



JAMES LISTER MP

MEMBER FOR SOUTHERN DOWNS

**SHADOW ASSISTANT MINISTER FOR HIGHER EDUCATION AND RESEARCH
SHADOW ASSISTANT MINISTER FOR DEFENCE INDUSTRY AND VETERANS**

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Hon Shannon Fentiman MP
Minister for Health, Mental Health and Ambulance Services
Minister for Women
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Dear Minister

UNLAWFUL SALE OF TOBACCO PRODUCTS IN SOUTHERN DOWNS - REQUEST FOR ENFORCEMENT ACTION BY QUEENSLAND HEALTH

Please find attached correspondence which I sent to the Australian Federal Police (AFP) Commissioner in November last year, requesting urgent law enforcement action against the owners and operators of two outlets in my electorate which I allege are unlawfully trading in illicit tobacco products.

It is my understanding that my complaint was referred by the AFP to the Australian Border Force for their attention. However, it appears that in the intervening seven months, no enforcement action has occurred, and these shops continue their popular trade in full public view.

I hold several objections to unlawful tobacco sales. Specifically, I am concerned about the:

- 1) involvement of organised crime;
- 2) depressive effects upon tobacco excise collection;
- 3) risks to Australia's biosecurity;
- 4) impacts upon legitimate small businesses; and
- 5) effect of unchecked unlawful tobacco sales on public confidence in the law.

For the reasons which I have outlined above (and in my letter to the AFP Commissioner last year), I request that your department take urgent action under the new powers granted to Queensland Health (under last month's amendments to the Tobacco and Other Smoking Products Act 1998) to crack down on these two shops.

As I understand things, it is common for such outlets to immediately resume their trade in illicit tobacco following raids by law enforcement officials. I therefore consider it particularly desirable that prosecutions not be confined to minor offenders caught engaging in over-the-counter sales, but also include those persons involved higher up in these enterprises.

In my opinion, these shops must be operating with the complicity of their premises' landlords. I consider it unlikely that landlords who have seen the properties in question could be unaware of their use as unlawful tobacco outlets. I suggest that the systematic prosecution of culpably involved landlords may, in future, assist in frustrating the establishment and re-opening of "chop chop shops".

Thank you for your assistance in this matter.

Yours sincerely



James Lister MP
Member for Southern Downs

13 June 2023

Queensland Legislative Assembly	
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MP: <u>Mr Lister MP</u>	
Clerk's Signature: <u></u>	