

Supplementary Questions to E-Cigarette Regulation and Compliance in NSW Inquiry - Australian Council on Smoking and Health (ACOSH)

1. Do you believe the Australian Government's proposed vaping reforms are well understood in the community?

ACOSH believes that the Australian Government's proposed vaping reforms closely reflect and address high levels of community concerns about the problems associated with vaping, particularly amongst our children and young people, but that the reforms themselves are not yet well understood. The latter is a result of the legislative loophole that was manipulated to sell vapes containing nicotine in retail and online stores, and persistent and misleading commentary and lobbying from the tobacco and vaping industry and their allies¹. The fact of seeing vapes readily available in retail stores in particular, led to an understandable conclusion for most people that they must therefore be legal.

There is strong public support in Australia for public health policy around vaping and has been for the last couple of years. In 2022-23, 87% of Australian adults supported "prohibiting the sale of e-cigarettes/vapes, including those without nicotine, to people under 18 years of age", as well as banning all additives and strengthening restrictions on advertising and promotion.²

In addition to the problems of the legislative loophole, the industry and their allies are running campaigns that spread misinformation about what the proposed reforms will do, indicating they will ban vapes and introduce a 'prohibition' model.

ACOSH refutes these industry-funded claims, as the Bill does not seek to "ban" or "prohibit" nicotine-vapes for smoking cessation; it simply seeks to stop children from easily accessing these products, just as would be appropriate for other prescription medicines that have the potential to be recreationally abused.

As stated above, there is very high level of public concern about the problem. It is our understanding that the support for sound policy will increase as the policy is progressively implemented and explained, particularly when strong enforcement and compliance is being prioritised.

2. What do you consider best practice in designing public health campaigns, particularly those aimed at young people?

In looking at the demonstrated success of Australia's anti-smoking campaigns there has been much analysis of the effectiveness of public education campaigns³

Public health and education campaigns are a vital piece of a comprehensive approach to tackling health issues, particularly with young people. We have always endorsed the work done

¹ Freeman B, Dessaix A, Buchanan T. Closing loopholes in Australian vaping laws: Why Australia's proposed vaping reforms are sound public health policy. Australian and New Zealand Journal of Public Health. 2024;48(1):100114.

² Australian Institute of Health and Welfare. National Drug Strategy Household Survey 2022-23: Electronic Cigarettes and vapes. Supplementary data tables. Canberra: AIHW, 2024

³ Bayly, M Cotter, T and Carroll, T. 14.4 Examining the effectiveness of public education campaigns. In Scollo, MM and Winstanley, MH [editors]. Tobacco in Australia: Facts and issues. Melbourne: Cancer Council Victoria; 2019. Available from <https://www.tobaccoinaustralia.org.au/chapter-14-social-marketing/14-4-examining-effectiveness-of-public-education-c>

in this area by Cancer Council with its impeccable track record of evidence-based messaging, particularly in the area of anti-smoking.

In the last year, ACOSH has been part of a ten-member campaign reference group organized by Minderoo Foundation to ensure that their anti-vaping campaign was overseen by experts in Australian tobacco control. The Uncloud campaign was aimed at children and young people, with its goal to empower them to say no to vaping.

As with Cancer Council campaigns, we believe Uncloud demonstrated best practice in a number of ways:

- It was informed by high quality peer reviewed systematic reviews and key local research studies, including Generation Vape and Minderoo Foundation's "Vaping Among Young Australians Study" (July, 2023), which was designed to better understand attitudes and behaviour associated with vaping among 14 to 25-year-olds.
- It's creative strategy effectively utilized an authentic peer-to-peer tone of voice which came directly from co-design with a group of people in its target age range. Those young people represented those who currently vaped, had previously vaped and had never vaped – ensuring a spectrum of relatable experiences, particularly stories of addiction.
- It publicly invited young people in the community to engage directly with the campaign and contribute. EG it asked them to design their own public 'warnings' in which they used their own negative experience with vapes to tell others what they wished they had known before getting hooked by the habit or seeing it happen to others. These were then translated into digital and actual posters.
- It was highly effective in getting the campaign seen and heard on the media that young people use – primarily tiktok, Snapchat, Instagram and some gaming platforms where they were able to do a 'wallpaper takeover' of the site, as well as via selected influencers. The accumulated reach was over ten million views across all these channels.
- The campaign has also made its assets available to other organisations such as Vic Health ensuring its messages are shared as widely as possible across the community.

In addition to these elements of best practice we would add that campaigns are not a one-off project – but a sustained set of messages for the long haul. That they need to be keeping up with all the latest research so that they can address the evolving nature of vaping and whatever device or behaviours replaces it. And as always, the campaigns need rigorous evaluation to add to our learnings about best practice and ensure they remain on track.

3. Are current NSW programs and initiatives to help young people quit vaping adequate? How can they be strengthened or enhanced?

ACOSH commends the NSW government on its action to date on supporting young people to quit vaping via a range of programs and services.

We endorse the summary of recommendations made by Cancer Council NSW including:

- Continuing investment in large scale research projects such as Generation Vape which can then inform government policies, programs and services.
- A coordinated intergovernmental approach across health, education, police, small business and other areas.
- Scoping, building and promoting vaping cessation support pathways

4. What action would you like to see the NSW Government take to ensure a higher degree of compliance with smoke-free environment regulations?

ACOSH endorses the need for enforcement to be joint operation at all levels of government including police, enforcement officers in the Health system, local government and enforcement officers in other areas such as transport.

ACOSH notes a positive example of a local government initiative resulting in an increased degree of compliance in smoke free areas in the City of Vincent, an inner-city Council area near Perth, Western Australia. In November 2022, the City trialled their [Smoke-Free Town Centres](#) initiative to protect the community from harmful second-hand smoke in five of their high traffic entertainment precincts.

Along with changing local laws, the City adopted an education and awareness first approach, encouraging both individuals and businesses to join them in becoming smoke free and offering support to those wanting to develop their own smoke-free policy. The messaging, and even the title of the campaign, was intentionally positive “*Fresh Air – You're Welcome: Smoke Free Town Centres*”. Their education campaign – on signage and carried out by brand ambassadors and mobile City of Vincent staff, is reinforced by rangers who monitor the areas.

Results from their one-year evaluation show that community support was high at the six month mark – 78% - and built to 88% after a further six months. 85% of business owners supported the project with 95% reporting either no impact or a positive impact on their businesses. The City has committed to continuing the campaign and is working with a number of other local governments who wish to develop similar programs.

