

**TOBACCO PRODUCTS REGULATION (EXPIATION FEES) AMENDMENT  
BILL**

**13 March 2007**

Adjourned debate on second reading.

(Continued from 23 November. Page 1018.)

**The Hon. D.G.E. HOOD:** Family First supports the second reading of the bill, which seeks to amend the Tobacco Products Regulation Act by bringing in expiation for a greater range of offences than currently exists. On 28 February this year, AAP reported that the graphic health warnings in Victoria were resulting in an increase of more than 27 per cent in calls to its Quitline, which is very encouraging.

I mention this because Family First's view is that graphic warnings, the removal of smoking from public areas, and prosecuting illegal activity actually works—contrary to the other side of the debate. We will take whatever opportunity we can to criticise harm minimisation because it is basically harm permission, by any other name. It is only since governments world-wide started getting tough that smoking has started heading in a downward trend, and I think it would give us all a laugh to read some of the quite serious, but now embarrassing, comments made in the past regarding softer approaches to smoking. In short, a tough approach on this issue does appear to be working.

The Hon. Andrew Evans, in his question to the minister in this place on 21 February this year, raised his concerns about the extent to which the minister is prosecuting breaches of the tobacco laws, and I would like to take a moment to reflect on that question. The minister responded that she would bring back a reply (and I look forward to that when she does), but she also said that it was hoped that increased fees would bring in more revenue and enable greater enforcement—which we would certainly support. I ask the minister, in her summing up, to address the projected resources that will be deployed to this end as a result of these expiation fees.

Family First does have some concern that, while revenue will be raised from these expiation fees to pursue a reduction in smoking, in reality there are not many people on the ground to actually do it. If, as a result of the expiation fees that are being touted by this legislation, there are more resources available to actually issue the expiation notices, we would see that as a good thing and would be behind that concept. In short, we want to be sure that we are not wasting our time legislating for something that is not being enforced. I am sure that is not the case; however, I would like to flag that for the minister's comments in her summing up.

Family First supports this reform, but I cannot let the opportunity pass without mentioning that the fine for smoking will now be the same as the fine for sticking chewing gum under the seat of a bus, for leaving your sprinkler on past the designated times or, in fact, for growing one cannabis plant in South Australia. So, growing a cannabis plant will essentially have the same fine as what will be covered under this legislation, the same fine as leaving chewing gum under the seat of a bus, and the same fine as for leaving your sprinklers on a few minutes past the designated time. That does seem to reflect the very soft attitude that we have towards cannabis in this state.

The Hon. Michelle Lensink also alerted us—indeed, she just mentioned it in her speech a moment ago—to the amendment she is proposing. Family First believes that the amendment deserves consideration and may, in fact, not go far enough. However, we look forward to her comments on that amendment in the committee stage, and we will give it due consideration. In closing, Family First supports the bill and looks forward to it passing through the parliament.