

To: Dr. Janet Woollard

W.A. Educational and Health Standing Committee

Dear Dr Woollard

Thank you for the opportunity to make a submission regarding protection from Tobacco.

The Non-Smokers' Movement of Australia has fought for thirty years for every body's rights to breathe clean air, air, free from the poisons in secondhand tobacco smoke.

Clean water, clean air - every body's inalienable rights. Our Governments protect our right to clean water in our taps - we have every right expect our Governments to protect our right to breathe clean air.

Some may say that the battles for clean air rights are almost over but we must point out that, due to greed, ignorance, addiction and complacency, there are still more than 3 million Australians who smoke and expel the poisons in secondhand tobacco smoke. Children continue to take up smoking at an alarming rate, with very few restrictions.

Worse still, innocent victims are forced to breathe in the poisons in secondhand smoke from those 3 million smokers - children, disabled people and the frail-aged are the silent and helpless victims and their rights are far more important and valid than those of smokers who claim a right to smoke anywhere because they are using a so-called legal product. Smokers should only be allowed to use their drug of addiction where they do not affect others.

We call on you, as elected representatives in Western Australia's Government, to protect your constituents from this totally preventable epidemic.

If cigarettes were syringes, our Governments would have banned them decades ago. The difference is in the delivery of the drug of addiction and, of course, the immediate effect on everyone nearby.

Australia is signatory to the International Framework Convention on Tobacco Control and has committed to "take measures 'providing protection from exposure to tobacco smoke in indoor workplaces, public transport, indoor public places, and, as appropriate, other public places'.

In addition, we call on you to protect non-smokers in other, non-public places, especially in vehicles and in the home, and in residential institutions.

In the matter of secondhand smoke in the home, nobody should smoke at home where children, frail aged or disabled people are present. In any instance of smoking where children are present, a smoker should be prosecuted for child abuse. Spanking a child is regarded as child abuse. Smoking near a child, with the possibility of triggering life-threatening conditions such as Sudden Infant Death Syndrome and asthma, must also be designated as child abuse.

Nobody should be forced to barricade their family into their home in order to protect them from smoke assault from neighbours. Smoke travels throughout home unit buildings and through open windows and doorways. Governments must support everyone who wishes to gain smokefree living conditions for their family. Support Strata Corporations in introducing no-smoking by-laws to prevent smoke-drift within apartment buildings. Support home owners if neighbours allow their secondhand smoke to drift into their property.

We heartily support your efforts to protect everyone from the poisons in secondhand tobacco smoke and to prevent take-up of smoking, but we feel that this legislation is not strong enough.

We call on you to take the following steps, as listed in our letter to all West Australian MPs in December 2008.

1. Commit to an end date for tobacco sales in Australia, preferably 31 May (World No Tobacco Day) 2017. By that date, sales must be restricted to prescriptions for licensed users only.
2. Declare secondhand tobacco smoke a Toxic Air Contaminant.
3. Reject donations/sponsorship from the tobacco industry.
4. Declare all tobacco products unsafe.
5. Confirm that everybody has the right to breathe clean air, free from the poisons in secondhand tobacco smoke.
6. Protect unborn children and babies (especially in indigenous communities) by doing everything possible to prevent women from smoking while pregnant and while caring for babies.
7. Ban smoking in vehicles, especially those carrying children, disabled people, and frail-aged. Preferably ban smoking in all vehicles, to help prevent bushfires lit by tossed butts.
8. Support all families' rights for clean, smoke-free air at home, not subject to smoke assault from neighbours, either in single dwellings or in multi-unit housing. No family should be forced to barricade one's home to protect themselves from the poisons in secondhand smoke.
9. Declare that all indoor public places must be smokefree, including prisons and other residential institutions. Residents of institutions should only be allowed to smoke in a limited number of Designated Outdoor Smoking Areas, strategically placed to prevent secondhand smoke from drifting inside buildings.
10. Legislate that smokers may only smoke outdoors in a limited number of Designated Outdoor Smoking Areas, well-distanced from building openings, or in an area where they can prove that their smoke does not affect others. (Non-smokers should not be forced to find smokefree spaces. Smokers should search out a space where their secondhand smoke does not affect others.) Regarding outdoor eating and drinking areas, smoking should not be allowed at all except, as above, at Designated Outdoor Smoking areas.
11. Legislate that children may not enter any smoking-allowed areas (similar to not being allowed in gambling areas).
12. Remove duty-free status from all tobacco products.- State Governments should lobby the Federal Government.
13. Introduce tobacco-purchaser's (adults only) licence scheme to replace tax revenues. Suppliers to minors (including supply by parents and friends) to be heavily prosecuted.
14. Tobacco Sales only from licensed retailers - minors prohibited from selling or handling tobacco products. No tobacco vending machines.
15. All tobacco products out of sight, wherever they are sold.
16. Allow only plain-paper packaging for all tobacco products.
17. All approved, effective Quitting therapies, including non-drug therapies, to be subsidised and closely monitored, with follow-up assistance included.
18. Media News coverage of all tobacco-related stories to be accompanied by graphic warnings.

19. Films/Television shows depicting smoking - to be accompanied by adult rating, and prefaced with warnings.

20. No smoking on stage -. No fellow actor, and no member of the audience should be forced to breathe secondhand tobacco smoke for the sake of "authenticity".

21. All internet sales to be banned, and potential blackmarket/smuggling activities to be heavily attacked. Funding to be supplied from tax/licensing revenues.

22 Any perceived economic disadvantage occurring as a result of the above actions must be regarded as a necessary cost of ridding the Australian community of its deadliest and most expensive killer.

We are convinced that, with commitment to an end-date, and with co-ordinated, tough measures, you can, we can, truly achieve a Smokefree Australia by 31 May 2017.

We are happy to discuss these points further, especially in public forums.

Yours sincerely,

(Mrs) Margaret Hogge, Pres. NSMA.

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dated 29January 2001