

5th August 2019

Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill

New Zealand College of Midwives

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The New Zealand College of Midwives is the professional organisation for midwifery. Our members are employed and self-employed and collectively represent over 90% of the practising midwives in this country. There are approximately 3,000 midwives who hold an Annual Practising Certificate (APC). These midwives provide maternity care to, on average, 60,000 women and babies each year. New Zealand has a unique and efficient maternity service model which centres care around the needs of the woman and her baby.

Midwives undertake a four-year equivalent undergraduate degree to become registered followed by a first year of practice program that includes full mentoring by senior midwives. The undergraduate curriculum meets all international regulatory and education standards. Midwives are authorised prescribers in relation to their Scope of Practice as determined by the Midwifery Council.

Midwives provide an accessible and primary health care service for women in the community within a continuity of carer model as Lead Maternity Carers. Midwives can also choose to work within secondary and tertiary maternity facilities, providing essential care to women with complex maternity needs.

The College offers information, education and advice to women, midwives, district health boards, health and social service agencies and the Ministry of Health regarding midwifery and maternity issues. Midwives interface with a multitude of other health professionals and agencies to support women to achieve the optimum outcome for their pregnancies, health and wellbeing



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The New Zealand College of Midwives (the College) welcomes the opportunity to provide feedback on the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill. The College supports the Amendment Bill which prohibits smoking in motor vehicles when carrying any infants, children, or young persons under the age of eighteen years as passengers. We support this action alongside the aims of Smokefree Aotearoa 2025 because being smoke free and living in smoke free environments will support the short and long-term health and wellbeing of infants, children and their whānau.

Further comments to support our submission are below.

1.0 While the College supports the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill we are also aware that this change to the law, while aiming to improve the health of whānau and reducing tobacco harm, could cause unintended increased economic stress for people who may already be suffering deprivation and poverty. We would welcome some further discussion about how this law will be enforced with consideration of how these unintended consequences will be taken into account and managed in a way that avoids discrimination and exacerbation of economic stress. We are mindful of the contribution of stress to high smoking rates.

2.0 Mason and Borman, in their study of second-hand smoke exposure suggested that providing smokefree environments in homes and cars showed scope for continuing health gains.¹ As the burden of illness from second-hand smoke is substantial and the major impact is on childhood

¹ Mason, K. & Borman, B. (2016). Burden of disease from second-hand smoke exposure in New Zealand. *New Zealand Medical Journal*, 129 (1432):16-25.

illnesses such as asthma, respiratory infections, ear infections and sudden unexpected death in infancy (SUDI),² the College congratulates the Government on this Amendment Bill which will make a significant contribution to infant and child health and wellbeing in Aotearoa New Zealand.

3.0 The College has some concerns about 20E 2(b) - a constable who sees a person smoking in a motor vehicle that appears to have a child occupant can display flashing lights and sound a siren. Given the mortality and morbidity issues that have been reported with police car chases, we have some reservations about police activity that could cause a person driving a car with a child occupant to speed away from the police car. We recommend consideration of regulations to ensure that police do not embark on a chase of any vehicle where there is a suspicion of smoking occurring in a car with child occupants, in the event of a car driving away from the location of the police alert and ignoring the stop vehicle signals from the police.

4.0 The College notes that smoking is not fully defined in the Amendment Bill and we would like to see e-cigarettes and vaping clearly identified and included within this definition. Even though there have been media reports about vaping posing a small fraction of the risks of smoking, the College recognises the advice from the Ministry of Health which states that a range of toxicants have been found in vapour including some cancer causing agents.³ The vapour may also be an irritant to immature and developing lungs. We note that it is already an offence to use electronic cigarettes in a car with a child passenger under sixteen years of age in other countries. New South Wales, Australia, for example, banned smoking in cars in 2009 and banned electronic cigarettes in 2015.⁴

Thank you for the opportunity to provide commentary on the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Bill.

Ngā mihi

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New Zealand College of Midwives

² Woodward, A., & Laugesen, M. (2001). *Morbidity attributable to second hand cigarette smoke in New Zealand*. Department of Public Health, report to the Ministry of Health.

³ Ministry of Health. (2018). *Vaping and smokeless tobacco*. <https://www.health.govt.nz/our-work/preventative-health-wellness/tobacco-control/vaping-and-smokeless-tobacco>

⁴ New South Wales Government. (2015). *The Facts, Smoking with kids in the car is illegal*. NSW Government. Australia.

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