

Submission 18

To: Dr J Woollard, chair
WA Education and Health Standing Committee

By email laehsc@parliament.wa.gov.au

January 30, 2008

Dear Dr Woollard,

Protecting children, employees and the public from tobacco
Submission from health, child welfare and employee organisations
to the Inquiry into the Tobacco Products Control Amendment Bill 2008

On behalf of the coalitions below, I am writing to express our strong support for the proposals now under your consideration in the Tobacco Products Control Amendment Bill 2008.

We appreciate the invitation to make this submission to your Committee. It is our view that the measures in this Bill would do much to protect children and adults from the harmful consequences of secondhand smoke exposure, and from tobacco promotion.

Repeated opinion surveys have shown that the community recognises the harm from tobacco and supports protecting vulnerable or captive groups from it - including children and employees.

Western Australia's Indigenous communities, and people of lower socio-economic status, will benefit greatly from all of the above measures, as these communities are disproportionately affected by tobacco health harm and costs.

There is an international trend for governments to protect their populations by implementing 100% smokefree public environments, and by reducing avenues for promotion of tobacco; and such legislation would also be consistent with Australia's commitment to the worldwide Framework Convention on Tobacco Control.

Addressing the provisions of the Bill in particular:

Display of tobacco products
Supported by Protecting Children from Tobacco coalition

The proposed Section 22 to remove tobacco products from public view in retail outlets by law is strongly supported by all 40 organisations in our coalition including child protection and welfare, health and medical, church and parenting groups. This legislative measure is strongly supported by the weight of independent evidence showing that retail display advertising normalises tobacco to children, encouraging them to smoke; and that it also undermines quit smoking attempts. Similar legislation has been passed by two Australian jurisdictions (Tasmania and NSW) with three more governments (ACT, NT and Victoria) proposing legislation in 2009. The implementation of this measure overseas has caused no significant harm to businesses.

Smoking in cars carrying young people
Supported by Protecting Children from Tobacco coalition

The proposed Section 106A to make cars carrying young people smokefree by law is strongly supported by research evidence that smoking in cars exposes young people to unsafe levels of secondhand smoke. Smoking in cars also heightens risk of accidents and fires. Three Australian jurisdictions (SA, Tasmania and NSW) have passed such legislation, with two more (Queensland and Victoria) also proposing to legislate in 2009. SA experience has shown opportunistic enforcement is feasible, just as with seatbelts or using mobile phones when driving.

Use of tobacco products in outdoor eating or drinking areas an offence
Supported by Protecting Children from Tobacco coalition and SmokeFree Australia coalition

The proposed Section 106B to make eating and drinking areas of whatever enclosure smokefree by law is strongly supported by research evidence that reduction or removal of enclosure alone does not adequately protect employees or patrons - especially children and sufferers of heart or respiratory conditions - from the known harmful effects of even low-level continued or repeated exposure to secondhand smoke. We urge you to consider this an urgent issue and to support this legislation in the interests of public health, of Occupational Health and Safety rights and responsibilities, and of reducing disability discrimination. The Queensland experience has shown that separating smoking from eating, drinking and all working areas will improve health and will be well accepted by business.

Use of tobacco products in outdoor playing areas and safe swimming areas an offence

Submission 18

Supported by Protecting Children from Tobacco coalition; supported by SmokeFree Australia coalition to the extent that these areas are also working areas

The proposed Sections 106C and 106D are consistent with our and the community's strong view that children should be protected from secondhand smoke. These measure would also help to protect people working in these areas, including council and facility staff, as well as people suffering from heart, respiratory or other disabilities, from secondhand smoke exposure. Queensland has enacted these measures, and at least 50 local councils have also adopted them.

Please do not hesitate to contact me should you need further information from us.

Yours sincerely,

<<ole0.bmp>>
Stafford Sanders
Communications Officer, ASH Australia;
Co-ordinator, SmokeFree Australia workplace coalition;
Co-ordinator, Protecting Children from Tobacco coalition

ph. (61-2) 9334-1823; m. 0412-070-194
staffords@ashaust.org.au

Members of the SmokeFree Australia coalition at www.ashaust.org.au/SF03/partners.htm:

Action on Smoking and Health Australia; Asthma and Allergy Research Institute; Australian Council of Trade Unions; Australian Council on Smoking and Health; Australian Medical Association; Cancer Council Australia; Heart Foundation; Liquor, Hospitality and Miscellaneous Workers' Union; Media, Entertainment and Arts Alliance; Musicians' Union of Australia; Non-Smokers' Movement of Australia

Members of the Protecting Children from Tobacco coalition at
www.ashaust.org.au/lv4/ProtectChildrenEndorsements.htm:

Action on Smoking and Health Australia; Alcohol and other Drugs Council of Australia;
Association for the Wellbeing of Children in Healthcare; Association of Children's Welfare Agencies;
Australian and New Zealand Society of Respiratory Science; Australian Childhood Foundation;
Australian Council of Social Service; Australian Council of State School Organisations;
Australian Council on Smoking and Health; Australian Education Union; Australian Foster Care Association;
Australian General Practice Network; Australian Lions Drug Awareness Foundation; Australian Lung Foundation;
Australian Medical Association (NSW); Australian National Council on Drugs; Australian Parents' Council;
Australian Youth Affairs Coalition; Baptist Union of NSW; Cancer Council NSW; Catholic Health Australia;
Children's Cancer Institute Australia for Medical Research; Cystic Fibrosis Australia; Early Childhood Australia;
Families Australia; Heart Foundation; Murdoch Children's Research Institute;
National Association for Prevention of Child Abuse and Neglect; National Asthma Council Australia;
NSW Council of Churches; Public Affairs Commission of the Anglican Church of Australia;
Public Health Association of Australia; Royal Australasian College of Physicians;
Royal Australian College of General Practitioners; Rural Doctors Association of Australia;
Save the Children Australia; SIDS and Kids; Smarter than Smoking; Telethon Institute for Child Health Research;
Thoracic Society of Australia and New Zealand

- 1 See factsheet at www.ashaust.org.au/lv4/POSdisplay.doc
- 2 See factsheet at www.ashaust.org.au/lv4/CarsKids.doc
- 3 See evidence at www.ashaust.org.au/SF%2703/partly.htm
- 4 See details at www.ashaust.org.au/lv3/Lv3informationLG.htm#WHAT%27SBEEN%20DONE