



# Smokefree cars legislation: Should the new government make this a priority?

11 December 2017

George Thomson , Richard Edwards, Richard Jaime , Janet Hoek , Jude Ball, Nick Wilson

**This blog briefly reviews the case for the prioritisation by the new Government of a law for smokefree cars carrying children. This would demonstrate their commitment to children's health and well-being, respond to public and smoker opinion, follow official and Parliamentary advice, and fit with the research evidence favouring legislation for health reasons.**



The new government has many problems to address. Years of minimal legislation for population health means that the legislative calendar will be packed with efforts to catch up on matters that have been left largely to market forces. There will be bottlenecks in policy expertise, in legal drafting, and in parliamentary time.

So why should the government prioritise making cars carrying children smokefree?

There is overwhelming evidence that exposure to secondhand smoke (SHS) poses serious risks to children's health. SHS causes respiratory tract infections, asthma attacks, glue ear and sudden infant death, among many other conditions.[1]

The amount of tobacco smoke pollution in cars can be worse than in the smokiest pub. Even with car windows down, high exposure to SHS occurs and presents serious risks to children.[2] Furthermore, children exposed to SHS in the home or cars are much more likely to become smokers themselves.[3 4]

Many New Zealand children still have to breathe tobacco smoke in cars. Surveys of Year 10 children show that the proportion of children exposed to smoking in cars decreased slightly from 2006 to 2014. However, in 2015 (the most recent data available), this proportion increased again, with one in five children exposed. In other words, over 11,000 Year 10 students are estimated to have been exposed to smoking in cars at least once in the last week.[5] More generally, that suggests that over 100,000 children aged 16 and under travel in smoky cars every week. Over 30% of Māori Year 10 students reported being exposed in the previous week, and over 25% of Pacific students. Māori students were more likely to report frequent exposure (over 3 times in last week).[6]

A smokefree cars law would help protect these children. Surveys have consistently found over 90% public support for requiring cars to be smokefree when children are present. That support comes from smokers as well as non-smokers – in 2016, 89% of adult smokers surveyed supported such a law.[7]

The recent [Achieving Smokefree Aotearoa 2025 Action Plan](#) also called for smokefree car legislation,[8] which was supported by both the Ministry of Health, and the Health Select Committee in a 2016 report.[9] The previous Government disregarded the Select

Committee's recommendation, saying that 'present initiatives are sufficient to deter smoking in cars carrying children' – a statement that appears to be without any foundation.[10]


What do children think?

In 2014, 87% of Year 10 students wanted cars carrying children to be smokefree.[7] And, what are our international obligations to children? We appear to be failing to meet our duties under the United Nations Convention on the Rights of the Child as we have not 'develop[ed] legislation ... to prevent the exposure of children to harmful environmental contaminants in the air.'[11]

All Australian states and Canadian provinces, the UK, Ireland and many US jurisdictions have smokefree car laws. This legislation is clearly feasible as well as acceptable. Research indicates that it is effective in reducing SHS exposure to children.[12 13]

So why has New Zealand been so slow to protect children? Despite overwhelming support for change from the public and smokers, politicians have put the 'rights' of adults ahead of the rights of children who are confined in small enclosed spaces with tobacco smoke.[14 15] In Australia, by contrast, the 'protection of vulnerable children in the debate about smoking in cars was a powerful and persuasive theme' in getting smokefree car laws enacted.[16]

A smokefree law for vehicles with children is essential to a child-friendly society. The new Government has a superb opportunity to demonstrate its concern for children's well-being, respond to public opinion, and acknowledge research evidence, by committing now to pass a smokefree car law in this parliamentary term.



## When You Smoke Around Kids, It's Like They Are Smoking.

The smoke from one lit cigarette can go anywhere. No air filter or ventilation system can totally remove it. In a car, even rolling down a window won't stop smoke from reaching other passengers.

Because motor vehicle cabins are smaller, tighter spaces, it is against the law to smoke in them with children under the age of 16. That means if the child is not of legal driving age, you cannot legally smoke when he or she is a passenger. So, if you have a young child in the vehicle, steer clear of smoking.

**Protect the health of your child.  
Don't smoke and drive.**

## References

1. US Department of Health and Human Services. The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. Atlanta GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006. <http://www.surgeongeneral.gov/library/reports/secondhandsmoke/fullreport.pdf>
2. Raoof SA, Agaku IT, Vardavas CI. A systematic review of secondhand smoke exposure in a car: Attributable changes in atmospheric and biological markers. *Chron Respir Dis* 2015;12(2):120-31. doi: 10.1177/1479972315575202.
3. Nosa V, Gentles D, Glover M, et al. Prevalence and risk factors for tobacco smoking among pre-adolescent Pacific children in New Zealand. *J Prim Health Care* 2014;6(3):181-8.
4. Waa A, Edwards R, Newcombe R, et al. Parental behaviours, but not parental smoking, influence current smoking and smoking susceptibility among 14 and 15 year-old children. *Aust N Z J Public Health* 2011;35(6):530-6. doi: 10.1111/j.1753-6405.2011.00772.x.
5. Edwards R, Sim D, Ball J, et al. Surveys show exposure to smoking in cars among Year 10 children is not decreasing: time for the Government to act. *N Z Med J* 2017;130(1458):56-58.
6. Healey B, Hoek J, Wilson N, et al. Youth exposure to in-vehicle second-hand smoke and their smoking behaviours: trends and associations in repeated national surveys (2006-2012). *Tob Control* 2015;24(2):146-52. doi: 10.1136/tobaccocontrol-2013-051124.
7. Jaine R, Edwards R, Ball J, et al. Overwhelming support for smokefree cars that are carrying children-is the Government listening? *N Z Med J* 2017;130(1465):104-06.
8. Thornley L, Edwards R, Waa A, et al. Achieving Smokefree Aotearoa by 2025. Wellington: University of Otago, ASPIRE 2025, Quit Group, Hapai Te Hauora, 2017. Accessed December 7, 2017. <https://aspire2025.files.wordpress.com/2017/08/asap-main-report-for-web2.pdf>
9. New Zealand Parliament. Report of the Health Committee on Petition 2014/27 of Bridget Rowse. Wellington: New Zealand Parliament, 2016. Viewed December 7, 2018. [https://www.parliament.nz/resource/en-NZ/51DBSCH\\_SCR72069\\_1/cc1e344d65b85618f985e48acb8c742d4664766a](https://www.parliament.nz/resource/en-NZ/51DBSCH_SCR72069_1/cc1e344d65b85618f985e48acb8c742d4664766a)
10. New Zealand Government. Government Response to Report of the Health Committee on Petition 2014/27 of Bridget Rowse. Wellington: New Zealand Parliament, 2017. [https://www.parliament.nz/en/pb/papers-presented/current-papers/document/PAP\\_72428/government-response-to-report-of-the-health-committee-on](https://www.parliament.nz/en/pb/papers-presented/current-papers/document/PAP_72428/government-response-to-report-of-the-health-committee-on)
11. Hodgkin R, Newell P. Implementation handbook for the convention on the rights of the child. Geneva: UNICEF 2007.
12. Montreuil A, Tremblay M, Cantinotti M, et al. Frequency and risk factors related to smoking in cars with children present. *Can J Public Health* 2015;106(6):e369-74. doi: 10.17269/cjph.106.5070.

13. Nguyen HV. Do smoke-free car laws work? Evidence from a quasi-experiment. *J Health Econ* 2013;32(1):138-48. doi: 10.1016/j.jhealeco.2012.10.003.
14. Rouch G, Thomson G, Wilson N, et al. Public, private and personal: qualitative research on policymakers' opinions on smokefree interventions to protect children in 'private' spaces. *BMC Public Health* 2010;10:797. doi: 1471-2458-10-797 [pii] 10.1186/1471-2458-10-797.
15. Thomson G, Hudson S, Wilson N, et al. A qualitative case study of policymaker views about the protection of children from smoking in cars. *Nicotine Tob Res* 2010;12(9):970-7.
16. Freeman B, Chapman S, Storey P. Banning smoking in cars carrying children: an analytical history of a public health advocacy campaign. *Aust N Z J Public Health* 2008;32(1):60-65.

Public Health Expert Briefing (ISSN 2816-1203)

---

**Source URL:**

<https://www.phcc.org.nz/briefing/smokefree-cars-legislation-should-new-government-make-priority>