

Aide-Mémoire

Meeting with Health Coalition Aotearoa

Date due to MO:	19 April 2024	Action required by:	N/A
Security level:	IN CONFIDENCE	Health Report number:	H2024039246
To:	Hon Casey Costello, Associate Minister of Health		
Consulted:	Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/>		

Contact for telephone discussion

Name	Position	Telephone
Jane Chambers	Group Manager, Public Health Policy and Regulation, Public Health Agency Te Pou Hauora Tūmatanui	s 9(2)(a)
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Aide-Mémoire

Meeting with Health Coalition Aotearoa

Date due: 19 April 2024

To: Hon Casey Costello, Associate Minister of Health

Security level: IN CONFIDENCE **Health Report number:** H2024039246

Details of meeting: Monday 22 April 2024
10.30am-11.00am
Minister's office 2.053 PH

**Purpose of meeting/
proposal:**

- You accepted a request to meet with Health Coalition Aotearoa (HCA) representatives made on the 22 February 2024.

Background:

- On 22 February 2024, HCA co-chairs Professor Lisa Te Morenga and Professor Boyd Swinburn wrote to:
 - request an urgent meeting to discuss the Government's Smokefree measures
 - share their insights, recommendations and views, specifically that the repeal of Smokefree laws will have a significant and negative impact on the health and wellbeing of New Zealanders
 - to request that, if the repeal were to go ahead, it be done with necessary due diligence, debate, and consideration, including deliberation by the Health Select Committee
 - acknowledge they have written to the Prime Minister previously requesting the repeal not be done under urgency and were referred to your office
 - gain better understanding of the Government's intentions to achieve the Smokefree 2025 goal of less than 5% of smoking prevalence for all population groups, and to reduce high prevalence of youth vaping.

Risks:

- The HCA has a growing and significant public profile and can be approached by media. Any information shared with the groups representatives is likely to be made public. See examples of previous

media coverage in **Appendix 2** and a copy of the open letter to Government in **Appendix 3**.

Attendees:

Health Coalition Aotearoa:

- Professor Boyd Swinburn, Health Coalition Aotearoa co-chair.
- Professor Lisa Te Morenga, Health Coalition Aotearoa co-chair.
- See **Appendix 1** for profiles of attendees.

Ministry representative:

- Jane Chambers, Group Manager, Public Health Policy and Regulation, Public Health Agency | Te Pou Hauora Tūmatanui

About the organisation:

- The HCA was officially established on 7 May 2018 as a coalition of health NGOs, professionals and academics committed to reducing harm from tobacco, alcohol, unhealthy food, and advance public health equity.
- In 2019, HCA became an Incorporated Society and achieved charitable status. A board was established, along with 4 expert panels.
- The 4 expert panels are– alcohol, tobacco, unhealthy food, and public health infrastructure with a focus on advocacy, preventative health measures, policies and strategies to protect against the impacts of harmful industries, informed by the best evidence and a commitment to honour the principles of Te Tiriti o Waitangi.

Comment:

Health Coalition Aotearoa priority prevention measures:

- Reduce the affordability of tobacco products and consideration of a minimum price and dedication of additional revenue to support smokers to quit.
- Substantially reduce supply by reducing the number of retail tobacco outlets.
- Reduce the appeal and addictiveness of smoked tobacco products through removal of additives and mandated reduced nicotine content.
- Introduce proportionate regulation and policies for electronic nicotine delivery systems that minimise adverse impacts.
- Increase use of social marketing campaigns to promote reductions in smoking and exposure to second-hand smoke.
- Continue to provide comprehensive cessation services tailored to specific community needs.

Health Coalition Aotearoa has commented on:

- the repeal of the Smokefree Environments and Regulated Products Act 1990 (Smokefree Act) in the media and have developed a 'Stop the smokefree repeal' toolkit for the public
- recent announcements to 'crackdown' on youth vaping. HCA have publicly stated the changes are unlikely to achieve significant impact without active enforcement and adequate resourcing
- both Professor Boyd Swinburn and Lisa Te Morenga have publicly expressed disappointment in the Governments announcements not addressing 'National's retail reduction promise' and inequity in Māori health outcomes relating to smoking.

Health Coalition Aotearoa have expressed support for:

- a risk-proportionate regulation of tobacco products and other nicotine delivery devices
- active enforcement and adequate resourcing of vaping retailer compliance monitoring
- measures that decrease smoking prevalence introduced as quickly as possible (ie, prescription/pharmacy vaping supply models).

This aide-mémoire discloses all relevant information.



Jane Chambers

Group Manager, Public Health Policy and Regulation
Public Health Agency | Te Pou Hauora Tūmatanui

Talking points

- I would like to acknowledge Health Coalition Aotearoa and your advocacy in reducing the harms of tobacco on New Zealand communities and your wider public health prevention work.

s 9(2)(g)(i)

Supporting information

Enforcement




- To ensure businesses are following the law, the Ministry of Health (the Ministry) is working together with the National Public Health Service (NPHS) within Health New Zealand to strengthen compliance, monitoring, and enforcement under the Smokefree Act.
- The Director-General of Health appoints Enforcement Officers to enforce compliance. They focus on activity at the local level, using their partnerships with local communities and particularly targeting retail sector issues.
- There is a particular focus on ensuring that protections in the legislation for children and young people are effectively implemented and enforced. The work carried out by Enforcement Officers involves compliance visits and Controlled Purchase Operations where retailers are checked to see if they will sell to minors.
- In 2023, around 10% of general retailers and 17% of specialist vape stores sold to minors in Controlled Purchase Operations, compared to around 5% for tobacco sales. To date, one prosecution that included vape sales to minors has commenced, and several others are under consideration. In the period from 1 July to 31 December 2023, Enforcement Officers carried out 767 compliance visits.
- The Ministry and Health New Zealand work with other enforcement agencies such as New Zealand Police and the New Zealand Customs Service to discharge their legislative and stewardship responsibilities. Police have a specific role in enforcing the Smokefree Act relating to smoking and vaping with children in vehicles.

Support for schools and whānau

- The following supports are available for young people, their families, and schools:
 - **Protect Your Breath** is a digital campaign made to reduce youth vaping uptake by getting youth thinking critically about vaping, and its impact on themselves and their communities. Research behind Protect Your Breath looked at what role vaping plays in youth life, school communities and home, and where efforts should be focused to reduce vaping harm. To help address these questions, Protect Your Breath was co-designed with the Hā Collective, a core group of young people.
 - **The Vaping Facts website** is a reliable source of information for young people around vaping, including what we know about the risks and relative harm compared to smoking.
 - **Tūturu** was created to help schools and health services better support all students to learn and be well. Tūturu has resources specifically to help schools support young people to make good decisions around vaping.

PROACTIVELY RELEASED

Appendix 1: Attendees Profile

 <p>Professor Lisa Te Morenga Co-Chair Independent</p>	<p>Professor Lisa Te Morenga</p> <p>Ngāti Whātua Ōrākei, Te Uri o Hua, Ngāpuhi and Te Rarawa</p> <p>HCA Co-Chair, HCA Food Policy Expert Panel Professor - Research Centre for Hauora and Health at Massey University</p> <p>Nutrition and Māori health researcher, Massey University Research Centre for Hauora and Health based in Wellington.</p> <p>Current Rutherford Discovery Fellow and Principal Investigator, Riddet Centre of Research Excellence.</p> <p>Research interests:</p> <p>Supporting people to achieve good health through access healthy affordable food. Applying basic nutrition evidence to enhance human health and wellbeing, and ultimately informing food and nutrition policy. Undertaking research addressing health inequities amongst Māori and Pacific communities.</p>
 <p>Professor Boyd Swinburn Co-Chair University of Auckland</p>	<p>Professor Boyd Swinburn</p> <p>HCA Co-Chair University of Auckland</p> <p>Boyd Swinburn MBChB, MD, FRACP, FNZCPHM is Professor of Population Nutrition and Global Health at the University of Auckland, New Zealand and Honorary Professor, Global Centre (GLOBE), Deakin University, Australia.</p> <p>Research interests:</p> <p>Community and policy actions to prevent childhood and adolescent obesity and reducing ‘obesogenic’ environments.</p> <p>He led two Lancet Series on Obesity in 2011 and 2015, was co-chair of World Obesity Policy & Prevention section 2009-2019 and co-chair of the Lancet Commission on Obesity 2015-2019.</p> <p>Advisor on many government committees, WHO Consultations, and large scientific studies internationally.</p>
 <p>Leitu Tufuga Smokefree Expert Advisory Group Co-Chair Hāpai Te Hauora</p>	<p>Leitu Tufuga</p> <p>Vailoa – District of Aleipata, Apia & Asau in Savai’i Smokefree Expert Advisory Group (SEAG)</p> <p>National Tobacco Control Advocacy Service at Hāpai Te Hauora.</p> <p>Growing capacity of Māori and Pacific whānau, iwi, and communities so they can lead change, and shape effective policies that can improve their health and wellbeing.</p>

Appendix 2: Media

22 March 2024

[Government measures to 'crackdown' on youth vaping do not go far enough say Health Coalition Aotearoa Smokefree Expert Advisory Group. - Health Coalition Aotearoa](#)

Government measures to 'crackdown' on youth vaping do not go far enough say Health Coalition Aotearoa Smokefree Expert Advisory Group.

HCA co-chair Professor Boyd Swinburn is disappointed that the Government's announcement does not address the election promise made by the National Party to place a 600-outlet cap across the country. "These proposed changes do not see a reduction in the number of stores selling vapes which was an election promise by the National Party," said Swinburn. "We need to have a number of changes made to the current legislation around vaping if we want to make a lasting impact."

13 February 2024

[Smokefree repeal must get Parliamentary scrutiny - Health Coalition Aotearoa](#)

Smokefree Repeal Must Get Parliamentary Scrutiny

Today, Health Coalition Aotearoa (HCA), the Council of Medical Colleges in New Zealand (CMC), and Te Ohu Rata O Aotearoa – Māori Medical Practitioners Association are calling on the Government not to repeal the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act 2022 under urgency and to send the Bill to the Health Select Committee.

The groups have written to the Prime Minister, Minister of Health Dr Shane Reti, Minister of Māori Development Tama Potaka and chair of the Health Select Committee, National MP Sam Uffindell to formally make this request.

The repeal of the Act is among 49 actions in the Government's 100-day plan.

"This repeal would have a significant and negative impact on the health and wellbeing of New Zealanders, both now and in the future, and will undo years of policy development including wide consultation and expert advice," HCA co-chair, Professor Boyd Swinburn said.

"The roll-back of these measures was not National Party policy and was not subject to debate during the election campaign. Given the gravity of the potential health outcomes, it should be subject to public and expert scrutiny as part of normal Parliamentary process."

It will also allow Māori communities to have their say on the repeal – which would have the greatest impact on iwi, hapu and whānau.

"We call on Prime Minister Luxon to rule out the use of urgency on the Smokefree Amendment Act and allow the select committee to hear from impacted communities and public health experts," CMC Chair Dr Samantha Murton said.

28 February 2024

[Shameful repeal of Smokefree law will result in more tobacco harm, deaths - Health Coalition Aotearoa](#)

Shameful repeal of Smokefree law will result in more tobacco harm, deaths



Health Coalition
Aotearoa

Health Coalition Aotearoa (HCA) co-chair

"Putting the profits of the tobacco industry ahead of the health of New Zealanders is grossly irresponsible."

The repeal of the Smokefree law (2022) will result in disproportionate harm and deaths for Māori and Pacific peoples, who have higher smoking rates, and is a breach of Te Tiriti o Waitangi.

Without this law, rates of smoking for all population groups will not fall to below the Smokefree 2025 target of less than 5 per cent until at least 2061 – primarily because the rates are more than double for Māori.

"The repeal will prolong the seven-year gap in life expectancy between Māori and pakeha New Zealanders and makes the Government complicit in the greater burden of smoking on Māori – including a higher preventable death rate," HCA co-chair Professor Lisa Te Morenga said.

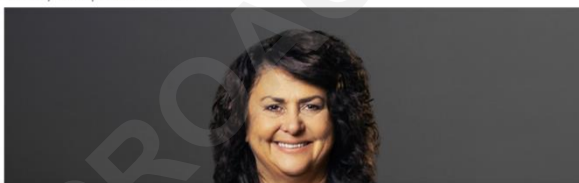
The repeal is also a slap in the face to democracy.

25 January 2024

[Call for Luxon to replace Costello over cigarette tax freeze - Health Coalition Aotearoa](#)

Call for Luxon to replace Costello over cigarette tax freeze

25 Jan, 2024 | Media Release



Health Coalition
Aotearoa

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Health Coalition Aotearoa is calling for Prime Minister Christopher Luxon to replace Associate Minister for Health Casey Costello with someone who can restore credibility to the portfolio following news she is seeking to freeze excise tax on cigarettes for three years.

"Casey Costello has lost all credibility as an Associate Minister of Health. Everything she has done to date is anti-health – in fact she is acting more like a Minister for the Tobacco Industry," HCA co-chair Professor Boyd Swinburn said.

"The Prime Minister needs to take urgent action to restore credibility to this portfolio."

11 January 2024

[Govt allies play down smoking harm, back repeal - Health Coalition Aotearoa](#)



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Govt allies play down smoking harm, back repeal

11 Jan. 2024 | Media Release

The Government is preparing to repeal new Smokefree measures that would rapidly save thousands of lives, a move that has widely been condemned by national and international health experts.

Health Coalition Aotearoa (HCA) is therefore disappointed to see the Action on Smoking and Health (ASH NZ) chair and director among those defending the repeal by minimising smoking harm – particularly to Māori and Pacific peoples, promoting vaping as the main tobacco control strategy, and suggesting a smokefree generation has already been achieved.

The most recent New Zealand Health Survey found that daily smoking rates had decreased to 6.8 per cent – from 8.3 per cent the previous year. A result very much welcomed by HCA and its members.

But it's critical not to underestimate the devastating harm of smoked tobacco and to do everything possible to reduce that harm. This proportion of daily smokers is equivalent to 284,000 individuals who are being irreparably harmed and will die early. That is the equivalent to the populations of Wellington and Napier combined.

Importantly, the disproportionate harm of smoking to Māori is shamefully lost in the spin by repeal supporters.

Appendix 3: Open Letter to Health Minister

[Open-Letter.pdf \(healthcoalition.org.nz\)](#)

Open letter to the incoming government

Tēnā koutou, Right Honourable Prime Minister Christopher Luxon, Honourable Deputy Prime Minister Winston Peters, Honourable David Seymour, Honourable Minister of Finance Nicola Willis, and Honourable Minister of Health Dr Shane Reti,

We are organisations who care about the health and wellbeing of New Zealanders, and we are calling on you to retain New Zealand's world-leading, lifesaving Smokefree law.

The Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act (SERPA) and the Smokefree Aotearoa Action Plan is expected to bring about rapid, massive and equitable declines in smoking rates and save thousands of lives¹.

There is no way that the Smokefree 2025 goal — a goal set by the National-led coalition in 2011 — will be achieved without this ground-breaking legislation.

We believe to repeal this Act would not just be irresponsible, it would be immoral.

Overplaying fears of increased black-market tobacco and ram raids is not based on evidence and is taken straight from the tobacco industry playbook. We think the most effective way to reduce trade in illicit tobacco and associated crime is to cut smoking prevalence to minimal levels — something this law will achieve in record time².

Nicola Willis further explained that keeping a higher prevalence of smoking will bring in more tax dollars³. We think this rationale is heartless and indefensible.

We believe the fundamental purpose of tobacco excise tax is to promote health, not merely raise revenue. Creating future generations of New Zealanders who pay no tobacco tax because they do not smoke is a good thing, not a bad thing.

Around 4,000 to 5,000 New Zealanders die prematurely every year because they have become addicted to tobacco or have been exposed to second hand smoke and our hospitals and clinics are filled with people battling with preventable cancers, heart disease, stroke, and dozens of other diseases that smoking causes⁴. Our health services are already strained to the limit and the current law will substantially reduce the burden of expensive, preventable diseases. Recent modelling showed the Smokefree regulations would save \$2.3 billion (NZD) in health system costs over the next 20 years, if fully implemented.

We say the repeal of the Smokefree law is undemocratic. None of the coalition parties actively campaigned on repealing our Smokefree laws. It will be even more undemocratic if this repeal is pushed through under urgency to circumvent public comment and Select Committee scrutiny.

The tobacco industry has been very worried about New Zealand's smokefree leadership because several countries, including the UK, are already following suit with similar legislation. In our view, the deal you have sprung on the New Zealand public without debate will make the tobacco industry the biggest winner through their increased profits and clear lines of influence on public policymaking in this country.

Health Minister Dr Shane Reti will no doubt have treated people with lung cancers, heart attacks, gangrenous toes, and emphysema. He knows the statistics and the lived reality of the devastating impacts of tobacco, especially on Māori. He also knows the evidence that the measures will increase quit rates and protect children from smoking. This is why the National Party have previously supported denicotisation of cigarettes as the most effective measure in the current law.

Our children and future generations are not for sale at any price.

We, the undersigned organisations, strongly urge the Government to support the better health of New Zealanders, especially children and future generations, not the greater wealth of tobacco companies.



RETAIN THE CURRENT SMOKEFREE LAW.

ActionStation • Acupuncture New Zealand • Adolescent Health Research Group • Alcohol Action NZ Inc • Allied Health Aotearoa New Zealand • Alzheimers New Zealand • The Aotearoa New Zealand Association of Social Workers • ASPIRE Aotearoa • Asthma and Respiratory Foundation NZ • Auckland Women's Health Council • Aukati Tupeka Aotearoa • Australasian College of Emergency Medicine • Australasian Diabetes in Pregnancy Society • Australasian Sleep Association • Australasian Society of Lifestyle Medicine • Australian & New Zealand Society of Occupational Medicine Inc • Bangladesh New Zealand Friendship Society Inc • The BBM Program • CanBreathe • Cancer Society • Cardiac Society of Australia and New Zealand • The Cause Collective • Centre for Addiction Research • Children's Rights Alliance Aotearoa New Zealand • Christchurch Medical Students' Association • The Clinical Nutrition Association of New Zealand • Consumer NZ • Culturally and Linguistically Diverse Health Advisory Group • Department of Population Health, University of Otago Christchurch • Department of Public Health, University of Otago, Wellington • Dietitians NZ • Digital Indigenous Ltd • E Tipu e Rea Whānau Health and Social Services • Edgar Diabetes and Obesity Research, University of Otago • The Federation of Women's Health Councils • Garden to Table Trust • General Practitioners Aotearoa • Gut Cancer Foundation • Hāpai Te Hauora Tāpui Public Health Authority • The Health Consumer Advocacy Alliance Aotearoa • Health Promotion Forum of New Zealand — Runanga Whakapiki Ake i te Hauora o Aotearoa • Hei Ahuru Mōwai • Kokiri Keriana Olsen Trust • Leukaemia & Blood Cancer New Zealand • Mahitahi Hauora • Midwifery Employee Representation & Advisory Service (MERAS) • Moana Connect • Mokopuna Ora Collective • National Addiction Centre, University of Otago • National Urban Māori Authority • Neuroendocrine Cancer New Zealand • The New Zealand Association of Optometrists • New Zealand Breastfeeding Alliance • New Zealand College of Clinical Psychologists • New Zealand College of Midwives • New Zealand Council of Trade Unions • New Zealand Medical Students' Association • New Zealand Nurses Organisation • The New Zealand Psychological Society Te Rōpū Mātai Hinengaro o Aotearoa • New Zealand Society for the Study of Diabetes • New Zealand Society of Anaesthetists • New Zealand Society of Diversional and Recreational Therapists Incorporated • New Zealand Society of Endocrinology • New Zealand Speech-language Therapists' Association • Ngā Maia Trust • NZ Women in Medicine • Osteopaths New Zealand Inc • Otago University Medical Students' Association • Paediatric Society of New Zealand/Te Kāhui Mātai Arotamariki o Aotearoa • Physiotherapy New Zealand • PodiatryNZ Incorporated • Prostate Cancer Foundation of NZ • PPTA Te Wehengarua • Public Health Association of New Zealand • Public Service Association • Qtopia • The Royal Australasian College of Physicians • The Royal New Zealand College of General Practitioners • School of Population Health, University of Auckland • Secondary Principals' Council of Aotearoa • Sport and Exercise Science New Zealand • Stand Up (youth union movement) • The Stroke Foundation of New Zealand • Sweet Louise • Tae Ora Tinana • Takiri Mai te Ata Whānau Ora Collective • Te Awakairangi Health Network • Te Hā Oranga • Te Hautū Kahurangi | Tertiary Education Union • Te Kāhui Manukura o Kai Ora • Te Kete Hauora o Rangitāne • Te Komiti Nui o Ngāti Whakaue • Te Ohu Pāniho Ora o Aotearoa — The New Zealand Oral Health Association • Te Oranga — Māori Medical Students Association • Te Pae Oranga o Ruahine o Tararua Charitable Trust • Te Tihi o Ruahine Whānau Ora Alliance • Te Wakahua Manawātū Trust • Te Whānau o Waipareira Trust • The Thoracic Society of Australia and New Zealand • Toi Mata Hauora Association of Salaried Medical Specialists • Toi Tangata • Vape-Free Kids NZ • The Whānau Ora Commissioning Agency • Wise Group • T&T Consulting Ltd. • Kainga Aroha Community House

¹ tobaccocontrol.bmj.com/content/early/2023/01/10/10.1136/2022-057655
² www.youtube.com/watch?v=WSDxETyL8Bk
³ www.health.govt.nz/system/files/documents/publications/health-loss-in-new-zealand-1990-2013-aug16.pdf



**Health Coalition
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