

SUPPLEMENTARY SUBMISSION FROM EMERITUS PROFESSOR MIKE DAUBE AO

PART 1

1. In my earlier submission, I noted similarities between approaches taken by the gambling and tobacco industries, including sports sponsorship as part of their marketing approach, using sponsorship of sports to engage sporting bodies in supporting continuation of their marketing activities, and offering and promoting voluntary codes and similar mechanisms they know to be ineffective as an alternative to regulation.

2. I noted in relation to current gambling industry approaches that “The arguments presented are strikingly similar to those used in defence of tobacco advertising forty years ago...”.

3. Having seen submissions from both gambling industry and major sporting organisations (represented by COMPSS), it may be helpful to provide some further material and background information to support my earlier comments.

4. Submissions from the gambling industry and sporting groups represented by the Coalition of Major Professional and Participation Sports (COMPSS) agree that gambling funding and advertising are critically important for sporting organisations, events and integrity activities.

5. 1983 marked the first major attempt by an Australian government to ban tobacco advertising and promotion, through introduction by the Western Australian government of the Tobacco (Promotion and Sales) Bill 1983 . This was fiercely resisted and attacked by the tobacco industry and by sporting bodies that received substantial tobacco sponsorship.

6. I attach a sample of the advertisements run at the time by tobacco, advertising and sporting organisations,

Excerpts include:

Someone could end up stumping our cricket - *Right now a vocal minority in Western Australia is threatening the future success of our cricket.....B&H or more than \$1 million a year into cricket in this country. Without it, the game would suffer. It would suffer most at grassroots level..... The players would have to take a pay cut or cricket administration at all levels would have to take a cut in dividend..... Cricket itself would suffer, all the way down to the basic development level...*

Someone’s putting pressure on our sport – *If they succeed, cigarette companies will be banned from sponsoring sport... Imagine life without the big stars in the Winfield Perth cup, the Dunhill WA golf championships, the Benson and Hedges Pacing Cup, the Peter Jackson Darts Championship, or the Marlboro Holden Dealer Team in the Wanneroo Motor Racing Championships. Imagine no more Test cricket in Perth, no more one day Internationals, and no more money to develop the game.....*

Someone could lengthen our dole queues.....*anyone whose job is linked to tobacco promotion could get the chop. Printers, poster hangers, outdoor poster contractors, journalists, sporting club staff, cinema employees, caterers, and cleaners at big sporting events, to name a few.*

Someone is trying to bully innocent West Australians.....*It’ll be more like living in Russia than good old Western Australia. In one fell swoop, this vocal minority will be killing our freedom of choice in the West.*

7. The organisation representing major sports (coincidentally named COMPASS – Confederation of Major Participant and Spectator Sports) argued that:

* *while it is possible that some substitute sponsorship might be found, there is little evidence at this stage that others would fill the gap tobacco companies were banned*

* *our position is that, while people smoke there is little harm in letting tobacco companies put their names on our fences and hoardings as a reminder to committed smokers*

* *this kind of reminder contains no persuasion to smoke and there are great benefits in being able to rely on long-term income from the tobacco companies.*

8. Similar arguments were presented at national and state levels over subsequent years from both tobacco companies and sporting bodies – for example from the Australian Rugby Football League in a 1984 letter to Health Ministers –

“The industry annually grants millions of dollars to foster and develop a wide range of sports at all levels. The damage that would be done to these sports without this support is almost impossible to calculate. In fact, it would be true to say that the income derived from this sponsorship is essential to their survival.”

9. The 1983 WA Bill failed, but tobacco advertising and promotion was banned some years later, initially in some states, led by Victoria from 1987, and then nationally through the Tobacco Advertising Prohibition Act 1992 (implemented progressively). Sporting activity and events survived, with new sponsorship from both government and the commercial sector. Forty years on, it is not surprising that gambling companies are working from the tobacco playbook; but it is disappointing that leading sporting organisations claim to be acting responsibly while still defending the use of sport to promote harmful activities to children and young people.

Someone could end up stumping our cricket.

Fib, ADS^E

Right now a vocal minority in Western Australia is threatening the future success of our cricket.

They're trying to force State Parliament to pass a law banning all tobacco advertising in the West.

The results of such a ban are best summed up by Rod Marsh in his latest book, "The Inside Edge":

"There has been much huffing and puffing about tobacco advertising and sport, particularly cricket. Let me say right from the outset that I'm for it.

Cricket in Australia has, in my experience, never been in a healthier position and one of the major contributing factors to this happy state of affairs is the tremendous financial contribution from the Benson and Hedges Company.

B&H pour more than a million dollars a year into cricket in this country. Without it, the game would suffer. And it would suffer most at grass-roots level.

Take a million-plus dollars from the coffers each year and the players would have to take a pay cut or cricket administration at all levels would have to take a cut in dividend.

Either way, it would upset the applecart.

Cricket itself would suffer, all the way down to the basic development level.

The 'anti' lobby argues that tobacco advertising encourages young people - kids - to smoke.

Rubbish, I say. Kids start smoking for a variety of reasons, but one of them is not because the words 'Benson and Hedges Company' are displayed on cricket ground fences."

Extracts from "The Inside Edge"
(Chapter Twelve - Unholy Smoke).
Published and distributed by Lansdowne Press,
Sydney. Due for release in October, 1983.

Lee Marsh

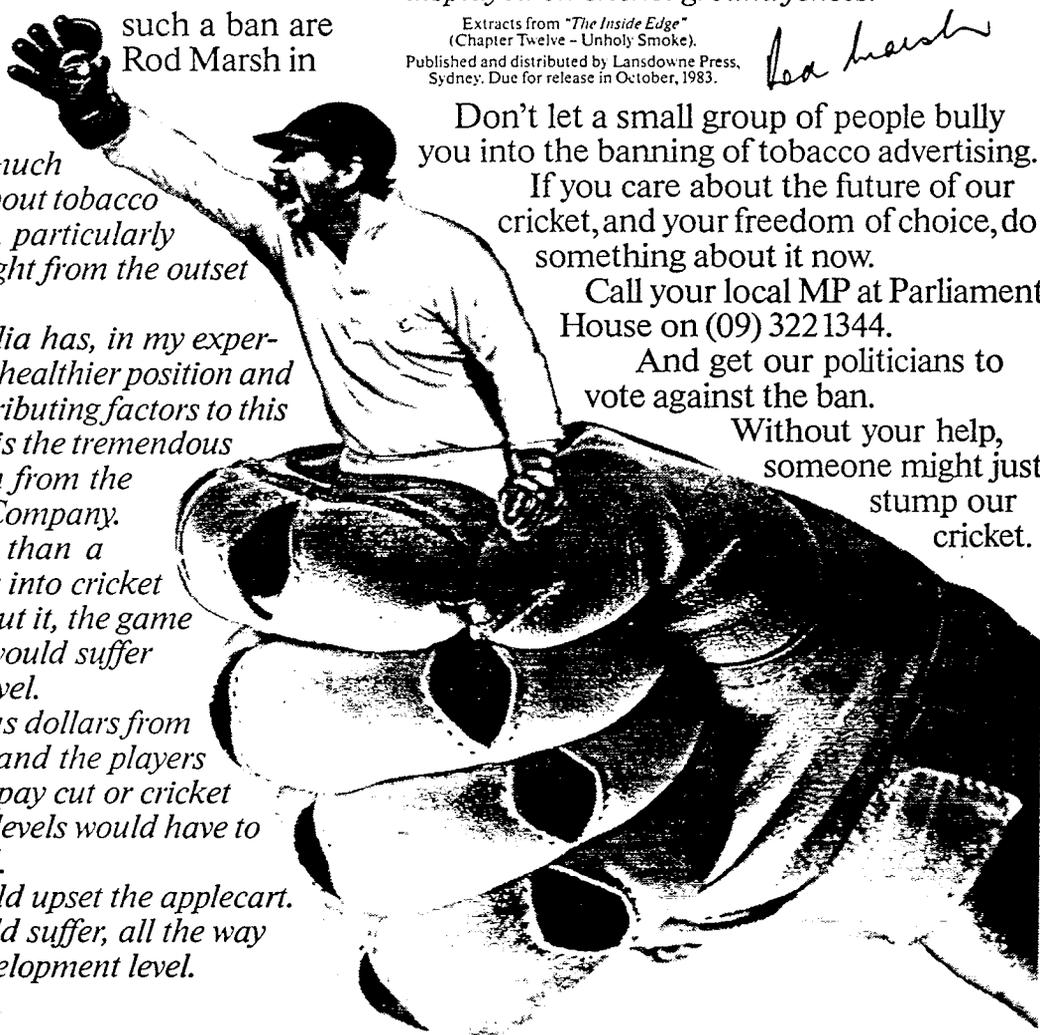
Don't let a small group of people bully you into the banning of tobacco advertising.

If you care about the future of our cricket, and your freedom of choice, do something about it now.

Call your local MP at Parliament House on (09) 322 1344.

And get our politicians to vote against the ban.

Without your help,
someone might just
stump our
cricket.



THINK.

Is it best for the West?

This message is supported by • The Australian Association of National Advertisers (W.A.) • The Outdoor Advertising Association of Australia • The Advertising Federation of Australia • The Federated Tobacco Workers Union of Australia • The W.A. Rugby League • The Claremont Speedway Pty. Ltd. • The Confederation of Australian Motor Sport (W.A. Branch) • The W.A. Sporting Car Club • The W.A. Indoor Cricket Super League • The W.A. Dart Council • The Independent Retailers Association of W.A. • The Licensed Stores Association of W.A. • The Australian Cinema Advertising Council • The W.A. Greyhound Racing Association • The W.A. Motion Picture Exhibitors Association • The Ethnic Press Association of Australia • The Australian Retail Tobacconist • The Newspaper Advertising Bureau of Australia • The W.A. Rugby Union. Authorised by John Dollison, Tobacco Institute of Australia, Goldfields House, Sydney.

AMAJH

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Someone could lengthen our dole queue.

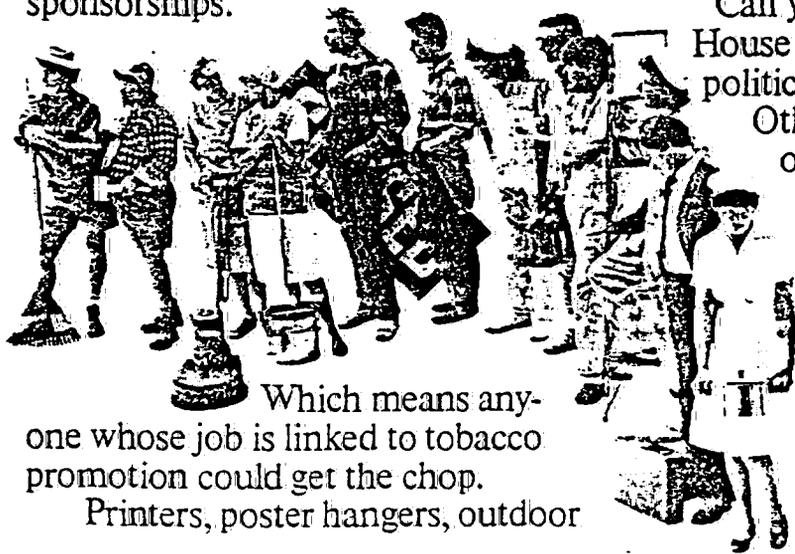
Right now, a vocal minority in Western Australia is doing something that'll be disastrous for our State.

They're trying to force our State Parliament to pass a law banning all tobacco advertising in the West.

If this ban goes through, they'll put a lot of West Australians out of work.

Maybe even you.

They'll be banning the \$7 million tobacco companies spend every year in the West on promotion and sports sponsorships.



Which means anyone whose job is linked to tobacco promotion could get the chop.

Printers, poster hangers, outdoor

poster contractors, journalists, sporting club staff, cinema employees, caterers and cleaners at big sporting events, to name a few.

If you care about the future of Western Australia, and your freedom of choice, you can't stand by and watch this happen.

Don't let a small group of people bully you into the banning of tobacco advertising in the West.

Do something about it now.

Call your local MP at Parliament House on (09) 322 1344. And get our politicians to vote against the ban.

Otherwise, a lot of us could find ourselves out of a job.



2023272354

THINK.

Is it best for the West?

Someone's trying to bully innocent West Australians.

Right now, a vocal minority is trying to pass the bully act on every West Australian.

They're trying to force our State Parliament to pass a law banning all tobacco advertising in the West.



It's something no West Australian should stand for.

If they have their way with the ban, any shopkeeper caught displaying even a cigarette poster could be punished with a fine, and given a criminal record which will stand against his name forever.

And that's just for starters.

It'll be more like living in Russia than good old Western Australia.

In one fell swoop, this vocal minority will be killing our freedom of choice in the West.

Shouldn't our State Government

be more interested in fighting our rising unemployment and inflation, than having to push around innocent West Australians?

Don't let a small group of people bully you into a ban on tobacco advertising.



Fight back now.

Call your local MP at Parliament House on (09) 322 1344. And get our politicians to vote against the ban.

For the sake of common sense.

THINK.

Is it best for the West?

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Someone could end up stumping our cricket.

Right now a vocal minority in Western Australia is threatening the future success of our cricket.

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The results of such a ban are best summed up by Rod Marsh in his latest book, "The Inside Edge":

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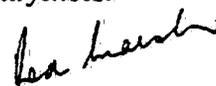
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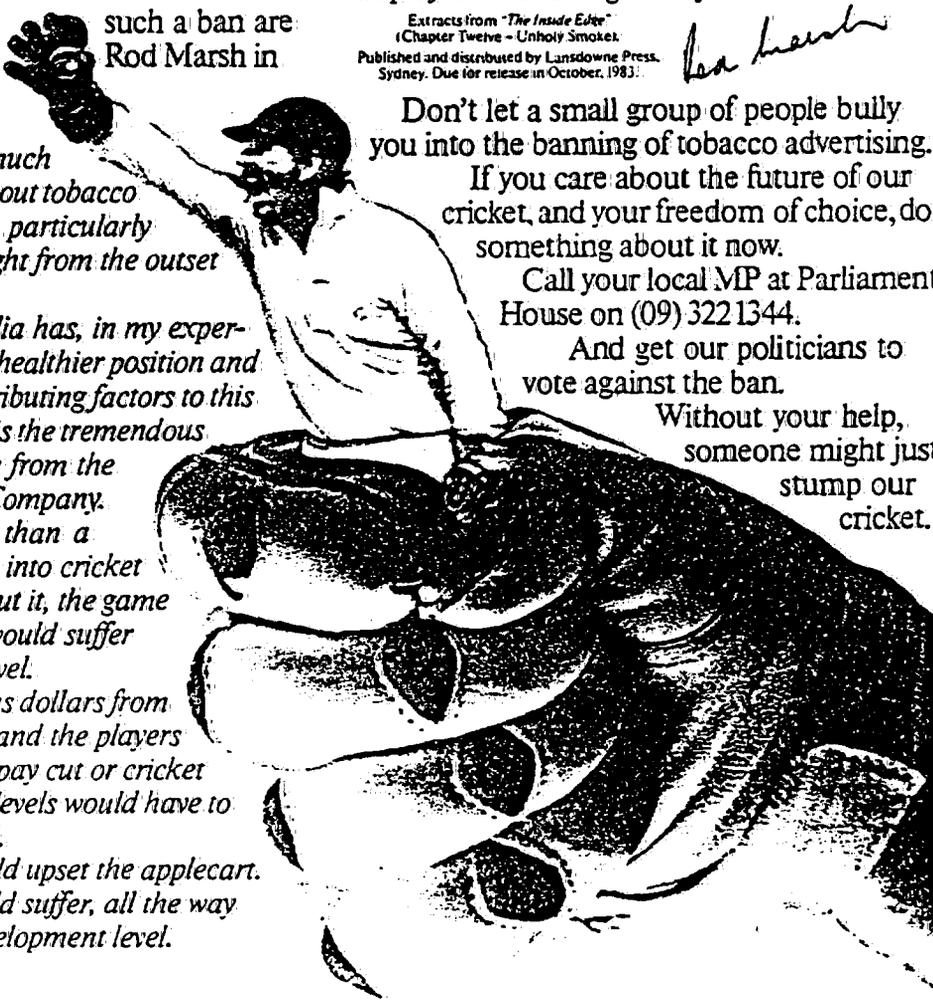
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And get our politicians to vote against the ban.

Without your help, someone might just stump our cricket.



THINK.

Is it best for the West?

2023272357

Media Monitor

Complete Media Surveillance

P.O. Box K527, Haymarket, 2000.

Telephone: 212 4133

THE WEST AUSTRALIAN THURSDAY, SEPTEMBER 29 1983

LETTERS

Compass is pro-sport

RON BAIRSTOW, acting chairman, COMPASS (Confederation of Major Participant and Spectator Sports). We are indebted to G. C. Reynolds (Letters, September 20) for challenging COMPASS to "come out of the shadows; not be coy" and let the public know the organisation's philosophy.

COMPASS has nothing to hide. Members simply assumed, in light of the considerable publicity which accompanied its formation, that the name was sufficient identification.

COMPASS is a group of Western Australia's largest sporting bodies, founded on May 6, 1983.

It represents the following:

	Spectators	Participants
WA Football League	1,000,000	64,000
WA Trotting Association	600,000	3,000
WA Sporting Car Club		
Claremont Speedway	400,000	5,000
WA Cricket Association	200,000	30,500
WA Soccer Association	100,000	25,000
WA Golf Association	60,000	30,500
WA Rugby League	60,000	2,500
WA Rugby Union	60,000	2,500
WA Darts Association	20,000	3,000
WA Indoor Cricket		
Super League	20,000	30,000
	2,520,000	201,000

G. C. Reynolds is wrong to say we are a tobacco lobby. We are a pro-sport lobby and we want the health benefits of sport to be sustained at the highest level of our community.

For some time, members of COMPASS have received tobacco company sponsorship to varying degrees — depending on the individual sport — and it is an essential source of funds because spectators do not meet all the costs of major sports.

While it is possible that some substitute sponsorship might be found, there is little evidence at this stage that others would fill the gap if tobacco companies were banned.

Be that as it may, members of COMPASS strongly believe they have the right to maintain their freedom of choice to seek and accept funding from any legally-established organisation.

Our position is that, while people smoke, there is little harm in letting tobacco companies put their names on our fences and hoardings as a reminder to committed smokers.

This kind of reminder contains no persuasion to smoke and there are great benefits in being able to rely on long-term income from the tobacco companies.

I remind Mr Reynolds that the administrators of sport contribute to the welfare of people in this State by following strategies that maximise interest in their sports right through to the lowest age-levels.

Their interest is in keeping sports at their highest level.

They support the campaign to persuade people, especially children, not to smoke. People in training are constantly reminded not to smoke.

We believe the State Government's intentions are honourable. However, we also believe it needs to take a second look at the impact on sport and make sure it does not do more harm than good.

2023272429

A Message From:

W.A.

**Brian Gapes, Director,
Tobacco Institute of Australia**

ADVERTISING BAN THREATENS BUSINESS FREEDOM IN WESTERN AUSTRALIA

In the Western Australian Parliament we are currently facing the prospect of legislation banning all forms of tobacco advertising.

If this move succeeds it will affect not only the tobacco companies' ability to market a legal product but also the viability of many smaller businesses which service the tobacco industry.

Cinemas, outdoor advertising contractors, sporting promoters, printers, sign-writers and media publishers will lose revenue and almost certainly jobs. And all the retailers who sell cigarettes and tobacco will lose something equally as important — their right to run their own businesses as they wish.

An advertising ban will virtually purge the names of tobacco companies and their brands from the marketplace. Point of sale material, posters, stickers, dispensers, price lists, indeed, all forms of promotional material will not be permitted. This amounts to direct intervention in the way a retailer chooses to display his products for sale. Previous attempts to ban tobacco advertising have carried fines of up to two thousand dollars a day for the display of any tobacco related promotional material — even for lighters, pipes and other accessories.

Although an advertising ban will not result in any overall decrease in smoking, simply because advertising does not impell people to take up smoking, it will make it very difficult for the manufacturers to promote their brands in open competition and consumer choice will be limited.

We believe that basic commercial freedoms are threatened by the proposed tobacco advertising ban and that if it succeeds other prohibitions will follow. Alcohol is certainly next on the list for those who wish to impose their views upon others. The tobacco industry espouses the principle of free choice — the freedom for mature people to make up their own minds about whether they wish to smoke or not, the freedom for our industry to market a legally grown, manufactured and sold product and the freedom of retailers to offer this product to those who wish to buy it. The Tobacco industry has made known its views to all Members of Parliament.

If you share our concern about the intrusion upon basic freedoms which this ban represents, may I suggest that you contact your local MP at Parliament House or record your concern in a letter to the Premier and the Leader of the Opposition.

Thank you.

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THE BILL FOR THIS WORD COULD BE \$1000.

Tandrio's
task in
Marlboro

winner Tandrio will
carry the flag for Syd-
ney in the \$104,000
Marlboro Cup (1400m)
on Thursday.

The honest grey, nicely
weighted with 52kg, will be
the only Sydney-trained
starter in the star-studded
Caulfield spring
trainer M

It's not the sort of
word you'd read twice.

Yet a bill being con-
sidered by the W.A.

Parliament right now could make it
against the law to print it. And it'd cost
the newspaper responsible a maximum
fine of \$1000.

As would just one mention of the
Marlboro Australian Open Tennis, the
Sterling Cup night football Champion-
ships, the Winfield Perth Cup. Or any
reference to any sporting event
sponsored by tobacco manufacturers.

As well as affecting the freedom
of our press, the new law means
magazines containing any form of
tobacco advertising,
such as The Bulletin,
Playboy, the Women's
Weekly, could be
banned altogether.

It could even be
against the law to offer
someone a cigarette in
public.

We've all heard about the new bill.
But who would've ever believed it
could be as extreme as this?

Banning tobacco advertising and
sponsorship will not only cost Western
Australia millions of dollars in lost
advertising revenue, jobs, and sports
funding.

It will deny you the freedom to
read, hear, say what up till now we've
always taken for granted.

No West Australian should stand
for it.

Telephone your local MP at
Parliament House on (09) 322 1344.
And get our politicians to vote against
the ban.

Before it's too late.

**DON'T BAN ADVERTISING
AND SPONSORSHIP
(WE CAN'T AFFORD THE BILL)**

Authorised by Jane Dhillon, Tobacco Institute, Lindfield House, Sydney

2023272359