

Smokefree Laws: Reducing tobacco outlets will decrease crime

26 February 2024

Janet Hoek, Richard Edwards, Andrew Waa



Summary

Government spokespeople have failed to provide either evidence or logic to justify the repeal of world-leading smokefree legislation. Instead, they have claimed that reducing retailer numbers will greatly increase crime, particularly ram raids targeting tobacco products, a claim based on anecdote. In this Briefing, we examine police data on ram raids, which suggests these crimes are decreasing and that only a minority target tobacco products. We also explain why reducing tobacco retail outlets and denicotinisation would lead to further decreases in ram raid crimes.

The Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act contains three core measures, including a proposal to reduce the number of outlets selling tobacco products from around 6000 to 600. Reviews and modelling studies conclude that reducing tobacco availability would help decrease smoking uptake among young people,¹ support cessation among people who smoke, and accelerate declines in smoking prevalence,² thus helping achieve the Smokefree 2025 goal.

Because these measures threaten their profits, tobacco companies strongly resisted the smokefree legislation. For example, they funded retailers to prepare a petition, presented on Parliament's steps to Brooke Van Velden, and a social media campaign that opposed plans to reduce outlet numbers. In an analysis of the social media campaign, we found it substituted logical fallacies and scaremongering for logic and evidence.³

Nonetheless, when pressed to explain the decision to repeal the legislation, Prime Minister Luxon drew on tobacco companies' reasoning and argued the legislation had some "practical issues". Specifically, he claimed that implementing a retail reduction strategy would see ram raids increase.

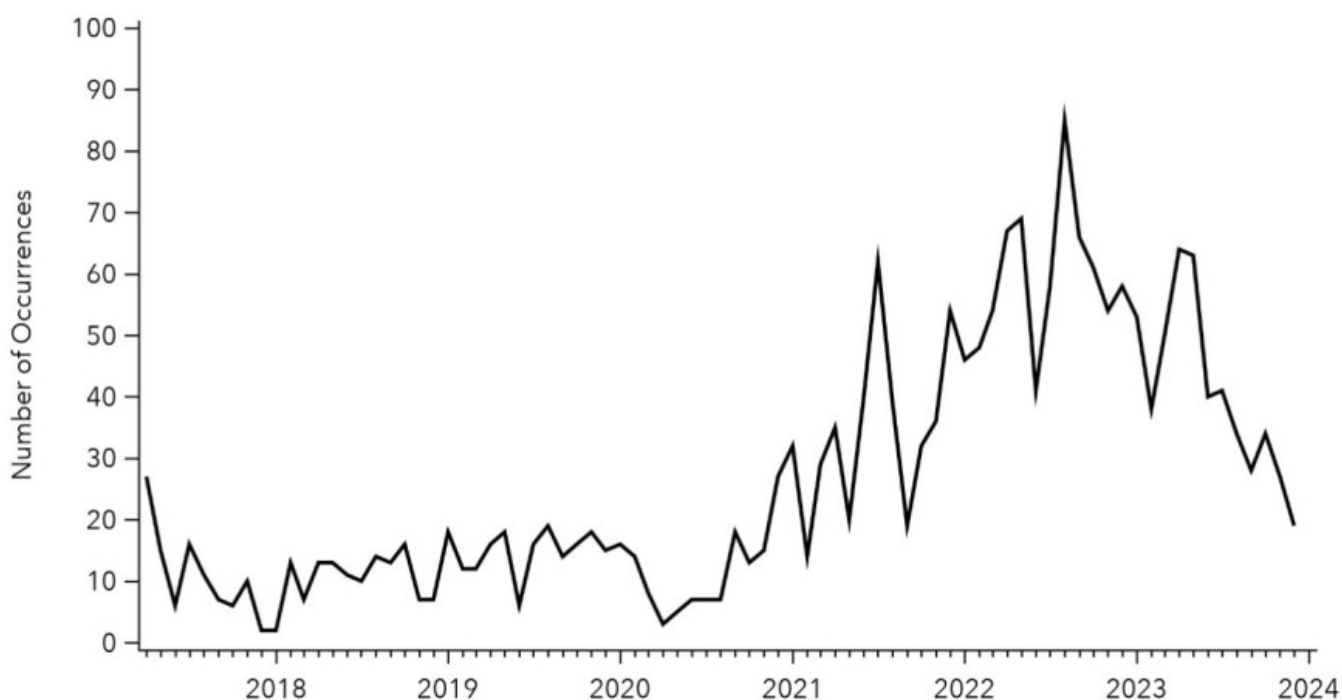
Health Minister Dr Shane Reti, who has overall responsibility for tobacco policy, also struggled to justify repealing the retail reduction policy. When asked for evidence that retail crime would increase he cited "concerns" retailers had raised but could not provide empirical evidence to support those "concerns".

What is the evidence Mr Luxon and Dr Reti should have considered?

In fact, relevant data do exist. These data show that ram raid crimes, which the police have tracked over the last six years, are trending downwards; they also show that most ram raids do not target tobacco products. Mr Luxon and Dr Reti need to explain why they propose acting in a way that will be inconsistent with police data

The figure below shows ram raids rose until late 2022; however, after that time, ram raids declined considerably, which may reflect the enhanced security measures funded by the last government (e.g., subsidies to install fog cannons). Greater in-store security and external barriers, such as bollards, have likely made ram raids more difficult; where ram raids did still occur, improved security has likely reduced the value of items stolen.

Figure: The monthly number of Ram Raid occurrences since 1st April 2017 to 31st December 2023.



Source: NZ Police – Retail crime and ram raids

Police data also include a scanning report on 283 ram raids that occurred between November 2020 and October 2021. This report shows that money and the cash till were the most frequently stolen items in ram raids. While nearly a quarter of ram raids (24%) targeted cigarettes and tobacco, only 14% of all ram raids successfully stole these items (perhaps also attesting to the instore security in place, even at that time). Overall, three-quarters of ram raids during this period did not involve tobacco products.

In summary, analysis of data rather than anecdotes shows ram raids are decreasing and that most involve theft of products other than tobacco. There are also compelling logical reasons why implementing the smokefree Act would decrease ram raids.

First, the legislation requires retailers to go through an approval process before they are eligible to become a smoked tobacco retailer. Among other criteria set, the approval process the Ministry of Health established required retailers to provide evidence of their store security. Specifically, it sought details on product storage, security cameras, alarm and fog systems, and external barriers, such as bollards. These measures would have ensured all retailers had highly secure premises for the nine month period when tobacco products with current nicotine content would still have been available (i.e., between 01 July 2024 and 01 April 2025).

Second, in April 2025, retailers would only have been able to sell products that met the new substantially reduced nicotine standard. Reduced nicotine products are much less appealing to people who smoke, which makes it highly unlikely that a large black market for these products would exist and largely removes the incentive to steal these products, given their uncertain resale value.

Finally, as tobacco becomes less available and less addictive, many people will try to quit or move to alternative nicotine products, such as vapes.² Our studies of people who smoke show many regret smoking, have tried to quit and want to be smokefree, and anticipate quitting or switching to vaping following implementation of the retailer reduction and denicotinisation policies. Robust modelling also predicts that smoking prevalence is likely to fall dramatically following denicotinisation.² As the pool of people who smoke decreases, the market for stolen cigarettes will also reduce, thus reducing any incentive to target these products in burglaries.

Mr Luxon and Dr Reti have failed to provide any evidence that reducing retailer numbers would see ram raids increase and have resorted to “arguments” seeded and propagated by tobacco companies. In fact, the data are clear: reducing the number of outlets selling tobacco, requiring these to meet higher security standards, and introducing denicotinisation would reduce ram raids, enhance public safety, and boost population wellbeing. Why, or for whom, are they waiting?

What is new in this Briefing?

- Police data show that ram raid crimes have been decreasing since 2022 and reveal that tobacco products were stolen in less than 15% of ram raids.
- The Prime Minister and Health Minister have relied on tobacco industry “arguments” and overlooked or ignore police data that do not support the

anecdotal “concerns” guiding their approach.

- Logic suggests implementing the retail reduction policy and denicotinisation will greatly decrease ram raids as stores will be more secure, tobacco products will become unattractive and fewer people will use these. The market for illicit products will shrink if not collapse.

Implications for public health policy and practice

- Proceeding with full implementation of the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act would reduce ram raids and other retail crimes involving smoked tobacco products.

Authors details

Professor Janet Hoek, Professor Richard Edwards, Associate Professor Andrew Waa

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Public Health Expert Briefing (ISSN 2816-1203)

Source URL:

<https://www.phcc.org.nz/briefing/smokefree-laws-reducing-tobacco-outlets-will-decrease-crime>