll		20,337	9,796
Department of Health & Children	10	107,707	107,707
Other taxation		3,308	3,087
		824,344	312,289

	31/12/2005	31/12/2004
	€	€
8. Capital Account		
At 1st January 2005	50,572	59,405
Transfer From/(To) Income and Expenditure Account		
Funds allocated to acquire fixed assets	463,121	21,381
Capital Grant received	(450,000)	-
Assets released or disposed	(1,228)	-
Amount amortised in line with asset depreciation	(31,100)	(30,214)
Balance at 31st December 2005	31,365	50,572

9. Board Member Interests

The Board adopted procedures in accordance with the guidelines issued by the Department of Finance in relation to the disclosure of interests by Board Members and these procedures have been adhered to in the year. There were no transactions in the year in relation to the Board's activities in which a Board Member had any beneficial interest.

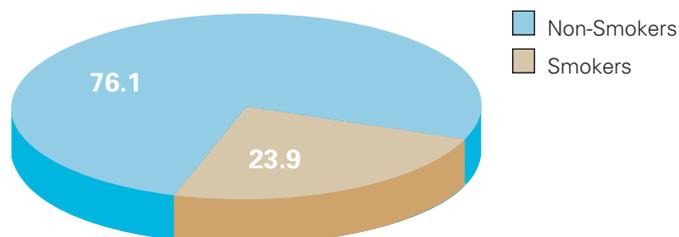
10. Department of Health and Children

The figure of €107,707 represents an outstanding recoupment of €65,007 in respect of the years 2000/01 and a refund of income of €42,700 for 2004 which are due to the Department of Health and Children at the 31st December 2005.

appendix A

cigarette smoking trends

Chart 1: Cigarette Smoking Prevalence
12 month period ending December 2005



The overall prevalence of cigarette smoking in Ireland is 23.9% at December 2005 (Chart 1). This represents a decline of almost 1.4 percentage points since the end of 2003.

Figure 1: All Smokers: Cigarette Smoking Prevalence (as a % of the Population)
Weighted individual monthly total ending December 2005

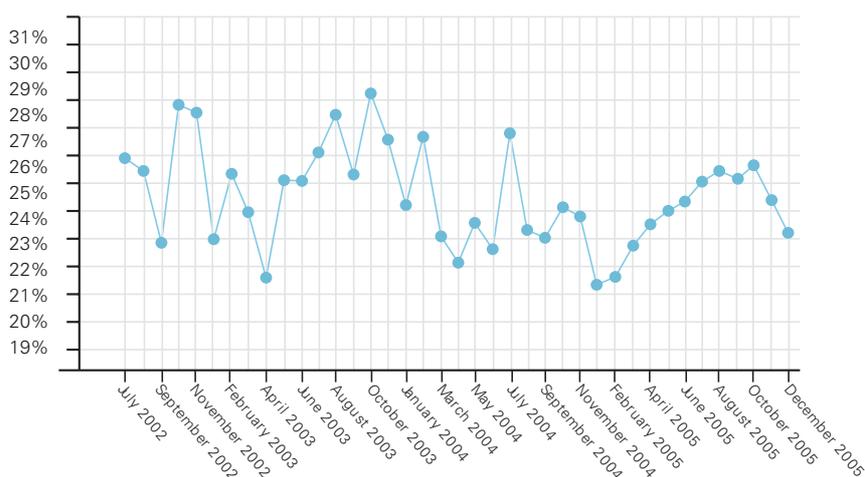
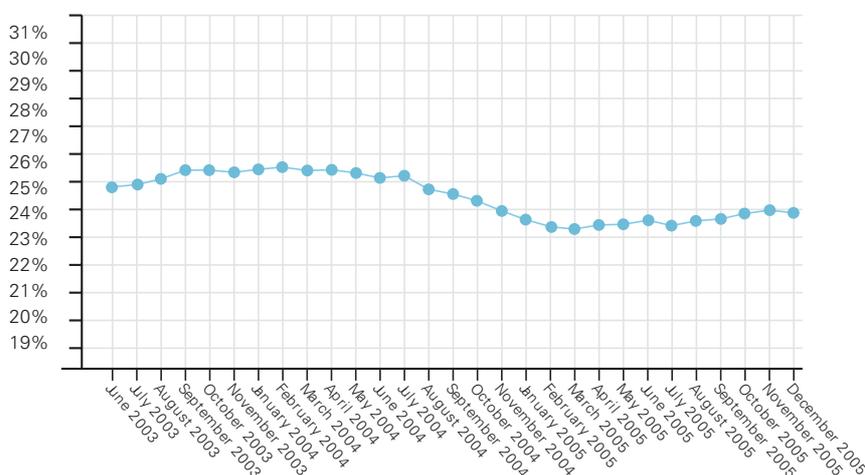


Figure 1 highlights the fluctuations in reported cigarette smoking rates throughout the year. This fact supports other research, which suggests that smokers tend to attempt to quit at particular times of the year mainly at the start of the New Year and Ash Wednesday.

Figure 2: All Smokers: Cigarette Smoking Prevalence (as a % of the Population)
12 month moving average trend ending December 2005



The 12-month moving average trend provides a smoothed pattern to the data to give a better picture of smoking behaviour over time as presented in Figure 2. The data show that prevalence has decreased to 23.9% in December 2005.

The prevalence data are analysed under various demographic headings as follows:

Chart 2: Cigarette Smoking Prevalence by Gender 12 month period ending December 2005



Chart 2 shows the breakdown of smokers by gender at December 2005.

Chart 3: Cigarette Smoking Prevalence by Age Group 12 month period ending December 2005

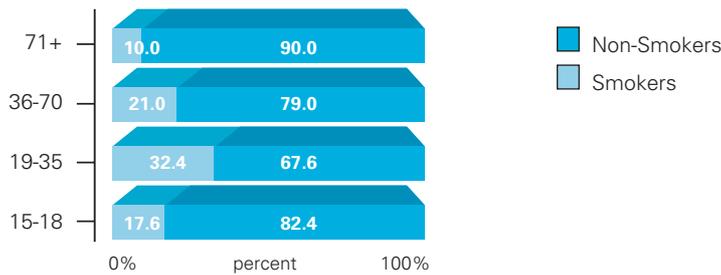


Chart 3 shows that almost 18% of 15-18 year olds report being smokers. 19-35 years olds are the dominant category with 32.4% of people in that age category classified as smokers.

Chart 4: Cigarette Smoking Prevalence by Social Class 12 month period ending December 2005

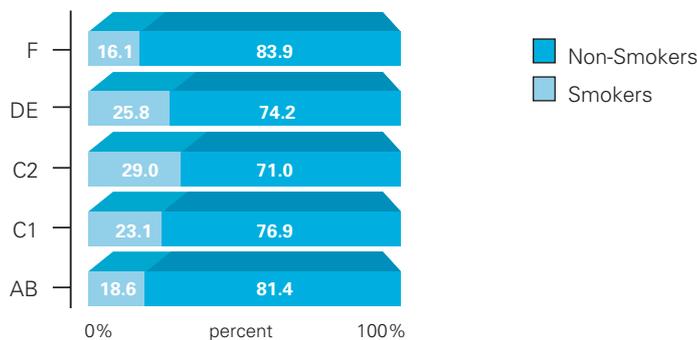


Chart 4 shows the breakdown of smoking prevalence rates by social class. Smoking rates are highest among the DE and C2 social classes while the lowest rate is among farmers.

Chart 5: Cigarette Smoking Prevalence by Region 12 month period ending December 2005

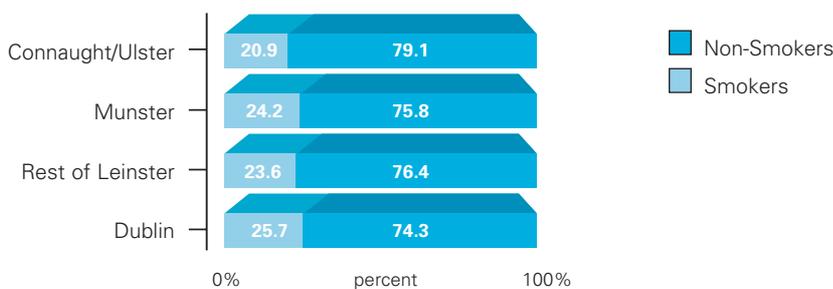
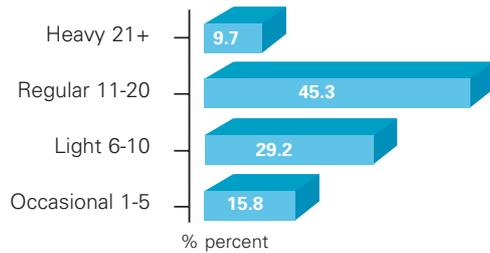


Chart 5 shows that cigarette smoking rates are higher in the Dublin area than the rest of the country. Connaught/Ulster has the lowest prevalence rate.

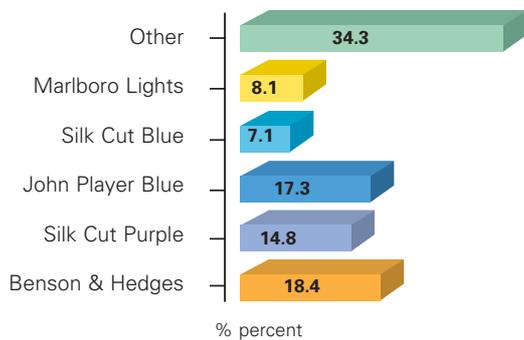
Chart 6: Number of Cigarettes Smoked Daily 12 month period ending December 2005



Based on all reported smokers

Chart 6 depicts the number of cigarettes smoked daily by all reported smokers at December 2005.

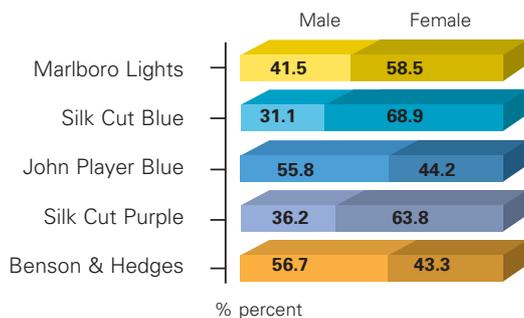
Chart 7: Top 5 most popular Brands of Cigarettes Smoked 12 month period ending December 2005



Based on all reported smokers
The 'other' category refers to the combined percentage for all other brands reported.

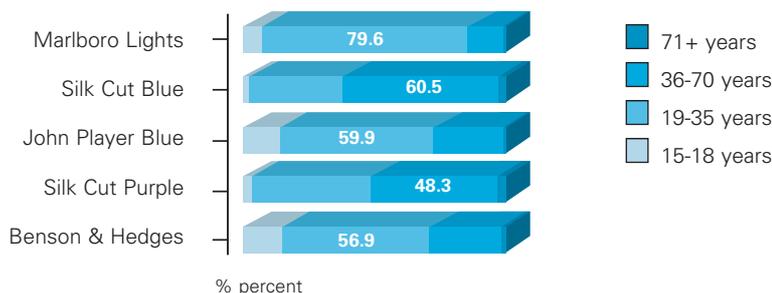
Chart 7 shows the five most popular brands of cigarettes at the end of December 2005.

Chart 8: Top 5 most popular Brands of Cigarettes Smoked by Gender 12 month period ending December 2005



Charts 8 and 9 highlight the noticeable differences in consumer patterns according to gender and age.

Chart 9: Top 5 most popular Brands of Cigarettes Smoked by Age Group 12 month period ending December 2005



glossary

Cigarette Smoking Prevalence:

Refers to the reported use of cigarettes in the population (15 years and older).

Weighted Data:

Quota controls on the sample are set to ensure each demographic group is interviewed in proportion to its representation in the overall population. When quotas are underachieved or overachieved, weightings are applied to fully align the sample's final demographic profile with that of the overall population.

12 month moving average trend:

The 12 month moving average trend statistic is designed to take the current months data value, and the previous 11 months figures and get the average. This is generally used to remove noise (high amounts of variation between monthly values) from the data so that a smoothed pattern can be applied and the actual trend occurring can be more readily interpretable.

Smooth (Smoothed) pattern:

The idea by which the use of a moving average removes the variation in the data to provide a more flattened pattern, thus giving an easier way to view the distributional trend of interest.

Social Class Categorisation:

- A** Professional people, very senior managers in business and commerce or top-level civil servants
- B** Middle Management Executives in large organisations
Principal officers in local government and civil service
Top Management or owners of small business concerns, education and service establishments
- C1** Junior management, owners of small establishments and all others in non-manual positions
- C2** All skilled manual workers and those manual workers with responsibility for other people
- D** All semi skilled and unskilled manual workers
- E** All those entirely dependent on the state long term, those unemployed for period exceeding 6 months
- F** Farmers or farm managers

(Source: AIMRO Standard Guide for Social Class)

appendix B

Publications

Category	Publication
Guidance	<p>Guidance for employers and managers</p> <p>Guidance for the Irish licensed trade</p>
Information	<p>Second-hand smoke: the facts</p> <p>Promoting a tobacco free society</p> <p>Summary of the report on the health effects of environmental tobacco smoke (ETS) in the workplace</p>
Reports	<p>Smoke-free workplaces in Ireland – A one-year review</p> <p>Smoke-free workplace legislation implementation – 1 year progress report</p> <p>Smoke-free workplace legislation implementation – 9 month progress report</p> <p>Smoke-free workplace legislation implementation – 6 Month progress report</p> <p>Smoke-free workplace legislation implementation – 1 month progress report</p> <p>Towards a tobacco free society: summary of the report of the Tobacco Free Policy Review Group</p>
Annual Reports	<p>Annual Report 2004</p>
Research	<p>Smoke-free policies – market research and literature review on economic effects on the hospitality sector</p> <p>Irish women and tobacco: knowledge, attitudes and beliefs</p> <p>Report on the health effects of environmental tobacco smoke (ETS) in the workplace</p>
Signs and Posters	<p>No Smoking sign</p> <p>Smoke-free bars poster</p>

notes