

Smoking bans in prison: time for a breather?

Introducing a total smoke-free policy in prisons is not without problems

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Successful public health campaigns have contributed to reducing daily smoking rates in the general Australian population from 24% in 1991 to 13% in 2013.¹ However, this reduction has not been mirrored in prisons, where no downward trend is apparent and the rate remains stubbornly high at around 84%.² High rates of community smoking persist in groups over-represented in the criminal justice system — the mentally ill (32% of current smokers had a 12-month mental disorder, compared with 16% of non-smokers),³ Indigenous people (44% of Indigenous v 16% of non-Indigenous Australians)⁴ and illicit drug users (37%).¹

Smoking bans are becoming the norm in Australian prisons, driven mostly by concerns about the effects of second-hand smoke on non-smokers and potential legal action by non-smoking prison staff and prisoners. On 1 July 2013, the Northern Territory was the first Australian jurisdiction to implement a total smoking ban in prisons. Queensland followed suit with a total ban in May 2014, Tasmania from February 2015, and Victoria from July 2015. New South Wales implemented a full smoking ban in its prisons in August 2015; South Australia, Western Australia and the Australian Capital Territory will probably follow suit in the near future. Implementation of smoke-free policies in combination with smoking cessation interventions benefit prisoner health by reducing active smoking and second-hand smoke levels.⁵

Nevertheless, introducing a total smoke-free policy in prisons is not without problems. There is evidence that enforced prison smoking bans result in black markets in tobacco and other smokable substances.^{5,6} In one study, researchers reported that a smoking ban was unsuccessful because of low compliance; three-quarters of prisoners continued to smoke illicitly in prison after introduction of the ban.⁶ Despite imposing ever more severe penalties on the use of contraband goods and spending increasing sums of money on prohibition, very few jails and prisons in the United States, Australia and elsewhere have achieved completely drug-free (including tobacco-free) environments.

Further, fears have been raised that enforced smoking bans in prisons could lead to an escalation of violence. The recent riot at the Melbourne Remand Centre is believed to have been caused by the imminent ban on smoking.⁷ However, a literature review found little or no evidence of increased violence following the implementation of smoke-free policies in US jails and prisons.⁵

While banning smoking outright undoubtedly improves air quality⁸ and avoids possible litigation, another aim must be addressed if we are to tackle tobacco smoking in



this population: sustained abstinence from tobacco use after leaving prison. Total smoking bans alone have been ineffective in reducing smoking rates in this population. Follow-up studies of prisoners after their release have found that 56% reported resuming smoking on their first day of release,⁹ 84% had relapsed within 3 weeks,^{10,11} and 39% by a month after release.¹² Another follow-up study found that 63% of former prisoners had relapsed on the first day of release, 82% by 1 week, 86% by 1 month, and 97% at 6 months.¹³

These findings indicate that this population is in need of interventions both inside prison and after their release to reduce their high rate of tobacco smoking. Few studies on smoking cessation interventions for this population during incarceration have been published. We are unaware of any published studies in Australia that have examined post-release smoking behaviours following a prison smoking ban, or of any post-release smoking cessation interventions for this population. However, a US study found that interventions can be effective in preventing smoking relapse after release from prison.¹⁴

Paradoxically, while public health professionals deplore tobacco smoking in the community, many have sympathy for those in prisons who smoke. This sentiment was expressed in 2010 at the National Summit on Tobacco Smoking in Prisons held by Public Health Association Australia. While smoking bans in prisons in Australia are inevitable, a targeted approach that recognises the unique characteristics of this population group is needed, and must involve support both in prison and in the community, recognising that imprisonment for most is only temporary.

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