

Dr Joe Kosterich M.B.B.S (WA)

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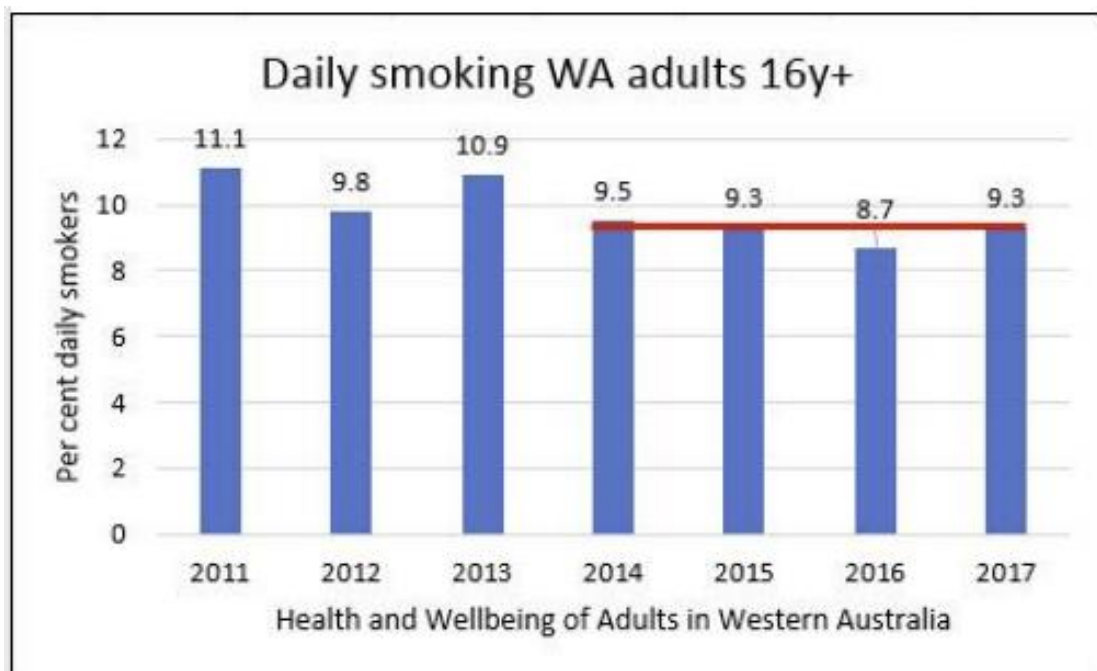
Select Committee on Personal Choice and Community safety  
Legislative Council Committee Office  
Parliament House  
4 Harvest Terrace  
West Perth WA 6005

I have been a practicing GP for 30 years and over that time have seen much misery and illness related to smoking.

Most of this submission covers vaping. I will touch very briefly on other areas at the end.

That smoking is not healthy is a given and quitting is obviously recommended. Smoking rates have declined sharply since the late 1950's when over half the population smoked. Today in Australia under 15% of adults smoke with some estimates of as few as 5% of teenagers doing so.

Sadly, smoking rates have flatlined or slightly increased in Australia since 2013. This is despite plain packaging and the highest per stick prices in the world. In WA the figures show no discernable decrease since 2012.



Various stop smoking aids have come onto the market over the last 25 years but it is notable that a review of [over 600 papers](#) on stopping smoking showed that the most effective way to quit smoking is to simply throw away the pack. Around 70% of smokers quit unaided. Not always the first time but they get there. Since the 1960's, 90% of those who have quit did so unaided.

The reviewers noted that; " ...paradoxically the tobacco control community treats this information as if it was somehow irresponsible or subversive". They added, "...smoking cessation is becoming pathologised, a development that risks distortion of public awareness of how most smokers quit to the benefit of the pharmaceutical industry".

It is fair to say that "cold turkey" does not make money for anyone. In particular there would be no government funding for running programs or promotions if people can quit without them. Yes, some people benefit from medical assistance, but many do not. A significant number of smokers remain unable to quit and the toll of death and disease is considerable.

Some, stop smoking medications can have significant side effects. In the USA there is a class action over one of these due to its link to suicide.

Given all this, I would have expected that e-cigarettes as a new way to help smokers would be welcome. They are in the UK, New Zealand and to a lesser extent the USA as well as other countries. This is not happening in Western Australia.

E-cigarettes are relatively cheap and virtually side effect free. They have been shown to help smokers quit. It is critical to note that whilst cigarettes are carcinogenic, nicotine by itself is not. An independent scientific review commissioned by Public Health England in 2015 found E-cigarettes to be [95% less harmful](#) than regular cigarettes.

This has been demonstrated again in 2018 by [Public Health England](#). The [UK Parliament](#) has been supportive. The [US National Academies](#) of Science Engineering and Medicine found e cigarettes have significantly fewer harmful chemicals than regular cigarettes.

If smokers simply switched to E-cigarettes they are 95% better off. Talking to patients I have found that many who have quit using them are passionate about their use.

Researchers from [University College London](#) found that; “E-cigarettes appear to be helping a significant number of smokers to stop who would not have done otherwise - not as many as some e-cigarette enthusiasts claim, but a substantial number”.

In WA you can legally buy cigarettes but not something that is 95% less harmful at worst and may help you quit entirely at best.

For reasons that are not clear to me the public health lobby which is so against them, has the ear of regulator. One argument is that they lead people into smoking. The UCL team found “Regular use of e-cigarettes by never smokers is extremely rare, and the decline in smoking prevalence in young people has been as great or greater than in previous years”. A US [survey of teens](#) showed that two thirds do not even use nicotine in their vaping.

Another argument is that tobacco manufacturers have moved into this space. It should not be a surprise that an industry with a product in terminal sales decline would look for new products to sell.

Some vaping supporters have expressed a more cynical view. That is because e-cigarette use, is self-initiated (like cold turkey) it threatens the whole stop smoking industry, which hence wants it banned. Maybe the name E-cigarette is the problem - being too close to cigarette.

And while the health department congratulates itself, people can buy them online anyway. Banning sales does not actually mean they can't be obtained.

E-cigarettes offer smokers a useful option, which is safer, and at least as effective and possibly more effective than some existing, stop smoking aids. In addition, they have a superior safety profile with respect to side effects. Many will use e-cigarettes for a time and then stop all together. At absolute worst if smokers convert to e-cigarettes and continue to use them, they are using a product 95% less harmful than cigarettes.

I trust that all this will be considered in this review. In particular the benefits to smokers of being able to quit entirely or at least switching to a 95% less harmful alternative should be given greater weight than the entrenched positions of some in public health.

Australia is one of the few countries in the world where bicycle helmet laws are mandatory. There is no evidence that injury rates are significantly less here. There is evidence that rates of cycling are much less thus meaning many people miss out on the health benefits of exercise.

There is confusion between helmets being a sensible choice for cyclists in certain circumstances and the need for them to be mandatory in all circumstances with the penalty being a fine. This is a good example of where people can be left to decide about the use of a helmet based on the particular circumstances they are in. Surely West Australians are as capable of this as Germans or other European citizens.

In simplest terms there is a need to get government out of the lives of citizens who are eminently capable of running their own lives. Any new law introduced that seeks to impose the will of government into the private lives of citizens needs to be subject to a five year sunset clause. If in that time it cannot be clearly demonstrated that the claims (e.g. deaths illness or injuries reduced) of the proponents of the law have been achieved then the law lapses.

Yours Sincerely

Dr Joe Kosterich