
— **Exclusive**

More vaping lobbyists linked to Big Tobacco

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A second lobby group that played a key role behind the scenes in a government backbench revolt that killed vaping regulation last year has links to tobacco industry funding.

As 28 backbenchers were pushed on June 23 to sign a letter condemning a proposed ban on importing nicotine solution for e-cigarettes, sparking a Senate inquiry, Legalise Vaping Australia set up a fighting fund in partnership with the Australian Retail Vaping Industry Australia, a lobby group which was secretly funded by Philip Morris.

The links further expose the hidden money trail behind e-cigarettes, which have otherwise been promoted as hurting the tobacco companies.

AFR Weekend revealed on Saturday that Philip Morris had channelled [<https://www.afr.com/policy/health-and-education/the-secret-money-trail-behind-vaping-20210217-p573bi>] hundreds of thousands of dollars to the Australian Retailers Association through a public relations company, BCW, to lobby for the legalisation of e-cigarettes.



On June 26 last year Legalise Vaping Australia tweeted a photo showing executive director Brian Marlow with his arm around Senator Hollie Hughes, with other members of the LVA team: "Celebrating with Hollie Hughes who was an INTEGRAL FIGURE in helping us delay the vaping ban." **Twitter**

Former David Jones CEO Paul Zahra, who was unaware of the confidential BCW contract when he became chief executive of the retail association last year, ended the contract [<https://www.afr.com/companies/retail/australian-retailers-association-cancels-secret-tobacco-contract-20210219-p5740g>] with unanimous board approval in August. Previously the retailing association had used funds from Philip Morris to run ARVIA, to lobby government backbenchers. It's believed ARVIA and BCW also provided assistance to Legalise Vaping.

On Sunday, Legalise Vaping's website [<http://www.legalisevaping.com.au/vapers-fighting-fund>] was still stating that ARVIA would jointly manage and administer the fighting fund it launched on June 23 last year, which has raised \$96,000.

Legalise Vaping is an arm of the Australian Taxpayers Alliance, an activist group which in 2019 confirmed it used a social media consultant funded by British American Tobacco.

On Friday, ATA executive director Brian Marlow distanced himself from ARVIA and said the fighting fund was run "exclusively" by Legalise Vaping.

"At the time the fund was set up, ARVIA indicated they wanted to offer some non-financial resources in support of the campaign, only to completely disappear from the issue," he told *The Australian Financial Review*.

ARVIA was closed down by the retailers association on August 20.

Mr Marlow has become the face of the vaping cause, casually dismissing senior officials at the Therapeutic Goods Administration as “these f---ing hobgoblins”.

He has carved out an increasingly influential position as a nexus between Liberal Democrats, the right wing of the Liberal Party, Nationals and the Institute of Public Affairs.

In a colourful career, Mr Marlow was previously a real estate agent and claims to have been the victim of identity theft.



The ATA's Brian Marlow played a key role in the push for a Senate inquiry on vaping, but cancelled an appearance as a witness citing a dental emergency, tweeting a picture of himself in a dentist's chair. **Twitter**

He told the *Financial Review* he worked for Pittwater Estate Agents in Newport on Sydney's northern beaches, which was owned by Michael Raoul Edwards, who was jailed in 2017 for misappropriating more than \$400,000 of client funds.

Mr Marlow said he was unaware until approached by the *Financial Review* that ASIC records show he became a director and sole shareholder of Pittwater Estate in October 2013 and a related company, Newport Peak, in 2014, at a time when Edwards was under investigation by the Office of Fair Trading.

“I remain out of pocket as a former employee with unpaid statutory entitlements owing to me,” he said.

The transfer papers that Mr Marlow says were forged were filed to ASIC by accounting firm Bell Partners, with a statement that Mr Marlow had signed the documents.

Bell Partners did not respond to *Financial Review* questions and Mr Marlow declined to elaborate on his forgery claim.

A receiver's report for another Edwards company also lists Mr Marlow as an employee, as well as a Maureen Marlow, who's believed to be Mr Marlow's mother.

"If it were up to me, [Edwards] would still be in prison," Mr Marlow says. "I made the grave mistake of working for a fraud and a thief."

Ms Marlow's links to Edwards continued after the Pittwater companies were deregistered. ASIC records show Ms Marlow joined another real estate business, Stacey Real Estate in 2015.

In September 2016, three days after Stacey Real Estate and principal Kevin Stacey had their licences suspended by Fair Trading, Stacey and Ms Marlow set up a new real estate venture, All Stars Recruitment, together with Edwards, who took a half share. But it took a hiatus when Edwards pleaded guilty to fraud several months later.

Mr Marlow said questions about this "are of no relevance to me".

As a sideline, last year while he was masterminding the vaping campaign, he became a business partner of Christian Madison in two start-up companies. Mr Madison was a close friend of Peter Larcombe, a key player in the \$105 million Plutus Payroll fraud before he died in mysterious circumstances at Los Angeles airport.

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