



### ***Tasmanian Independent Retailers***

#### ***Potential Future Initiative No 7: raising the minimum smoking age (Healthy Tasmania Five Year Strategic Plan)***

#### ***A poorly considered proposal that will have major implications for Tasmanian small business and tourism***

Tasmanian Independent Retailers (TIR) is a cooperative trading society that represents independent retailers in Tasmania operating under the brands Supa IGA, IGA Everyday and IGA X-press. The TIR IGA network currently spans over 80 small, medium and large retailers across the North and South of Tasmania, with additional wholesale and distribution services also provided to a number of smaller convenience stores. The TIR trading group exists to provide centralised support that enables IGA stores to compete effectively in the Tasmanian retail market.

TIR has long been a supporter of Tasmanian health and wellbeing, with a business model that prioritises the promotion and sale of local healthy produce. This, coupled with the IGA's sponsorship of inherently healthy events such as the Special Olympics, Little Athletics and the Cancer Council Relay4Life Program, shows TIR holds a responsible position in the community and is concerned for the welfare of Tasmanians.

We were proud to work with the State Government on the issue of 'going dark' and have a long tradition of working to achieve strategic health outcomes that are for the betterment of all Tasmanians.

Although TIR recognises the significant health impacts of smoking, we cannot support ***Potential Future Initiative No 7: raising the minimum smoking age (Healthy Tasmania Five Year Strategic Plan)*** as it would be unworkable, unenforceable and will create an additional layer of unnecessary red tape.

More importantly we note, that no imperial evidence has been put forward to demonstrate this initiative will actually achieve anything. Given that Tasmania already has some of the toughest anti-smoking laws in Australia, yet some of the highest smoking rates, we say prohibition has not worked and that a simple ban is a lazy policy by a Government that should invest more in proper community education.

Better, we say to actually effectively police the existing laws and use some of the significant revenues raised through taxing tobacco sales, to properly educate and inform the community on the health impacts of decisions they make.

Our country's health leaders agree. The Victorian and NSW Health Ministers will not even consider the idea, the president of the Australian Medical Association believes prohibition is ineffective on



teenagers (*Sydney Morning Herald 21 Dec 2015*) and the state head of the Royal Flying Doctors has questioned the process (*The Examiner 16 February 2016*).

On the issue of consultation, to announce this process just days before Christmas and then embark on a public engagement process over January through to mid-February is appalling and gives TIR as well as no doubt other organisations, little if any chance to genuinely talk to their members and provide meaningful feedback.

Holding public forums during work hours, made these sessions, simply an opportunity for health professionals to slap each other on the back as opposed to actually listening to the broader community on this issue.

It has also been stated that consumers have been consulted with. While this may be the case, the first Tasmanian Independent Retailers heard of this proposal was when it was released in December and in discussion with other peak bodies such as the Tasmanian Chamber of Commerce and Industry, Tasmanian Hospitality Association and the Tasmanian Small Business Council, they also had no knowledge of this proposal until it was released.

Minister for Health, the Hon. Michael Ferguson, in stark contradiction as the initiatives strongest public supporter, highlighted issues in his submission to Ivan Dean's 2015 Tobacco Free Generation Bill that upon any slight consideration are 100% relevant to the new Healthy Tasmania proposal.

He unequivocally confirmed the foolishness of the age rise proposal through his concerns with the Tobacco Free Generation Bill, citing issues such as the difficulty of enforcement, increase in online sales, interstate trade complications and tourism impacts as major threats. This document has been attached for your further inspection and we agree with much of its content.

Meanwhile, the committee chair who put this strategy together has called for a sugar tax. A patronising measure that shows an overwhelming lack of faith in Tasmanian's ability to make their own choices.

Given this, one can only assume that the next steps will be the increase of the drinking age to 21 or 25, followed closely by a ban in the use of X-Box for under 25s and so on.

TIR does not support raising the minimum legal smoking age to 21 or 25. The need for stronger enforcement of existing laws and regulations coupled with appropriate community education should be addressed before future initiatives are discussed.



**TIR's concerns are outlined in greater detail below**

**1. This proposal would be unenforceable and unworkable for Tasmanian businesses.**

The responsibility of enforcing the age increase would inevitably fall down to Tasmanian business operators who would find themselves in difficult and impractical situations. For instance, there is a significant risk of danger when refusing service to intimidating people who would usually be well over the age limit but don't have their ID, particularly when dealing those unfamiliar with the laws.

The ability to manage this sort of confrontation is unreasonable to expect of young staff. The need for vigilance on behalf of the retailer to avoid breaking the law is ludicrous.

Will such a system mean that people over 18 years but under 25 will be able to sell tobacco? Many retail outlets in Tasmania are dependent on young casual employees to assist their business – if that can't consume tobacco, one would assume they probably cannot sell it, therefore creating administrative nightmare for people entering the outlet and simply wishing to buy a legal product.

Further to this, will be a situation where an 18 year old can go into a bottleshop or pub and buy a bottle of whiskey, which they can consume as they choose, but won't be able to purchase cigarettes.

Will it be the case, as Mr Dean proposed that people cannot purchase tobacco goods, but can consume them?

**2. This proposal would put significant logistical and financial pressure on independent retailers in Tasmania.**

The expenses of this proposed change will be shifted almost exclusively onto Tasmanian businesses who are already struggling with threatening levels of red tape. Independent retailers will be forced to pay for additional staff training, increased risk of fines and greater protection of staff due to the threat of angry customers without identification.

**3. This proposal would stunt the growth of Tasmania's tourism industry.**

Tasmania is currently in the midst of a tourism boom, with many big and small retailers around the state benefiting significantly. However, confusion over the legality of smoking in our state has the potential to significantly alter future growth. Valuable young tourists who happen to be smokers will feel excluded and won't bother coming. Even tourists who are over the age of the new limit, whether it be 21 or 25, may reject Tasmania as a destination due to the intimidation associated with providing proof of age, particularly for those with limited English skills.

The overly strict nature of the proposal also has the potential to impact perceptions of the state both nationally and internationally. A 25 year minimum legal smoking age is globally unprecedented



and would remove civil liberties that impact on the overall perception of freedom in Tasmania. This lack of freedom is a far cry from the relaxed and free image the state currently projects.

The risks of disruption to the profitable Asian tourism market, a demographic that currently has a high demand for tobacco products, is also of great concern to independent retailers.

**4. This proposal would cause a major shift towards online sales.**

The difficulty in purchasing cigarettes will translate to an increase in online sales to avoid identification. However, this shift is likely to go beyond the purchase of cigarettes contributing to a decrease in overall small business sales in the under 25 demographic and beyond. This will further devalue local businesses and cause major economic repercussions.

Due to the nature of online shopping with bulk buying favoured in order to mitigate exorbitant shipping costs, cigarette stockpiling is also likely to occur. Stockpiling is an issue of concern for it is likely to increase a person's daily cigarette intake. Additionally the risks of cigarettes getting into the wrong hands are far greater when excess packets are left unattended.

**5. The research used to justify the proposal is based on statistics taken from the United States of America.**

The Healthy Tasmania Strategic Plan uses the success of raising the legal smoking age to 21 in a small selection of US cities as a key source of evidence that a proposed change could be effective in Tasmania. However, the US legal drinking age of 21 is critical to the logistical success of the age increase in the USA. There would be no additional policing or training necessary for publicans and retailers for the restrictions are already in place for alcohol. The proposed disparity between alcohol and cigarette age limits is a primary factor as to why this approach would be unworkable in Tasmania.

**6. Unprecedented strict legislation would decrease the popularity of Tasmanian amongst young people.**

Smokers or not, young people do not like to be told what they can and can't do, with maximum freedom often the preference. Over regulation and nanny state rules will do nothing to help us retain the large number of talented young people moving interstate every year. Tasmania is also likely to seem less enticing as a wild and exciting new home to would be international and interstate movers. Less people choosing to stay and less people arriving will mean less investment in Tasmanian businesses and less cash flow in our delicate economy.

**7. The proper enforcement of existing laws needs to occur before changes can be made.**

The status quo is currently insufficient in reducing smoking rates, however, wouldn't it make sense to more aggressively enforce existing laws rather than enacting rash new changes? Firstly, questions need to be asked as to why people under the age of 18 are still smoking, how they are getting access to cigarettes, and what the consequences for doing so are. Tasmanians often start smoking in their



teens then pick up a habit for life, largely before they turn 18. We need to approach this issue more effectively for it is clear that the MLSA is currently unrelated to the beginnings of smoking addiction.

**In conclusion the TIR cannot support *Potential Future Initiative No 7: raising the minimum smoking age (Healthy Tasmania Five Year Strategic Plan)* for it is logistically unworkable and would have major economic repercussions through its impact on small business and tourism.**