

Is It Making A Difference?
*An Evaluation of Nova Scotia's
Youth Tobacco Possession Law*

June 2005

Prepared for Smoke Free Kings

Prepared by

*Pyra Management Consulting Services Incorporated
&
Research Power Incorporated*



Executive Summary

Nova Scotia's Smoke-free Places Act, An Act to Protect Young Persons and Other Persons from Tobacco Smoke (the Act) bans smoking in most public places and workplaces. The law received Royal Assent on 30 May 2002, and came into effect 1 January 2003. The Act allows smoking in restaurants and other places where youth may be present only in designated smoking rooms that are enclosed and separately ventilated. The Act also includes a ban on possession of tobacco by anyone under the age of 19. The consequences for youth under the age of 19 who are in possession of tobacco is confiscation of the products. In the complex domain of tobacco control, with multiple initiatives underway it is challenging to ascertain the effectiveness of the youth possession component of the Act.

Evaluation of the effectiveness of controversial elements of legislation can help inform future policy decisions. Indeed, the Nova Scotia Tobacco Control Strategy calls for the use of monitoring and ongoing evaluation to gauge progress and to generate recommendations for improvements and revisions to the provincial tobacco strategy. This study was sponsored by Smoke Free Kings, funded by Health Canada and conducted by Pyra Management Consulting Services Inc. and Research Power Incorporated.

The specific objectives of the study are to:

- examine the role of peace officers in enforcement of the youth tobacco possession law;
- examine the impact of the youth tobacco possession law on school policy and enforcement on school grounds (i.e. did it help, hinder or have no impact on the school's ability to enforce policy?);
- determine the effectiveness of the youth tobacco possession law in deterring youth smoking in the following age categories: 13 to 15, and 16 to 18 years old; and
- determine challenges and successes related to implementation of the youth tobacco possession law.

Although implemented with the good intention of reducing the prevalence of youth smoking, it appears from this study that the youth tobacco possession law has not achieved this goal. Many youth are unaware of the law and its consequences which makes it highly unlikely that the law serves as any deterrent for these youth. For youth who smoke, the lack of enforcement of the law and the resulting minimalist consequences of the law if they are caught with cigarettes do not represent a deterrent that would keep them from smoking.

With the limited resources available to police departments and the current low priority placed on enforcing the youth tobacco possession law, it is unlikely that there will be any significant increases in the level of enforcement of the Act in the foreseeable future. It is unclear if an increase in the level of enforcement or in the severity of consequences would impact on youth smoking.

Table of Contents

Executive Summary	i
Acknowledgements	iii
Introduction	1
Methodology	2
OVERVIEW.....	2
INSTRUMENT DEVELOPMENT.....	3
SAMPLE	3
<i>Youth Survey and Focus Group</i>	3
<i>Peace Officer Survey and Interviews</i>	3
<i>School Administrator Interviews</i>	4
DATA ANALYSIS.....	4
<i>Surveys</i>	4
<i>Interviews and Focus Groups</i>	4
LIMITATIONS	5
Study Findings	6
SCHOOL SMOKING POLICIES.....	6
<i>Descriptions of School Smoking Policies</i>	6
<i>Effectiveness of School Smoking Policy</i>	8
THE YOUTH TOBACCO POSSESSION LAW	10
<i>Awareness and Knowledge</i>	10
<i>Attitudes</i>	12
<i>Enforcement Activities of Peace Officers</i>	15
<i>Challenges to Enforcing the Youth Tobacco Possession Law</i>	17
<i>Impact of the Youth Tobacco Possession Law</i>	20
<i>Perceptions of Effectiveness of the Youth Tobacco Possession Law</i>	24
Key Observations	26
ROLE OF PEACE OFFICERS	26
IMPACT OF THE ACT ON SCHOOL POLICY	26
EFFECTIVENESS OF THE ACT IN DETERRING YOUTH SMOKING	27
Conclusions	27
References	28

Acknowledgements

The authors wish to thank the following individuals and organizations for their contribution to this study.

- Members of Smoke Free Kings;
- District Tobacco Strategy Coordinators;
- Schools who agreed to allow data collection to occur on their premises via surveys and focus groups;
- Dr. Clete Snell, Prairie View A&M University School of Juvenile Justice and Psychology;
- Youth who participated in surveys and focus groups;
- Peace officers who participated in surveys and interviews and
- School administrators who participated in interviews.

Introduction

The Canadian Cancer Society identified in a 2001 policy analysis review of youth tobacco possession laws that the failure to enforce such legal provisions in Canada in the past has rendered the prohibition of possession of tobacco by youth meaningless.

Nova Scotia's Smoke-free Places Act, An Act to Protect Young Persons and Other Persons from Tobacco Smoke (the Act) bans smoking in most public places and workplaces. The law received Royal Assent on 30 May 2002, and came into effect 1 January 2003. The Act allows smoking in restaurants and other places where youth may be present only in designated smoking rooms that are enclosed and separately ventilated. The Act also includes a ban on possession of tobacco by anyone under the age of 19. The consequences for youth under the age of 19 who are in possession of tobacco is confiscation of the products. In the complex domain of tobacco control, with multiple initiatives underway it is challenging to ascertain the effectiveness of the youth possession component of the Act.

Evaluation of the effectiveness of controversial elements of legislation can help inform future policy decisions. Indeed, the Nova Scotia Tobacco Control Strategy calls for the use of monitoring and ongoing evaluation to gauge progress and to generate recommendations for improvements and revisions to the provincial tobacco strategy. This study evaluates the impact of the youth tobacco possession components of the Smoke-free Places Act (hereafter referred to as the youth tobacco possession law). The study was sponsored by Smoke Free Kings, funded by Health Canada and conducted by Pyra Management Consulting Services Inc. and Research Power Incorporated.

The specific objectives of the study are to:

- examine the role of peace officers in enforcement of the youth tobacco possession law;
- examine the impact of the youth tobacco possession law on school policy and enforcement on school grounds (i.e. did it help, hinder or have no impact on the school's ability to enforce policy?);
- determine the effectiveness of the youth tobacco possession law in deterring youth smoking in the following age categories: 13 to 15, and 16 to 18 years old; and
- determine challenges and successes related to implementation of the youth tobacco possession law.

Methodology

Overview

Independent evaluation consultants were contracted to conduct the study including instrument development, data collection, data analysis and writing of the final report. This study used both quantitative and qualitative research methods including surveys, focus groups and one-on-one telephone interviews in evaluating the study objectives. In addition, the perspective of various stakeholders involved in and/or impacted by the youth tobacco possession law were obtained including youth, peace officers and school administrators.

The study was conducted in four of the nine health districts in the province due to limited available resources but still providing a representational range of views from across Nova Scotia including both rural and urban perspectives. The Tobacco Strategy Coordinators from these districts assisted with instrument review and pilot-testing, survey distribution, recruitment of participants for the focus groups and interviews, and focus group logistics. Table I provides an overview of the study methods.

Table I: Overview of Study Methods

Instrument	Participants	Number
Youth Survey	<ul style="list-style-type: none"> • Junior high students (Grades 7, 8 and 9) • Senior high students (Grades 10, 11, 12) 	<ul style="list-style-type: none"> • 1025 junior high students • 1180 senior high students
Youth Focus Group Guide	<ul style="list-style-type: none"> • Junior high students • Senior high students 	<ul style="list-style-type: none"> • Four focus groups with junior high students • Four focus groups with senior high students
Peace Officer Survey	<ul style="list-style-type: none"> • Peace Officers of Municipal Police Agencies 	<ul style="list-style-type: none"> • 84 Peace Officers
Peace Officer Interview Guide	<ul style="list-style-type: none"> • Peace Officers of Municipal Police Agencies 	<ul style="list-style-type: none"> • Six Peace Officers
School Administrator Interview Guide	<ul style="list-style-type: none"> • Principals and/or Vice Principals of junior high and senior high schools 	<ul style="list-style-type: none"> • Seven School Administrators, four from senior high and three from junior high

Instrument Development

All instruments were developed by the evaluation consultants based on the study objectives and a review of the literature related to the study objectives. The draft instruments were reviewed by the Tobacco Strategy Coordinators from the districts selected to participate in the study and modifications were made based on the feedback received.

The two survey instruments were pilot-tested with a sample of potential participants (i.e., with selected junior high and senior high students, and peace officers) for face and content validity. Minor adaptations were made based on the feedback received, and the surveys were then finalized.

The instruments are available through Smoke Free Kings.

Sample

Youth Survey and Focus Group

The sampling design for the youth survey was a randomized stratified cluster design. The strata were the four school boards that aligned with the health district areas: Annapolis Valley Regional School Board, Cape Breton School Board, Chignecto Central Regional School Board, and Halifax Regional School Board. Within each school board there were three junior high schools and three senior high schools selected, with an average of four classes participating in each school. This resulted in a total of 47 clusters (classes) from the high school population and 41 clusters (classes) from the junior high school population stratified within schools and school board area. A total of 1180 high school students and 1025 junior high students completed the survey.

Two focus groups were conducted in each region, one with junior high students and one with senior high students, for a total of eight focus groups. The District Tobacco Strategy Coordinators selected the schools where the focus groups would be held, recruited participants and arranged the focus group logistics. Purposive sampling was used in recruiting youth for the focus groups with the aim to recruit students from all grades (i.e., youth from grades seven to nine in the junior highs, and 10 to 12 in the senior highs), both smokers and non-smokers, and males and females. The purposive sampling helped to ensure that a range of opinions and views were expressed through the focus groups.

Peace Officer Survey and Interviews

The Peace Officer survey was originally to be distributed to the RCMP officers from across the four health districts participating in the study. However, the RCMP officers were unable to participate in the study as they perceived that such participation would constitute critiquing legislation that they are mandated to uphold and enforce. A second sampling strategy was therefore employed where municipal police agencies from each health district were contacted and agreed to participate. Of the nine municipal police agencies that align with the four school boards, eight agreed to participate in the study.

Surveys were sent to a key contact within each agency (this included the Chief of Police or an administrative support person appointed by the Chief of Police) with a cover letter describing the purpose of the survey and instructions for distribution and completion. The survey was then distributed by the key contact to all peace officers in the agency. The key contact was also responsible for collecting completed surveys that were then returned to the evaluation consultants. A total of eighty-four Peace Officers completed the survey.

At the end of the survey, respondents were asked if they would be willing to participate in a telephone interview to further explore their views about the youth tobacco possession law. The evaluation consultants contacted the potential participants and arranged an interview time, with interviews taking approximately 30 minutes to complete. A total of nine Peace Officers expressed interest in participating in interviews of which six interviews were successfully arranged and completed.

School Administrator Interviews

Each Tobacco Strategy Coordinator selected and recruited two School Administrators from within their district to participate in a telephone interview. Purposive sampling was used to obtain a range of views and opinions including both junior and senior high School Administrators. A total of eight School Administrators were recruited to participate (two from each district, with four from junior high schools and four from senior high schools). The evaluation consultants contacted the potential participants and arranged an interview time, with each interview taking approximately 30 to 45 minutes to complete. Seven interviews were completed. Due to conflicting schedules an interview was not able to be arranged with one of the School Administrators despite repeated attempts.

Data Analysis

Surveys

The findings in this report summarize the results of the completed surveys, interviews and focus groups. Using SAS, the data from the two surveys were double entered to ensure accuracy, and frequencies and descriptive statistics were calculated, with missing data removed from the calculations. Standard error for the youth survey is less than 5%. The results from the close-ended questions are presented as frequencies in table format and/or bar graphs with accompanying text. The qualitative data from open-ended questions were analyzed using content analysis, and are summarized and reported.

Interviews and Focus Groups

Interview guides were used to facilitate the focus groups and telephone interviews which were tape-recorded and then transcribed verbatim. In the case of three of the school administrator interviews, comprehensive hand-written notes were taken as the participants did not give their consent for the interviews to be tape-recorded. The data from the transcripts were analyzed using content and thematic analysis. Qualitative interviewing is exploratory in nature and thus provides rich and valuable insights into

people's view and feelings, and elaborates on the quantitative findings, but is not intended to be generalized or quantified. Verbatim quotations from respondents are used throughout the report to further illustrate the findings.

Limitations

The sample of Peace Officers recruited for the survey is the primary limitation of the study. The original sample frame, a list of RCMP officers in the four health districts, could not be used, and therefore an alternative sampling strategy was used. Municipal police agencies became the sampling frame with all of the Peace Officers in the agency having the opportunity to complete the survey. Eighteen percent (n=15) of officers who completed the survey were those who do not interact and deal with youth regularly and therefore would be very unlikely to be aware of the youth tobacco possession law. This could bias the results such as over reporting lack of awareness, knowledge and enforcement of the law among Peace Officers. However, the triangulation of data by multiple methods and study participants is a strength of the study, and the fact that the interviews with the Peace Officers very involved in dealing with youth and administering the youth tobacco possession law affirmed the survey findings helps to overcome the Peace Officer survey limitations.

Study Findings

The study assessed the impact of the youth tobacco possession law on youth smoking and on the development and implementation of school smoking policies, as well as the role of peace officers in enforcing the law. In order to understand the impact of the law on school smoking policies, some of the questions asked of youth and school administrators as part of the study focused on the scope and impact of school smoking policies. For this reason, the first section of the findings focuses on school smoking policies, while the second section focuses on the youth tobacco possession law.

School Smoking Policies

This section provides an overview of the school smoking policies described by School Administrators who were interviewed. In addition, issues around enforcing school smoking policies are highlighted. The impact of school policies on student smoking behaviour is reviewed, as well as perceptions about the effectiveness of school smoking policies.

Descriptions of School Smoking Policies

To understand the impact of the youth tobacco possession law on school smoking policies, it is important to first understand the scope and nature of existing policies. In describing their school's smoking policy, it was consistently noted by the School Administrators that their school policy is the same as their respective school board's, which in all but one case is a 100% smoke-free policy including buildings and schools grounds. It was noted by some of the School Administrators that once the provincial Smoke-free Places legislation was passed, including the youth tobacco possession component, most school boards then developed comprehensive smoke-free policies.

There was one exception to the 100% smoke-free policy in a rural high school where smoking is permitted on school grounds in a designated area. The respondent indicated that this is a school board policy that includes six rural senior high schools within the board. The 100% smoke-free policy was recently changed in this school board due to concerns about student safety because many students within these schools were crossing busy highways to leave school property to smoke. The designated smoking area is outside, away from the school buildings and under surveillance. In addition, access to the area is restricted to students who have signed permission from their parents and with a photo identification card.

School Administrators were also asked about their policy related to students leaving school grounds. It was consistently reported that junior high students are generally not allowed to leave the school grounds (unless they are signing out for an appointment with their parent's permission). High school students (and particularly grade 12 students) are generally allowed to leave school property with the permission of their parents. At the beginning of the school year a permission slip from the parent is received and the student

can then leave school grounds during lunch and in some cases during breaks between classes.

Enforcement of School Smoking Policy

All of the School Administrators who were interviewed described school enforcement activities that included:

- Monitoring of school buildings and grounds for smoking by various school personnel including teachers, supervisors, student monitors, and administrators.
- Consequences for students who do not abide by the policy including parental notification and suspensions (length of suspension varied between schools from one to five days, with some describing increasing severity for repeat offenders).
- Enforcement of school policy by School Administrators who meet with students and administer the consequences.

It was also noted by some of the School Administrators that the policy is well communicated to students, staff and parents. As a result it appears that the majority are aware of both the policy and consequences, and there is rarely an argument when someone is suspended for breaking the rule.

A few School Administrators indicated that smoking cessation counselling is provided to students who violate the school smoking policy.

Challenges of Enforcing School Smoking Policies

To better understand the implications of the youth tobacco possession law on school smoking policies, School Administrators who were interviewed were asked to describe the challenges they face in enforcing their school smoking policy. A challenge to enforcing school smoking policy consistently identified by School Administrators is the fact that students have access to tobacco products despite the youth tobacco possession law, and many can simply leave the property to smoke.

So the main challenge in terms of enforcement is just trying to enforce that policy because they can always leave and go off the school grounds, which they will do because they have a place to go anyway. (School Administrator)

Some of the School Administrators discussed challenges related to student safety posed by students leaving the school grounds to smoke. This is particularly an issue for rural schools where students often smoke adjacent to busy highways and/or school parking lots. Concern for student safety was the impetus to change the policy and re-instate an outside school smoking area in one school board.

The major issue that we seem to have, and I think other schools are experiencing this as well, is safety. Because they are out on the sidewalk, they are close to the road and we have that issue at our school because when cars leave our driveway it is hard to see by the smokers, we are trying to switch our driveway entrance

and exits so that they can stay away from the sidewalk when cars are leaving.
(School Administrator)

Some School Administrators indicated that lack of parental support can challenge enforcement of the policy. It was noted that some parents do not agree with the policy as they do not view student smoking as a significant issue or problem.

One of the other biggest challenges we face is that there is no parental support to enforce this...some have an attitude and a feeling towards cigarettes, and they think that it is fine. And I have had conversations with parents when they have said that their son or daughter could be doing worse, and so they look at it that way. (School Administrator)

A few School Administrators indicated that because nicotine is an addictive drug, students who smoke will find a way to do it, despite school policy. It was noted by one School Administrator that in some ways a 100% smoke-free policy is in fact unsupportive of these students.

The biggest challenge is that smoking is an addiction...they need that cigarette, they are craving that cigarette, so to tell students that we are being uncaring and that we do not care about an addiction, that is not the way to treat young people.
(School Administrator)

One School Administrator indicated that it can be challenging to monitor students smoking on school grounds, and this is fueled by the fact that some teachers overlook students smoking on school grounds.

Effectiveness of School Smoking Policy

When asked if students at their school were smoking on school grounds, 67% (n=794) of high school students, and 49% (n=501) of junior high school students reported that youth are smoking on school grounds and it therefore appears that school smoking policies are not deterring some students from smoking at school, particularly senior high students. The findings from the focus groups echo the survey results, with students from most focus groups indicating that smoking does take place on school grounds.

...people are walking around school with them and no one does anything. Well every once in a while you get a teacher who decides they are going to take them away from you, but they are always the same teachers. (Youth Focus Group Participant)

I honestly can't remember a school that I went to, including elementary school, where there weren't kids who smoked. (Youth Focus Group Participant)

About half of the School Administrators did not think that their school smoking policy was a deterrent to youth smoking. It was consistently noted by these school

administrators that the policy is not a deterrent as students (particularly high school students) can leave the property and therefore still have the opportunity to smoke. Another consistent theme was that the “*hard core*” smokers will not be deterred and these individuals are addicted and therefore face the same challenges as adult smokers in trying to quit. It was also noted by a few School Administrators that smoking is associated with risk taking and rebellious behaviour and therefore a school smoking policy has little impact.

No [the school policy is not a deterrent to smoking] because although we say that there is no smoking on school grounds, students who are addicted will go off school property to have their cigarettes. (School Administrator)

If they [students] are going to smoke then they are going to smoke, they are going to find a spot to go and when they leave school property there are a couple of places that they can go that are not a great deal of a distance away to smoke, basically they leave school property to smoke so it doesn't deter them. (School Administrator)

The other half of the School Administrators did feel that their 100% smoke-free policy is a deterrent for youth as it provides fewer opportunities to smoke. One respondent noted that it “*removes the at-school peer pressure to smoke.*” Another School Administrator indicated that the smoking policy is a deterrent for younger students in particular as they cannot leave the school property, and therefore it limits their access to opportunities to smoke. It was also noted by a few that while the school policy may not deter some students, it is likely helping to reduce the amount they smoke.

I believe that being forceful by saying that they cannot smoke on school grounds does not provide the opportunity for young people to smoke in the area of the school and is definitely [a deterrent]. (School Administrator)

The only time that students actually have the opportunity to go for a smoke is at lunch time, so I think that part even, we are helping students by telling them that they have to make it through the morning, and maybe the hope is that if they can make it through the morning then you can maybe make it through the day. (School Administrator)

The Youth Tobacco Possession Law

This section explores various aspects of the youth tobacco possession law. First, awareness and knowledge of the law are reviewed, followed by an exploration of attitudes about the law. The activities of Peace Officers in enforcing the law are highlighted, as well as the challenges that Peace Officers experience in attempting to enforce the law. The next component of this section focuses on the impact of the law both in terms of youth smoking behaviour and on the development and implementation of school smoking policies. The section concludes with an examination of perceptions about the effectiveness of the law.

Awareness and Knowledge

Awareness and knowledge about the youth tobacco possession law were explored among all study participants including youth, School Administrators and Peace Officers.

Awareness and Knowledge of Youth

On the survey, students were asked if it is against the law for people under the age of 19 years of age to have cigarettes or other tobacco products, with 62% (n=727) of high school students, and 70% (n=714) of junior high school students indicating that this was against the law.

Those who indicated that it was against the law were asked what happens to people who break the law, with the following answers provided:

- | High School (n=589*) | Junior High School (n=648*) |
|------------------------------------|------------------------------------|
| • Don't know (n=200) | • Don't know (n=247) |
| • Nothing (n=139) | • Fined (n=135) |
| • Fined (n=129) | • Arrested (n=97) |
| • Cigarettes are taken away (n=32) | • Nothing (n=38) |
| • Charged (n=24) | • Get in trouble/punished (n=36) |
| • Get in trouble/punished (n=20) | • Charged (n=32) |
| • Warned (n=17) | • Parents called (n=22) |
| • Arrested (n=15) | • Warned (n=19) |
| • Suspended (n=11) | • Cigarettes are taken away (n=11) |
| • Parents called (n=2) | • Suspended (n=8) |
| | • Community Service (n=1) |
| | • Detention (n=1) |
| | • Told to put cigarette out (n=1) |

* Of the 62% of high schools students who indicated it was against the law (n=727), 81% (n=589) provided answers; of the 70% of junior high students who indicated it was against the law (n=714), 91% (n=648) provided answers

Of the 62% (n=727) of high school, and 70% (n=714) of junior high school students who knew it was against the law for people under the age of 19 years of age to possess tobacco products, just 5% (n=32) of high school students and 2% (n=11) of junior high

students were aware of the penalty (i.e., that the cigarettes or tobacco products are taken away).

The majority of focus group participants were aware of the youth tobacco possession law. Participants learned about the law from their parents, news/media (television commercials, advertisements), friends, school (in class, teen health nurses, programs in school) and signs in convenience stores. Interestingly, although the majority of youth who participated in the focus groups said that they were aware of the youth tobacco possession law, they believed that they were not allowed to smoke cigarettes or use tobacco, rather than the fact that it is illegal for them to have tobacco on their person.

I am not really sure when I heard it, it is something that I have known for a while so I am not really sure, maybe it was the news or something. (Youth Focus Group Participant)

Last year during an assembly in the school they said that it is not only illegal to buy it if you are under 19 but it is now illegal to possess it. (Youth Focus Group Participant)

I didn't know that it was illegal to possess, I knew that it was illegal to buy but I didn't know about the whole possession thing. (Youth Focus Group Participant)

Youth who participated in focus groups were asked why they thought people under the age of nineteen were not allowed to possess tobacco. In the junior high school focus groups, it was often suggested that the law was created because young people may not make the best decisions and therefore someone else should be making the decisions about health issues for them. Generally, youth at both the junior and senior high school level suggested that the law was implemented because youth are susceptible to peer pressure and that the law was an attempt to prevent youth from initiating smoking.

. . . when you are younger you are not really aware of the harm that it can cause and you are not really responsible enough to know what it is doing to your body. (Youth Focus Group Participant)

That is probably why they don't have like the lotto or smoking until you are 19, if you don't start during your teenage years because of peer pressure or stress or whatever, then you probably aren't going to start ever. (Youth Focus Group Participant)

. . . it is proven to be so bad for you now that I guess it is the same as any consent of that level. You are under that age but you are mature enough to make that decision but whether or not you really, because you are under so much peer pressure under the age of 19 that they think that it might be peer pressure and not your own decision . . . (Youth Focus Group Participant)

Awareness and Knowledge of Peace Officers

Peace Officer awareness and knowledge of the youth tobacco possession law were assessed through both the survey and telephone interviews. Overall, Peace Officers are not very aware of the law or knowledgeable about its contents. Some officers may know of the existence of the law but are unsure of the details surrounding it.

Of the 83 officers who responded to the survey question asking about the age at which people are permitted to possess tobacco, 60% (n=50) knew the correct age at which tobacco possession was permitted. Over half of the respondents (n=44) reported not knowing the maximum penalty for possession of tobacco by youth. Only 34% (n=28) knew that the penalty for tobacco possession was confiscation of the product. Forty-four percent (n=36) of respondents indicated they did not know if there was a provision for suspending a minor's driver's licence as part of the youth tobacco possession law (there is no such provision in the law). In a written comment in the survey, one officer said that she/he was completely unaware of the youth tobacco possession law until being provided with the survey.

What do you give the kids? A SOT [Summary Offence Ticket] or a Promise to Appear? (Peace Officer)

Awareness and Knowledge of School Administrators

During the interviews with the School Administrators, respondents were asked to describe the youth tobacco possession component of the Smoke-free Places Act. All of the School Administrators were quite knowledgeable about the Act, with all noting that it was illegal for youth to possess tobacco products and most suggesting that the consequences if caught – that the tobacco products are simply taken away – are weak. None of the School Administrators interviewed, however commented on the provisions of the Act that ban smoking on school properties and what impact those components of the Act have had on school smoking policies.

Attitudes

Attitudes about the youth tobacco possession law were explored among both students and Peace Officers. Specifically, the students were asked if they felt that it should be against the law for people under the age of 19 years to possess tobacco products, and if so, what should happen to youth who break the law. Youth attitudes were further explored during the focus groups. Peace Officers were asked their opinion of the law through the survey and interviews.

Youth Attitudes about the Youth Tobacco Possession Law

Fifty-two percent (n=612) of high school students, and 72% (n=728) of junior high school students indicated that it should be against the law for youth under the age of 19 years to possess tobacco products.

Those who indicated that it should be against the law were asked what should happen to people under the age of 19 who break the law. The respondents were provided with six close-ended answers as depicted in Figure 1 (respondents could check as many answers as they wanted). As illustrated, high school students most often indicated that youth who break the law should get a fine, as did junior high school students. Other frequent responses (said by over half of respondents) included: taking their cigarettes or tobacco products away, having to go to a quit smoking education program, and informing parents.

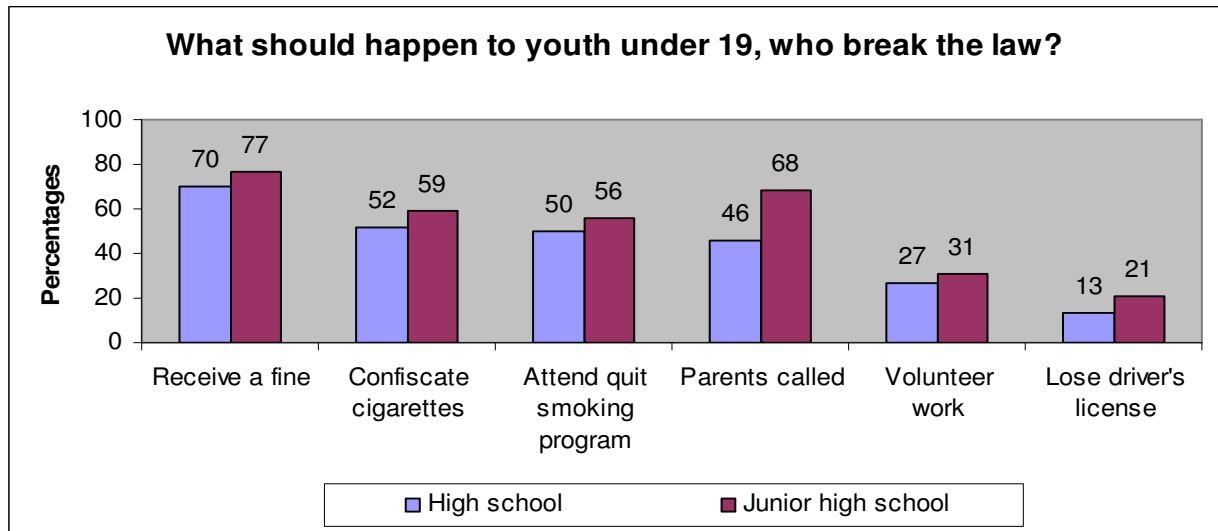


Figure 1: Youth Attitudes about the Consequences for Breaking the Law

Youth attitudes about the youth tobacco possession law expressed in the survey were reinforced in the focus groups. Youth participating in junior high school focus groups were more inclined than high school students to support the law. Support for the law acknowledged the strong influence of peer pressure on youth.

... when you are younger, you get peer pressured into so much, and that happens at a younger age each year, and people want to be deviant and defy certain rules, and they are going to start smoking, and then you are going to get your friends into it and then they are going to get their friends into it and so on. (Youth Focus Group Participant)

Yeah, you want to keep your friends, no one wants to be a loner, and if your friends smoke and you don't then they probably aren't going to want to have you around anymore. (Youth Focus Group Participant)

However, despite the general support for the law in both junior and senior high school focus groups, there were also strong opponents of the law. The majority of the opponents to the law indicated that making tobacco possession illegal has little or no affect on those already smoking. Some students suggested that making the activity illegal increased the attraction to tobacco. A trend in the high school focus groups was the belief that the age for legal possession of tobacco should be lowered to sixteen from nineteen.

. . . people are going to find ways to do it anyway, whether it is illegal or not, they are going to find some cigarettes. (Youth Focus Group Participant)

I think the age limit kind of makes people want to do it, if you say that you can't do something unless you are 19 or older, it kind of makes you want to do it just to see, and just because you will be breaking the law doesn't mean that you aren't going to do it. But if they didn't have the age limit there then it probably wouldn't be such a big factor. (Youth Focus Group Participant)

I think that at 16, if you are old enough to drive a car, and take other people's lives into your own hands, then you should be responsible to know what you are doing to your body when you smoke. If you are trusted with other people's lives then they should trust you with your own life. (Youth Focus Group Participant)

Peace Officer Attitudes about the Youth Tobacco Possession Law

Peace Officers participating in both the survey and the interviews believe that the law is unenforceable mostly because there are no significant consequences associated with breaking the law. One Peace Officer described the youth tobacco possession law as a "non-law." Almost half of survey respondents (49%; n=40) believe that the youth tobacco possession law is largely unenforceable. Officers generally expressed that the law is a low priority in the scope of other work that they do.

The issue is so far down the scale it is really the last thing we do. (Peace Officer)

The impact for us has been negative – we are expected to do something about smoking but we really can't do anything – so it makes us look bad. (Peace Officer)

Peace Officers also expressed through both the interviews and the surveys their belief that the direction from the Department of Justice was minimal when the law was implemented. The lack of direction from the Department of Justice has served as an internal indicator to peace officers that this law is not a priority. Support or training was not provided and the officers generally do not know what to do with the law.

We get our direction from the Department of Justice/Public Safety – if they are pushing the law and coming out and educating us about the law – then we know it is a priority – the way this law has been promoted (through lack of promotion) it tells us that this law is really a low priority. (Peace Officer)

We have to educate everyone in the system – we felt the Crown really did not want to pursue this as they only sent out an e-mail to note the law came into place. (Peace Officer)

Many Peace Officers also see tobacco use as more of a health issue that should be addressed through education by the schools, community and parents. Several officers

who participated in interviews stated that they feel that the schools are being complacent about youth smoking, as evidenced by the fact that schools are not calling them in to do “sweeps” of smokers.

This is more of a health driven issue than justice driven – but the police end up with it because it is a law – but we really do not police “health” issues. (Peace Officer)

Within the school system the kids have always been able to smoke – now they just walk off property and nothing is being done. (Peace Officer)

The schools – the back-door of most high schools have 30-40 kids smoking, all the staff are watching, no one calls us from the school and asks us to come in every so often and grab the smokes – so it is not being enforced . . . it is not really supported by the schools; even when the kids are off property the schools could call us in to get the smokes from the kids. The kids see this as acceptance of smoking. (Peace Officer)

Fifty-five percent (n=45) of survey respondents disagreed with the idea that enforcing the province’s youth tobacco possession law is an important function within their department. Over half of survey respondents (58%, n=47) believe that the time and effort in a police department spent enforcing the youth tobacco possession law could be better used elsewhere.

Kids have been smoking for generations, what kids have not been doing is stealing cars, robbing and assaulting people and using drugs – where should we put our policing efforts? (Peace Officer)

Enforcement Activities of Peace Officers

Very few peace officers who participated in the survey have been involved in enforcing the youth tobacco possession law. Of the 84 survey participants, 86% (n=72) indicated they have never been involved in the enforcement of the youth tobacco possession law. As shown in Figure 2, of the 12 officers who had been involved in enforcing the law, over half (n=7) have only enforced the law once a year or less.

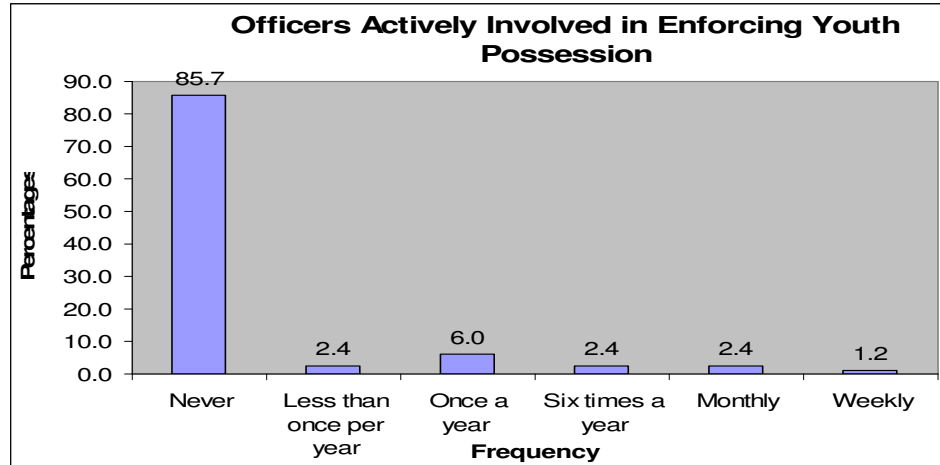


Figure 2: Officers Involved in Enforcing the Youth Tobacco Possession Law

The results of the interviews with Peace Officers also suggest that very few officers are involved in enforcement of the youth tobacco possession law.

We really do not do much with youth tobacco. The kids know me, they see me coming and they either respect me or know they will have to put it out. So they don't smoke when I am around or put them out when they see me coming. (Peace Officer)

We have never really enforced the tobacco law. (Peace Officer)

Of the twelve survey respondents who indicated that they were involved in the enforcement of the youth tobacco possession law 75% (n=9) indicated that they were most likely to enforce the law in or around schools. Other locations listed were youth centres, in or near retail outlets/shopping malls, theatres and rinks.

One issue that arose in a few interviews with Peace Officers is the occasional use of the youth tobacco possession law as a tool to get something else from youth. One officer indicated the threat of charging a youth with tobacco possession has been used as a means of getting other information on more serious crimes. Another officer indicated that youth tobacco possession is an opportunity to better address problems with youth.

If I have a group of youths causing problems, we use tobacco as a lever against them – in the same vein, if we have a “good” group of kids we don't want to alienate them – so we don't enforce tobacco. (Peace Officer)

So, on the beat, we use tobacco possession to gain information on more serious crimes. A lot of times tobacco crimes are used as a bargaining chip to get other information because we really do not use the tobacco infractions as they have been designed. (Peace Officer)

Challenges to Enforcing the Youth Tobacco Possession Law

Peace Officers who participated in the survey identified that there are a number of challenges to enforcing the law, as shown in Figure 3 (respondents could choose more than one challenge). Following the figure, additional details are provided about the more commonly cited challenges. Eight percent (n=7) of respondents indicated that they had not experienced any challenges (it is not known if these seven respondents have ever tried to enforce the youth tobacco possession law).

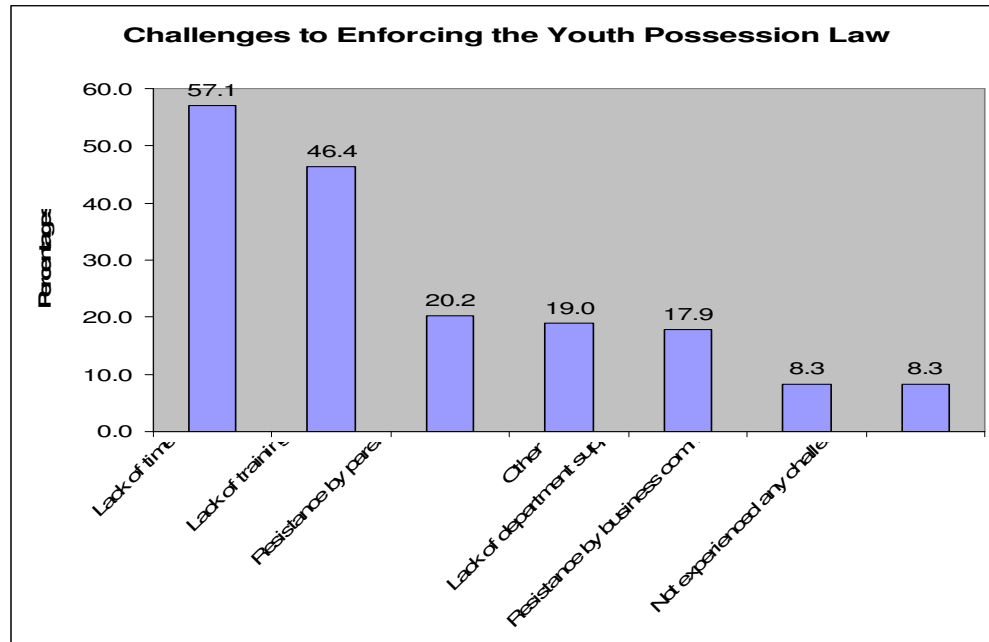


Figure 3: Challenges to Enforcing the Youth Tobacco Possession Law

Lack of Time

The greatest challenge indicated by the survey respondents was a lack of time. Fifty-seven percent (n=48) of respondents identified lack of time as a challenge to enforcing the youth tobacco possession law. In conjunction with all of the other activities that the police were responsible for, confiscating cigarettes was noted as being a low priority. This challenge was echoed in the interviews with peace officers.

Right now we don't have the time to walk around doing foot patrols to catch youth smokers. (Peace Officer)

The law is ineffective – therefore it is not enforced! No one has the time. (Peace Officer)

Not something we really have time to deal with it. (Peace Officer)

Administering the Tobacco Act in the scale of everything that the police are faced with - it is really near the bottom. It is a shame, but the resources are not there. (Peace Officer)

Lack of Training

Forty-six percent (n=39) of survey respondents indicated that a lack of training was a challenge to enforcing the law. In addition, 71% (n=58) of Peace Officers surveyed indicated they would like to have in-service training about the youth tobacco possession law. Despite the level of interest in receiving training, 97% (n=80) of survey respondents report that they have not been provided with in-service training on enforcing the youth tobacco possession law.

If officers [are not trained], they will not really know what to do or make this a priority. (Peace Officer)

Having someone come in makes it a priority – we just have so much to deal with, it would not take too long to do a little talk to us about this. We need to be trained if we are to enforce it. (Peace Officer)

Resistance by Parents

Twenty percent (n=17) of respondents noted that parents were a challenge to enforcing the law. This challenge echoes a similar challenge experienced by school administrators in enforcing school smoking policies - quite often parents provide tobacco and permit youth to use tobacco.

If you were to seize someone's cigarettes – it takes a lot of time and paperwork – then you call the parents and find that the kids have permission to smoke and the parents are upset with you for taking the smokes; it really is not worth it. (Peace Officer)

Half the time the parents are right there and they squawk at me and they can't understand; I generally wind up giving the parents back the tobacco – and tell them that it is illegal to provide tobacco to minors. (Peace Officer)

Because of the way the law is written, all you can do is confiscate the tobacco – you destroy them, and then the parents are calling us furious that we would do that. (Peace Officer)

Lack of Department Support

Almost one fifth (18%; n=15) of Peace Officers who responded to the survey indicated that a lack of department support for enforcing the law was a challenge. The lack of training, time for enforcement and the perception that youth smoking is a health issue not a justice issue were all cited in the Peace Officer interviews as indicators of a lack of departmental support.

The perception on the force is that it should not really be enforced, many see it as a health issue that should be dealt with by the individual; people [officers] ask, "How far should the government infringe on people's lives?" (Peace Officer)

FUNDING! Funding has to be available to departments to put together a Taskforce to educate youth on the laws, and to do surveillance and make actual apprehensions – even if our hands are tied under YCJA [Youth Criminal Justice Act]. (Peace Officer)

Overall, only 18% (n=14) agreed with the statement that their administration has been supportive of enforcing the province's youth tobacco possession law.

Potential Conflicts with Other Legislation

A few Peace Officers suggested that the youth tobacco possession law is in conflict with other legislation. In particular, officers noted potential conflicts with the Youth Criminal Justice Act (YCJA) and the Criminal Code.

The Youth Criminal Justice Act (YCJA) - before the police can prosecute we have to consider our four steps: one is do nothing, two and three are giving a verbal or written warning/reprimand, four is we also have to refer the youth to the proper agency for treatment if they identify that they are addicted to tobacco – these are our four steps before we do anything under YCJA – most opt to go with step one and do nothing. (Peace Officer)

People are always making laws that we cannot enforce under the Criminal Code; we are not allowed to confiscate things unless they are illegal under the Canadian Criminal Code, evidence in a crime or we have a warrant. (Peace Officer)

During the interviews, Peace Officers who have been involved in enforcing the youth tobacco possession law indicated that youth have developed strategies to minimize the impact of having their tobacco confiscated. This creates another challenge for enforcement.

They never have more than one cigarette on them at a time – so there is nothing else to confiscate. (Peace Officer)

School Liaison Officers

Identifying the right officer to be responsible for enforcement also appears to be a challenge. Some officers believe that school liaison officers should be responsible for enforcement of the law, while school liaison officers expressed a concern that enforcing the law breaks down relationships they have developed with students.

Enforcing the law is hit and miss for regular officers. The school liaison officers have the advantage if they want to deal with it. (Peace Officer)

Other officers express the breakdown of relationships with the youths when they enforce the law. (Peace Officer)

. . . [it's] hard enough getting the youth on your side and then going and seizing their cigarettes. Sounds a little like Nazi Germany. If you are going to enforce the law don't use the police, hire a special team or person for each area to enforce this. We are supposed to be doing community policing. (Peace Officer)

Impact of the Youth Tobacco Possession Law

The youth survey and focus groups explored the impact of the youth tobacco possession law on youth smoking and the interviews with School Administrators examined the impact of the law on school policies.

Consequences of Getting Caught

According to the student survey, youth are getting caught by the police with cigarettes or tobacco products. As depicted in Figure 4, over two thirds of both junior and senior high school students know of someone who has been caught, with close to one fifth of high school students and 10% of junior high students indicating that they had been caught by the police with cigarettes or tobacco products.

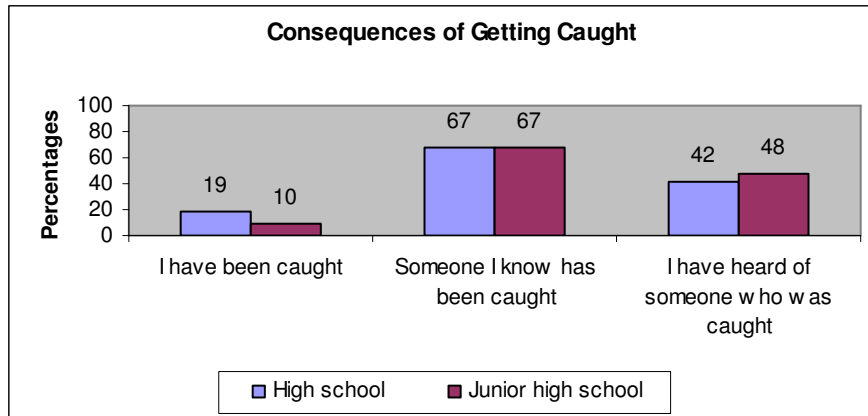


Figure 4: Consequences of Getting Caught

Respondents who indicated that they or someone they knew had been caught by the police/RCMP with cigarettes or tobacco products were asked to indicate what had happened. Of all student respondents, 18% (n=195) of high school students and 23% (n=234) of junior high school students provided the following responses:

High School (n=195)

- Nothing (n=69)
- Cigarettes taken/broken (n=38)
- Don't know (n=32)
- Verbal warning (n=20)
- Suspended (n=16)
- Fined (n=8)

Junior High School (n=234)

- Don't know (n=83)
- Cigarettes taken/broken (n=35)
- Suspended or expelled (n=28)
- Verbal warning (n=23)
- Nothing (n=17)
- Parents called (n=17)

- Parents called (n=6)
- Get in trouble/punished (n=3)
- Arrested (n=2)
- Charged (n=1)
- Fined (n=9)
- Get in trouble/punished (n=6)
- Arrested (n=5)
- Charged (n=3)
- Juvenile detention centre (n=3)
- Asked to empty pockets (n=2)
- Community Service (n=1)
- Detention (n=1)
- Locker searched (n=1)

The response provided most often by high schools students who answered the question was that “nothing” happened when they, someone they knew, or someone they had heard about were caught with cigarettes or tobacco products. Just under a fifth of high school students who responded (n=38) indicated that the cigarettes were taken away.

The response provided most often by junior high school students who answered the question was that they “didn’t know” what happened when someone they knew or someone they had heard about were caught with cigarettes or tobacco products. Fifteen percent of junior high students who responded (n=35) indicated that the cigarettes were taken away.

Youth were also asked about this issue in the focus groups with similar results to the survey. Generally, there were misconceptions about the extent of the penalties associated with tobacco possession. Several focus group participants expressed that nothing really happened when they were caught smoking.

Well, if the cops are driving past and they see someone who might be under the age of 19 smoking, I don't think they are going to care enough to stop and say something. (Youth Focus Group Participant)

The cops would be out there and just walk up to random people and say “give me your cigarettes” and it is not really that big of a deal. It was just kind of this thing where they would walk up to you and take your cigarette and then you would just have another one after they left. (Youth Focus Group Participant)

If the cops actually cared and took people's smokes then people would probably know that they couldn't have them. (Youth Focus Group Participant)

I was told out there by a police officer to put it out and the next time they were going to search me. (Youth Focus Group Participant)

A few participants expressed frustration about the apparent inconsistency between school policies and the youth tobacco possession law.

I know that now it is illegal to smoke on school property, but yet the school is the one that made this area just off of school grounds for us to smoke, and if it is illegal for us to possess tobacco, we obviously have tobacco products if we go out there on our breaks and smoke. So the school pretends like they are doing

something about that, but as soon as we are off grounds then it is ok, but when we go back on school grounds, they still don't do anything. (Youth Focus Group Participant)

If they are going to make an Act to make people stop smoking then I think they have to be willing to enforce it. So the fact that you are able to smoke here at [name of school] really bothers me and that is against the law, yet [name of school] is allowing that, so I think that is important. (Youth Focus Group Participant)

Focus group participants suggested that youth devise strategies in anticipation of getting caught. If youth are in an area where the police are vigorous in enforcing the youth tobacco possession law, the youth will carry a minimal amount of tobacco with them. That way, if one or two cigarettes are confiscated, it has very little real impact on them.

Potential Impact of Greater Consequences

On the student survey youth were asked how often they smoked cigarettes or used tobacco products with 21% (n=239) of high school students and 8% (n=76) of junior high students indicating that they smoke at least once a day or once every week. These students were then asked if they would be less likely to smoke if they knew they could be charged by the police/RCMP for having cigarettes. Of these students, 86% (n=204) of high school students and 78% (n=58) of junior high students indicated that being charged would NOT be a deterrent.

The potential impact of greater consequences was also discussed in the focus groups with youth. The standard reply to the question "Have you, or anyone you know, made the decision not to smoke, or not to use tobacco products, because it is not permitted by law?" was laughter. The youth did not consider the law to be a deterrent to smoking at all. Coupled with the current penalties and level of enforcement, being a legal or illegal action has very little bearing on whether or not youth will use tobacco products. Only twice in the eight focus groups did an individual suggest that they know of someone who will not smoke because it is illegal. The overwhelming consensus is that everyone else decides not to smoke for other reasons or does not care about the law as there are no consequences.

Yeah, I don't know if anyone has quit because it was illegal, just of personal issues really. (Youth Focus Group Participant)

If they [police] actually enforced the law, they say that it is illegal but they don't do anything about it. (Youth Focus Group Participant)

. . . if you start smoking then you are obviously going to continue even if it is illegal. Just because cops and your parents say that you aren't allowed then you aren't going to stop just because of them. (Youth Focus Group Participant)

People just don't care, even if teachers and staff were to take the time to stop and tell them that it is illegal, they still don't care, they are just going to laugh in their face and keep smoking. (Youth Focus Group Participant)

During the focus groups, options about confiscating tobacco as a deterrent to youth tobacco possession were explored. The options discussed included fines, community service, participation in educational programs, a suspension of driving privileges, or a combination of these deterrents. Participants believed that fines, educational programs, confiscation of tobacco or community service work would not have much impact on their decision to use tobacco. Suspension of driving privileges generated the most discussion, with participants expressing strong opposition to this action as a deterrent. The main message from those who were smokers in the focus groups was that they were addicted to tobacco and any of the deterrents discussed would not have an impact on their decision to continue to use tobacco.

They aren't going to listen, they are going to do what they want to do, whether it is a law or not. If they are addicted then nothing is going to be able to make them stop. (Youth Focus Group Participant)

I think someone should be allowed to have them if you are addicted to it, because if you are addicted to something then you can't not have it. (Youth Focus Group Participant)

Impact of the Law on School Policy

The School Administrators interviewed generally felt that the youth tobacco possession law was not effective in supporting their school smoking policy because of the fact that there are no consequences for youth who break the law and as a result the law is rarely (and most said never) enforced. Therefore students have access to tobacco products and the opportunity to smoke when they leave school grounds.

The law is there yet we can't use it as a deterrent and there is no point in even mentioning it to students that they are not old enough to be possessing cigarettes because they will just laugh and say 'what difference does it make?' and the policy won't deal with it, and I am not saying that they don't at some point stop someone on the road and they see a person with cigarettes, they might take them, I don't know, but they are not doing it here at the school. (School Administrator)

At senior high, because there are so few deterrents, once they are off school property there aren't any other deterrents, so therefore they sort of make a mockery of the whole thing. (School Administrator)

However, school administrators consistently indicated that the youth tobacco possession law has been somewhat helpful in enforcing their school policy as they can refer to it and can explain to both parents and students that they are in violation of a provincial law

when they are caught smoking on school grounds. As noted, schools can “lean on” the provincial legislation to help justify their local school policy.

[The youth tobacco possession component of the Smoke-free Places Act] hasn't been very helpful [in enforcing school non-smoking policy] but we have used it in order to justify our position, therefore we make reference and we say 'look, this is what the law says and we are here to support the law' and therefore this is an area that we need to support, and I tell people that I can't pick and choose which laws I am going to enforce, therefore I do them all...so everybody has hinged their policy on what the province has stated, because you don't want to be in violation of that. (School Administrator)

I was under the belief that any person under the age of 19 years of age who was in possession of tobacco products and/or smoking, was in violation of the Act, therefore could suffer a penalty, so therefore, that was helpful because that is what we have conveyed to our students, but then obviously they do not see that as a deterrent because it is not enforced. (School Administrator)

A few School Administrators also indicated that once the legislation was passed, the school then had the support it required to implement a 100% smoke-free policy.

Perceptions of Effectiveness of the Youth Tobacco Possession Law

The perceived effectiveness of the youth tobacco possession law was explored in the study through the School Administrator interviews and the Peace Officer surveys and interviews.

Peace Officers' Perceptions

Peace Officers indicate that the law, as it is, is very ineffective. The majority of officers express that the law is not taken seriously as there are no consequences from the actions other than confiscation of tobacco. Eighty percent (n=66) of survey respondents said they agreed that regardless of whether or not police departments enforce the youth tobacco possession law, youth are going to smoke anyway.

They are at that tough age where enforcement is not the answer – it has to be education from the schools. (Peace Officer)

No matter what the age is they need a desire to quit – we cannot force them to quit. (Peace Officer)

There is less smoking, but it is the education of health and not the law that is reducing smoking. (Peace Officer)

The only impact is the law has put some onus on the people who are selling. (Peace Officer)

We do not know what the end result would be if we enforced it; so we do not know if it is a good law; the way it is written it has no impact. (Peace Officer)

Many officers expressed that the law would need to have some form of penalty for it to be taken as a serious measure by youth.

There needs to be more punishment. That way people will see it as being wrong – people feel that [the government] don't really mean it is serious. (Peace Officer)

It is like the liquor control act, there is a fairly substantial fine (and it is a big deterrent) the kids really try hard not to get caught, but with smoking they just don't care – youth smoking is so mainstream – there is no real punishment, therefore it isn't really illegal to them. (Peace Officer)

School Administrators' Perceptions

It was consistently noted by the School Administrators that, generally, the youth tobacco possession law is not a deterrent to youth smoking as there are no consequences and without “teeth” or “a bite” policies and laws are not useful.

In anything, if there is a law or a policy, if there is not a consequence for violating it, it really becomes a useless document... from what I understand if someone is under 19 and they are carrying cigarettes and law enforcement is involved, then they have the right to take them from them and that is the end of it. So for a youth looking at what is the worst thing that can happen, they can lose their cigarettes. So it doesn't have any bite, and when you look at law enforcement officers... Why would I get involved in something that has no bite to it? So I think that there is a contradiction in that law - if it is illegal to purchase them then it should be illegal to smoke them, but what is the consequence? (School Administrator)

A couple of School Administrators indicated that the law does have good intentions and may limit access to some degree but they too agreed that without any penalty the law is not effective.

Key Observations

The observations about the study findings are organized under each of the three objectives of the study. First are the observations about the role of Peace Officers in enforcing the Act, second are the observations about the impact of the Act on school policies, and third, observations about the effectiveness of the Act in deterring youth smoking.

Role of Peace Officers

- It is clear from both the Peace Officer surveys and interviews that most Peace Officers are not involved in regular enforcement of the youth tobacco possession law. Many Peace Officers are not even aware about details of the law. It is also the experience of School Administrators and youth that the youth tobacco possession law is to a large extent not enforced by Peace Officers.
- Peace Officers do not believe that enforcing tobacco possession is an important role for them. Tobacco reduction is viewed as a health issue, not a justice issue, and officers believe that there are other priorities on which their departments should be spending the time that it takes to enforce the youth tobacco possession law.
- Peace Officers have not felt supported in the enforcement of the youth tobacco possession law. Lack of emphasis from the Department of Justice has given the impression that the law is unimportant and lack of training opportunities about the law has resulted in a widespread lack of knowledge among Peace Officers about how to enforce the law.
- The youth tobacco possession law may be in conflict with other pieces of legislation, such as the Youth Criminal Justice Act or the Criminal Code. Even if the Act is not in conflict with other legislation, there is a perception among police officers that such a conflict exists, which results in reluctance to enforce the youth tobacco possession law.

Impact of the Act on School Policy

- The creation of the youth tobacco possession law served as the impetus for school boards to create and implement youth smoking policies. Only a few School Administrators suggested that the Act provided the support they needed to establishing 100% smoke-free school policies, although notwithstanding the youth possession provisions of the Act, it legislates that smoking be prohibited where youth are present.
- For some School Administrators, creation of the youth tobacco possession law has been helpful in enforcing their school policy. School Administrators can refer to the law to explain to both parents and students that they are in violation of a provincial law when they are caught smoking on school grounds.

- The two above described benefits appear to be the only impact of the youth tobacco possession law on school policies. The law has not helped to deter smoking on school grounds, because of the lack of enforcement by Peace Officers and the lack of significant consequences for violating the law.

Effectiveness of the Act in Deterring Youth Smoking

- Based on the results of this study, it appears that the youth tobacco possession law has had no impact in deterring youth smoking. Students are still smoking on school grounds in some areas. Although many students are getting caught smoking by Peace Officers, in many cases there appears to be no consequences for violation of the law.
- Youth do not perceive the consequences of the law as a reason not to smoke. Youth smokers in particular indicate that laws and policies are insufficient motivators for them to quit smoking.

Conclusions

Although implemented with the good intention of reducing the prevalence of youth smoking, it appears from this study that the youth tobacco possession law has not achieved this goal. Many youth are unaware of the law and its consequences which makes it highly unlikely that the law serves as any deterrent for these youth. For youth who smoke, the lack of enforcement of the law and the resulting minimalist consequences of the law if they are caught with cigarettes do not represent a deterrent that would keep them from smoking.

With the limited resources available to police departments and the current low priority placed on enforcing the youth tobacco possession law, it is unlikely that there will be any significant increases in the level of enforcement of the Act in the foreseeable future. It is unclear if an increase in the level of enforcement or in the severity of consequences would impact on youth smoking.

References

- 2000-2002 Report on Tobacco Control; An Update.* Health Canada, Jan. 2004.
http://www.hc-sc.gc.ca/hecs-sesc/tobacco/policy/tcr_update_2000_2002/ch3.htm
- A Critical Analysis of Youth Access Laws.* Canadian Cancer Society, Sept. 2002
http://www.cancer.ca/vgn/images/portal/cit_776/48/38/69664397cw_criticalanalysisyouthaccesslaws_en.pdf
- A Territorial Law to Control Tobacco Use: What Do You Think?* Northwest Territories Health & Social Services, January, 2003.
<http://www.hlthss.gov.nt.ca/Features/Initiatives/tobaccopdf/nwttobaccodiscussionpaperJan03.pdf>
- Alberta Tobacco Reduction Strategy: Report Card for 2002/2003.* Campaign for a Smoke-Free Alberta (formerly the Alberta Campaign for Action on Tobacco), 2004.
www.smokefreealberta.com
- Best Practices in Tobacco Control: A Vision for Saskatchewan.* Saskatchewan Coalition for Tobacco Reduction, 2004.
http://www.rqhealth.ca/inside/hlthy_live_learn/smoking_bylaw/pdf_files/tobacco_control_book.pdf
- “*Cancer Society Raps Teen Smoking Law,*” Calgary Herald, Calgary, AB, January 24, 2003.
- Challenging Conventional Wisdom on Youth Access to Tobacco: A Report of the Ministerial Advisory Council on Tobacco Control.* Health Canada, Sept. 11, 2002.
http://www.cqct.qc.ca/Documents_docs/DOCU_2002/BRIE_02_09_11_MAC_AccessReport.PDF
- Effects of Enforcement of Youth Access Laws on Smoking Prevalence.* Jason LA, Berk M, Schnopp-Wyatt DL, Talbot B American Journal of Community Psychology, Apr 1999; 27 (2): 143-160.
- Evaluating the Effects of Enforcements and Fines on Youth Smoking.* Jason LA; Pokorny SB; Schoeny ME, Critical Public Health (CRIT PUBLIC HEALTH), Mar 2003; 13(1): 33-45.
- Impact Study of Tobacco Possession Law Enforcement in Florida.* Livingood, et al. Health Education & Behavior, December 2001.
- “*Investing in Youth Tobacco Control: A Review of Smoking Prevention and Control Strategies*” Paula M Lantza, et al.
<http://tc.bmjournals.com/cgi/content/full/9/1/47>

Judicial Attitudes and Dispositions Towards Texas Tobacco Laws and Tobacco Enforcement Activities; Annual Report Presented to the Texas Department of Health: Office of Tobacco Prevention and Control. Snell, Clete *et al.* Prairie View A&M University, School of Juvenile Justice and Psychology, Jan. 2001.

Law Enforcement Officer Attitudes Towards Texas Tobacco Laws and Tobacco Enforcement Activities; Annual Report Presented to the Texas Department of Health: Office of Tobacco Prevention and Control. Snell, Clete *et al.* Prairie View A&M University, School of Juvenile Justice and Psychology, Jan. 2001.

Law Enforcement Study, Impact of Possession Enforcement. Florida Office of Tobacco Control, Executive Summary.
<http://tobacco.med.miami.edu/lawenfstudy.htm>

Minors' tobacco possession law violations and intentions to smoke: implications for tobacco control. N H Gottlieb, *et al.* Tobacco Control; **13**:237-243, 2004.

Nova Scotia Tobacco Control Strategy Evaluation Framework. Heath, Stephanie, Research Power Incorporated, February 2002.

Penalizing Kids for Buying, Possessing, or Smoking Cigarettes, Campaign for Tobacco-Free Kids, National Center for Tobacco-Free Kids, January 15, 2000.
www.tobaccofreekids.org

Prevention of Youth Tobacco Use Amendment Act, Government of Alberta, September 1, 2004. www.qp.gov.ab.ca/catalogue.

Proposed Bill Against Teen Smoking. Carmen Daniels, Alberta (Dec 9, 1999)
Alberta Plans to Crack Down on Teen Smoking [news].
<http://www.ayn.ca/ViewNews.aspx?id=67>

Reducing Tobacco Use Among Youth: Effective Prevention and Cessation Strategies. Paul Macdonald, University of Waterloo, Centre for Behavioural Research and Program Evaluation, Ontario Tobacco Research Unit (Powerpoint Presentation).

Responses to Tobacco Control Policies Among Youth. Crawford, Balch, Mermelstein and The Tobacco Control Network Writing Group
<http://tc.bmjournals.com/cgi/content/full/11/1/14>

State Laws on Tobacco Control — United States. Office on Smoking and Health, National Center for Chronic Prevention and Health Promotion, Centre for Disease Control, CDC. 1998.

Teen penalties for tobacco possession, use, and purchase: evidence and issues. M Wakefield and G Giovino,

http://tc.bmjournals.com/cgi/content/full/12/suppl_1/i6?ijkey=OLgohH48RQ6gQ&keytype=ref&siteid=bmjournals

Texas Tobacco Prevention Initiative Judicial Survey. Snell, Clete *et al.* Prairie View A&M University, School of Juvenile Justice and Psychology and Southwest Texas State University, Statewide Tobacco Education & Prevention (STEP) Program, Jan. 2001.

Texas Tobacco Prevention Initiative Law Enforcement Survey. Snell, Clete *et al.* Prairie View A&M University, School of Juvenile Justice and Psychology and Southwest Texas State University, Statewide Tobacco Education & Prevention (STEP) Program, Jan. 2001.

The Effect of Public Policies and Prices on Youth Smoking. Hana Ross and Frank J. Chaloupka, *Southern Economic Journal*, 2004; 70(4), 796–815.

The National Strategy: Moving Forward. The 2003 Progress Report on Tobacco Control http://www.hc-sc.gc.ca/hecs-sesc/tobacco/policy/prog03/05_progress.html

The Tobacco Control Country Profiles (2nd edition). Omar Shafey, Suzanne Dolwick and G. Emmanuel Guindon, Eds. American Cancer Society, Inc., World Health Organization, and International Union Against Cancer. 2003. www.who.int

The Tobacco Control Environment: Ontario and Beyond. Ontario Tobacco Research Unit Nov. 17, 2004. http://www.otru.org/pdf/10mr/10mr_no1_final.pdf

Tobacco Policy and the Role of Law Enforcement in Prevention: The Value of Understanding Context, Woodhouse, *et al.* *Qualitative Health Research*, Sage Publications, September 2001; Vol. 11 No. 5, 682-692

Tobacco Possession, Saskatchewan Elocution and Debate Association, Fall, 2003. <http://www.saskdebate.com/resources/respack/tobaccopossession.pdf>

Towards a coordinated research agenda to reduce tobacco-related problems in Canada. Report on the Canadian Tobacco Control Research Summit, April 19-21, 2002; Ottawa http://www.ctcri.ca/files/CTCRS_report_shrt.pdf

“Too soon for youth tobacco possession law in Saskatchewan” –Saskatchewan Division of Canadian Cancer Society [news release] – April 03, 2002 http://www.cancer.ca/ccs/internet/mediareleaselist/0,,3702_434513_440137_langId-en.html

Youth Possession Laws and Youth Access. Alberta Tobacco Reduction Agency, ATRA, 2000.

Youth Smoking and Access to Tobacco in Alberta: The Alberta Youth Experience Survey 2002. Alberta Alcohol and Drug Abuse Commission (AADAC), 2002.

http://corp.aadac.com/content/corporate/research/TAYES-BR-Youth_Smoking_Access.pdf

Youth Smoking Survey – Health Canada Tobacco Control. Tobacco Control Programme, Health Canada, accessed 12-8-2004. <http://www.hc-sc.gc.ca/hecs-sesc/tobacco/research/yss/01.html>

Youth Tobacco Act Diversion Plan, RCMP Administrator Survey. Fort McMurray RCMP, 24, 06, 2004.

Youth Tobacco Act Diversion Plan, RCMP Business Plan. Fort McMurray RCMP, 24, 06, 2004.

Youth Tobacco Act Diversion Plan, RCMP Youth Survey. Fort McMurray RCMP, 24, 06, 2004.

Youth Tobacco Cessation: A Guide for Making Informed Decisions National Cancer Institute et al (US) <http://www.ctcri.ca/files/YTC.pdf>

Youth Tobacco Possession Laws [news] Canadian Cancer Society, Nov 02, 2004
http://www.cancer.ca/ccs/internet/standard/0,3182,3702_334407__langId-en,00.html

Youth Tobacco Possession Laws, Policy Analysis. Canadian Cancer Society, September 2001.
http://www.cancer.ca/vgn/images/portal/cit_776/0/49/72971528cw_youthtobaccopossesi onlaws_en.pdf