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Free TV Australia

By email: codereview@freetv.com.au

Submission to the Commercial Television Industry Code of Practice public consultation

I am writing on behalf of Alcohol Change Vic (ACV), a cross-sector coalition of leading organisations united in their calls for progress on alcohol policy in Victoria.

ACV welcomes the opportunity to contribute to the *Commercial Television Industry Code of Practice* (hereafter the Code) consultation and makes the following recommendations:

1. Ensure any changes to the *Commercial Television Industry Code of Practice* (including to the 'M' classification zone in Section 2.2.2 of the Code), do not extend the hours when alcohol advertising is permitted to be broadcast.
2. Remove the exemption in Section 6.2 of the Code that allows alcohol advertising during sports broadcasts.
3. Remove the exemption in Section 8 of the Code 'program sponsorship' from alcohol advertising, that allows the promotion of alcohol companies during program broadcasts.

Alcohol is harmful, addictive product

- Australia is currently experiencing its highest rates of alcohol-induced deaths in over 20 years.¹
- Alcohol is a carcinogen, causing at least seven types of cancer, including mouth, throat, oesophagus, liver, breast and bowel cancer. Alcohol is responsible for causing more than 3,500 cancer cases in Australia each year².
- Experiencing alcohol addiction is associated with a 223% increased risk of suicide.³
- While the causes of family violence are complex, alcohol is a risk factor involved in 23–65% of all family violence incidents reported to police in Australia.⁴

¹ Australian Institute of Health and Wellness, (2024) *Alcohol, Tobacco & Other Drugs in Australia: Health Impacts* (Web Page, 10 July 2024) <<https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>>.

² 'Alcohol and Cancer', Cancer Council Australia (Web Page, 2018) <<https://www.cancercouncil.com.au/1in3cancers/lifestyle-choices-and-cancer/alcohol-and-cancer/>>.

³ Jason Isaacs et al, 'Alcohol Use and Death by Suicide: A Meta-Analysis of 33 Studies' (2022) 52(4) *Suicide and Life-Threatening Behavior* 600, 607 <<https://doi.org/10.1111/sltb.12846>>.

⁴ Patrick Noonan, Annabel Taylor and Jackie Burke, *Links Between Alcohol Consumption and Domestic and Sexual Violence Against Women: Key Findings and Future Directions* (Report, No 8, November 2017) 1 <<https://www.anrows.org.au/publication/links-between-alcohol-consumption-and-domestic-and-sexual-violence-against-women-key-findings-and-future-directions/>>.

- A South Australian study found a blood alcohol concentration above the legal limit was present in 34% of fatal crashes.⁵
- Internationally, alcohol is involved in around 25–60% of unintentional drownings.⁶

The many other health impacts of alcohol include hospitalisation and deaths from injury and other acute and chronic diseases, like mental ill-health. Alcohol also causes alcohol-related brain injury and Fetal Alcohol Spectrum Disorder (FASD).

Alcohol advertising increases alcohol harms, especially among children and young people

Alcohol marketing, including broadcast advertising, influences people’s preferences, attitudes, social norms, and use of alcohol products, with negative impacts on community health, safety, and wellbeing.

Alcohol marketing is especially harmful to young people as it can influence their perceptions of alcohol, decrease the age of first alcohol use, and increase the likelihood of underage drinking. Drinking alcohol harms young people’s developing brains, which are particularly sensitive to alcohol. Drinking alcohol at a younger age also increases the likelihood of high risk drinking later in life, raising people’s risk of cancer and other chronic diseases caused by alcohol consumption.

The strong link between increases in alcohol-involved violence at the time of major sporting events like the AFL grand final and the State of Origin⁷ underpinned the recommendation of the *Rapid Review of Prevention Approaches for Family and Domestic Violence* that “alcohol advertising be restricted during sporting events.” This recommendation is based on “the statistical increase in DFSV incidents during football grand finals, as well as the high number of children who watch sport on television and mobile apps.”⁸

The draft Code will increase alcohol advertising and harms

This recommendation, coupled with strong evidence that when children are exposed to alcohol advertising they are more likely to start drinking early and to drink at higher risk levels,⁹ underscores the need to urgently reduce the broadcast of alcohol advertising.

⁵ Lisa Wundersitz and Simon Raftery, *Understanding the Context of Alcohol Consumption Before Driving For Crash-Involved Drivers* (Case Report, No 129, November 2019) 14.

⁶ Tuulia Pajunen et al, ‘Unintentional Drowning: Role of Medicinal Drugs and Alcohol’ (2017) 17(388) *BMC Public Health* 1, 1 <<https://doi.org/10.1186/s12889-017-4306-8>>.

⁷ Michael Livingston, *The Association Between State Of Origin and Assaults in Two Australian States* (Report, 22 June 2018) <<https://apo.org.au/node/179441>>; David Gallant and Cathy Humphreys, ‘Football Finals and Domestic Violence’, *University of Melbourne: Pursuit* (Blog Post, 27 September 2018) <<https://pursuit.unimelb.edu.au/articles/football-finals-and-domestic-violence>>.

⁸ Elena Campbell et al, *Unlocking the Prevention Potential: Accelerating Action to End Domestic, Family and Sexual Violence* (Report of the Rapid Review of Prevention Approaches, 23 August 2024) 105 <<https://www.pmc.gov.au/resources/unlocking-the-prevention-potential>>.

⁹ David Jernigan et al, ‘Alcohol Marketing and Youth Alcohol Consumption: A Systematic Review of Longitudinal Studies Published Since 2008’ (2017) 112(S1) *Addiction* 7, 16 <<https://doi.org/10.1111/add.13591>>; Florentine Martino et al, ‘Potential Financial Impact on Television Networks of a Ban on Alcohol Advertising During Sports Broadcasts in Australia’ (2022) 46(4) *Australian and New Zealand Journal of Public Health* 463, 465 <<https://doi.org/10.1111/1753-6405.13223>>.

Children are frequently exposed to harmful alcohol advertising.¹⁰ Yet the draft Code currently proposes to extend the times during which alcohol advertising can be shown to children, amounting to over 800 hours per year. Even more concerning is the proposal that these ads be shown during the daytime on school holidays, weekends, and public holidays, when children are more likely to be watching TV and alcohol harms are more likely to occur.¹¹

This is in addition to the existing loophole where restrictions on alcohol advertising do not apply during the broadcast of sports programs on public holidays and weekends, times that are associated with increased family/domestic violence.¹² Alcohol companies incorporate these events into their branding to maximise sales and profits during times that are most harmful.¹³

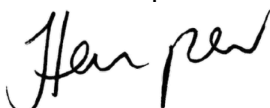
What needs to happen

The proposed changes to the M Classification zone in the Code cannot stand. We believe these changes, as well as the existing sports broadcast loopholes, breach the requirements in the *Broadcasting Services Act 1992*, which states that “broadcasting services place a high priority on the protection of children from exposure to program material which may be harmful to them,”¹⁴ and that industry codes “provide appropriate community safeguards.”¹⁵

To reduce the exposure of Australian children and young people to harmful alcohol advertising, which we know is a strong determinant of underaged alcohol consumption and high risk drinking, ACV strongly recommends alcohol advertising standards be strengthened by closing the sports loophole.

Yours sincerely,

Todd Harper



Chief Executive Officer AM
Cancer Council Victoria

¹⁰ ‘Alcohol Ads on Social Media Target Teens and Young People’, *Alcohol and Drug Foundation* (Blog Post, 16 May 2023) <<https://adf.org.au/insights/alcohol-social-media-youth/>>; Karen Middleton, ‘Beer Advertisements Shown to Kids During Streamed TV Programs Like Lego Masters’, *The Guardian* (online, 30 June 2024) <<https://www.theguardian.com/australia-news/article/2024/jun/30/beer-advertisements-shown-to-kids-during-streamed-tv-programs-like-lego-masters>>; Sandra Jones and Christopher Magee, ‘Exposure to Alcohol Advertising and Alcohol Consumption Among Australian Adolescents’ (2011) 46(5) *Alcohol and Alcoholism* 630 <<https://doi.org/10.1093/alcalc/agr080>>.

¹¹ Belinda Lloyd et al, *Drinking Cultures and Social Occasions: Alcohol Harms in the Context of Major Public Holidays and Cultural Events* (Report, December 2011) 1 <<https://apo.org.au/node/27865>>.

¹² Allan Brimicombe and Rebecca Cafe, ‘Beware, Win or Lose: Domestic Violence and the World Cup’ (2012) 9(5) *Significance* 32, 35 <<https://doi.org/10.1111/j.1740-9713.2012.00606.x>>; Kirsty Forsdike, Grant O’Sullivan and Leesa Hooker, ‘Major Sports Events and Domestic Violence: A Systematic Review’ (2022) 30(6) *Health and Social Care in the Community* e3670, e3680 <<https://doi.org/10.1111/hsc.14028>>.

¹³ Jack Lloyd, ‘Most Popular State of Origin Drinks Revealed’, *Food & Beverage* (Online Article, 4 June 2024) <<https://www.foodmag.com.au/most-popular-state-of-origin-drinks-revealed/>>.

¹⁴ *Broadcasting Services Act 1992* (Cth) s 3.

¹⁵ *Broadcasting Services Act 1992* (Cth) ss 123, 125, 130.