

## Open Letter

23rd June 2023

Hon Dr Ayesha Verrall - Minister for Health

Manatū Hauora Ministry of Health Vaping Regulatory Authority

### Introduction

The intention to legislate regulations for vaping, smokeless tobacco products and electronic cigarettes was announced by the government in November 2018.

Delays in legislation have left the vaping market, and our communities open for commercial exploitation. Most recently, the discovery of a new vape shop to open on Broadway in Wellington, less than 300m away from Kahurangi School and Scots College, and around one kilometre from Holy Cross and Miramar Central schools. The proposed location of this shop is in an area where there are more māori, more young people and a lower income level than any of the adjacent suburbs. Strathmore has an overall deprivation index of 8, one of the highest in Wellington. Given that māori carry a disproportionate burden of harm from substance use, the placement of a Vape shop in Strathmore Park is a breach of our obligations under Te Tiriti, in addition to being a wider equity concern.

The number of young New Zealanders aged 15 to 17 who vape every day has tripled in two years, from 2% in 2018-19 to 6% in 2020-21, according to the most recent New Zealand Health Survey. While vaping is less harmful than cigarette smoking it is addictive and has significant, still emerging harms. In the USA, the Centre for Disease Control has documented an outbreak of E-cigarette Associated Lung Injury. As the nicotine content is unregulated, users may inhale more nicotine (which is highly addictive) than via a cigarette.

### We would like to make the following points:

- We believe under the VRA's own guidelines that this vaping premise in Strathmore Park shops on Broadway is unsuitable for a number of reasons:
- The vape shop is set to open next to the bus stop in close proximity to a number of schools.\*
- It will be prominent in that location as there are only a few other shops.
- Customers can already discretely buy vaping products from the Strathmore Park Four Square
- The strongest points against this location is that the legislation speaks against "normalising" vaping and has a key stated purpose of reducing young people's and children's exposure to the availability of vaping products. This location fails both aims. It is situated in a small cluster of shops that are frequented by families and young people as well as being a popular pedestrian and public transport stop. It will clearly increase the exposure of vaping products to the many school aged children walking to and from schools situated within close proximity as well as those using the bus stops adjacent to the store and opposite it.
- raise the issue that community concerns are not considered a direct impact by the VRA, like they are typically when regulating the sale of alcohol.

- Recent media reports (Television and print media) highlight that ID checking is problematic and children under 18 are accessing vaping products. The community is concerned to know how the under 18 age restrictions will be enforced and monitored.
- The lack of regulation of the product leaves these devices open to modification by users, including for use with other substances. There are evidence and anecdotes around the world and locally that cannabis, methamphetamine and opioids can be used via a modified vapouriser.

Exposure to vaping products at a young age can increase the risk of nicotine addiction and potential long-term health consequences. Schools should be safe spaces that prioritise the health and well-being of students, and having a vape shop nearby can undermine these efforts.

This can lead to an increased likelihood of experimentation and use among young people who may be more susceptible to peer pressure and curiosity.

*Proximity of SVR on Broadway- located outside bus stop 7036	
Scots College	within 120m
Scots College Junior School	within 120m
Scots College Boarding House	within 300m
Strathmore park kindergarten	within 300m
Strathmore Park Plunket playgroup	close proximity
Kahurangi School - close proximity	close proximity with children passing by this location to access the school
Peninsula Early Learning	close proximity
Miramar Childcare	On the same street
St Anthony's School	children must pass by this location to access the school from Strathmore Park
Seatoun School	children must pass by this location to access the school from Strathmore Park
Te Kura Kaupapa Maori O Ngā Mokopuna	children must pass by this location to access the school from Strathmore Park
Seatoun Kindergarten	children must pass by this location to access the school from Strathmore Park

We are relying on our government to support the community with a preventative approach to ending vaping and nicotine consumption in rangatahi. Our schools and whānau are doing their best to respond to the challenge. However, approaches which punish or shame rangatahi for vaping fail to address what's driving the behaviour – and miss the opportunity to help young people develop critical decision-making skills.

Minister, please consider this is an inappropriate vape store location and for the reasons we have mentioned, and please investigate and prevent the opening of this shop in this location.

After this particular store has been removed, we urge the ministry to provide robust regulation of E-cigarette retail along similar lines to the regulation of standard cigarettes.

Ngā mihi,



*John Western*  
Principal, Seatoun School



*Christian Zachariassen*  
Acting Headmaster, Scots College



*Lynette Hough*  
Principal Holy Cross School,  
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*Teri O'Neill*  
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Tumuaki  
TKKM o Ngā Mokopuna

