

**Submission
No 28**

E-CIGARETTE REGULATION AND COMPLIANCE IN NEW SOUTH WALES

Organisation: Federation of Parents and Citizens Associations of NSW
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E-cigarette regulation and compliance in New South Wales

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Introduction

The Federation of Parents and Citizens Associations of New South Wales (The P&C Federation) is thankful for this opportunity to contribute to this Legislative Assembly Committee on Law and Safety Inquiry into e-cigarette regulation and compliance in New South Wales. The P&C Federation supports the position of individual educational and developmental needs met by a range of differential services expressed through appropriate and well-planned curricula, programs and environments conducted by sensitive and well-trained personnel in conjunction with parents¹ and families.

The core belief of the P&C Federation is that the education of our children and youth is the most fundamental means of ensuring individual success and success as a nation. Government's primary responsibility is to ensure education is equitable, well resourced and fully funded.

The P&C Federation is a representative voice for parents and students in public education in NSW. With over 1800 member associations, 5000 association executive members, and 820,000 public school children and their parents making P&C Associations one of the largest volunteer based organisations within Australia. Our understanding of the issues within education is broad and carries with it the voice of a substantial body of parents and carers.

Preamble

This submission centres largely on the first term of reference:

- (a) the current situation in NSW regarding:
 - i. the prevalence of e-cigarette use among children and young people.
 - ii. health risks associated with e-cigarette products.
 - iii. the impact of programs and services aimed at preventing uptake or continuing use of e-cigarettes.

The P&C Federation's response largely focuses on the use of e-cigarettes in government school settings and is informed in part by feedback we have gathered from parents of students in public schools following a vaping webinar held in 2022 in addition to information received through other member service channels.

SUBMISSION

The NSW Health Survey of 2022 showed that the highest use of e-cigarettes over the combined period of 2021 and 2022, was among of people aged 16-24 years (32.7%).² Based on comments received during a webinar on this topic hosted by the P&C Federation, the key reason students engage in vaping is due to a common misconception that e-cigarettes are essentially composed of water and free of nicotine, thus lacking the harms of tobacco smoking. Additionally, the various flavours available, which often are a key marketing component, also greatly contribute to the appeal to young people. Although there is growing awareness that the base ingredient of e-cigarettes is propylene glycol, vegetable glycerine or glycerol, which commonly contains nicotine there is no apparent decline in the use of e-cigarettes. Indeed, one recent study of found 55% of 14–17-year-olds in New South Wales who use e-cigarettes were aware these products contained nicotine.³

Based on feedback from parents, it is clear that the use of e-cigarettes – and vaping in particular – among students across New South Wales schools, particularly secondary schools, is of high concern.

¹ "Parent" refers to anyone with legal care of a child, such as a parent, carer or legal guardian

² NSW Health Survey 2022.

³ Watts et al. 2022. Vaping product access and use among 14–17 year olds in New South Wales: A cross-sectional study. *Australian and New Zealand Journal of Public Health*, 46(6), 814–820

The overall reaction of parents and families is one of alarm, coupled with feelings of uncertainty of how they and schools can address this trend. Some parents report their children (even as young as Year 7) estimate that half their year group uses e-cigarettes. Multiple parents have stated that students openly sell and use e-cigarettes in school toilets, and that their children are too intimidated to go to the school toilets as a result.

From a health perspective, there are frequent concerns around the health impacts of e-cigarettes. Effects such as throat irritation and nausea are common, and there are rare reports of seizures associated with e-cigarette use. One parent reported their nephew using an e-cigarette and having a seizure shortly thereafter that required CPR. Excessive nicotine use has also been recognised to cause respiratory problems, tachycardia, or hypertension in young people. The possibility that vaping will lead to long-term issues, such as nicotine use or that nicotine in e-cigarettes may impact their child's cognitive development, is naturally of widespread concern. Additionally, there are concerns about the addictive nature of the products in e-cigarettes, with one parent reporting that quitting in isolation from peers has been difficult.

There is also evidence, from both reports from parents and clinical research, that students may use e-cigarettes as a means of managing mental health issues. One parent reported that their daughter has used vaping as one means of managing trauma she has suffered, and numerous research suggests teenagers find the 'relaxing buzz' of e-cigarettes helps them manage stress and anxiety.⁴

Response of public schools in New South Wales

Current efforts to halt the use of E-cigarettes in schools heavily rely on the NSW Department of Education's main framework in its Drugs in Schools policy, which covers the possession and use of e-cigarettes on school premises. This framework leaves principals to manage this issue in ways consistent with their school's student welfare and discipline policies, while also being advised to report retailers via the online complaints platform. In addition to the framework, the Department also develops drug education programs for schools, implements information in the curriculum (such as the Personal Development, Health, and Physical Education syllabus), and aims to have trained staff in schools to address e-cigarette issues.

Parents' feedback on the efforts being made have been mixed, with some reporting their perception that their school has "*thrown its hands up in the air over vaping*", as "*they can't find a sustainable solution to stopping it.*" Some schools have proposed installing surveillance cameras outside toilets and locking them during class time, requiring students to request a key from the office to use the facilities. Such proposals have been contentious among parents. In general, however, parents recognise that schools face an uphill battle on this issue with limited tools at their disposal.

In the P&C Federation's view, this underscores the need for a holistic response from governments with an additional focus on supporting students to quit smoking if they have developed an addictive habit. The current responses/efforts have largely centred around prevention and knowledge sharing with little to no development on a plan for students in school who have developed a vaping habit.

Conclusion

The fundamental issue in the P&C Federation's view is that while the retail sale of e-cigarettes with nicotine is illegal, the pervasiveness of nicotine e-cigarettes shows the current enforcement of these laws is inadequate. Until this is addressed, it is unlikely the best efforts of parents and schools alone will reduce the prevalence of vaping among young people.

⁴ Truong and Cotton. 2023. *The impact of vaping on adolescent mental health. Policy and practice paper*. Australian Institute of Family Studies