

Overwhelming support for smokefree cars that are carrying children—is the Government listening?

Richard Jaine, Richard Edwards, Jude Ball, Dalice Sim, George Thomson, R Beaglehole

There is convincing evidence that children exposed to secondhand smoke (SHS) are at increased risk of respiratory tract infections, asthma exacerbations, sudden unexplained death in infancy (SUDI) and bacterial meningitis.¹ SHS exposure in children causes a disease burden that is entirely avoidable. As a society we fail our children when we do not take evidence-based action to avoid SHS exposure. We also fail our responsibilities under the United Nations Convention on the Rights of the Child (UNCROC) (which New Zealand ratified in 1993). Under article 24 of the UNCROC, children have a right to health.² As part of the plan for action, countries are required to “develop legislation...to prevent the exposure of children to harmful environmental contaminants in the air”. Introducing legislation to ban smoking in cars carrying children would therefore be consistent with our responsibilities under the UNCROC.

The Health Select Committee recently recommended that the Government “introduce legislation, or other measures, to ban smoking in cars carrying children under the age of 18 years”.³ The Government responded by recognising the importance of protecting children from harm to health due to SHS exposure but decided to disregard the Health Select Committee’s recommendation, largely on the grounds stating “present initiatives are sufficient to deter smoking in cars carrying children”.⁴

We have previously presented evidence that there is substantial exposure of children to SHS in cars and that this has changed little over recent years.⁵ Another consideration in deciding whether to implement a legislative policy is whether there is public support for legislation. In the context of

policy that affects children, Article 12 of the UNCROC states that children should “be provided the opportunity to be heard”. The opportunity to be heard can be achieved at different levels. At the lowest level this includes “children are listened to”, and the minimum level required to meet obligations under the UNCROC is that “children’s views are taken into account”.⁶

Therefore, we ask: are we meeting our UNCROC obligations to listen to our children, and taking their views into account in deciding whether to legislate for smokefree cars that are carrying children? What support is there for the legislation among adults?

Listening to our children

Two recent nationally representative surveys have asked young people’s opinions of smokefree cars (Table 1).^{7,8}

We analysed data from the 2014 ASH (Action on Smoking and Health) Year 10 Snapshot Survey of over 25,000 New Zealand 14–15 year olds. This asked respondents whether they agreed or disagreed that “smoking in cars should be banned when children are in them”. Support for this statement was 87%, with only 4% disagreeing. The 2012 Youth Insights Survey for the same age group had very similar findings: 88% agreed with the statement and only 4% disagreed.⁸

It is therefore clear that support among young people for smokefree cars is very high. This type of evidence begins to fulfil New Zealand’s responsibilities under the UNCROC Article 12 by ensuring children are listened to, but unless legislation is introduced it is difficult to argue that their views are being taken into account.

Listening to our adults

There is evidence dating back to 1997 that there is overwhelming support among New Zealand adults (94%) for banning smoking in cars with children in them.⁹ Even smokers demonstrated majority support (87%) for this proposal. This has been confirmed in subsequent findings from the Health Promotion Agency's Health and Lifestyle surveys and among smokers in the New Zealand ITC project and New Zealand Smoking Monitor (Table 1).¹⁰⁻¹³

New data from the 2016 Health and Lifestyles Survey of a nationally representative sample of more than 3,800 adults demonstrates overwhelming support, with 94% of all adults supporting a ban on smoking in cars with children in them; and 89% support among adult smokers (Health and Lifestyles Survey 2016 preliminary data, personal communication, Greg Martin).

Conclusion

New Zealand is failing its obligations under the UNCROC Article 24 to protect children from harm due to exposure to SHS by not acting to introduce smokefree cars. Our evidence also clearly demonstrates strong support among young people for banning smoking in cars carrying children. Hence, although the Government could be construed as listening to our children, its failure to act on smokefree cars suggests it is not taking children's views into account, and is not meeting its obligations under UNCROC Article 12. In addition, the Government does not appear to be taking the views of adults into account either, given the sustained evidence of overwhelming public support for smokefree cars legislation. We believe it is time that the Government truly responded to the views of children and the public and addressed its duties under UNCROC by introducing legislation to make cars carrying children smokefree.

Table 1: Youth and adult support for making cars carrying children smokefree, for various New Zealand surveys, and by smoking status.

Youth support (14–15 year olds)			
Study and year	Statement	Youth support (total)	Youth support (smokers only)
Youth Insights Survey 2012 ⁸	Smoking in cars should be banned when children are in them	88%	63%
ASH Year 10 Snapshot Survey 2014	Smoking in cars should be banned when children are in them	87%	-
Adult support			
Study and year	Statement	Adult support (total)	Adult support (smokers only)
al-Delaimy et al 1999 ⁹	Places which should be smokefree when there are children around: private cars	94%	87%
Wilson et al 2009 ¹⁰	Do you think smoking should be allowed in cars with preschool children in them*	-	96%*
Health and Lifestyles survey 2008 ¹¹	Smoking should not be allowed in cars with children under the age of 14 in them	91%	82%
Health and Lifestyles survey 2012 ¹²	Smoking in cars should be banned where children are in them	93%	-
New Zealand Smoking Monitor survey 2014 ¹³	Smoking in cars should be banned while children are in them	-	92%
Health and Lifestyles survey 2016, preliminary data (Greg Martin, personal communication)	Smoking in cars should be banned when children aged under 18 years old are in them	94%	89%

*This refers to percent of respondents *disagreeing* with the statement, that is, agreeing that smoking should **not** be allowed in cars with preschool children in them.

Competing interests:

Nil.

Acknowledgements:

Greg Martin from Health Promotion Agency for providing the latest Health and Lifestyles survey data.

Author information:

Richard Jaïne, Senior Lecturer, Department of Public Health, University of Otago, Wellington; Richard Edwards, Professor, Department of Public Health, University of Otago, Wellington; Jude Ball, Research Fellow, Department of Public Health, University of Otago, Wellington; Dalice Sim, Senior Research Fellow/Biostatistician, Dean's Department, University of Otago, Wellington; George Thomson, Research Associate Professor, Department of Public Health, University of Otago, Wellington; Robert Beaglehole, Professor, University of Auckland, Auckland.

Corresponding author:

Richard Jaïne, Senior Lecturer, Department of Public Health, University of Otago, Wellington.

richard.jaine@otago.ac.nz

URL:

<http://www.nzma.org.nz/journal/read-the-journal/all-issues/2010-2019/2017/vol-130-no-1465-10-november-2017/7415>

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