

Submission on the Commercial Television Industry Code of Practice public consultation

Free TV Australia
Suite 1, Level 2
76 Berry Street,
North Sydney NSW 2060
codereview@freetv.com.au

Dear Free TV Australia,

This submission is in response to the public consultation on the draft '*Commercial Television Industry Code of Practice*' (the Code).

The National Organisation for Fetal Alcohol Spectrum Disorder (NOFASD) Australia is the peak body supporting individuals and families living with Fetal Alcohol Spectrum Disorder (FASD) across the nation. As a family-focused organisation, NOFASD serves as a vital bridge linking those with lived and living experience to researchers, clinicians, and policymakers. Our mission is to promote awareness, prevention, diagnosis, and improved outcomes for those impacted by FASD. Guided by our vision to prevent alcohol-exposed pregnancies and enhance the quality of life for individuals and families affected by FASD, we are committed to fostering a healthier future for communities across Australia.

As part of our advocacy, we are deeply concerned about the proposed changes to the 'Commercial Television Industry Code of Practice' (the Code) that will significantly increase the hours during which alcohol advertising is permissible. This will disproportionately affect vulnerable populations, including children, young people, and families already impacted by alcohol-related harm.

FASD is a preventable disability caused by prenatal alcohol exposure, resulting in lifelong neurodevelopmental impairments. Exposure to alcohol advertising, particularly among young people, normalises drinking behaviour and increases the likelihood of early initiation into alcohol use, which can contribute to unplanned pregnancies and increased risks of prenatal alcohol exposure.

Australians should have the opportunity to be healthy, safe and free from the many ways that alcohol causes harm to people, families and communities. Yet tragically, Australia is currently experiencing the highest rates of alcohol-induced deaths in over 20 years.ⁱ Alcohol marketing, including broadcast advertising, influences people's preferences, attitudes, social norms and use of alcohol products, which subsequently impacts on community health, safety and wellbeing.

Health impacts of alcohol include hospitalisation and deaths from injury and other acute and chronic diseases, like cancer and mental ill-health. Alcohol is a carcinogen, causing at least seven types of cancer, including mouth, throat, oesophagus, liver, breast and bowel cancer.ⁱⁱ Alcohol also causes alcohol-related brain injury and Fetal Alcohol Spectrum Disorder (FASD).



Alcohol is also a significant factor in family and domestic violence.ⁱⁱⁱ There are several studies that show that violence involving alcohol increases at the time of football grand finals and the State of Origin.^{iv,v} The link is so strong that the Rapid Review of Prevention Approaches for family and domestic violence recommended that “*alcohol advertising be restricted during sporting events*”.^{vi} They based this recommendation 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*”.

Considering this recommendation, and the evidence showing that when children are exposed to alcohol advertising, they are more likely to start drinking early and to drink at higher risk levels,^{vii,viii} broadcast alcohol advertising should be reduced, not increased.

Children are frequently exposed to harmful alcohol advertising.^{ix,x,x} Yet the draft Code proposes extending the hours that alcohol advertising can be shown to children by 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 alcohol advertising. Weekends and public holidays are also times when alcohol harms are more likely to occur.^{xii}

Recommendation 1. Ensure that any changes to the *Commercial Television Industry Code of Practice* (including to the ‘M’ classification zone in Section 2.2.2), do not extend the hours when alcohol advertising is permitted to be broadcast.

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. This loophole increases alcohol advertising at higher risk times – during sporting events which are associated with increases in family and domestic violence.^{xiii,xiv} Companies tie these events into their branding during these events to maximise sales and profits during times that are most harmful. They even boast about the increase in sales during these times.^{xv}

Recommendation 2. Remove the exemption in Section 6.2 that allows alcohol advertising during sports broadcasts.

Recommendation 3. Remove the exemption in Section 8 of ‘*program sponsorship*’ from alcohol advertising, that allows the promotion of alcohol companies during program broadcasts.

We strongly oppose the proposed changes to the M Classification zone in Code. We believe that these changes and the existing sports broadcast loopholes, breach the requirements in the Broadcasting Services Act 1992. These state that “*broadcasting services place a high priority on the protection of children from exposure to program material which may be harmful to them*” (s3), and that industry codes “*provide appropriate community safeguards*” (s123, 125, 130).^{xvi}

Alcohol advertising should be shown less, not more and the sports loophole should be closed – not expanded.

Appropriate community safeguards in the Commercial Television Industry Code of Practice are essential to protect children and vulnerable populations from exposure to harmful alcohol advertising. For NOFASD Australia, these safeguards directly impact our efforts to prevent Fetal Alcohol Spectrum Disorder (FASD) and improve outcomes for families affected by alcohol-related harm. Restricting



exposure to alcohol marketing helps to reduce the normalisation of drinking behaviour among young people, decreasing the likelihood of early alcohol use and subsequent high-risk behaviours.

Communities benefit significantly when the advertising of harmful products like alcohol is limited, particularly during times when children and families are most exposed, such as public holidays, weekends, and sporting events. Strengthened protections in the Code would support healthier community norms, reduce alcohol-related harm, and align with broader public health priorities to ensure a safer, healthier environment for all Australians. By prioritising safeguards that reduce exposure to alcohol advertising, the Code can make a meaningful difference to the lives of individuals, families, and communities across the nation.

Yours sincerely,

Sophie Harrington

Chief Executive Officer (Interim)

NOFASD Australia Pty Ltd

ⁱ AIHW (2024) *Alcohol, tobacco & other drugs in Australia* <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>

ⁱⁱ Cancer Council Victoria (2024) *Ways alcohol causes cancer - Alcohol causes at least 7 types of cancer* <https://www.cancervic.org.au/cancer-information/preventing-cancer/limit-alcohol/how-alcohol-causes-cancer>

ⁱⁱⁱ ANROWS (2017) *Links between alcohol consumption and domestic and sexual violence against women: Key findings and future directions* https://anrows-2019.s3.ap-southeast-2.amazonaws.com/wp-content/uploads/2019/02/19024408/Alcohol_Consumption_Report_Compass-FINAL.pdf

^{iv} Livingston M (2018) *The association between State of Origin and assaults in two Australian states*. Centre for Alcohol Policy Research. <https://fare.org.au/wp-content/uploads/The-association-between-State-of-Origin-and-assaults-in-two-Australian-states-noEM.pdf>

^v Gallant D & Humphreys C (2018) *Football finals and domestic violence*. Pursuit, University of Melbourne. <https://pursuit.unimelb.edu.au/articles/football-finals-and-domestic-violence>

^{vi} Rapid Review (2024) *Unlocking the Prevention Potential: Accelerating action to end domestic, family and sexual violence*. p. 105 <https://www.pmc.gov.au/sites/default/files/resource/download/unlocking-the-prevention-potential-4.pdf>

^{vii} Jernigan D, Noel J, Landon J, et al (2017) *Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008* <https://onlinelibrary.wiley.com/doi/10.1111/add.13591>

^{viii} Martino F, Ananthapavan J, Moodie M, et al (2022) *Potential financial impact on television networks of a ban on alcohol advertising during sports broadcasts in Australia*, <https://www.sciencedirect.com/science/article/pii/S1326020023002893>

^{ix} ADF (2023) *Alcohol ads on social media target teens and young people* <https://adf.org.au/insights/alcohol-social-media-youth/>

^x Middleton K (2024) *Beer advertisements shown to kids during streamed TV programs like Lego Masters*. The Guardian. <https://www.theguardian.com/australia-news/article/2024/jun/30/beer-advertisements-shown-to-kids-during-streamed-tv-programs-like-lego-masters>

^{xi} Jones SC, Magee CA (2011) *Exposure to Alcohol Advertising and Alcohol Consumption among Australian Adolescents*. <https://pubmed.ncbi.nlm.nih.gov/21733835/>

^{xii} Lloyd B (2012) *Drinking cultures and social occasions – public holidays Research summary*. Turning Point. https://www.vichealth.vic.gov.au/sites/default/files/Drinking-cultures-social-occasions-Factsheet_public-holiday.pdf

^{xiii} Brimicombe A & Cafe R (2012) *Beware, win or lose: Domestic violence and the World Cup* <https://rss.onlinelibrary.wiley.com/doi/full/10.1111/j.1740-9713.2012.00606.x>

^{xiv} Forsdike K, O'Sullivan G, Hooker L (2022) *Major sports events and domestic violence: A systematic review*. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10087409/>

^{xv} Food & Beverage (2024) *Most popular State of Origin drinks revealed* <https://www.foodmag.com.au/most-popular-state-of-origin-drinks-revealed/>

^{xvi} Commonwealth of Australia (2024) *Broadcasting Services Act 1992* https://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/consol_act/bsa1992214/

