




Speech By
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MEMBER FOR JORDAN

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**TOBACCO AND OTHER SMOKING PRODUCTS (DISMANTLING ILLEGAL
TRADE) AND OTHER LEGISLATION AMENDMENT BILL**

Second Reading

 **Ms MULLEN** (Jordan—ALP) (4.06 pm): I rise to speak on the Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025. In a surprising change of character, the LNP government have decided to take the advice of experts in health policy—advice that they would otherwise happily ignore when they would much rather play politics with Queensland lives. Therefore, it is welcome to see this government continue the good work of the previous Labor government in tackling illicit tobacco and nicotine products and reducing the number of preventable deaths and disease from smoking.

Mr Lister: What work? It got worse and worse under your watch.

Ms MULLEN: Wait. I have more to say. Many Queenslanders know of the crippling and destructive health impacts of smoking and may even know a family member or friend affected. Every day, 66 Australians lose their lives to tobacco use. As highlighted by the Lung Foundation—

... smoking remained one of the leading causes of preventable death across Australia and was identified as the second most significant risk factor contributing to the national burden of disease. Evidence indicates that up to 2 in 3 lifetime smokers will die of smoking related disease.

Over the last several years we have seen an evolving challenge in this space, with a rising illegal market that commodifies addiction and operates outside of the regulatory framework developed over decades to reduce smoking rates, protect young people and limit exposure to tobacco related harm. New research published in the *Medical Journal of Australia* shows that the decline in smoking rates across Australia has slowed. An estimated 5.8 per cent of students would have tried smoking by 2022-23, following the pre-vaping trend. That figure has now more than doubled, to 13.2 per cent.

Many submitters to the committee stressed how easily accessible these illicit products have become to children. As one submitter shared—

These stores continue to operate even though they do not hold a licence, sell illegal products not only to adults but to children as well. We now have 9, 10 and 11 year olds whom are in primary school vaping and getting their friends to do it also. Most of these kids go in and buy them by themselves.

Vaping products obtained from unregulated sources pose a significant risk to children as they often contain more toxic and dangerous contaminants, with the potential to lead to respiratory illness and lung injury.

As large profits can be made by the sale of illicit nicotine and illicit tobacco, the involvement of organised crime exploiting regulatory gaps in the market has also exacerbated the potential risks to public safety. The committee heard from the Crime and Corruption Commission, which stated—

The link between illicit tobacco and organised crime syndicates in Queensland and Australia is well established ... Evidence of small businesses across Australia being threatened or coerced into supplying the products and even having their business premises fire bombed is a major concern for the community ...

The widespread availability of these illicit products also has a significant impact on the operation of legitimate retailers. The committee heard from some lawful business owners how emerging illegal stores had created a 90 per cent decline in sales and a rise in threats to their personal safety. It is important that we continue to make improvements in this space.

Labor laid a strong foundation for Queensland's public health response to the mounting serious health and public safety impacts of this issue. In 2023, Labor commenced the inquiry and report into vaping, which received considerable feedback from stakeholders that highlighted the serious health risks posed by e-cigarettes of which all recommendations were supported. This was followed by a significant body of work in 2024, alongside the Commonwealth government, to enforce the ban on recreational vapes and address the illegal supply and sale of illicit tobacco, nicotine and e-cigarette products.

We introduced increased penalties for persons who supply and possess illicit tobacco as part of a business activity and created the closure order powers to shut down illegal traders. As mentioned by the previous speaker, the member for Chatsworth, Queensland has some of the strongest offences and most extensive enforcement powers for illicit tobacco and illicit nicotine products in Australia. This bill continues to build on this work by: expanding short-term closure orders from 72 hours to three months; expanding long-term closure powers from six months to 12 months; preventing businesses from opening or the sale of any good or service if subjected to a closure order so that closed means closed; holding executive officers of corporations to have personally committed certain offences that were committed by their corporations unless they can satisfy that they did not know or could not have known about illegal activities; creating an offence for lessors who knowingly permit a premise to be used for the supply of illicit tobacco, as well as civil penalty provisions; expanding seizure and forfeiture powers; and improving enforcement activities. These measures are carefully targeted and are intended to disrupt businesses that profit from the illegal trade and make the commercial model of this illicit market less attractive to organised criminals.

The committee received a considerable number of submissions on the bill from a broad variety of stakeholders, with many outlining their support for the new reforms. The Australian Association of Convenience Stores shared how their members had reported repeated incidents where tobacconists who had been caught supplying illicit products were shut down for a 72-hour period, only to reopen almost immediately and resume selling illicit tobacco and vapes. In their submission they stated—

Extending interim closure powers to three months, and long-term closure powers from six to twelve months, will provide a far more effective deterrent and give enforcement agencies the tools they need to disrupt repeat offenders and protect law-abiding retailers ...

...

Removing unlawful traders from the market is critical to ensuring that legitimate businesses can reclaim certainty and stability.

I appreciate that this is a frustration that is being felt in my community—that is, when these businesses close and then you see them reopen a few days later. I acknowledge the legitimate businesses in my electorate that sell tobacco products and have been impacted by these illegal rogues.

The Cancer Council Queensland shared their endorsement for the reforms, stating—

The Bill's provisions, when implemented as a cohesive suite, will substantially reduce the profitability of illicit trade, disrupt organised criminal activity, and strengthen tobacco control efforts.

Dr Michelle Jongenelis, Principal Research Fellow within the Melbourne School of Psychological Sciences at the University of Melbourne, stated—

The proposed amendments represent a critical paradigm shift in the way the illegal tobacco and nicotine trade is addressed in ...

I note some submissions suggested that enforcement alone will not reverse the cultural normalisation of vaping and nicotine amongst young people. I think that is very important to call out. It is important that we have expanded investment in prevention and cessation programs for adolescents. School-based programs and social media campaigns to target young people and provide education around the harms of vaping were a key part of the measures the previous Labor government introduced in its term.

The Labor Opposition will always support expert backed reforms that improve Queenslanders' health and continue to aid in reducing smoking rates, especially among young Queenslanders. It is something we have always prioritised and we will not stop advocating for. Queenslanders deserve what is best for their health and wellbeing and we will hold the government to account.