

Through the haze: Smoke-free laws failing to protect bar staff, patrons

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Patrons and workers continue to be exposed to hazardous tobacco smoke in bars, restaurants and cafés, despite legislation designed to protect them, researchers have found.

Researchers from the University of Otago, Wellington, say that because the 2003 Smoke-free Environments Act allows [smoking](#) in "open areas" at hospitality venues, it is failing to protect staff and patrons from [second-hand smoke](#) as intended.

In a [research paper](#) published in the international journal *Tobacco Control*, lead author Professor Nick Wilson says the "open areas" that permit smoking are often surrounded by walls and partial roofing and are typically inside the architectural footprint of the building.

"When people smoke in these areas, [high levels of air pollution](#) from fine particulates has been detected, posing a risk to non-smoking patrons and staff in these areas. The smoke can also drift into the non-smoking indoor areas through open windows and doors."

Professor Wilson says the law is also open to abuse from businesses wanting to push the boundaries of where patrons can smoke.

"The law needs to be much more effective in preventing smoke exposure. It also needs to be more easily understood by the public, and by business owners."

The researchers are urging the government to require smoking areas be at least 10 meters away from café, bar or restaurant buildings, a measure that is already in force in many parts of Australia, the US and Canada.

"It is important that the government adopt this kind of policy as part of its current review of the smoke-free laws to enable us to move on from the mess of the last 15 years."

One of the other authors, Associate Professor George Thomson, says that having bars and restaurants entirely smoke-free would help those trying to quit smoking, by removing visual cues and triggers for

smoking. It would also reduce young peoples' exposure to smoking and lower the risk that they would begin smoking themselves.

"Smoke-free areas would show that smoking is not a necessary part of socializing and would allow patrons at bars and restaurants to sit outside without having smoke around them—in contrast to the current situation where people move inside to try to escape the smoke."

The research paper, "Smokefree laws and hospitality settings: An example from New Zealand of a deficient approach," has been published in the international peer-reviewed journal *Tobacco Control*.

More information: Nick Wilson et al. Smokefree laws and hospitality settings: an example from New Zealand of a deficient approach, *Tobacco Control* (2019). [DOI: 10.1136/tobaccocontrol-2019-055215](https://doi.org/10.1136/tobaccocontrol-2019-055215)

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