

**Submission  
No 16**

## **E-CIGARETTE REGULATION AND COMPLIANCE IN NEW SOUTH WALES**

**Organisation:** Orygen

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### ORYGEN SUBMISSION

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### ABOUT ORYGEN

Orygen is the world's leading research and knowledge translation organisation focusing on mental ill-health in young people. At Orygen, our leadership and staff work to deliver cutting-edge research, policy development, innovative clinical services, and evidence-based training and education to ensure that there is continuous improvement in the treatments and care provided to young people experiencing mental ill-health.

Orygen conducts clinical research, runs clinical services (five headspace centres), supports the professional development of the youth mental health workforce and provides policy advice relating to young people's mental health. Our current research strengths include: early psychosis, mood disorders, personality disorders, functional recovery, suicide prevention, online interventions, neurobiology and health economics.

### ABOUT THIS SUBMISSION

Orygen welcomes the opportunity to provide a submission to the Legislative Assembly Committee on Law and Safety's inquiry on e-cigarette regulation and compliance in New South Wales. The submission highlights the risks of increasing rates of vaping among young people and correlations with experiences of mental ill-health. Although the New South Wales Government has announced forthcoming investment in services to assist young people in vaping cessation and the regulation of supply, vaping behaviour will continue to be a public and mental health issue.

This submission was written on the lands of the Wurundjeri people of the Kulin Nation. Orygen acknowledges the Traditional Owners of the lands we are on and pays respect to their Elders past and present. Orygen recognises and respects their cultural heritage, beliefs and relationships to Country, which continue to be important to the First Nations people living today.

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## INTRODUCTION

The use of electronic cigarettes (vaping), particularly among young people, has rapidly emerged as a major public health issue in recent years. Regulation of vapes has been slow to keep up with their increased growth in popularity. A recent representative survey of students aged 14-to-17 years highlighted the prevalence of vaping among young people, revealing that one-in-five (20.4 per cent) students had used a vape within the past twelve months.(1) Despite the legal requirement in Australia for vape users to hold a valid nicotine prescription, the illicit vaping market has grown rapidly and young people report that vapes are ‘very easy, easy or quite easy’ to access from tobacconists, retailers, friends and social media.(2) Although some vaping products are nicotine-free, the illegal vape market is unregulated and many vapes that claim to be nicotine-free are found to contain high amounts of nicotine.(3)

The long-term health impacts of vaping remain unclear and evidence of their efficacy as a smoking cessation aid has not yet been substantiated.(4) The potential benefits that vaping may offer adult smokers is disproportionate to the risk of harm for young people who have never smoked. Young people that vape experience vulnerabilities to poisoning, inhalation toxicity and poorer mental health outcomes.(5) Early evidence has also indicated that the use of vapes is associated with increased future smoking uptake in young people. In 2023, smoking rates for 14-17 year olds in Australia increased for the first time in two decades.(4) There is an urgent need for policy makers to integrate available evidence on vapes into policy and practice and to commission further research where there are gaps. Policy responses are required to address the direct impacts of vaping on health and behaviour in order to safeguard decades of tobacco control progress in Australia.

## VAPING AND MENTAL HEALTH

The prevalence of mental ill-health among young people has also increased in recent years. The 2020-2022 National Study of Mental Health and Wellbeing found that 38.8 per cent of young people aged 16-24 years have a 12-month mental disorder. This is a 26 per cent increase from 2007.(6) The most prevalent disorders reported in New South Wales (NSW) are affective and anxiety disorders, both of which have been associated with adolescent vape use.(6, 7) There is a link between young people’s experiences of mental-ill health and higher rates of vape use. Young people who report having ever vaped are 50 per cent more likely to be experiencing mental ill-health.(8) In NSW, 31.1 per cent of young people aged between 14-25 years diagnosed with mental-ill health have used vaping products. Rates of use tend to increase with the severity of symptoms, with 26.1 per cent of young people in NSW with a K10 score of ‘high or very high’ reporting vape use, compared with 18.3 per cent with a ‘low to moderate’ score.(9)

Young people with mental-ill health experience an increased risk of harm from vape use. Early use of nicotine can dysregulate the brain’s stress response and impact areas of the brain that are responsible for attention, learning, mood regulation and impulse control.(10) Despite this, many young people turn to vaping for self-medicating or coping purposes, with 81 per cent of young vape users stating that vaping decreases feelings of depression, stress and anxiety.(11) Nicotine intake stimulates dopamine production in the brain and can temporarily ease feelings of stress or anxiety, typically associated with nicotine withdrawal. Although this can make it seem like vaping offers mental health relief, vaping does not improve long-term symptoms of mental-ill health. In fact, a recent twelve-month study found that young people who vaped regularly experienced an increase in their mental-ill health symptoms.(12, 13) The evidence suggests that young people are largely unaware that vape use can increase symptoms of mental-ill health. Many young people are using vapes to cope, unaware that their mental health could be impacted in the long-term.(12) The significant risk for young people who experience mental-ill health must be prioritised in policy and program responses to vaping. Vaping interventions and education for this cohort will not only be beneficial in mental health settings, but in other settings where young people may seek support, such as education, parenting services and sporting clubs.

Adolescence is a life stage marked by experimentation in many life experiences, including smoking. Research has identified that peer influences have a significant influence on young people's smoking trajectories, and whether early experiences of smoking are positive or negative. Vaping initiation and use is a highly social activity for young people who mostly prefer to vape in peer-group settings.(14) Most young people report their first vape was provided by a friend.(15) Tobacco Australia has identified that perceptions of vaping as 'cool' can promote increased use in some young people in an effort to 'fit in', while perceptions of vaping as 'uncool' can prevent vaping uptake.(15) As the numbers of young people vaping increase, there is risk for vaping to become a new social norm and have influence upon non-vaping peers, who may feel pressure to conform to feel a sense of belonging and inclusion. Experiences of peer acceptance and social inclusion are critical to young people's mental health. Young people who experience social exclusion typically have poorer mental health outcomes.(16) It is crucial that vaping interventions include peer-to-peer messaging, with an emphasis on challenging emerging social norms and behaviours around youth vaping.

Regional young people are also being impacted by the prevalence and popularity of vaping products among young people. While young people in regional NSW have almost equal rates of vape use to those living in metropolitan areas there is more limited access to both nicotine treatment and mental health services in regional settings.(17) A 2022 New South Wales report indicated that there is a lack of adequate support for regional young people with mental-ill health and rates of self-harm are more than twice that of metropolitan areas.(18) In responding to the issue, the available evidence indicates that digital interventions are beneficial for regional young people.(19) Digital interventions overcome geographical barriers to treatment and offer equitable access to support. It would be recommended that any digital intervention be social-media based, targeting young people where they are already engaging with vaping marketing and products.

## RESPONDING TO THE ISSUE

Given the widespread accessibility of vaping products and their increasing popularity among young people, governments face a significant challenge. Stronger enforcement of policies designed to limit access to vaping products by young people must remain a government priority. The issue requires a multi-level response that cuts across government portfolios, including public health, mental health, children, youth and families and education. Information and support must be integrated into multiple settings where young people are to influence their behavioural choices.

Evidence-based prevention programs delivered in education and health-based settings will be crucial to future success, as will targeted early-intervention responses. In addition to programs delivered in a standard setting, we recommend a social media campaign that addresses the issue, incorporating myth-busting and challenging emerging social norms. It is important that prevailing myths around the effectiveness of vaping as a coping tool be busted to promote cessation and prevent further uptake in young people. It would be useful to provide young people with adequate alternative coping strategies to manage mental-ill health challenges. Governments should be mindful of not appearing to 'scare' young people. Messaging should reflect the genuine concerns and experiences of young people who believe that vaping offers mental health relief while still disrupting emerging beliefs about the relationship between mental health and vaping. All programs must be strengths-based, consider the psychosocial influences of vaping uptake (e.g. generational nature of smoking) and be informed by young people. Young people must be meaningfully involved throughout the process to provide expert insight into the issue and to shape messages that young people will engage with and respond to. Young people are best positioned to understand youth vaping and how to engage with young people to enact long-term change.

### POLICY RECOMMENDATIONS

**Social media campaign developed with young people**

Develop and roll out a social media campaign to address vaping by young people. The campaign should be developed in partnership with young people to ensure the messages and selected social media platforms are relevant and acceptable to young people.

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