




Speech By
Brent Mickelberg

MEMBER FOR BUDERIM

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TOBACCO AND OTHER SMOKING PRODUCTS AMENDMENT BILL

 **Mr MICKELBERG** (Buderim—LNP) (3.49 pm): I thought we were going alright there for a bit, until the member for Pumicestone decided to talk about something completely unrelated to the bill—that is, vaping, which is not addressed by this bill—and then make a cheap political attack with respect to the federal parliament. I note that the member for Pumicestone likes to talk about handing back political donations, but she is silent when we talk about the CFMEU—the worst recidivist offenders in the country, marching down the street here this morning, and the member for Pumicestone is silent—

Ms KING: Mr Deputy Speaker, I rise to a point of order. I question the relevance of this contribution from the member for Buderim under standing order 118(b).

Mr DEPUTY SPEAKER (Mr Martin): Member for Buderim, I appreciate what you have said. The member for Pumicestone was talking about vaping, which has been discussed by other members. The CFMEU is not part of the long title of the bill. You have made your point. I ask that you come back to the long title of the bill.

Mr MICKELBERG: Thank you for your guidance, Mr Deputy Speaker. Until the contribution from the member for Pumicestone, I was going to say that the bill is largely uncontroversial. As I said, despite the rhetoric of those opposite, this bill does not deal with the regulation of e-cigarettes or vapes. There is an inquiry dealing separately with vapes, discussion of which I suggest anticipates debate on that inquiry.

The area I would like to focus on in my contribution is with respect to the government's resourcing of Queensland Health and the Queensland Police Service to enforce the legislation that we are debating today. Many members on both sides of the House have spoken about the prevalence of illegal tobacco and chop-chop in our communities. When I speak to businesses right across the state, they tell me that it is having a marked effect on their trade. Legal tobacco retailers, who seek to comply, tell me that the illegal trade is affecting their viability as supermarkets and local community corner stores. They are suffering because this government has under-resourced public health units. This government does not enforce existing legislation let alone anything proposed in this legislation.

Committee recommendation No. 3 addresses this issue. I commend the committee for making the recommendation in terms of the need for enhanced enforcement and resourcing of those who undertake enforcement. Illicit tobacco is a considerable issue within our communities. It is an issue for all of the health reasons that have been spoken about. It is an issue because it is unregulated. It is facilitated by organised criminal elements, which our communities justifiably repudiate. You do not have to look too hard to see the correlation between break and enters of supermarkets and legal tobacco retailers and a chop-chop retailer coming into town. It has happened in my community and I know that it has happened in the Ninderry electorate. It has happened time and time again across this state.

I personally do not like smoking, but that is my decision. I recognise people's individual choice to make those decisions. I want to talk about what it means for business and what it means for youth employment. Like it or not, many of the businesses that form the backbone of our communities rely on the sale of tobacco to prop up their trade—to get people through the doors so that they also buy bread, milk and other incidental products. Any of the small IGAs or independent retailers will tell you that, like it or not, a large driver of their foot traffic is tobacco sales. I do not like it, but that is the reality of the situation. Through COVID, the importance of those businesses came to the fore when the supply chains of the big supermarkets collapsed. Our local IGAs and FoodWorks were able to continue to provide the goods and services that our communities rely on. They are also amongst the largest employers of young people. By virtue of the fact that they are open longer hours they have more casuals, and it is those young people who will be and are being affected by a reduction in trade associated with illicit tobacco.

Interestingly, in the Pumicestone electorate I spoke to a small independent supermarket owner who told me that his trade on all products this year was down 45 per cent. It is not down 45 per cent because people are substituting his products for Coles and Woolworths products; it is down 45 per cent because people are buying tobacco from the illegal tobacconist down the road. Existing provisions have not been enforced and continue to not be enforced. A supermarket owner in Bundaberg told me that his trade is down 30 per cent this year for the same reasons—as a direct consequence of illicit tobacco sales. The government cannot even enforce the existing framework and it is not allocating additional resources to ensure greater enforcement. It begs the question: what is going to be achieved?

One retailer representative group told me that there are about 200 registered legal tobacconists in Queensland and, by its estimation, 220 illegal tobacconists in Queensland. There are more illegal tobacconists than legal! You would expect that there would have been considerable prosecutions as a consequence of all of this illicit activity, but there have not because there are shortfalls within the legislative framework. I acknowledge that the bill seeks to address that. However, there are also insufficient resources, and this bill does not address that. I think there has been one case on the Gold Coast where an individual was prosecuted under 'receiving stolen goods' provisions.

Ms Bates: And fined \$20,000.

Mr MICKELBERG: I take the interjection from the member for Mudgeeraba and shadow minister. This is an important issue for our communities. We should be ensuring that we crack down on illicit tobacco. Like so many things that this government does, it is just hollow rhetoric. If you are not going to put in place the resources to enforce the legislation, why introduce it in the first place? It simply beggars belief.

Let us be clear: the legal tobacco industry is a \$21 billion industry. Let's think about the forgone tax revenue because people are substituting their legal tobacco purchases for illegal tobacco. I would prefer that no-one smoked, but that is just my personal view. If people want to smoke, they should buy it from a local supplier and comply with the laws—not enable the organised crime elements that hold our communities to ransom day in and day out. The message for the government is: take action on these issues. Take action on illicit tobacco. Do not just talk about it. I know that this was an election promise from 2020. We are now in 2023. It is hardly at light speed that we are now debating what I suggest is a relatively straightforward bill.

The member for Pumicestone spoke about the licensing framework. From my perspective, it has been well supported by businesses. When I talk to existing retailers they are supportive of the licensing scheme, but only if it is enforced—if those who choose to do the wrong thing are penalised as a consequence. That is not happening now. It needs to happen. The government needs to give this more than lip-service.

We will not be opposing this legislation, but unless we see real action on illicit tobacco it all means nothing. Our communities will continue to be held to ransom by these organised crime elements. We will continue to see 16-year-olds and 13-year-olds in the main street of my electorate—I accept that my electorate has fewer challenges than other electorates across this state—no more than 300 metres away from my office, buying chop-chop from an illicit tobacco shop. I could walk in there on Friday morning and buy some if I were of a mind to, which I am not, but that is simply not good enough. The police know it is there. The public health units know it is there. I have written to them. They tell me that their hands are tied, they do not have the ability or the resources. My view is that the government does not have the inclination to ensure the laws are enforced. The government needs to get on board and to start enforcing the laws; otherwise, it is just more hollow rhetoric.