

## **Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024**

<b>Submission No:</b>	13
<b>Submitted by:</b>	Queensland Catholic Education Commission
<b>Publication:</b>	Making the submission and your name public
<b>Attachments:</b>	See attachment
<b>Submitter Comments:</b>	



# Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024

## June 2024

---

The Queensland Catholic Education Commission (QCEC) welcomes the opportunity to provide feedback on the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024 (the Bill).

QCEC is the peak strategic body with state-wide responsibilities for Catholic schooling in Queensland. This submission is provided on behalf of the five Diocesan Catholic school authorities and 18 Religious Institutes and other incorporated bodies which, between them, operate a total of 312 Catholic schools that educate more than 160,000 students in Queensland.

QCEC's response is informed by previous communication with Queensland Health concerning the challenge of vaping in schools and other issues to do with the regulation of tobacco and other smoking products. In May 2024, QCEC provided a response to Queensland Health concerning the consultation paper *Proposed Changes to the Tobacco and Other Smoking Products Act 1998 - Vaping Reforms*.

### **Strengthening Regulation**

The Bill will amend the *Tabacco and Other Smoking Products Act 1998* (Qld) to align with the amendments made by the Therapeutic Goods and Other Legislation Amendment (Vaping Reforms) Bill 2024 (Cth) to ban the supply and possession of vaping goods, as well as remedy other deficiencies with Queensland's regulatory environment. QCEC supports these overall goals and recognises the need to strengthen the regulation of vaping and other 'illicit smoking products'.

While generally supportive of the aims of the proposed amendments, QCEC would like to raise the following matters for further consideration.

### **Avoidance of criminalising young people**

It is noted that the proposed new offence of supplying illicit smoking products will relate to commercial supply only and not to individual possession. That is, it will not criminalise possession of smoking, tobacco or vaping products for personal use.

This is an important point, as in many cases it will be young people or children who may be in possession of such items. The actions and choices of the young people and children need to be addressed in a supportive and holistic manner, rather than through the blunt instrument of criminal sanction. Rightly, the focus of criminal offences should be directed at commercial suppliers and wholesalers, or those who knowingly take part in the commercial provisions of these items.

## **Education and awareness**

Most importantly, any changes to the regulation of vaping and the use of other illicit smoking products should be accompanied by a comprehensive education and awareness program conducted by Queensland Health. For the legislative changes to have meaningful impact, there will need to be broad community understanding of their details and the intent behind their introduction. For example, it may not be obvious that illicit smoking products would include products such as nicotine pouches (which are not smoked) that are rising in use by young people. There will need to be clear articulation of the health risk associated with vaping and other illicit smoking products, including the creation of vaping specific resources informed through the input of health and other experts.

Education and awareness should be particularly focused on assisting parents and carers fulfill their responsibilities in guiding and directing children and young people in making informed choices to protect their health and wellbeing. QCEC looks forward to further consultation on these important matters and possible involvement in targeted education and awareness initiatives.

Thank you for your consideration of our response to the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024. QCEC is happy to discuss should any further information be required.

**Allan Blagaich**

Executive Director.