

Submission to: The Public Health (Tobacco and Other Products) Bill 2023 [Provisions] and Public Health (Tobacco and Other Products) (Consequential Amendments and Transitional Provisions) Bill 2023

06 October 2023

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I am an Associate Professor in the School of Public, University of Sydney and have over twenty years experience working in the tobacco control field and am well versed in program and policy best practice. My primary research interests include tobacco control, how online and social media influence public health, and the commercial determinants of health. I am an established authority on the potential of the Internet to circumvent tobacco advertising bans and have pioneered research methods in tracking and analysing online social media content. I am the Chief Investigator of the national *Generation Vape* research study.

I write in full support of The Public Health (Tobacco and Other Products) Bill 2023 [Provisions] and Public Health (Tobacco and Other Products) (Consequential Amendments and Transitional Provisions) Bill 2023. My views are also consistent with those submitted by one of Australia's leading tobacco control organisations, Cancer Council Australia. I have previously publicly written of my support for this tobacco control legislation renewal and update and that it should be enacted in concert with the proposed vaping regulations and the implementation of the *National Tobacco Strategy*.⁽¹⁾ My submission reiterates and summarises this position that these three key initiatives implemented together will fully "reignite" tobacco control in Australia.

Key Points:

- Australia, a leader in global tobacco control, has fallen behind in the 10 years since plain packaging reforms were adopted
- This proposed package of reforms will modernise and reenergise tobacco control
- The urgent and comprehensive implementation of these reforms is essential to reducing smoking rates
- The recently endorsed *National Tobacco Strategy 2023-2030* also opens the door to future supply side reforms

Australia has always been heralded as a leader in tobacco control, but more than ten years have passed since implementing the world's first tobacco plain packaging reforms.⁽²⁾ Tobacco control was in the dangerous territory of being considered "done" – despite 14% of the population age over 14 still currently smoking in 2019 and smoking remaining the single most important preventable cause of ill health and death.⁽³⁾

Currently, Australian tobacco laws are spread across a confusing number of laws, regulations, and voluntary agreements, this proposed legislation will bring these disparate pieces of legislation together under one Act.

An overarching theme of these reforms is that they further limit the ability of the tobacco industry to manufacture and promote products that are attractive and appealing to young

people. For example, manufacturers will likely no longer be able to insert flavour beads in filters that increase both cigarette novelty and palatability. They will also introduce a higher degree of mandated tobacco industry transparency and reporting that has the potential to make future reforms faster and more responsive.(4) Public health is always well behind tobacco industry marketing and sales innovations. Requiring that the industry fully report their marketing activities, rather than expending time and resources trying to track these activities, is far more efficient. Ensuring that tobacco, and e-cigarette, advertising, sponsorship, and promotion laws are up to date with modern marketing methods, including through social media channels, is an essential part of these changes.(5)

It essential to improving public health that proposed *The Public Health (Tobacco and Other Products) Bill 2023* is adopted and enforced – quickly and comprehensively. It would be a lost opportunity however, if Australia then went another ten plus years without adopting other innovative tobacco control measures. While this package of reforms does not address limiting where and how and to whom tobacco products are sold, the door to adopt future reforms targeting “supply-side initiatives”, remains open through the *National Tobacco Strategy 2023–2030*. Strengthening regulations to reduce the supply, availability and accessibility of tobacco products are included as one of key priority areas in the strategy. It is unacceptable that deadly cigarettes are so easily and freely sold in all communities, all across Australia. Bold tobacco supply-side reforms, including increasing the legal age of purchase and dramatically reducing tobacco retail outlets, are being implemented by New Zealand and considered in other jurisdictions such as the UK.(6)

After 10 years of minimal action, it is invigorating to have three key initiatives in play to fully “reignite” tobacco control In Australia – 1) this tobacco legislation renewal and update, 2) the proposed vaping product regulations and 3) the *National Tobacco Strategy 2023-2030* endorsement.

The tobacco industry and its allies will continue to interfere in public health policymaking in an effort to block, water down, and delay these reforms. The Australian government must be vigilant in upholding its obligations to protect public health from the vested interests of the tobacco industry, as required under Article 5.3 of the WHO Framework Convention on Tobacco Control.

References

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