

**Submission
No 10**

**INQUIRY INTO ALCOHOLIC BEVERAGES ADVERTISING
PROHIBITION BILL 2015**

Organisation: Lion Beer Australia

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Lion Beer Australia

Submission to the NSW Legislative Council Inquiry
into Alcoholic Beverages Advertising Prohibition Bill
2015

10 November 2017



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1.0 EXECUTIVE SUMMARY

Lion appreciates the opportunity to make a submission to the NSW Legislative Council Inquiry into the Alcoholic Beverages Advertising Prohibition Bill 2015.

We acknowledge the commitment of the Government and Parliament to reducing the harm caused by the mis-use of alcohol and welcome this and further opportunities to continue to collaborate on the policy settings to address these issues.

Encouragingly, the trends surrounding alcohol consumption in Australia continue to show solid progress, with more and more under 18s abstaining (now 82%¹) and risky consumption among young adults also declining; for the 18-24 year olds, the number likely to drink five or more drinks on a single session at least once a month is down to 42%¹. This has come down from 57% in 2001 when the survey began¹.

The overwhelming evidence indicates that responsible advertising influences brand choice and does not contribute to the consumption patterns of alcohol.

Lion Beer Australia is a member of the Brewers Association of Australia and Alcohol Beverages Australia, and supports and endorses their submissions made to the Inquiry.

Alcohol Advertising and Promotion in Australia

Lion Beer Australia is proud of its responsible and sustainable approach to the promotion of its brands. A multi-faceted approach ensures strict adherence to the highest standards set by our company and the industry's quasi-regulatory system, the Alcohol Beverages Advertising Code ('The ABAC').

The ABAC, and its integration with the Australian Association of National Advertisers' Code of Ethics and the Advertising Standards Bureau, creates a robust system that has evolved efficiently with the advertising market since its inception in 1998. The ABAC organisation's market testing of their complaint decisions has verified that their determinations are often stricter than the prevailing community standards, giving strong confidence that both the Code and the independent complaints process set a high standard in responsible advertising and promotion.

The facts surrounding alcohol consumption in Australia, coupled with numerous case studies from other OECD countries, indicate clearly that there is no relationship between the responsible promotion of alcohol brands and risky drinking patterns.

Lion, along with all of our industry colleagues, acknowledges that there remain certain groups and individuals who either currently mis-use alcohol or are at risk of mis-using alcohol. Committed to evidence-based solutions, Lion has been the single largest funder of DrinkWise Australia since inception in 2005, with the organisation's achieving encouraging change in the drinking culture of Australia.

To this end, we advocate that the Inquiry considers:

- The extensive body of evidence from across a range of OECD countries pertaining to long-term advertising bans and their lack of effect in tackling risky consumption.
- The evidence-based work of DrinkWise Australia to target mis-use of alcohol.



- The evidence garnered by prominent anthropologist Dr Anne Fox on the real underlying drivers of Australia's drinking culture, misuse, violence and antisocial behavior in Australia and the practical steps we can take as a community to drive real change.

2.0 ABOUT LION

Lion is a leading beverage and food company with a portfolio that includes many of Australia's favourite brands. We employ more than 4,500 people across Australia and New Zealand and take great pride in our local manufacturing footprint, which spans 34 sites – including large breweries, craft breweries, dairy farms and milk, cheese, yoghurt and juice sites.

We are one of the region's largest purchasers of agricultural goods and an integral component of the retail, hospitality and tourism industries.

Our Australian beer division, Lion Beer Australia, is one of the largest brewing companies and the operator of the most brewing sites in Australia. The company currently holds nine breweries located in all states. Two of them are in NSW, the largest of the network is Tooheys at Lidcombe and the other is one of Australia's original craft breweries, the Malt Shovel Brewery in Camperdown. The company and its corporate functions are also headquartered in York St Sydney.

We brew some of Australia's most iconic brands, including the Tooheys New, which is still the number one beer sold in bottles and can in the state. We have been a partner of NSW's sport and cultural events for decades, recently re-joining NSW Rugby League as a key sponsor.

LION'S ECONOMIC CONTRIBUTION IN FY16¹

Direct employment in NSW - Lion Beer Australia and Lion Corporate Functions	908
Direct employment in Australia - Lion Beer Australia and Lion Corporate Functions	1,689
Direct economic contribution in NSW – Lion Group	\$817m
Direct economic contribution in Australia – Lion Group	\$2,165m
Alcohol excise paid in Australia	\$810m
Wine Equalisation Tax paid in Australia	\$42m

¹ Deloitte Access Economics - Lion Economic Contribution Report FY2016

3.0 RESPONSIBLE ADVERTISING AND PROMOTION

Overview of the Alcohol Beverages Advertising Code (ABAC)

Australia has a quasi-regulatory system for alcohol marketing: marketing guidelines have been negotiated with government and consumer complaints are handled independently, yet all costs are borne by industry.

The Alcohol Beverages Advertising Code (ABAC) provides for strict regulation of alcohol advertising, marketing and social media. This robust independent system includes government representation, and complements and adds to the Australian Association of National Advertisers' system by providing specific and significant restrictions on the content of alcohol advertising, including:²

- Only portraying responsible and moderate use of alcohol beverages
- Responsibility towards minors (under the age of 18) including that advertisements must not have strong or evident appeal to minors or use actors that may appear to be underage (actors are required to be 25 years or older)
- Responsible depiction of the effects of alcohol by not portraying alcohol as a means to sexual or social success, or change in mood
- Not depicting the use of alcohol where it may reduce safety
- As of 1 November 2017, the ABAC Scheme has been strengthened to respond to community expectations around placement of advertisements, in addition to the existing restrictions on content as outlined above.

Responding to the evolving marketing landscape, recently added ABAC provisions include:³

- Mandatory age gating – where age restriction controls are available, these must be used to exclude minors
- If age restriction controls are not available, adults are expected to comprise at least 80% of the audience
- Advertisements cannot be placed within programs or content primarily aimed at minors, even if the placement technically complies with the relevant industry code
- No electronic mail advertising can be sent to minors
- Better alignment between existing media codes, for example if the Commercial Television Industry Code of Practice, or the Outdoor Media Association Alcohol Guidelines, are breached, this will also now be a breach of ABAC.

Regular evaluation of ABAC decisions is undertaken with the community to ensure that the code is meeting community expectations. The most recent round of community research was undertaken in March 2017 by Colmar Brunton Social Research. An online survey of 1,225 Australians across locations, ages and genders measured community perceptions on 12 advertisements reviewed by Complaints Panel, seven of which were deemed by the Panel to breach the Code and were removed from circulation as a consequence. One of these advertisements was deemed inappropriate by the community on an unprompted basis, i.e. before respondents had reviewed the Code; on a prompted basis a further four advertisements were considered inappropriate based on respondents' reading of the Code.³

² Alcohol Beverages Advertising Code. Visit: www.abac.org.au for more information

³ ABAC Responsible Alcohol Marketing Code Scheme, Review of Decisions, Colmar Brunton Social Research, March 2017.

Responsible Advertising and Promotion practices at Lion Beer Australia

There are a range of formal processes in place to govern responsible marketing at Lion Beer Australia, covering formal induction and training, internal policies, compliance protocols and secondary vetting and approval gates.

The objective is to both ensure the content is responsible and only appeals to adults, and that the audience 80% or more over 18 years of age in all available channels where demographic data is available.

The advent of digital advertising and advances in social media allows for age verification to be far more closely controlled. Advertising in digital media is only displayed to those registered as adults.

The following processes are in place:

- Comprehensive Lion Responsible Marketing policies across packaging, labeling, traditional marketing, social media and digital marketing.
- Periodic formal training for marketing team members and all advertising agencies on the above processes, which are constantly updated in line with the changing digital media landscape.
- A three-stage gate process for approving advertising prior to publishing: 1) self-directed check lists, 2) corporate affairs approval and, 3) independent pre-vetting by the Alcohol Advertising Pre-Vetting Service – a user-pays service administered by the Alcohol Beverages Advertising Code (ABAC) organisation.

A little known facet of the alcohol advertising system is the Alcohol Advertising Pre-Vetting Service (AAPS), which is a formal process whereby independent experts review advertisements and provide an approval code that signifies that in their view the material is code compliant.

Advertising and media associations, such as Free TV Australia and the Outdoor Media Association, require an AAPS code to be submitted as part of buying space to play or display the advertisement. In the case of TV commercials, an ad must receive a CAD (classification) number from Free TV Australia prior to being aired. The CAD approval panel will only issue a CAD number to an alcohol ad when it has already received an AAPS approval number to denote ABAC compliance. This in effect ensures there is code compliance for all alcohol advertisements displayed in a number of key media channels.

The AAPS process is completely separated from the complaints adjudication process. An AAPS approval code is not a defence if a complaint is received, which will be evaluated by the independent ABAC complaints adjudication panel, chaired by Chief Adjudicator, Professor the Honourable Michael Lavarch AO.

Our brands are trusted by consumers and we offer them as a tool in social marketing initiatives such as DrinkWise's 'You won't miss a moment' campaign, which encourages responsible drinking at sporting and arts events.

4.0 EVIDENTIARY OVERVIEW, ALCOHOL ADVERTISING IN OECD COUNTRIES

1. Background

Alcohol is a “mature” advertising category in Australia, as in most other developed countries. Virtually all econometric, cross-sectional, and case studies have found that marketing has no or very modest effects on alcohol consumption.⁴

While overall consumption and misuse should not be conflated, a significant increase in misuse would show up in population-wide per capita consumption figures, other factors remaining equal.

However, despite increases over the years in alcohol advertising along with more sophisticated advertising techniques and product innovation, per capita consumption of alcohol has been trending down over 25 years.

Nations with much higher per capita consumption than Australia have experimented with significant restrictions on alcohol marketing for many years, including Ireland and France, upon which some activists would have Australia base its policy.

2. Population-wide control of consumption mechanisms

The promotion of measures to reduce overall consumption, including advertising and sponsorship restrictions, rather than target misuse is founded on a concept commonly referred to as the ‘prevention paradox’. This is an idea imported from a disease control model carrying a number of fatal limitations when applied to alcohol.

The ‘prevention paradox’ describes the seemingly contradictory situation where the majority of cases of a disease come from a population at low or moderate risk of that disease, and only a minority of cases come from the high-risk population (of the same disease). This is because the number of people at high risk is relatively small.

Translated to alcohol the theory goes that while the 10% of heaviest drinkers are at the highest risk of harm individually, more harm overall can be found among the 90% of normally moderate drinkers because of the greater scale of the sample despite the lower per capita risk.

The problems inherent in importing a disease control concept are clearly manifest. In the disease context, you either have malaria or you do not. There is no safe or beneficial level of malaria infection.

However, there is a safe and potentially beneficial level of alcohol consumption. Studies on the benefits of moderate alcohol consumption conservatively estimate that 2,437 deaths and 114,726 hospital bed days are prevented each year.⁵

Reflecting the fact cardiovascular disease is the leading cause of death in Australia, the same data suggests more deaths among females are prevented (1,061) through moderate consumption than are caused by excessive consumption (913).

⁴ Broadbent, 2008; Nelson and Young, 2008; Nelson, 2007; Gallet, 2007; Lariviere et al, 2000; Duffy, 1999

⁵ The costs of tobacco, alcohol and illicit drug abuse to Australian society in 2004/05” (Collins & Lapsley); Stockwell et al (2002)

In respect of males, moderate consumption of alcohol prevents half (1,376) the number of deaths as are caused by misuse (2,582). Further, economists have argued that the authors of this paper over-estimate the level of harm and associated costs.⁶

The same data set suggests net figures of 5,100 Australian lives are saved each year as a consequence of low risk drinking versus abstinence. While risky and high risk drinking cause more deaths than they save (2,737), the overall effect of all drinking versus abstinence is to save 2,363 lives each year.

In a recent study published in the Lancet suggests that in moderate to high income nations compared with never drinkers, significantly reduced hazards for total death for current low to moderate drinkers were identified.⁷

Government should treat with great caution recent papers arguing against the general consensus in respect of the health benefits associated with moderate drinking, for instance Knott et al.⁸

A number of experts have discredited the conclusions of this paper. One such critique by Prof. Sir David Spiegelhalter, Winton Professor of the Public Understanding of Risk, University of Cambridge, wrote: *“The authors’ conclusions are not backed up by the data. All groups consuming less than 20 units a week experienced lower mortality rates than the lifelong teetotalers. But since there are not many teetotalers, there is large uncertainty about what the true underlying relative risks are. All the observed data are compatible with the kind of 15 to 20% protection that has been previously suggested, and the authors are not justified in claiming there is no protection apart from some specific groups. A graphic depiction of their data clearly shows the observed hazard ratio (relative risk of dying each year) – curiously such a graph did not appear in the published paper, but can be derived from the data provided in the tables.”*

Spiegelhalter continued: *“Essentially, the study is grossly underpowered to convincingly detect a plausible protection, and they have committed the cardinal sin of saying that non-significance is the same as ‘no effect’ in a study lacking sufficient events, in this case, deaths in non-drinkers. This is a poor use of statistics, and I am surprised it got past the referees.”⁹*

In addition, Prof. Paul Pharoah, Professor of Cancer Epidemiology, University of Cambridge, said: *“Overall the findings of this study are in broad agreement with what has been previously published – despite what is written in the press release. The main findings were that there was a reduction in mortality in almost all categories of alcohol consumption (main number reported in the results table is the relative hazard. A relative hazard of < 1 is a protective effect). For some of the categories this finding was statistically significant and not in others. The investigators make too much of these differences in nominal statistical significance. While some results were statistically significant and others not, the consistency of the findings in the different age/sex groups is more striking. I do not agree with their conclusion that ‘Little to no protection was found in other age-sex groups, regardless of consumption level.’ Because there were 10 different alcohol consumption groups being evaluated the number of deaths in each group was fairly small – particularly in the non-drinker reference group – and the statistical power to detect modest effects will have been small. In short the findings – although not statistically significant in part – were fairly consistent with previously reported research in which moderate alcohol consumption has been associated with a*

⁶ Crampton (2011), Deloitte Access Economics (2008)

⁷ Lancet 2015; 386: 1945–54

⁸ All cause mortality and the case for age specific alcohol consumption guidelines: pooled analyses of up to 10 population based cohorts; Knott et al; BMJ 2015; 350:h384

⁹ <http://understandinguncertainty.org/misleading-conclusions-alcohol-protection-study>.

modest reduction in mortality. But the authors' conclusions are not backed up by the data.”¹⁰

So, when it comes to alcohol, per-capita consumption is the wrong measure given the best available evidence suggests protective effects. There are many drinkers who have a relatively high annualised per capita consumption level but a healthy drinking pattern. Equally, a large cohort of drinkers have a relatively low annualised per capita consumption level but binge at the weekends are at a high risk of harm.

When data on levels of harm are organized by patterns of consumption rather than per capita levels of consumption, we find that the majority of harm does in fact fall among the small minority of irresponsible drinkers – disproving the ‘prevention paradox’ when applied to alcohol and the Ledermann curve upon which it is based.

Further, because moderate consumption of alcohol is proven to be beneficial, the danger in using tax or other measures to reduce per-capita consumption among the responsible majority is that you actually add to the burden of harm by reducing the health benefit. This has lead academics to argue that the effect of *control of consumption* policies like taxation could in fact have a significantly negative impact on the Nation’s health.

Among them, Professor David J Hanson says: “...given the speculative nature of the Ledermann distribution curve and its doubtful ability to predict the proportion of heavy drinkers, merely demonstrating a decrease in mean per capita consumption would appear to be irrelevant to the incidence of heavy drinking.

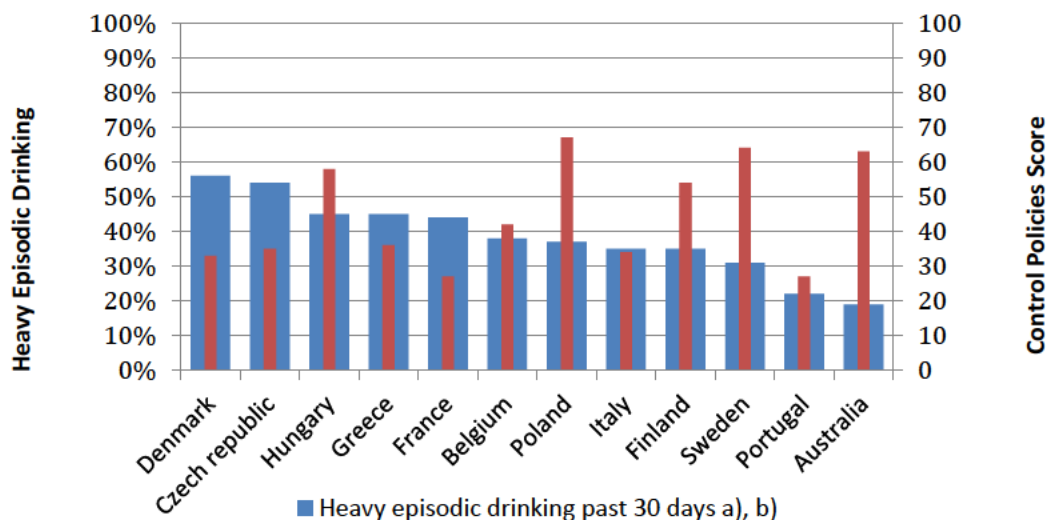
Furthermore, given the apparent health benefits and contribution to longevity of the moderate consumption of alcohol compared to either abstinence or heavy drinking, reducing per capita consumption might well have serious adverse health effects for moderate drinkers. Thus, lowering mean per capita consumption of alcohol could be counterproductive and highly undesirable for the health and longevity of the general population.”¹¹

When we compare the prevalence of control policies implemented by countries internationally with the rate of heavy episodic student drinking, we see little relationship between the two:

¹⁰ <http://www.sciencemediacentre.org/expert-reaction-to-study-on-health-effects-of-alcohol-across-different-age-groups/>

¹¹ [Preventing alcohol abuse: alcohol, culture and control: Professor David J Hanson, 1995](#)

Control Policies Score vs. Student Heavy Episodic Drinking



a) The 2011 ESPAD Report, p12

The arguments by some campaigners that the science supporting ‘control of consumption measures’ is established are therefore utterly erroneous. While there is no doubt alcohol misuse places pressure on the health system and that needs to be tackled as effectively as possible, efforts to reduce consumption population-wide are likely to be misguided.

3. Restrictions on promotion/ sponsorship

There is no compelling scientific evidence linking alcohol advertising to uptake among young people aged below the legal drinking age.

A number of recent studies have sought to find a connection between advertising and adolescent uptake. Many of these studies are flawed in methodology and also conflate exposure to advertising with influence on behaviour.¹²

Young people are exposed from birth to a range of powerful immediate influences, most importantly their parent and family role modelling behaviours. They attend all aged social and community events. They are exposed to non-paid media and the arts. As they approach the legal drinking age, they are influenced by elder siblings, their siblings’ peers and of course their own peers.

¹² Matthew Winter, Robert Donovan and Lynda Fielder “Exposure of Children and Adolescents to Alcohol Advertising on Television in Australia” (2008) *Journal of Studies on Alcohol and Drugs* 676 at 682; Tim McCreanor and others “Creating Intoxicogenic Environments: Marketing Alcohol to Young People in Aotearoa New Zealand” (2008) *Social Science and Medicine* 938 at 940; Lynda Fielder, Robert Donovan and Robyn Ouschan “Exposure of Children and Adolescents to Alcohol Advertising on Australian Metropolitan Free to Air Television” (2009) *Addiction* 1157 at 1163.; *Alcohol Marketing on Twitter and Instagram: Evidence of Directly Advertising to Youth/Adolescents* -Adam E. Barry, Austin M. Bates, Olufunto Olusanya, Cystal E. Vinal, Emily Martin, Janiene E. Peoples, Zachary A. Jackson, Shanaisa A. Billinger, Aishatu Yusuf, Daunte A. Cauley, Javier R. Montano (June 16); *Association Between Young Australian’s Drinking Behaviours and Their Interactions With Alcohol Brands on Facebook: Results of an Online Survey*; *Industry self-regulation of alcohol marketing: a systematic review of content and exposure research* - Jonathan K. Noel, Thomas F. Babor, Katherine Robaina (Oct 2016); Sandra C. Jones, Laura Robinson, Lance Barrie, Kate Francis, Jeong Kyu Lee (June 2016) ; *Alcohol marketing on social media: young adults engage with alcohol marketing on Facebook* - Patricia Niland, Tim McCreanor, Antonia C. Lyons & Christine Griffin (Nov 2016)

Intuitively, advertising could never play a particularly powerful role in the context of this powerful socio-cultural complex. Most studies on the influence of advertising on young people merely reveal an awareness of generic types of alcoholic beverages (part of popular culture like Champagne or white wine). In some instances there are also aware of brands or particular campaigns.

However, even where this is the case, it does not mean that the exposure to advertising has influenced them to make the decision to drink earlier than they otherwise would have. International research indicates that by far the major influences on underage drinking are deep-seated cultural factors, most notably, peer group norms, parental drinking behaviour and access to alcohol. Advertising and taxation are not pre-dominant reasons.^{13 14}

Donovan's review of the risk factors for adolescent alcohol initiation concluded that *'the most consistent antecedent risk factors for starting to drink in adolescence were parental and peer approval and models for drinking'*.¹⁵

Most recently, 2014 research from Australia concludes that the predictors of frequent alcohol consumption among adolescents included having a sibling or a friend who consumed alcohol; believing parents, friends and/or siblings approved of drinking; drinking behaviours of parents, friends and/or siblings; and having a higher disposable income.¹⁶

Further evidence of the important role of parents comes when we look at the statistics on where under 18s obtain their alcohol. The vast majority of alcohol supplied to minors is supplied by friends and family.

Despite being heavily cited by those arguing for greater restrictions, Babor et al contains conflicting commentary:

*"The extent to which effective restrictions would reduce consumption and related harm in younger age groups must remain somewhat of an open question. The most probable scenario, based on the theoretical and empirical evidence available, is that extensive restriction of marketing would have an impact."*¹⁷

This clearly suggests that Babor et al would have regulators act based not on firm evidence but on flimsy theories.

Babor et al¹⁸ also says: *"The longitudinal studies have been subjected to systematic reviews. The strength of the association, the consistency of the findings, the temporal relationship, the dose-response relationship and the theoretical plausibility of the effect have led to the conclusion that alcohol advertising increases the likelihood that young people will start to use alcohol and will drink more if they are already using alcohol (Jernigan 2006¹⁹; Smith and Foxcroft 2009²⁰; Anderson et al. 2009²¹)"*.

¹³ Baer, J.S. Student Factors: Understanding Individual Variation in College Drinking, *Journal of Studies on Alcohol* (Suppl. 14):40–53, 2002.

¹⁴ Louise Hayes, Diana Smart, John W. Toumbourou and Ann Sanson, *Parenting Influences on Adolescent Alcohol Use*, Research Report no.10 2004, Australian Institute of Family Studies

¹⁵ Donovan, J.E. 2004. Adolescent alcohol initiation: a review of psychosocial risk factors. *Journal of Adolescent Health*, 35(6):529.e7-18.

¹⁶ Jones SC, Magee CA (2014), *'The Role of Family, Friends and Peers in Australian Adolescent's Alcohol Consumption'*, Centre for Health Initiatives, University of Wollongong, Australia, Drug and Alcohol Review 2014,

¹⁷ Babor et al; *Alcohol: No Ordinary Commodity* (2010, page 244)

¹⁸ Babor et al; *Alcohol: No Ordinary Commodity* (2010, page 235)

¹⁹ Jernigan D.H. The extent of global alcohol marketing and its impact on youth

²⁰ Smith L. A. and Foxcroft D. R. 2009. The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people: systematic review of prospective cohort studies. *BMC Public Health*.

Findings from these systematic reviews include the below:

- Anderson et al reviewed 13 studies and found that “*twelve of the thirteen studies concluded an impact of exposure on subsequent alcohol use, including initiation of drinking and heavier drinking amongst existing drinkers*”.
- *Smith and Foxcroft* reviewed a quasi-similar body of literature and observed that “*the effect of alcohol portrayals and advertising on the drinking behaviour of young people is a matter of much debate*” and claimed to have found a modest relationship between exposure to marketing and drinking among young people with variation in effect between individual studies. *Smith and Foxcroft* did however highlight that all reviewed studies “*fall short of the current [methodological] recommendations as set out in the STROBE statement*”.²² The study concludes with the question: “*Does this systematic review provide evidence that limiting alcohol advertising will have an impact on alcohol consumption amongst young people? Not directly: (...) we cannot rule out that the effects demonstrated in these studies are due to residual confounding*”.

Most importantly, Nelson reviewed a body of literature almost identical to the one reviewed by *Anderson et al.* and *Smith & Foxcroft*. He concluded that a “*brief review demonstrates that the evidence on alcohol advertising and youth is mixed, contradictory and inconclusive*”. Although “*studies present a conflicting set of results [...they] are cited in an uncritical manner*”.²³

In a 2010 comprehensive review of all the literature – not only the longitudinal studies – Nelson found evidence of a “*selection bias in the interpretation and use of results by researchers and health policy interest groups [...]*” A main conclusion of Nelson’s meta-analysis is that “*the effect of alcohol marketing on adolescent drinking is modest, but the evidence indicates that it may not exist at all for mass media and other exposures*”.²⁴

Some recent studies have used self-report questionnaires and followed young people over a number of years in an attempt to determine the effect of advertising on subsequent drinking beliefs and behaviours. These studies often claim to have attempted to strip out confounding factors but the fact remains, even if you accept the accuracy of their results (and there are obvious methodological limitations), they are unable to adequately separate correlation and causation.

For instance, such studies have never adequately addressed the likelihood that parental attitudes and their consequent parenting techniques are factors likely to be correlated with the level of their children’s exposure to alcohol marketing, age of initiation and general attitudes to drinking. Nor have they addressed the likelihood that environmental factors – where people live, their background, how their community views alcohol – are likely to be influential and these factors may also be independently correlated with the amount of advertising seen and their attitudes to drinking.

²¹ Anderson P., de Bruijn A., Angus K., Gordon R. and Hastings G. 2009. Impact of alcohol advertising and media exposure on adolescent alcohol use: a systematic review of longitudinal studies. *Alcohol and Alcoholism*

²² The STROBE statement is a standard of research aiming at strengthening the reporting of observational studies in epidemiology. It consists of a series of check-lists for each type of research. www.strobe-statement.org/

²³ Nelson J. P. 2008. Reply to Siegel et al: alcohol advertising in magazines and disproportionate exposure. *Contemporary Economic Policy*, 26(3): 493-504.

²⁴ Nelson, J.P. 2010. Alcohol Marketing, Adolescent Drinking and Publication Bias in Longitudinal Studies: A Critical Survey using Meta-Analysis. *Journal of Economic Surveys*, published online on 23 August 2010.

Authors of such studies have acknowledged their limitations. One recent study by Grenard et al²⁵ acknowledged that “causality cannot be verified,” while another by Grube’s²⁶ says:

*In contrast to experimental and ecological studies, however, survey research studies on alcohol advertising and young people consistently indicate that there are small, but significant, correlations between awareness of and affect toward alcohol advertising and drinking beliefs and behaviors among young people. Children and adolescents who are more aware of and favorably disposed to alcohol advertisements hold more favorable beliefs about drinking, intend to drink more frequently as adults, and drink more frequently and in larger quantities than do other young people. Taken as a whole, the survey studies provide some evidence that alcohol advertising may influence drinking beliefs and behaviors among some children and adolescents. A growing body of research is confirming and extending these findings. **This evidence, however, is far from conclusive. Because of the cross-sectional design of most of the published studies, causal inferences are difficult. Alcohol advertising may predispose young people to drink or the opposite may be true instead. That is, young people who are favorable toward drinking may seek out information about alcohol and thus be more attentive to alcohol advertisements.***

Where outright bans have been employed overseas, scientific evidence demonstrates them to have been ineffective. Restrictions tend not to correlate with per capita consumption or are associated with an increase.

Results from an international study of advertising bans in 17 OECD countries between 1977 and 1995 indicate that advertising bans did not result in a reduction in the number of ‘new’ drinkers, in alcohol consumption overall or alcohol abuse.²⁷ Economic and deep-seated cultural factors are proven to be the important determinants of national drinking patterns.

A 1999 report by the French Parliament evaluating the effectiveness of France’s advertising ban (‘Loi Evin’) concluded that no effect on alcohol consumption could be established.²⁸ A slow decline in alcohol consumption was deemed not to be correlated with the Loi Evin and attributed to other factors.

Furthermore, despite the advertising ban, recent statistics coming out of France suggests more powerful social and cultural changes are driving an increase in episodic excessive consumption and hospital admissions. Heavy episodic drinking by French under-18s has increased from 30 percent in 2003 to more than 40 percent in 2011 and is among the highest levels in Europe.²⁹ Consumption in the past 30 days amongst 16-year olds in France also increased from 60 percent in 1999 to 64 percent in 2007.³⁰

Even the French National Association of Prevention of Alcoholism and Addiction conceded that the effects of the law are indeed “weak” and are more symbolic than quantitative.

Several studies of the effects of alcohol advertising bans have been conducted in Canada, where some provinces have imposed advertising bans and subsequently lifted them. In Manitoba, a 7-year long beer

²⁵ Grenard, J. L., Dent, C. W., & Stacy, A. W. (2013). Exposure to alcohol advertisements and teenage alcohol-related problems. *Pediatrics*, 131(2), e369-e379

²⁶ Grube, J. (2004) *Alcohol in the Media: Drinking Portrayals, Alcohol Advertising, and Alcohol Consumption Among Youth*, Chapter 11 of ‘Reducing Underage Drinking: A Collective Responsibility’, National Research Council (US) and Institute of Medicine (US) Committee on Developing a Strategy to Reduce and Prevent Underage Drinking; Bonnie RJ, O’Connell ME (editors) Washington (DC).

²⁷ Nelson, J.P. & Young, D.J. 2001. Do advertising bans work? An international comparison. *International Journal of Advertising*, 20(3), 273-296

²⁸ Berger, G. et al. La Loi relative à la lutte contre le tabagisme et l’alcoolisme: rapport d’évaluation. La Documentation Française, 106

²⁹ ESPAD, Substance abuse amongst students in 36 European Countries, 2012

³⁰ ESPAD, Substance abuse amongst students in 36 European Countries, 2009

advertising ban did not reduce beer sales, which actually increased over the course of the trial.³¹ There was no effect as a consequence of the lifting of a partial ban in British Columbia.

In Saskatchewan, a study concluded that *‘the change in legislation regarding alcohol advertising produced neither an abrupt permanent nor a gradual permanent effect on the pattern of total volume of sales. (...) Advertising does not (...) affect total consumption.’*³²

Elsewhere, Norway prohibits advertising but consumption continues to increase. Significant restrictions in Iceland, Sweden, Russia and Switzerland have not reduced harm. On the other hand in Italy, where alcohol advertising is permitted, per capita consumption is decreasing:³³

Further, New Zealand statistics demonstrate no correlation between inflation-adjusted alcohol advertising expenditure and consumption.³⁴ Over the past 27 years both expenditure and consumption have varied widely but independently of each other – indeed 1998 was the year of the highest marketing investment and lowest consumption. Over the long term between 1987 and 2013, per capita consumption for New Zealanders aged 15 and above has reduced by 9.8% from 10.33 litres in 1987 to 9.183 litres.

Per capita consumption in New Zealand began a long period of decline from 1 February 1992 when the previous de facto ban on radio and television advertising was removed, proving the ban on broadcast advertising had no effect on consumption levels. Given that TV and radio continue to enjoy the broadest reach of any media, despite the media fragmentation that began in the mid-2000s, this underlines the lack of relationship between advertising and consumption levels

4. Where should alcohol policy be targeted?

Targeted and relatively brief interventions have been consistently found to be effective in reducing consumption and achieving referral for treatment of problem drinkers.³⁵

Effective education is also essential, while poorly designed programs can be counter-productive. A recent report by prominent UK anthropologist, Dr Anne Fox, commissioned by Lion delivers valuable insights in this respect.³⁶

Dr Fox offers over 20 years’ experience delivering alcohol education programs. She says: *“Much substance-misuse education, especially that directed at young people, focuses exclusively on risks, dangers and consequences. Educators are often surprised that this information does not result in behaviour change.*

“In theory, if we can convince people that the threats are real and that they are susceptible to them, they will change their evil ways. This is the origin of the ‘scare the living daylights out of them’ method of alcohol education.

“Unfortunately, it does not work, no matter how horrendous we make drinking out to be. Why? Because many people perceive the benefits of drinking to outweigh the harms. Alcohol education therefore must refocus on what people perceive to be the benefits and assist them to achieve these largely social goals without harming themselves in the process.

³¹ Ogborne, A.C. & Smart, R.G. 1980. Will restrictions on alcohol advertising reduce alcohol consumption? *British Journal of Addiction*, 75, 293-296

³² Makowsky, C.R. & Whitehead, P.C. 1991. Advertising and alcohol sales: a legal impact study. *Journal of Studies on Alcohol*, 52(6), 555-567

³³ Alcohol consumption, liters per population aged 15+, OECD

³⁴ Foundation for Advertising Research, March 19, 2014 – Alert 7/14

³⁵ Bien et al, Brief interventions for alcohol problems: A Review; *Addiction* (1993) 88, 315-336

³⁶ Understanding behaviour in the Australian and New Zealand night-time economies – An anthropological study; Dr Anne Fox; January 2015

“Despite a desire for practical information on how to drink and stay safe, young adults in our focus groups exhibited very little understanding of the basic facts about alcohol. Appropriate alcohol and drug education must begin before experimentation starts and must focus on accurate, not exaggerated, information, as well as social and personal skills training.

“The child with high self-esteem, good reasoning skills, personal ambition, self-awareness and sound knowledge of drugs and alcohol will be more resistant to peer pressure and the lure of risk-laden thrills. All education must include a very clear message that self-control over behaviour is always possible, even when very drunk.”

DrinkWise Australia is implementing a range of initiatives that are consistent with Dr Fox’s evidence-based approach.

As highlighted in its recently released Research Report³⁷, DrinkWise recognises that Australians are changing both the frequency of consumption and the amount we’re consuming when we do have a drink. The findings in their Report (and consistent with those issued by the AIHW) reinforce DrinkWise’s beliefs that its targeted social marketing campaigns and education activities are resonating with the broader community and particularly with those audiences at risk from excessive consumption.

Some of DrinkWise’s initiative include the focus on the following:

The role of parents

- DrinkWise has placed a major focus on parents’ roles as influencers and role models in their children’s lives when it comes to their future consumption of alcohol.
- Launched in 2008, Kids Absorb Your Drinking marked DrinkWise’s first generational change campaign. The key to this campaign was ‘holding up a mirror’ to parents’ drinking, to increase awareness of their impact as role models in positively influencing their children’s future drinking behaviour (for further information see case study under heading *Achieving the Objectives of the Bill*).
- Kids and Alcohol Don’t Mix was developed in 2009 to encourage parents to delay their child’s introduction to alcohol. DrinkWise recognised that for many parents talking to their kids about alcohol and setting clear boundaries and expectations was a daunting task.
- Our approach with parents has continued to evolve through a partnership with parents site MamaMia where we provide parents with a forum to discuss their views and share their experiences.

How to Drink Properly (18-24 year olds)

- In 2014, DrinkWise launched an Australian-first social marketing campaign designed to influence young adults (18-24 years) to drink responsibly - by moderating the intensity and frequency of binge drinking occasions.
- Built around a series of animated online videos, the campaign features a suave, classy and confident character who bestows cheeky words of wisdom upon 'amateur' drinkers.

³⁷ DrinkWise Australia. (2017). Australian drinking habits: 2007 vs 2017. Melbourne, Australia. Retrieved from [<https://drinkwise.org.au/our-work/australian-drinking-habits-2007-vs-2017/#>] on 31 October 2017.

- Utilising targeted social media platforms such as YouTube, Spotify, Facebook, Instagram, Tinder and Snapchat, as well as a dedicated website (www.howtodrinkproperly.com) has been the key to reaching this audience.
- DrinkWise has also introduced in-situ activations designed to expose the target audience to moderation messages in environments where young adults typically drink and purchase alcohol such as ‘Schoolies’ and University Orientation weeks, bars, clubs and retail outlets.
- Ongoing tracking research and an independent evaluation by a University consortium has indicated significant attitudinal and behaviour change among those who have seen the campaign, with the target audience indicating drinking less on a night out and utilising the various message platforms to communicate with their social group about the pitfalls of poor drinking behaviour.
- How to Drink Properly has been recognised through numerous international and Australian advertising, creativity and effectiveness awards.

You won’t miss a moment if you DrinkWise

- You Won’t Miss a Moment if you DrinkWise is an industry first - a collaborative approach to conveying a unified moderation message which encourages sports fans, music lovers and festival-goers to drink responsibly and ensure they don’t miss the most memorable moments of an event.
- The initiative, targeting event attendees and those watching telecasts, has been seen and heard across AFL and NRL finals as well as the Spring Racing Carnival, Australian Open Tennis, Surfing Australia events and the 2015 World Cup of Cricket.

Labelling Initiative

- In 2010, DrinkWise developed consumer information messages for voluntary inclusion on alcohol labels to allow Australian consumers to better understand the facts around alcohol consumption. The consumer information messages encourage consumers to ‘Get the Facts’ from the DrinkWise website, which provides evidence-based information about alcohol and supports the community to take a healthier and safer approach to alcohol consumption.
- Pregnancy health information labels indicating “It’s safest not to drink whilst pregnant” and an accompanying pregnancy pictogram – were taken up by industry as key message on labels (at the request of Government).
- The adoption of consumer information messages on product and packaging is voluntary and represents a significant commitment by industry.

Red Dust Role Models

- DrinkWise and Red Dust Role Models have an ongoing partnership to deliver two programs to Indigenous Australians in the Northern Territory. The Strong Young Men’s Program has been in operation since 2012, and focuses on health and wellbeing issues specific to young men in those communities.
- The Strong Young Women’s Program commenced in 2016, and places an emphasis around alcohol education and FASD awareness for young indigenous women.
- The integrated approach combines effective education with early intervention and peer-led mentoring to educate people about the harmful effects alcohol can have on individuals and families.

The recent report by Dr Fox also provides a vital perspective on the underlying drivers of violence and anti-social behaviour and an insight into practical steps that should be taken in Australia to manage these

issues.³⁸ Overall, if communities really want to deal with anti-social behavior, they must tackle these underlying causes:

- Repeat offenders with high levels of social dysfunction – these offenders need to be carefully managed to reduce the risk to the community³⁹
- Deprivation and low socio-economic circumstance is correlated with some forms of violence and anti-social behavior, although it is far from a perfect or entirely direct relationship.⁴⁰ For instance Rutter et al's extensive summary of the evidence on this matter concluded that: *"... the weight of evidence suggests that social disadvantage and poverty are involved as distal factors in the causal processes that lead to anti-social behavior; however, insofar as the risks are environmentally mediated, the more proximal mechanisms involve the adverse patterns of parenting engendered by parental depression, which in turn derive from the family stresses involved in the broader adverse social situations. It is important to appreciate, however, that the finding that most of the effects of poverty are indirect does not negate its role in the causal chain. The National Youth Survey longitudinal analyses showed that relief of poverty brought benefits in family functioning."* Great care should be taken in ensuring we do not presume correlation equals cause. However, there would appear to be a case to further explore the relationship between inequality and deprivation, family stress, poor parenting, social dysfunction and levels of violence and anti-social behavior and considering how far local communities could reduce anti-social behavior by tackling these factors.
- Excessively macho cultures – much violence and anti-social behavior is caused by a combination of misguided displays of manliness in front of the peer group, a quest for status or control over another person (often among those who feel disempowered by other parts of their lives) and mistaken ideas of chivalry in defense of the honor of a woman or the like – this needs to be attacked through campaigns to change the social norms and stigmatize this kind of behavior. Clear social rules of behavior are needed along with real and strongly perceived social and punitive consequences for breaking them⁴¹
- Licensing regimes that encourage and support good operators to thrive and to potentially acquire or open more outlets. Among other factors, such operators apply high standards of Responsible Service of Alcohol and design and present their venue well⁴²
- Drinking environments should be designed with conflict reducing features and without 'frustration factors' like poor exits, toilets and transport options⁴³
- Communities should seek to avoid placing a large number of patrons out onto the street at the same time with limited access to transport and amenities. There is a case for less specific closing restrictions which allow a staged departure over time, ensuring good quality public transport, decent public place licensing and careful management of local food outlets to minimize trouble spots outside the licensed environment⁴⁴

³⁸ Understanding behaviour in the Australian and New Zealand night-time economies – An anthropological study; Dr Anne Fox; January 2015

³⁹ *ibid*

⁴⁰ Rutter et al (1998) *Anti-social Behaviour by Young People: A major New Review*, Cambridge University Press; Cameron et al (2012) *The Locally-Specific Impacts of Alcohol Outlet Density in the North Island of New Zealand, 2006-2011*, research report commissioned by the Health Promotion Agency, Hamilton: National Institute for Demographic and Economic Analysis, University of Waikato; R. J., Sampson, S. W. Raudenbush, F. Earls, "Neighborhoods and Violent Crime," *Science*, 277; (1997): 918-24; E Britt Patterson (1991) Poverty, Income inequality, and community crime rates; *Criminology* Vol. 29 No. 4 755; Peeples and Loeber – Do Individual Factors and Neighbourhood Context Explain Ethnic Differenced in Juvenile Delinquency? *Journal of Quantitative Criminology*, Vol 10, No 2, 1994; Epidemiology of juvenile violence. Farrington, David P.; Loeber, Rolf *Child and Adolescent Psychiatric Clinics of North America*, Vol 9(4), Oct 2000, 733-748.

⁴¹ Understanding behaviour in the Australian and New Zealand night-time economies – An anthropological study; Dr Anne Fox; January 2015

⁴² *ibid*

⁴³ *ibid*

⁴⁴ *ibid*

- Consistent and fair application of Responsible Service of Alcohol can make a real difference⁴⁵
- Stop allowing violent offenders to blame drinking and take full responsibility for their actions, including via the law⁴⁶

⁴⁵ Ibid

⁴⁶ Ibid

5.0 SIX KEY FACTS ON ALCOHOL CONSUMPTION IN AUSTRALIA

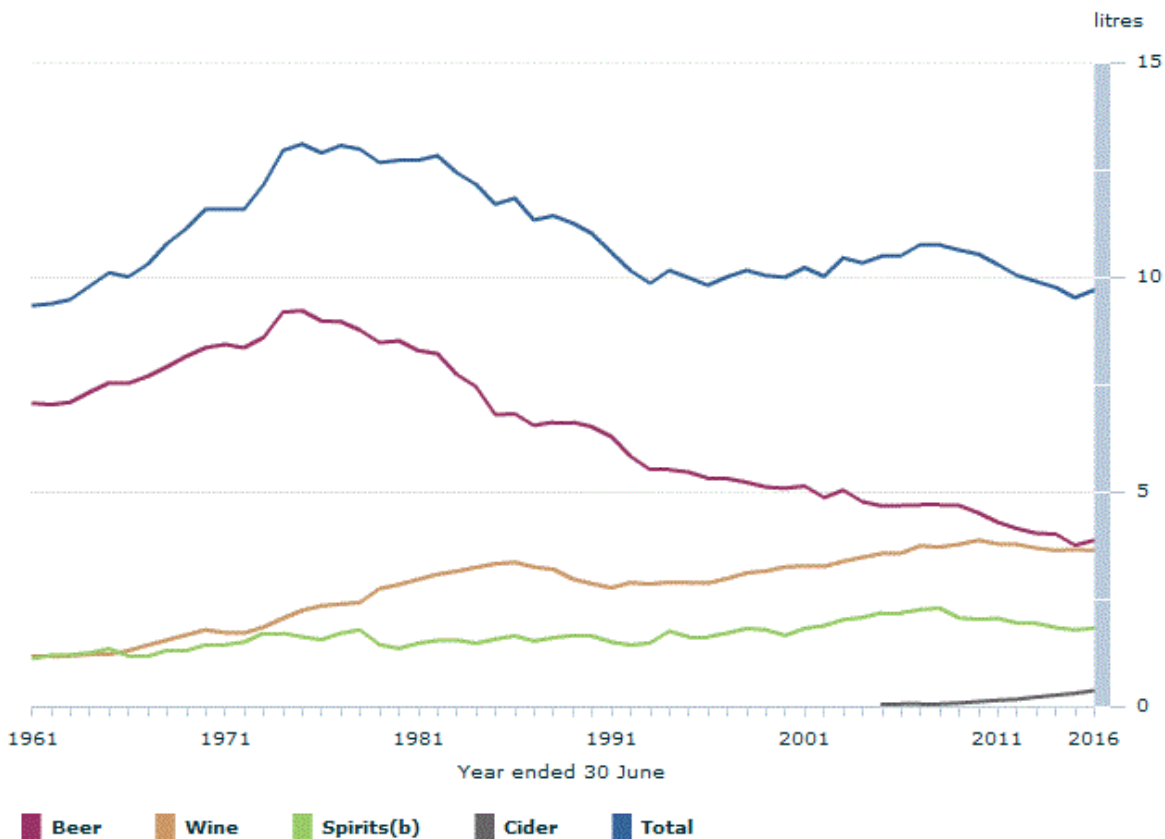
FACT 1: The quantity of alcohol drunk by the average Australian each year is close to a 50-year low.

What's the evidence?

- As the graph below shows, consumption is around 25% lower than the 1970s high of 13.1 litres per capita and broadly in line with the lowest levels seen since the early 1960s, despite a small increase from 9.5 to 9.7 litres per capital between 2014-15 and 2015-16.
- While per capita consumption and alcohol misuse are very different concepts, this data does not support the notion of a crisis of increased alcohol consumption across the population often portrayed by some activists.

Apparent Consumption of Alcohol, Australia 1963-2016

Apparent Consumption of Pure Alcohol, Per capita(a)

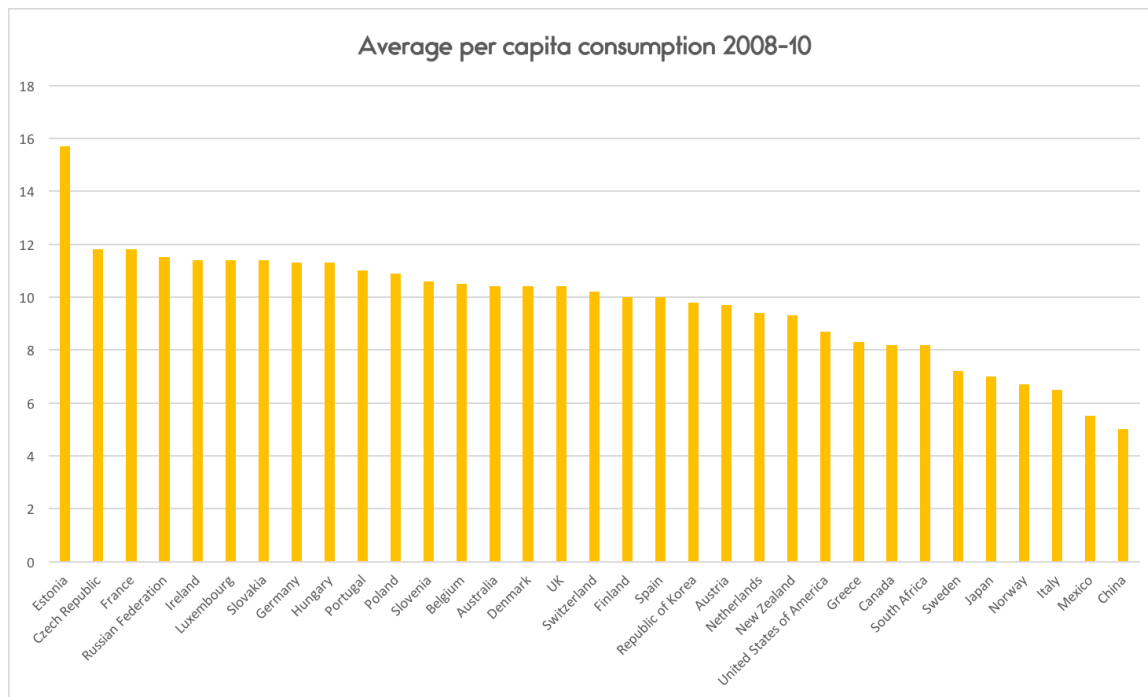


Source: ABS 4307.0.55.001 - Apparent Consumption of Alcohol, Australia, 2015-16

FACT 2: Australia is in the middle of the pack in terms of per capita consumption when compared with similar developed nations.

What's the evidence?

- World Health Organisation (WHO) statistics for OECD countries estimate relative per-capita consumption levels.
- These data are heavily influenced by gender equality and Australian women are relatively high per capita consumers.
- Culture and disposable income are also significant factors.
- While this data is interesting, patterns of consumption (Fact 3) are more important in judging the relative healthiness of a drinking culture.



Source: WHO; Recorded alcohol per capita consumption; OECD countries with the exception of Turkey, Israel and Brazil; 2008-10

FACT 3: The vast majority of Australians choose to drink alcohol and most do so responsibly. Levels of misuse are trending down.

What's the evidence?

More than **80.6%** of Australian adults consumed alcohol in the last year, comprising **85.6%** of males and **75.7%** of females.⁴⁷

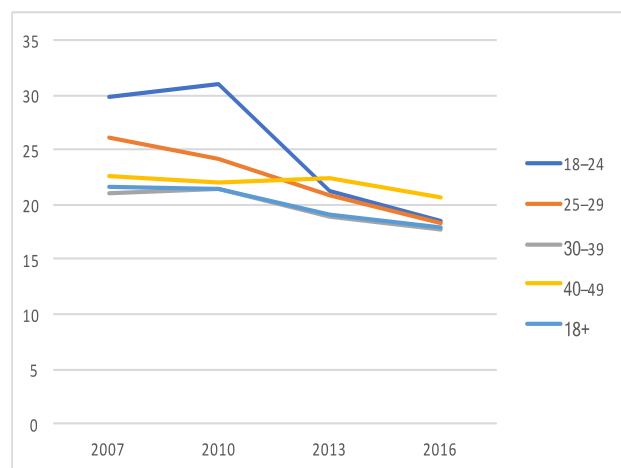
Around **36%** of Australians drink weekly, while only **6%** of Australians drink daily, down from **10.2%** in 1991.⁴⁸

There is considerable debate surrounding the current NHMRC Guidelines for safe and responsible drinking. However, using the current official Guidelines established in 2009, the number of Australians drinking at risk of greater harm over a lifetime when compared with abstinence is around **17%**.

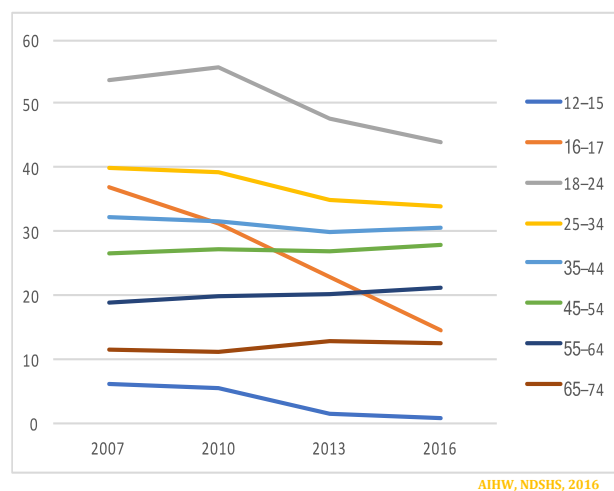
Around **26%** of Australians aged 14+ exceeded the 2009 guidelines in respect of their lifetime risk of injury on a single occasion at least once in the last year.

All data sets suggest a **significant decline in risky drinking in recent years** and across all age groups.

Lifetime risk of long-term harm – 2009 Guidelines
(More than 2 std drinks per day on average)



Lifetime risk of injury on a single occasion – 2009 Guidelines
(More than 4 std drinks at least monthly)



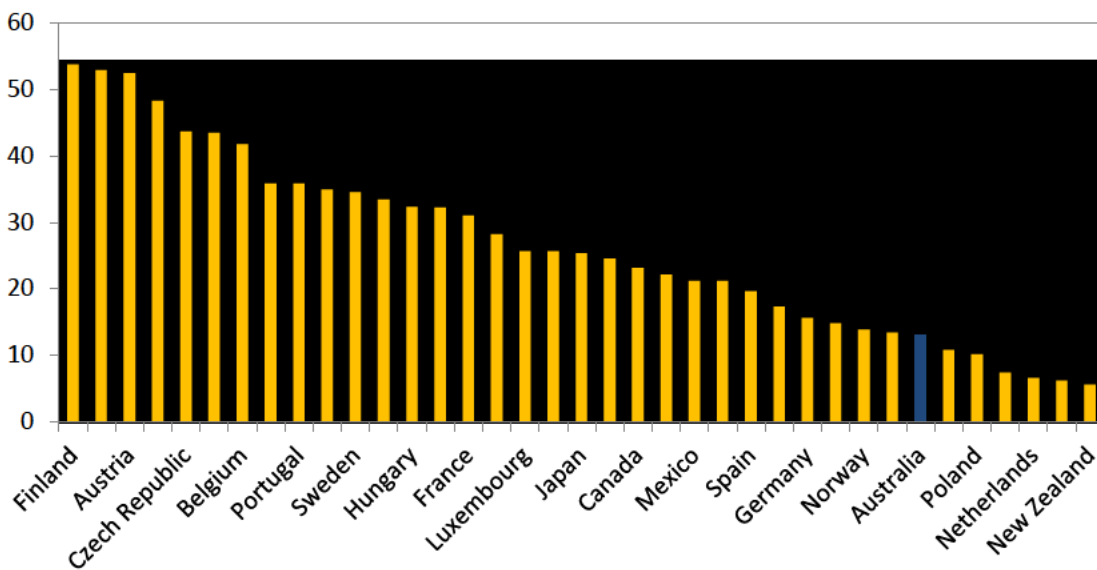
⁴⁷ Australian Bureau of Statistics Australian Health Survey: First Results 2014-15

⁴⁸ Australian Institute of Health and Welfare, National Drug Strategy Household Survey, 2016

FACT 4: Australian drinking patterns are relatively responsible when compared to similar cultures.

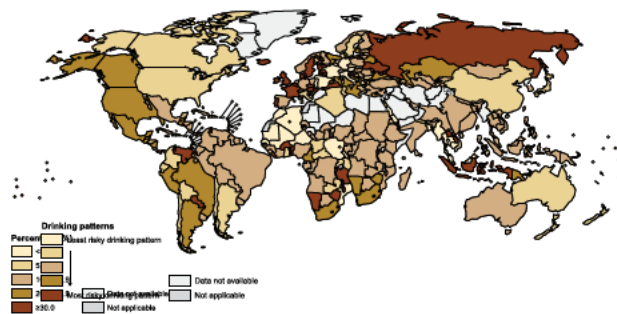
What's the evidence?

- While any level of excessive consumption is regrettable, WHO statistics suggest Australia sits at the lower end of the spectrum in terms of heavy episodic drinking⁴⁹ (sometimes referred to as binge drinking) compared to culturally similar countries.
- The WHO also rates Australia as relatively low risk (2 out of 5) in its patterns of drinking scores.



Prevalence of heavy episodic drinking among current drinkers %, 15+, 2010

WHO Patterns of drinking score



⁴⁹ WHO; Global Status Report on Alcohol and Health 2014; Patterns of consumption; % drinking 6+ standard drinks in a session in last 30 days; Data is from 2010.

FACT 5: Underage drinking is declining and those minors who do drink are doing so at less risky levels.

What's the evidence?⁵⁰

- The number of Australian's aged 12-17 abstaining from alcohol altogether has increased significantly since 2007.
- The percentage of those aged 12-17 who drink at lifetime risky drinking levels against the 2009 Guidelines has reduced to **1.3%**. The percentage drinking at risk of harm on a single occasion is down to **5.4%**.
- The average age of consumption of a first drink is now **16.1**. This data includes all consumption, including under parental supervision.
- Approximately **9%** of 15-17 year-olds state they have drunk alcohol within the last week. Males (10.1%) are more likely to have drunk than females (7.5%).⁵¹

	2007	2010	2013	2016
12-17 Year-olds abstaining	56.5%	63.6%	72.3%	81.5%
% of those aged 12-17 drinking at lifetime risky drinking patterns	n/a	4.2%	2.6%	1.3%
% of those aged 12-17 drinking risk of harm on that occasion	n/a	14.1%	8.7%	5.4%
Average age of first drink	15.0	15.2	15.7	16.1
Source: NDSHS				

FACT 6: Despite the focus on the behaviour of young adult drinkers, there are positive trends.

What's the evidence?

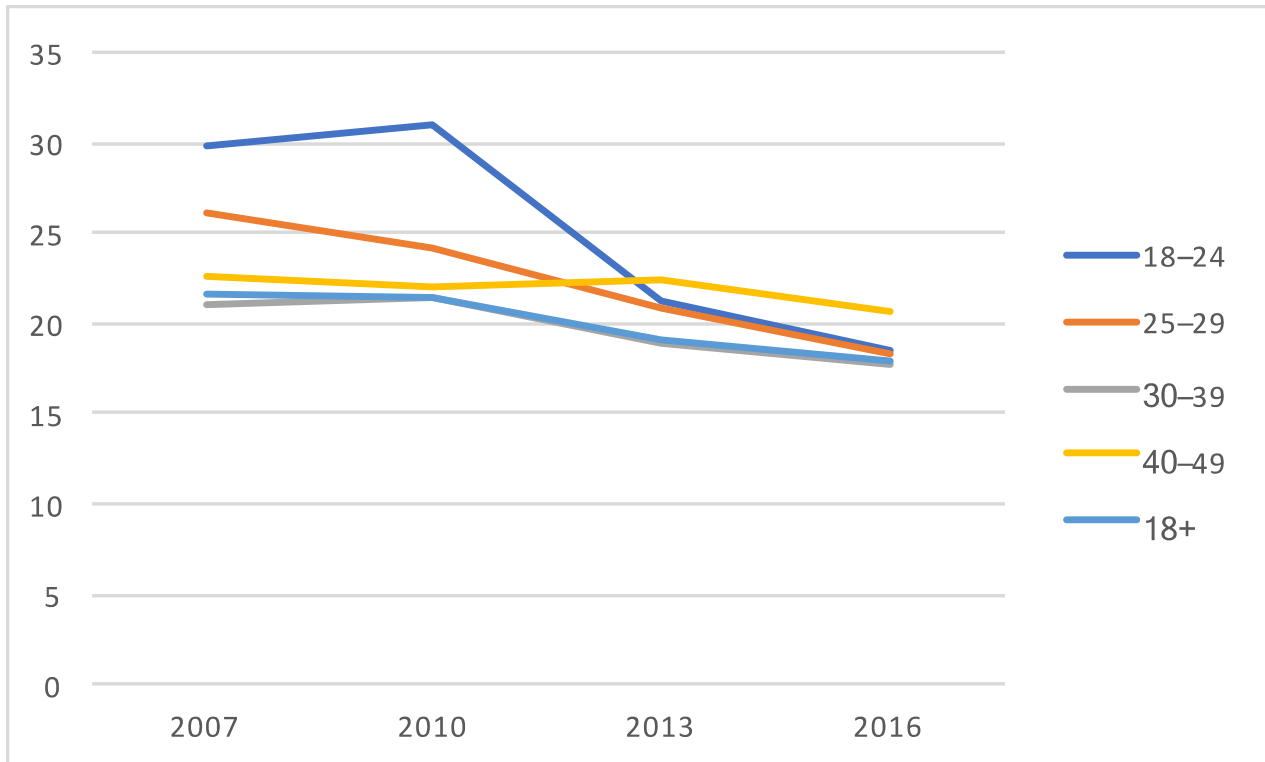
- Less young adult drinkers are drinking at risk of harm over a lifetime and we are seeing significant reductions in excessive consumption.
- Among the 18-24 year old demographic lifetime risky drinking has reduced from 21.3% to 18.5% between 2013 and 2016.
- In the 25-34 year old and 35-44 year old demographics a similar trend occurred.
- All these improvements are seen across both men and women, although there was a slight uptake in females across the two age groups.
- Despite the focus on underage and young adult consumption, the 40-49 year old demographic is now most likely to exceed the 2009 Guidelines on lifetime risk and males aged 44-54 and 55-64 are more likely than other demographics to breach those guidelines.

⁵⁰ Australian Institute of Health and Welfare; National Drug Strategy Household Survey 2016

⁵¹ Australian Bureau of Statistics Australian Health Survey: First Results 2014-15

- The rate of ‘binge drinking’ (defined as 11 or more standard drinks in a single session at least monthly), declined in the 18-24 demographic from 17.8% in 2013 to 15.3% in 2016, although that demographic remains most likely to drink to excess in a single session.

Lifetime risky drinking risk – 2009 Guidelines (More than 2 standard drinks per day on average)⁵²



⁵² Australian Institute of Health and Welfare, National Drug Strategy Household Survey, 2016



6.0 FURTHER INFORMATION

Lion would be happy to discuss this submission in more detail.

Please contact:

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