

Manager, Content and Media Reform
Australian Communications and Media Authority (ACMA)
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Dear ACMA,

Re: Review of alcohol advertising rules in the Free TV Code

This submission is provided in response to the Australian Communications and Media Authority's 'Review of alcohol advertising rules in the Free TV Code.' Injury Matters welcomes the opportunity to contribute to this review and to provide evidence-informed perspectives on whether the current regulatory framework adequately protects the Australian community.

At Injury Matters, we innovate and deliver injury prevention and recovery solutions that empower individuals, organisations and policymakers across Western Australia to make informed, safer choices. We contribute to research and evidence that support sound policy development and help mitigate the personal, social, and economic impacts of injury.

From an injury prevention perspective, Injury Matters strongly supports ACMA's decision to undertake this review to strengthen community safeguards and reduce harm arising from alcohol advertising. We understand the significant consequences of inadequate regulation for public health and safety, particularly when harmful products are promoted without sufficient safeguards.

Australians should have the opportunity to live healthy and safe lives free from preventable harm. However, alcohol continues to impose a substantial and growing burden on Australian society.

The harm from alcohol cannot be questioned:

- Australia is currently experiencing the highest rates of alcohol-induced deaths in more than 20 years.¹
- Alcohol is the leading risk factor of injury in Australia², contributing to 14% of the overall injury burden.³
- Around 1 in 3 Australians consume alcohol at levels above national guideline recommendations, placing them at significantly increased risk of injury.⁴

Action is urgently needed to reduce Australians' exposure to alcohol advertising and reduce alcohol-related harms. From a prevention standpoint, reducing exposure to alcohol advertising is a key mechanism for reducing alcohol-related harms across the population.⁵

The Harm of Alcohol Advertising

A substantial body of national and international evidence demonstrates that alcohol marketing, including television advertising, plays a significant role in shaping social norms, preferences and patterns of consumption. Alcohol marketing influences beliefs about drinking, reinforces brand recognition and normalises alcohol use as part of everyday life.⁶ Exposure to alcohol advertising is associated with increased alcohol consumption and a higher risk of injury, violence, mental health issues and chronic disease, including cancer.^{7,8}

Children and young people are particularly vulnerable to the influence of alcohol advertising. Exposure to alcohol marketing is associated with earlier initiation of drinking, increased likelihood of underage alcohol use, higher levels of consumption and a greater risk of hazardous or binge drinking later in life.⁷⁻

⁹ These outcomes significantly elevate the lifetime injury risk. Despite this well-established evidence, children and young people continue to be exposed to alcohol advertising at concerning levels through free-to-air television under the current Free TV Code.

Current time-based restrictions on alcohol advertising do not provide adequate protection. Alcohol advertising is permitted from 8:30 pm to 5:00 am every day, and between 12:00 pm and 3:00 pm on weekdays, resulting in continued exposure for children and families during high-viewing periods. These time periods remain overly broad and do not reflect contemporary viewing habits, in which children frequently watch television outside traditional “children’s viewing times”. Injury Matters strongly recommends that alcohol advertising is further restricted to later-night time slots in order to meaningfully reduce exposure to children and the broader community.

The Relationship Between Alcohol Advertising and Sport

Of particular concern is the loophole that allows alcohol advertising to be shown at any time on weekends and public holidays during sports broadcasts. This exemption enables alcohol advertising to be aired during morning and daytime programming, including during major sporting events watched by large numbers of children and families. The visibility of alcohol advertisements during events such as AFL Grand Finals, sometimes as early as 9:00 am, demonstrates how these permissive rules are routinely exploited to saturate sports programming. Given the cultural significance of sport in Australia and the central role it plays in family viewing, children should be able to watch sport without being exposed to harmful alcohol advertising.

Alcohol marketing during sports broadcasts is particularly influential. Sport attracts very large audiences, broadcast durations are long, and advertising is repeated frequently, increasing cumulative exposure. Moreover, alcohol brands benefit from alignment with sport, as it associates alcohol with athleticism, success and healthy lifestyles, masking well-established risks.^{10,11} Children aged eight to twelve are especially susceptible, as they are more likely to admire athletes and internalise brand messaging linked to their sporting heroes.¹² Removal of this sporting exemption is therefore critical to meaningfully strengthening community safeguards.

It is not solely children who are influenced by alcohol marketing during sports broadcasts. Alcohol-related harm in sporting contexts has broader social impacts, including family and domestic violence.¹³ Research consistently demonstrates increases in alcohol-related violence during major sporting events.¹⁴ Reflecting this evidence, the Federal Government’s 2024 Rapid Review of Prevention Approaches for Family and Domestic Violence¹⁵ recommended restricting alcohol advertising during sporting events due to the connection with family and domestic violence. Reducing exposure to alcohol promotion in these contexts represents an important opportunity to reduce injury at a population level.

Modern Avenues for Alcohol Advertising

Injury Matters is also concerned that existing rules do not adequately capture all forms of alcohol marketing, particularly within contemporary media environments. Current definitions of alcohol advertising exclude promotion of low- and zero-alcohol products, despite these products commonly using the same branding, imagery and brand extensions as their alcoholic counterparts.¹⁶ This allows alcohol companies to maintain brand visibility and recognition while circumventing existing restrictions.¹⁷ Similarly, the Free TV Code does not sufficiently address alcohol promotion through sponsorship, including branding on sports jerseys, signage within sporting stadiums, and integrated content within programming. These forms of marketing contribute to cumulative exposure and the normalisation of alcohol use, particularly for children and young people.

Alcohol advertising exposure also occurs through video-based advertising across a range of mediums, including broadcaster video-on-demand (BVOD) services and other advertising-based video-on-demand platforms. These services are widely used by families, children and young people, often outside traditional broadcast schedules. In practice, the distinction between free-to-air television and broadcaster-owned video-on-demand platforms is becoming increasingly blurred, yet alcohol advertising safeguards are not applied consistently across these services. This results in regulatory gaps that undermine the intent of existing protections and community safeguards.

In addition, alcohol advertising appearing on free-to-air television and video-on-demand services includes advertising from third-party delivery platforms, which promote the purchase of alcohol alongside food and other products. While these platforms are not alcohol brands themselves, such advertisements prominently feature alcohol products and brand imagery, contributing to overall

exposure and the normalisation of alcohol use. Consideration of how this advertising is treated under the Free TV Code is therefore relevant to assessing whether current definitions and safeguards adequately capture the full range of alcohol advertising to which the Australian community is exposed.

Key Points

Injury Matters urges ACMA to strengthen the Free TV Code by:

- Further limiting the hours during which alcohol advertising is permitted.
- Removing the loophole that allows alcohol advertising during sports broadcasts at any time.
- Ensuring that all forms of alcohol marketing — including low- and zero-alcohol branding and sponsorship — are appropriately regulated.
- Ensuring alcohol advertising safeguards apply consistently across free-to-air television and broadcaster-owned video-on-demand services.

Strengthening these safeguards would represent a proportionate, evidence-based approach that prioritises community safety and the wellbeing of the Australian community, particularly children and young people.

Thank you for the opportunity to contribute to this review. Injury Matters appreciates ACMA's consideration of injury prevention, violence reduction and community wellbeing in its assessment of alcohol advertising regulation under the Free TV Code.

If you require any additional information, I can be contacted via email at slukjanowski@injurymatters.org.au or by phone (08) 6166 7688.

Yours sincerely,



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Chief Executive

Injury Matters

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