

Impossible to escape:

The need for stronger restrictions on the placement of alcohol marketing in Australia



**ALCOHOL
ADVERTISING
REVIEW
BOARD**

Impossible to escape: The need for stronger restrictions on the placement of alcohol marketing in Australia

Public Health Advocacy Institute of Western Australia

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Alcohol Advertising Review Board

The Alcohol Advertising Review Board (AARB) considers and reviews complaints from the Australian community about alcohol advertising. The AARB was developed by the Alcohol Programs Team at the Public Health Advocacy Institute of WA (formerly known as the McCusker Centre for Action on Alcohol and Youth) and Cancer Council Western Australia, supported by other health organisations, in response to the numerous weaknesses of the current self-regulatory alcohol advertising system.

The AARB reviews complaints on the basis of the Alcohol Advertising Review Board Code (the Code), which sets criteria for acceptable alcohol advertising in Australia. The Code aims to ensure alcohol advertising (i) is socially responsible, (ii) neither conflicts with nor detracts from the need for responsibility and moderation in liquor merchandising and consumption, and (iii) does not encourage young people to drink. The Code, which is primarily constructed using provisions from existing codes established by alcohol industry bodies from around the world, can be found at www.alcoholadreview.com.au.

The placement of alcohol marketing

In its seven years of operation, the AARB received a substantial number of complaints related to the placement of alcohol marketing, comprising around two-thirds of all complaints. This report highlights the extent of community concern around the placement of alcohol marketing, and calls on Australian governments to introduce stronger restrictions to better protect children and young people from exposure to alcohol marketing.

Why do we need controls on the placement of alcohol marketing?

Young people in Australia are regularly exposed to alcohol marketing through a wide range of media, including on television, outdoors, public transport, radio, online, and at sporting and music events.¹ There is clear evidence that alcohol marketing impacts on young people. Exposure to alcohol advertising influences young people's beliefs and attitudes about drinking, and increases the likelihood that adolescents will start to use alcohol and will drink more if they are already using alcohol.² Expert health organisations recommend introducing comprehensive restrictions on alcohol marketing, including its placement, to reduce children and young people's exposure.^{3,4}

AARB Placement Code

Complaints received by the AARB are reviewed against the AARB Code, which covers all forms of alcohol marketing, including its content and placement. The Content Code was constructed using only provisions from existing self-regulatory alcohol advertising codes from around the world. However, in developing the Placement Code, no existing codes were identified that comprehensively covered the placement of alcohol marketing. Instead, provisions that would reasonably reduce young people’s exposure to alcohol marketing were developed, outlined in Table 1.

Table 1: Alcohol Advertising Review Board Placement Code

1. Placement: General Alcohol Advertisements should not be placed: (i) in places or at broadcast times where Young People are exposed or are likely to be exposed; or (ii) in connection with content that appeals to Young People.
2. Television (free to air and pay TV) Alcohol Advertisements shall not be broadcast between 5am and 9pm.
3. Radio Alcohol Advertisements shall not be broadcast between 5am and 9pm.
4. Cinema Alcohol Advertisements may only be shown during R18+ films.
5. Publications Alcohol Advertisements are not permitted in publications that appeal or are likely to appeal to Young People. This provision does not apply to alcohol industry publications.
6. Outdoor Alcohol Advertisements are not permitted within 500m of schools. This provision does not apply to Alcohol Advertisements that are on premises licensed to sell Alcoholic Beverages.
7. Transport advertising No Alcohol Advertisements shall be placed on any means of public transport. No Alcohol Advertisements shall be placed at any train, tram, bus or ferry stops.
8. Internet Alcohol Advertisements shall not appear online in connection with content that appeals or is likely to appeal to Young People.
9. Sponsorship Alcohol Advertisements shall not appear at cultural or sporting events that appeal or are likely to appeal to Young People.

Complaints about the placement of alcohol marketing

The following tables provide a summary of complaints related to the placement of alcohol marketing received by the AARB in seven years of operation, from 16 March 2012 to 8 March 2019.

Table 2 summarises the number of complaints received by the AARB during its operation, and the proportion of complaints received that related to the placement of alcohol marketing. Complaints were considered to be related to placement if:

- » Provisions of the Placement Code were identified in the complaint;
- » The complainant identified children or young people's exposure to the ad as their cause for concern; or
- » The complaint met the criteria for any of the Placement Code provisions.

Table 2: Total complaints and placement-related complaints received between March 2012 and March 2019

	No. of complaints
All complaints	1126
Placement-related complaints	760

Placement-related complaints accounted for around two-thirds of all complaints received by the AARB.

As the AARB Code covers all forms of alcohol marketing, complaints received related to alcohol ads placed in a wide range of media. Table 3 presents the code provisions that each placement complaint related to, including complaints that identified more than one Placement Code provision.

Table 3: Placement Code provisions to which placement complaints related

Placement Code provision	No. of complaints
Complaints identifying more than one Placement Code provision	235
[1] General	147
[2] Television	51
[3] Radio	10
[4] Cinema	12
[5] Publications	1
[6] Outdoor	7
[7] Transport	209
[8] Online	36
[9] Sponsorship	52
Total	760

Almost a third of complaints related to more than one Placement Code provision. Table 4 identifies the number of complaints received by the AARB per provision of the Placement Code by breaking down the complaints that identified more than one Placement Code provision.

Table 4: Number of complaints received by the AARB per provision of the Placement Code

Placement Code provision	No. of complaints
[1] General	298
[2] Television	154
[3] Radio	10
[4] Cinema	17
[5] Publications	6
[6] Outdoor	29
[7] Transport	260
[8] Online	87
[9] Sponsorship	153
Total	1014 [†]

[†]The table adds up to more than 760 (the total number of placement-related complaints) as some complaints related to more than one Placement Code provision (e.g. a bus stop ad placed within 500m of a school).

The number of transport-related and general complaints received by the AARB in seven years of operation was high. When complaints that related to more than one Placement Code provision were separated into the relevant placement provisions, the number of complaints about television advertising and sponsorship rose. Alcohol marketing on television was often linked to sponsorship of sport, and a number of complaints raised both provisions.

Determinations

The 760 placement-related complaints received by the AARB between March 2012 and March 2019 resulted in 537 determinations. Of these determinations, 505 upheld complaints against the AARB Placement Code.

Table 5: Number of determinations that upheld complaints against each Placement Code provision

Placement Code provision	No. of complaints
[1] General	221
[2] Television	81
[3] Radio	5
[4] Cinema	11
[5] Publications	1
[6] Outdoor	25
[7] Transport	199
[8] Online	71
[9] Sponsorship	83
Total	697 [#]

[#]The table adds up to more than 505 (the total number of placement-related determinations that upheld complaints) as some complaints covered more than one category (e.g. advertisement on television which was also combined with a cultural or sporting event).

Where can young people be exposed to alcohol marketing?

As seen by the wide variety of complaints received by the AARB, alcohol marketers promote their products using a range of different media in places where young people are likely to be exposed.

General complaints

Provision 1 of the AARB Placement Code reflects recommendations from leading health authorities that alcohol advertising should not be placed at times and in places where young people are likely to be exposed. This general provision was included in the AARB Placement Code to highlight the need for regulatory codes to have capacity to capture new and emerging forms of media.

Table 6 highlights the number of complaints received by the AARB in its seven years of operation that related to provision 1 of the AARB Placement Code.

Table 6: Number of complaints received by the AARB related to Placement Code provision 1

Placement Code provision	No. of complaints
Alcohol advertisements should not be placed: (i) in places or at broadcast times where Young People are exposed or are likely to be exposed; or	160
(ii) in connection with content that appeals to Young People.	138
Total	298

Of the 760 placement-related complaints received by the AARB, almost 40% raised concerns that related to provision 1 of the Placement Code. Examples of complaints received that related to section (i) of provision 1 included outdoor advertisements placed where young people are likely to be exposed, such as billboards in public spaces or ads in shopping centres. Examples of complaints about alcohol ads placed in connection with content that appeals to young people included alcohol promotions in emails young people could receive, or on websites that they are likely to visit.

Would you like some whisky with your groceries?

The AARB received a complaint regarding the placement of a Liquorland ad for whisky on the customer-facing checkout screen at a supermarket in Perth, WA (ref 699/18). The complainant disagreed with the promotion of alcohol in a store in which alcohol is not sold, and where young people would likely be exposed. The Panel upheld the complaint, with several Panel members commenting that the placement of alcohol advertising in the supermarket normalises the purchasing of alcoholic products as part of everyday grocery shopping.

Alcohol ads on public transport vehicles and transit stops

Research shows that alcohol marketing is prevalent on public transport-related sites in Australia, including transit stops near schools.^{5,6,7} The AARB report, [*No way to ignore it: The case for removing alcohol ads from public transport*](#), highlights that outdoor advertising, including on public transport, is a major promotional medium for advertisers and the extent of alcohol advertising on public transport and transit stops means children and young people are highly likely to be exposed.

It is evident that there is serious concern in the Australian community about young people's exposure to alcohol advertising placed on public transport and transit sites, with around a third of all placement-related complaints to the AARB meeting the criteria for provision 7 of the Placement Code. In seven years of operation, the AARB received complaints from across Australia about alcohol ads placed on buses, bus stops, trains, train stations, and trams.

Think school buses are safe from alcohol advertising? Think again

The AARB received a complaint about an ad for the Bavarian Pub and Restaurant which covered the back and side of a public bus used for school runs in Sydney, NSW (ref 707/18). The ad featured the text "BEERS BY THE BUSLOAD". The complainant was concerned about the placement of the advertising, particularly that such a large ad was placed where children would be exposed. The AARB Panel agreed that many children would see the ad given its placement on a school bus.

Alcohol ads on TV during sports programming

The AARB has previously highlighted the extent of community concern around alcohol marketing and sport through the report [*It's not fair play: Why alcohol must leave sport*](#). Television ratings data show that hundreds of thousands of Australian children and young people watch sport on TV, and there are currently no regulations restricting the placement of alcohol ads during televised sport on weekends and public holidays.

During its seven years of operation the AARB received 154 complaints related to the placement of alcohol ads on television, with 72 of these specifically related to alcohol ads aired during sports programming. With almost 1 in 10 placement-related complaints received by the AARB raising concerns about alcohol ads during sports broadcasts, it is clear the community wants action to reduce children and young people's exposure to alcohol marketing through sport.

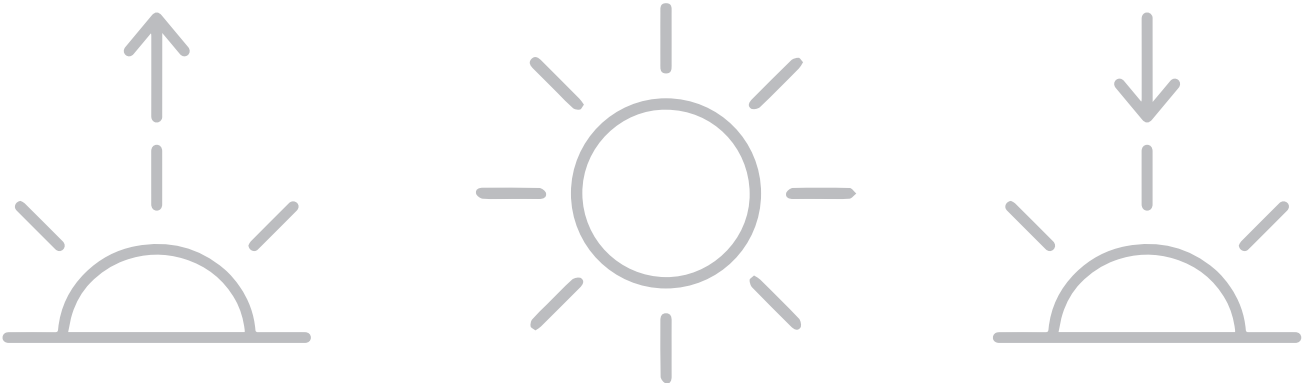
Why do some categories have fewer complaints?

Of the placement-related complaints received, only a small number were related to radio, cinema, and print alcohol ads. This does not mean alcohol advertising on these media is not of concern. In order for a complaint to the AARB to be reviewed, it is necessary that a copy of the ad is accessible. It can be difficult to capture ads on the radio or in cinema while they are playing, and there are no means to replay them. The low number of complaints relating to each of these provisions could be due to difficulty of obtaining copies of ads.

The lack of complaints about alcohol ads in print publications could be the result of changes in media consumption patterns in Australia. Market research indicates that Australians spend considerably less time reading newspapers and magazines than watching TV, listening to radio, and on the internet.⁸ In addition, several magazines targeted at young people have ceased publication in recent years.⁹

A day in the life of a child

The placement of alcohol marketing is pervasive in the community and creates an environment in which young people can be regularly exposed to alcohol marketing. This infographic is a hypothetical example of how many times an average 15 year old Australian child could be exposed to alcohol marketing in one day, based on placement-related complaints received by the AARB from January 2016 – March 2019. It updates the 'Day in the life of a child' timeline from the AARB Annual Report 2014-15.



FACEBOOK

Scroll through Facebook and see that a local AFL team is having an event which is supported by an alcohol company. The sponsor is giving away a year's supply of beer (ref 701/18)

09.00

YOU TUBE

Watch a music video on YouTube while you have breakfast and an alcohol ad plays before it starts (ref 516/16)

09.30

SPORT

Catch-up on the highlights of last night's rugby league game and see alcohol ads on the field, around the sidelines, and on the player's clothes (ref 628/17)

10.00

BILLBOARD

Make your way to your school's oval to kick a footy with mates and there is a billboard promoting beer on the same road (ref 682/18)

10.30

INSTAGRAM

Upload a photo to Instagram and see that social media influencers you follow have posted pictures sponsored by alcohol companies (ref 681/18, 687/18)

12.00

PUBLIC BUS

Catch the bus with friends to the local shopping centre. On the side of the bus and the bus stop you see an alcohol ad (ref 589/17, 579/16)

13.00

SHOPPING

While you are buying something from the supermarket an alcohol ad is displayed on the checkout screen (ref 699/18)

13.30

POSTER

As you leave the shopping centre you walk past an alcohol ad placed next to the exit (ref 730/18)

14.00

CATCH UP TV

Catch up on one of your favourite TV shows online and during the ad break you see an alcohol ad featuring a well-known celebrity teaching you how to make a cocktail (ref 710/18)

16.00

PUBLIC TRAIN

Catch the train in to the city for dinner with your family. At the station you see alcohol ads covering the wall, pillars, and floor (ref 728/18)

18.00

PHONE BOX

Walking to dinner you see alcohol ads on telephone boxes (ref 747/18, 748/18)

19.00

CINEMA

After dinner you go to the cinema and an ad for a liquor store plays before the film (ref 759/19)

20.30

Inadequate regulation of the placement of alcohol marketing in Australia

Currently, alcohol marketing in Australia is largely self-regulated by the alcohol and advertising industries. The Alcohol Beverages Advertising Code (ABAC) Scheme reviews complaints about alcohol ads against the ABAC Responsible Alcohol Marketing Code.¹⁰

Prior to 2017, the ABAC Scheme did not cover the placement of alcohol marketing. The only restrictions on placement related to television and outdoor advertising. The Commercial Television Industry Code of Practice (CTICP) restricts alcohol ads to 8.30 pm–5 am and 12 pm–3 pm on weekdays, and 8.30 pm–5 am on weekends and school holidays on free-to-air channels, except during sports programs on weekends and public holidays.¹¹ An Outdoor Media Association (OMA) guideline limits outdoor alcohol advertising to outside a 150-m sight line of a school gate.¹² Placement of alcohol marketing in all other media was unrestricted.

In November 2017, the ABAC Scheme introduced new provisions related to the placement of alcohol marketing. The placement rules require that alcohol advertisers:

- » Comply with existing codes regulating the placement of alcohol marketing, such as the CTICP and OMA guideline;
- » Employ age restriction controls where available to exclude minors from the audience;
- » If age restriction controls are not available, alcohol ads should not be displayed in an audience which is comprised of any less than 75% adults;
- » Avoid placing alcohol ads with programs or content primarily aimed at minors; and
- » Avoid sending alcohol ads to minors via email (exceptions are made in circumstances where the incorrect age or date of birth has been provided).

A review of the first six months of the ABAC placement rules identified significant flaws and weaknesses. The rules are inadequately defined, narrowly worded, and do not cover some major forms of advertising such as sponsorship, resulting in almost all placement-related complaints to the ABAC Scheme being dismissed.^{13, 14} The placement rules rely on weak existing codes such as the CTICP and OMA guideline, so do not place any further restrictions on outdoor or television alcohol marketing than what already existed before their introduction. In addition, the ABAC Scheme is limited in its ability to monitor and enforce breaches to the code, and there is a lack of independence with heavy involvement from the alcohol and advertising industries. The review concluded that the placement rules are unlikely to reduce children and young people's exposure to alcohol marketing.

Given the extent of alcohol advertising on public transport and the level of community concern about young people's exposure, a number of state and territory governments have begun taking action on alcohol marketing. In April 2019, the Queensland Government announced it would restrict outdoor advertising for junk food and alcohol on government-owned sites.¹⁵ In June 2018, the Western Australian Government announced that alcohol advertising would be removed from buses, trains, and train stations.¹⁶ These announcements followed the ACT's introduction of restrictions on alcohol advertising on all state-owned buses in 2015.¹⁷ The South Australian Government has also considered restricting alcohol ads on state-owned buses, trains, and trams.¹⁸

Despite recommendations from leading health organisations to introduce stronger restrictions on alcohol marketing to reduce young people's exposure, there has been no action to date by the Federal Government.

Nothing is off-limits

While many Australians would assume that children would be protected from exposure to alcohol marketing, complaints to the AARB highlight that this is not always the case. In 2017, a complaint was received about a sign for an alcohol delivery service placed across the road from a primary school in Melbourne, VIC (ref 616/17). In 2015, the AARB Panel reviewed a complaint regarding a Bundaberg Rum ad placed before a YouTube video of an episode of children's show Dora the Explorer (ref 446/15). These are just two examples that demonstrate the current self-regulatory system is failing to ensure that children and young people are not exposed to alcohol marketing.

Recommendations

It's evident from the number of complaints received by the AARB that the placement of alcohol marketing where children and young people will be exposed is of serious concern to the Australian community. All levels of government in Australia can take action to address the placement of alcohol marketing. We call on governments to introduce stronger restrictions to better protect children and young people from exposure to alcohol marketing.

The Federal Government has overarching responsibility when it comes to the regulation of alcohol marketing; however, the only action on alcohol marketing in Australia recently has been from state and territory governments. In order to better protect young people, as well as support the state and territory governments that are choosing to prioritise the health and wellbeing of the community, the Federal Government should:

1. Immediately remove the exemption in the Commercial Television Industry Code of Practice that allows alcohol ads to be broadcast during sports programming on weekends and public holidays.
2. Replace the self-regulatory alcohol advertising system in Australia with independent, legislated controls that cover the volume, content, and placement of all forms of alcohol marketing.

State, territory, and local governments can control the advertising placed on their locally owned assets. In order to better protect young people, state, territory, and local governments should remove alcohol advertising from assets they own and control, including:

1. Public transport vehicles and transit stops.
2. Public assets such as sporting fields, stadiums, billboards, and other outdoor advertising locations.

Conclusion

There is substantial community concern about the placement of alcohol marketing in Australia, with around two thirds of all complaints received by the AARB in seven years of operation raising issues about placement. Despite recent attempts by the self-regulatory system in Australia to introduce new provisions related to the placement of alcohol marketing, alcohol marketing continues to be placed where young people will be exposed. Strong, independent restrictions on all forms of alcohol marketing, including its placement, are needed to better protect children and young people in our community.

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