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**From:** Colin Mendelsohn  
**Sent:** Monday, 24 July 2017 7:32 PM  
**To:** Community Affairs, Committee (SEN)  
**Subject:** Senate Estimates 29 May 2017

Dear Committee Members,

**Re: Senate Estimates 29 May 2017**

I am writing about the answer to a question from Senator Reynolds at the Senate Estimates hearing on 29 May 2017. I believe the answer given by Secretary Bowles was incorrect and misleading.

The question cut to the very heart of the resistance to vaping by the Australian health bureaucracy – the failure to consider the overseas evidence.

As Senator Reynolds stated (Hansard p119) 'we get Australian experts who reinforce each other saying that this is a bad thing and we cannot look at it, but there is progressive and increasing evidence from overseas. To me, just to me, it just seems that we are very closed to what is happening overseas'.

Mr Bowles replied, 'Of the seven countries, I think, which have this conversation, New Zealand is the only one that has moved in that direction. Most are still in the same place that we are. Those are the UK, New Zealand, Canada and a range of other countries'. Later he states, 'there is not a lot of movement internationally'.

The suggestion that other countries are in a similar position to Australia and not progressing is incorrect. The facts at the time were:

**Canada: Tobacco and Vaping Products Act (Bill S-5)**

Following a [report from the Standing Committee on Health](#) in March 2015, the Canadian Government introduced legislation into parliament on 22 November 2016 to 'allow adults to access vaping products as likely less harmful alternatives to tobacco use', with appropriate controls to protect youth. The Bill has been [passed in the Senate](#) and had its [first reading in the House of Commons](#) on 1 June 2017. The Full text of the bill is available [here](#) and the media release [here](#).

**United Kingdom**

Mr Bowles states that the UK is 'still in the same place that we are'. In fact, the UK is probably the most progressive of all countries. E-cigarettes are widely available as consumer products and their use by adult smokers is encouraged, with sensible restrictions such as on advertising, sale to youth and packaging. Currently 2.9 million adults in the UK use e-cigarettes ([ASH 2017](#)). Vaping is strongly supported by the government public health agency [Public Health England](#) and [most public health and medical organisations](#).

**European Union and United States**

Like the UK, vaping with nicotine is legal, accessible and regulated. In the EU alone, [a study in 2016](#) found that over 6 million smokers reported having quit smoking with e-cigarettes, as of 2014. In the US, there are an estimated 10 million vapers and smoking prevalence is falling faster than ever before ([NHIS 2016 p55](#)).

Others have also been concerned about this response. Here is a link to an article in The Spectator on

the issue: <https://spectator.com.au/2017/06/health-department-head-sins/>

It is important to note that the latest [National Drug Strategy Household Survey](#) reported for the first time that the adult smoking prevalence in Australia did not fall significantly in the previous 3-year period (from 2013-16). Many experts feel that this suggests the need for additional innovative strategies to help more smokers quit.

Thank you for following up this important matter.

Please do not hesitate to contact me if you have any queries or need further information.

Sincerely

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