

ALCOHOL ADVERTISING REVIEW BOARD

Alcohol Advertising Review Board Activity Report 2016 – 18

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

The AARB aims to draw attention to the need for strong, independent, legislated controls on all forms of alcohol advertising and promotion to help protect children and young people in Australia.

Alcohol advertising complaints in 2016 -17 and 2017-18

Table 1 summarises the status of complaints received by the AARB from 14 March 2016 to 10 March 2017, and from 11 March 2017 to 9 March 2018.

Table 1: Status of Alcohol Advertising Review Board complaints received in 2016-17 and 2017-18

	2016-17	2017-18
Complaints received	171	100
Number of ads these complaints referred to	135	92
Complaints considered by the AARB Panel	113	78
Determinations by the AARB Panel	102	76
Determinations that upheld complaints	90	64
Determinations that upheld complaints in part	10	8
Determinations that dismissed complaints	2	4

Some complaints were not progressed to the review stage as the ad could not be identified or accessed, the subject of the complaint was outside the scope of the AARB Code, or the subject of the complaint had already been reviewed by the AARB Panel (the original determination applies).

Activity highlights

State governments take action

In March 2016, the AARB released the report *No way to ignore it: the case for removing alcohol ads from public transport*. The report highlighted that it is impossible to control who sees outdoor advertising, and children and young people are regular users of public transport. It also noted the strong community concern about young people's exposure to alcohol ads on public transport.

The AARB called on state, territory, and local governments to take action to remove alcohol advertising from public transport vehicles and transit stops.

The report was communicated to all state and territory governments, and local government associations in Australia. The urgent need for action on alcohol marketing was also highlighted during reviews of state and territory liquor laws, and in the lead up to state elections.

In August 2016, the South Australian Government announced that following a review of their Liquor Licensing Act, they would be removing alcohol advertising from buses, trains, and trams. In March 2017, the WA Labor Party made a pre-election commitment to remove alcohol advertising from public transport. The WA Government followed through with this commitment in June 2018 with the announcement that alcohol advertising would be removed from buses and train infrastructure. Evidence from the AARB was cited in the media releases.

Action taken by advertisers

When a complaint is upheld, the AARB notifies the advertiser and requests they modify or remove the ad. In 2016-17 and 2017-18, there were numerous examples of advertisers taking prompt action based on community concerns. These included the removal of outdoor alcohol ads near schools (ref 566/16, 616/17), and removal of posts by liquor retailers and alcohol marketers on Facebook (ref 576/16, 582/16) and Instagram (ref 681/18).

Independent reviews recognise the importance of taking action

Action on alcohol marketing was recommended in the final reports from the review of the South Australian Liquor Licensing Act in June 2016 and the Northern Territory Alcohol Policies and Legislation Review in October 2017. During his review of the South Australian Act, the Hon. T R Anderson QC was provided with a copy of the AARB report *No way to ignore it: the case for removing alcohol ads from public transport* and the accompanying letter sent to the South Australian Premier. Key messages from both documents around the weaknesses of self-regulation and the importance of state governments taking action were discussed in the Hon. Anderson's final report. The weaknesses of the alcohol marketing self-regulatory system in Australia were also identified in the Northern Territory final report, and the AARB's development in response to these weaknesses was discussed.

Both the South Australian and Northern Territory reviews recognised the role that the Federal Government has in introducing stronger controls on alcohol marketing, while also identifying areas for action for state and territory governments.

Lessons learnt from five years of the AARB

The paper *Developing an alternative alcohol advertising complaint review system: lessons from a world-first public health advocacy initiative* was published in *Public Health Research and Practice* in July 2017. It discusses the development and implementation of the AARB, achievements in the first five years, and lessons learnt that can guide other jurisdictions seeking stronger regulation of alcohol marketing.

Activity highlights

It's not fair play

In September 2017, the AARB released the report *It's not fair play: why alcohol must leave sport*. The report highlighted the substantial community concern about alcohol marketing and sport; a third of all complaints received by the AARB in five years related to sport. The AARB called on the Federal Government to address the relationship between alcohol marketing and sport by phasing out alcohol sponsorship, amending the Commercial Television Industry Code of Practice to prohibit alcohol advertising during sports broadcasts, and introducing an independent, legislative framework for regulating alcohol marketing.

Nick Marvin, former CEO and Managing Director of Wildcats and Perth Lynx and Former Chairman of the National Basketball League, wrote a powerful foreword for the report that included strong calls to action:

"The media, legislators and even the alcohol industry have proven to be incapable of refraining from promoting harmful alcohol advertising to our children. It is now up to sport to act."

The release of the report was supported by independent market research that demonstrated strong public concern about the connection between alcohol and sport, and support for stronger regulation of alcohol marketing.

AARB in the literature

The AARB continues to be cited in academic literature. In a 2016 paper in the journal *Addiction* by Dr Jonathan Noel and Dr Thomas Babor, *Does industry self regulation protect young people from exposure to alcohol marketing? A review of compliance and complaint studies*, the AARB was highlighted as an example of an alcohol advertising review system.

In a 2017 paper in the journal *Drug and Alcohol Review*, *'It's like a drink you'd have before you go to a party': Analysis of a Vodka Cruiser advertising campaign*, Professor Sandra Jones and colleagues analysed an advertising campaign for Vodka Cruiser that was the subject of complaints to the AARB. The aim of the study was to explore young women's understandings of an advertising campaign that appeared to promote pre-drinking. The complaints to the AARB provided the opportunity for the authors to compare the way the alcohol company described the campaign in its response to the complaints, and the way it described it in industry magazines.

The AARB has also been cited in reports and statements from leading non-government organisations. It was included in the 2016 *Pan American Health Organization Meeting on Alcohol Marketing Regulation: Final Report*, the 2016 Victorian Alcohol and Drug Association's *Preventing alcohol related harm* position paper, and the 2016 *Alcohol Policy* position paper from the Royal Australasian College of Physicians.

End Alcohol Advertising in Sport campaign

Health and community organisations around Australia support action on alcohol marketing and sport, and in 2017, many of them came together to launch the End Alcohol Advertising in Sport campaign. The campaign, an initiative by the Foundation for Alcohol Research and Education, calls for alcohol advertising to be removed from professional sports. As a supporting organisation, the Public Health Advocacy Institute of WA has been involved in the campaign's development and community members who voice their concerns about alcohol marketing to the AARB are encouraged to take further action by signing up to the campaign.

**END
ALCOHOL
ADVERTISING
IN SPORT**

Comparison of activity by the Alcohol Advertising Review Board and Alcohol Beverages Advertising Code Scheme

The AARB was developed in response to the numerous weaknesses of the self-regulatory alcohol advertising system, including the Alcohol Beverages Advertising Code (ABAC) Scheme which is run under the auspices of the alcohol and advertising industries. The AARB provides independent review of alcohol advertising, free of the alcohol and advertising industries. Table 2 demonstrates a comparison of activity by the AARB and the ABAC over the two periods for which data are available.

Table 2: Comparison of the number of complaints received, determinations and decisions made by the AARB and the ABAC over the two periods for which data are available.

	AARB 2016-17	ABAC 2016 Annual Report	AARB 2017-18	ABAC 2017 Annual Report
Complaints received	171	139	100	130
Number of ads these complaints referred to	135	78	92	67
Number of complaints considered by the Panel	113	47	78	73
Determinations by the Panel	102	34	76	43
Determinations that upheld complaints (at least in part)	100	12	72	7
Determinations that dismissed complaints	2	22 ¹	4	36 ¹

1. This category was inferred from information in the ABAC 2016 and 2017 Annual Reports.

There is growing momentum for action on alcohol marketing in Australia, with several state governments introducing restrictions on alcohol advertising on public transport vehicles. However, while there are important opportunities for action at a state level, the responsibility for regulating alcohol marketing largely sits with the Federal Government.

It is evident that there is continued community concern about the content, placement, and volume of alcohol marketing in Australia. There is a need for strong, independent, legislated controls on all forms of alcohol marketing as part of a comprehensive approach to preventing harm from alcohol. It is time the Federal Government prioritised the health and wellbeing of Australian children and stepped away from self-regulation.

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