



Mental Health Commission
Office of Alcohol and Other Drugs

Submission: Review of Alcohol Advertising Rules in the Free TV Code



Acknowledgements

Acknowledgement of Country

The Mental Health Commission acknowledges Aboriginal and Torres Strait Islander people as the traditional custodians of this country and its waters. The Commission wishes to pay its respects to Elders past and present, and extend this to all Aboriginal people seeing this message.

Recognition of Lived Experience

We recognise the individual and collective expertise of those with living and lived experience of mental health, alcohol and other drug issues, including their families and carers.

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About the Mental Health Commission

The Mental Health Commission (Commission) is a Western Australian Government agency that facilitates the delivery of mental health, alcohol and other drug services and programs, while leading the transformation required across the systems to better meet the needs of the community into the future. The Commission is guided by the Western Australian Mental Health and Alcohol and Other Drugs Strategy 2026-2031.

Conflicts of interest

The Commission declare no conflicts of interest in relation to this submission.

Context for this submission

The following submission responds to the Terms of Reference of the Review into Alcohol Advertising Restrictions in the Free TV Code.¹

It is understood that Free TV Australia (FTVA) is the peak industry body representing commercial television broadcasters, with the key function of advocating for the interests of free TV broadcasters.² Separately, the role of the Australian Communications and Media Authority (ACMA) under the Commonwealth Government, is to regulate Australian communications and media services and ensure consumer safeguards are in place.³

Response to terms of reference

1.0 Operation and outcomes of current Free TV Code provisions, including the volume, frequency and placement of alcohol advertising in sport and non-sport programming on commercial TV

The current Free TV Code rules acknowledge the vulnerability of children and young people; however, evidence shows exemptions for sport broadcast and program sponsorship undermine the Code's effectiveness.⁴

1.1 Free-to-air TV is designed for broad public viewing

More than half of Australians watch free-to-air TV each week.⁵ Because free-to-air television is accessible at no cost, it attracts a wide and diverse audience. This includes groups who may be more sensitive to advertising influences, such as children and young people and people experiencing social or economic disadvantage.^{6,7}

Given the broad reach of free-to-air TV, this review is an opportunity to create a media space with protections to reduce risk factors for harm in the community, particularly for children and young people.

1.2 Exemption for sports broadcasting is a driver for exposure to alcohol advertising

The current exemption from time-based restrictions that permits alcohol advertising during sport broadcasts is a loophole that increases children and young people's exposure to alcohol marketing and reinforces harmful links between alcohol and sport.^{8,9}

When alcohol is advertised during sporting events, it creates a problematic association between healthy activities and alcohol.¹⁰ This relationship is reinforced when alcohol advertising during sport broadcasts is combined with third party alcohol sponsorships and integrated marketing (see 4.1).¹¹

Sport broadcasts are a key driver for children's exposure to alcohol advertising.¹² Around one-quarter of all alcohol ads on TV occur during sports coverage.¹² During the 2017 AFL Grand Final, researchers identified 50 separate alcohol marketing episodes featuring brand names, logos, slogans or recognisable imagery, compared with just 26 episodes promoting health messages.¹² A separate study found that the ten largest alcohol companies aired an average of 179 ads per day in major Australian metropolitan areas.¹³ Sixteen percent of these ads appeared during sports broadcasts, and 45% were shown at times when children were likely to be watching.¹³

There is evidence that violence against women and children spike during major sporting events, when alcohol advertising on television is most concentrated.^{14,15} Women and children face

heightened risks during live sports broadcasts and events, including aggressive behaviour, physical and verbal abuse, and higher rates of family and domestic violence (FDV).^{12,13,14,15,16,17,18,19,20} Although alcohol is not the underlying cause of FDV, it significantly increases the frequency and severity of violence and the likelihood of physical injury.^{14,15} A Commonwealth 2024 report has recommended stronger regulations to reduce domestic, family and sexual violence, including tighter controls on alcohol marketing, particularly during sporting events.²¹

1.3 Exemption for program sponsorship allows alcohol brand promotion

Alcohol is advertised at product, retailer or brand level. The purpose of brand advertising is to foster trust, emotional connection and recognition among consumers.²² Brand advertising has been shown to work around alcohol marketing controls, for example where alcohol brand extensions on zero alcohol products are marketed in environments where alcohol products are not allowed.^{22, 23}

2.0 Available data and research that is directed towards establishing a direct or indirect link between alcohol advertising on television, increased consumption and broader social harms

2.1 Alcohol use and harms in Australia

More than three-quarters of Australians drink alcohol, and nearly one-third of people who drink, do so at levels considered high risk according to the National Health and Medical Research Council's Guidelines for Alcohol (Guidelines).^{24,25} The Guidelines also state that people under 18 should not consume alcohol; however, although youth drinking has declined overall, those who do drink often consume at risky levels - levels considered high risk for an adult.^{24,25}

Each year, 1,765 Australians die from alcohol-related causes (around 33 deaths every week).^{26,27} This is the highest rate of alcohol-induced death in more than 20 years.²⁷

Alcohol has links to a wide range of health and social harms.^{28,29} It is a known cause of at least seven cancers³⁰, as well as heart and liver disease.³¹ Alcohol also plays a role in fatal road crashes³², drownings, suicide, self-harm^{24,26} and harms beyond the individual drinker.²⁸ A 2025 study found that half of Australians had been negatively affected by someone else's drinking.³³

2.2 The link between alcohol advertising and drinking among young people is causal

There is consistent evidence that exposure to alcohol-related content increases the likelihood of early drinking, risky behaviours, and harmful drinking patterns.^{34,35} The evidence also shows that self-regulatory measures do not provide adequate protection for children, to prevent the pathway of exposure leading to harms.^{34,36,37}

Advertising plays a role in attracting new and underage drinkers, encouraging earlier initiation shown to increase risky behaviours and harmful drinking patterns.^{35 46,35}

2.3 Community concern around alcohol advertising

Community concern about alcohol marketing in Australia remains high.³⁸ A 2023 national survey found most Australians are worried about the amount of alcohol advertising they see on television, especially during sport.³⁹ Polling shows broad support for stronger controls for alcohol marketing such as reducing alcohol ads on TV when children are likely to be watching, including during sport broadcasting.^{38,39}

2.4 Alcohol advertising undermines public health messages

Free-to-air TV is a channel used for public health campaigns, including those aimed at preventing and reducing high risk alcohol use. There is evidence of the benefits of public education campaigns⁴⁰ as part of a comprehensive approach; however, in the current free-to-air TV environment, public health campaigns are outnumbered by ads for alcohol.^{41,42,43}

3.0 The economic contribution of alcohol advertising on commercial TV

When the economic benefits of alcohol advertising are weighed against the benefits of reducing alcohol use and protecting vulnerable audiences from harm, the evidence indicates that restricting alcohol advertising, sponsorship, and promotion is a cost-effective strategy.^{50,44,46}

3.1 Alcohol advertising revenue versus economic harms

Overall, the revenue generated from alcohol advertising is minimal compared with the much larger economic costs caused by alcohol harm.^{44,45,46}

Australian modelling shows that comprehensive limits on alcohol advertising would produce long-term healthcare savings that outweigh the costs of implementing such a policy.⁴⁵

In Australia, the annual cost of alcohol-related harm is estimated at \$66.8 billion, including \$18.2 billion in tangible costs and \$48.7 billion in intangible costs.⁴⁴

4.0 Additional insights

4.1 In-stadia and integrated content advertising

Beyond traditional advertising spots, alcohol brands are commonly leveraged through integrated marketing opportunities such as visible brand names, logos, slogans or other identifiable imagery shown on free-to-air TV screens.⁴⁷ Combining these strategies exposes

viewers to alcohol promotion roughly every 2 minutes and 32 seconds during a major sporting broadcast.⁴⁷

The evidence shows a dose-response effect, with cumulative exposure to alcohol advertising increasing alcohol use.³⁵ Given this relationship, and the many opportunities for integrated advertising, a comprehensive TV Code and affiliated mediums approach for alcohol advertising is warranted.

4.2 Advertising placement on mediums, including video-on-demand services

The Free TV Code applies only to live, free-to-air commercial broadcasts and does not cover broadcast on-demand services or identical content delivered online or through apps.⁴⁸ Although free-to-air viewing has declined over recent years, it still offers substantial reach⁴⁹, making stronger protections for vulnerable audiences essential.

The evidence supports a comprehensive approach to regulating alcohol advertising across all media.^{51,50}

5.0 Conclusion

The evidence provided in this submission supports the introduction of strengthened provisions for alcohol advertising on free-to-air TV.^{21,50,51}

This review is an opportunity for ACMA to ensure adequate consumer safeguards, particularly for children and young people are in place. The evidence suggests that a legally binding legislative instrument that mandates specific requirements for television TV broadcasters would be more appropriate and in the interim, the Code be amended to prevent showing alcohol advertising during sporting broadcasts.



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