

11 November 2024

Free TV Australia
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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 purpose of the Australian Research Alliance for Children and Youth (ARACY) is to champion all Australian children and young people to thrive. ARACY is relentless in our pursuit of the wellbeing of all Australian children and young people. We drive systemic change, collaborate with communities, and amplify young voices to create a healthier future. Our work focuses on prevention, early intervention, and equity.

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.¹ 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.² Alcohol also causes alcohol-related brain injury and Fetal Alcohol Spectrum Disorder (FASD).

Alcohol is also a significant factor in family and domestic violence.³ There are several studies that show that violence involving alcohol increases at the time of football grand finals and the State of Origin.^{4,5} 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*".⁶ 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,^{7,8} broadcast alcohol advertising should be reduced, not increased.

Children are frequently exposed to harmful alcohol advertising.^{9,10,11} 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.¹²

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.^{13,14} 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.¹⁵

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).¹⁶

It is time the media industry stopped selling our children short. As a powerful societal influence, broadcast media has a responsibility to act with a holistic duty of care toward young people, shaping an environment that supports their health, development, and future wellbeing. When media policies prioritise profit over protection, they risk long-term harm to the wellbeing of our nation’s children.

If the media is to fulfil its responsibility to young Australians, then the Australian Communications and Media Authority (ACMA) must play an active regulatory role. Free TV Australia, which developed the Commercial Television Industry Code of Practice, is ultimately answerable to ACMA and, like any federal agency, has a duty to protect children.

This responsibility is as crucial to young Australians’ wellbeing as those held by the Departments of Education, Health, or Social Services. Recently, in launching the Government’s Early Years Strategy, The Hon. Amanda Rishworth MP, Minister for Social Services, stressed the importance of an integrated approach to child wellbeing, stating that “*children’s policy, funding and programs should no longer be siloed, with better integration and coordination needed to give all children in Australia the best start in life*”.¹⁷ We believe this is true—and to honour this commitment, the proposal to expand the hours alcohol advertisers can target children must be dismissed.

Alcohol advertising should be shown less, not more and the sports loophole should be closed – not expanded. Extending advertising hours prioritises short-term profit over the long-term health of Australian children. A responsible, child-centred approach would focus on reducing harmful exposure, supporting the holistic wellbeing of young Australians, and building a healthier, more resilient generation.

Yours sincerely,

Prue Warrilow

CEO

ARACY

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- ¹ AIHW (2024) *Alcohol, tobacco & other drugs in Australia* <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>
- ² 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>
- ³ 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
- ⁴ 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>
- ⁵ 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>
- ⁶ 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>
- ⁷ 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>
- ⁸ 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>
- ⁹ ADF (2023) *Alcohol ads on social media target teens and young people* <https://adf.org.au/insights/alcohol-social-media-youth/>
- ¹⁰ 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>
- ¹¹ Jones SC, Magee CA (2011) *Exposure to Alcohol Advertising and Alcohol Consumption among Australian Adolescents*. <https://pubmed.ncbi.nlm.nih.gov/21733835/>
- ¹² 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
- ¹³ 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>
- ¹⁴ 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/>
- ¹⁵ Food & Beverage (2024) *Most popular State of Origin drinks revealed* <https://www.foodmag.com.au/most-popular-state-of-origin-drinks-revealed/>
- ¹⁶ Commonwealth of Australia (2024) *Broadcasting Services Act 1992* https://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/consol_act/bsa1992214/
- ¹⁷ DSS (2024) *Early Years Strategy to provide Australia's children with the best start possible* <https://ministers.dss.gov.au/media-releases/14611>