

NSW Legislative Assembly Hansard

(Proof)

SMOKE-FREE WORKPLACES

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Mr PETER DRAPER (Tamworth) [10.17 a.m.] Today I convey the concerns of hoteliers in my electorate about the virtual certainty of a total ban on smoking indoors at licensed premises in New South Wales and the resulting uncertainty in the industry as to how and when it will be introduced. Currently, licensed premises such as pubs and clubs are exempted under the Smoke-free Environment Act 2000 from providing a smoke-free workplace for their staff and patrons, while other hospitality venues such as restaurants and cafes have been smoke-free since 2000. The only way to ban smoking in pubs and clubs is to remove this exemption.

The New South Wales Government has indicated that it supports, in principle, a ban on smoking in indoor areas of licensed premises. It has investigated the merits of such a proposal through the formation on 12 October 2003 of the New South Wales Joint Working Group [JWP] for Smoke-free Licensed Premises, as directed by the Minister for Science and Medical Research, the Hon. Frank Sartor. Backing its stance is the fact that two-thirds of New South Wales residents want the State Government to ban smoking in pubs and clubs before the end of 2005.

Smokers in general have become increasingly marginalised in recent years as knowledge about the detrimental effects of tobacco smoking on health and longevity increases. A Newspoll survey commissioned recently by the New South Wales Cancer Council found that 63 per cent of people questioned on the issue of smoking in licensed premises wanted bans introduced within 12 months. The poll also showed that 73 per cent believed that the Government should consider the health of workers and patrons as the most important factors when making its decision. Participants were asked to consider factors including the impact on pub revenue, inconvenience to smokers, and the health of staff and patrons.

The resounding majority still identified health as the main priority for government when considering the ban. As I said, these issues have been thoroughly scrutinised by the joint working group [JWG], which had a charter to work towards a clear plan and an appropriate timetable for banning smoking in indoor areas of licensed venues. According to the JWG report, tobacco smoking is the greatest single cause of premature death in New South Wales, killing about half its long-time users. Currently, smoking-related illnesses account for 54,000 hospital admissions in New South Wales annually and in 1999-2000 the dollar value of hospital bed days attributable to smoking amounted to \$180,000 million.

The report also referred to a study by the New South Wales Cancer Council, released on 29 April 2004, that estimated that exposure to environmental tobacco smoke—

smoke exhaled by a smoker and smoke drifting from the end of a cigarette—in licensed premises currently accounts for between 73 and 97 deaths per year among 40,000 New South Wales hospitality staff. However, the Australian Hotels Association [AHA] and ClubsNSW have no evidence of such mortality rates in their experience in licensed premises. The JWG report also presented the industry perspective. It stated that hotels provided about 57,270 jobs in New South Wales, ranging from full-time jobs to traineeships, and paying \$1.4 billion in wages each year.

The total contribution of New South Wales hotels to charities, sport and community endeavours is estimated at \$30 million per year and, according to research conducted by the AHA, 72 per cent of the adult population in New South Wales visited a club or hotel in December 2003.

In recent weeks I have been approached by a number of licence holders who fear their livelihoods are at stake as a result of the concerted move toward a smoking ban. While recognising that the health of staff and patrons is a priority, they feel that the Australian tradition of enjoying a beer and a smoke will soon disappear forever. There are significant cultural issues at stake, as pointed out by a newspaper columnist who suggested that non-smokers will become isolated under a ban of indoor smoking and will end up going outside to join the smokers. I note that in the JWG report a range of possible dates to introduce the ban by removing the exempted status of licensed premises under the Act varied from July 2004, as advised by the Cancer Council of New South Wales, to no end date, as proposed by the AHA.

There is now a degree of uncertainty for industry stakeholders as unfortunately the JWG members were unable to agree on either a timetable for a phased introduction of a smoking ban in licensed premises or on a final date for the ban to be implemented. The hoteliers are acutely aware that the Queensland Government has decided to ban smokers from all Queensland pubs, clubs and outdoor eateries from mid-2006 under tough new antismoking laws. Queensland is the second state to do so behind Tasmania, where similar bans were announced in August. The fear among hoteliers is that this stance will prompt movement on the issue in New South Wales and they will not be given enough lead time to adjust to the changes. The JWG concluded that if smoking bans were introduced for all licensed premises, the phased introduction of those bans would help to address cultural, financial and employment impacts.

With the group now disbanded and its recommendations in Mr Sartor's hands it is critical that the Government continue to liaise closely with industry bodies on this issue. There is clearly more at stake than public health; there are also jobs in country centres, the livelihood of generations of publicans, and, love it or loathe it, the tradition of pub culture. To facilitate a gradual adjustment to what will be a significant practical and cultural shift in the life, times and tradition of hotels and clubs in New South Wales, I call on the Government to provide hoteliers with a realistic timetable in relation to when their exemption under the Smoke-free Environment Act 2000 will end.
