

**Submission
No 19**

INQUIRY INTO ILLEGAL TOBACCO TRADE

Organisation: Alcohol and Drug Foundation

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PORTFOLIO COMMITTEE NO. 5 - JUSTICE AND COMMUNITIES
NSW Parliament House
6 Macquarie Street
Sydney NSW 2000

To the members of the Committee,

Thank you for the opportunity to comment on the Inquiry into the Illegal Tobacco Trade.

The Alcohol and Drug Foundation (ADF) delivers evidence-based approaches to minimise alcohol and other drug harm. We recognise the power of strong communities and the important role they play in preventing problems occurring in the first place. A community-centric approach is at the heart of everything we do.

According to the 2024 NSW Population Health Survey, 11% of adults in the state still smoke daily. Rates are much higher among people living in the most socioeconomically disadvantaged areas, for Aboriginal people, and for those accessing alcohol and other drug (AOD) or mental health services. These populations often experience greater nicotine dependence and face more barriers when trying to quit.ⁱ

Sustained public policy effort from all levels of governments and public health organisations has seen the daily smoking rate decline since the first introduction of mandated health warnings on cigarette packs in 1973. And while fewer Australians smoke daily than ever before, tobacco use remains the largest contributor to social and economic costs in Australia, at \$159.7 billion (60.4% of total costs).ⁱⁱ

The ADF supports public health policies and interventions to drive down demand for and harms from the legal and illegal tobacco trades. However, these public health measures should account for the needs of those communities and groups who disproportionately experience tobacco related harms (*item (h) of the terms of reference*). A health-led approach to tobacco harms reduction should:

- **Avoid individual criminalisation of possession and use of combustible tobacco and vaping products**

Smoking and nicotine dependence should be managed as health issues, not moral or criminal failings. It is well established that the criminalisation of drug use disproportionately impacts people living in the most socioeconomically disadvantaged areas, Aboriginal people, and culturally and linguistically diverse communities.ⁱⁱⁱ Efforts to drive down the legal and illicit tobacco market should avoid criminalisation of consumers.

New South Wales



- **Act to prevent demand**

Australia has had great success in substantially reducing tobacco use over time through comprehensive and evidence-based prevention measures.^{iv} Investing in evidence based smoking prevention and cessation offers a significant benefit not only to dulling the illicit tobacco market but in driving down tobacco harms more generally.

Prevention efforts should target smoking of not only combustible tobacco but vaping among young people: studies investigating vaping among young people have found that vaping is a strong risk factor for smoking.^v

- **Ensure nicotine vaping products remain available as a harm reduction and cessation tool**

While the long-term health impacts of vaping are still unclear, there is high quality evidence to suggest that vaping is more effective for smoking cessation compared to traditional NRT.^{vi} Vaping products may play an important role in reducing harms from combustible tobacco, and there is a group of people who will continue to use vaping products to manage nicotine dependence.

The ADF supports a regulatory model for vaping products that maintains access for people who use them for smoking cessation and harm reduction without undue costs and barriers.

Thank you for the opportunity to comment on this inquiry. Please do not hesitate to contact me to discuss any aspect of this submission.

Sincerely,

Allison Reid

State Manager - NSW/ACT

References

ⁱ New South Wales Government, NSW Population Health Survey: Key findings for 2024 (2024), <https://www.health.nsw.gov.au/surveys/methods-results/Pages/2024-key-findings.aspx>.

ⁱⁱ Gadsden T, Craig M, Jan S, Henderson A, Edwards B. Updated social and economic costs of alcohol, tobacco, and drug use in Australia, 2022/23. Sydney: The George Institute for Global Health; 2023. Available from: <https://cdn.georgeinstitute.org/sites/default/files/documents/cost-of-alcohol-drug-use-in-aus-report.pdf>.

ⁱⁱⁱ Law Reform Road and Community Safety Committee. Inquiry into drug law reform: Parliament of Victoria; 2018 [06.09.2023]; The Cabinet Office NSW Government. Special Commission of Inquiry into the Drug 'Ice' 2020 [08.09.2023].

^{iv} Department of Health and Aged Care, National Tobacco Strategy 2023–2030 (2023), [National Tobacco Strategy 2023–2030](#).

^v Watts C, Egger S, Dessaix A, Brooks A, Jenkinson E, Grogan P, et al. 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*. 2022;46(6):814-20.

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^{vi} Lindson N, Butler AR, McRobbie H, Bullen C, Hajek P, Begh R, et al. Electronic cigarettes for smoking cessation. *Cochrane Database of Systematic Reviews*. 2024(1). Available from: <https://doi.org/10.1002/14651858.CD010216.pub8>.