



AUSTRALIAN HOTELS ASSOCIATION

24 Brisbane Avenue Barton ACT 2600 • PO Box 4286 Manuka ACT 2603 • Australia
email: aha@aha.org.au • Facsimile: (02) 6273 4011 • Telephone: (02) 6273 4007
Web: www.aha.org.au

4 March 2013

Australian National Preventative Health Agency
alcoholadvertising@anpha.gov.au

AHA RESPONSE: ALCOHOL ADVERTISING ISSUES PAPER

The Australian Hotels Association (AHA) welcomes the opportunity to provide commentary on the Issues Paper on alcohol advertising developed by the Australian National Preventative Health Agency (ANPHA).

The Issues Paper is primarily focused on the advertising and promotional activities of alcohol producers, but also raises subjects of interest to the AHA's members such as sponsorship of events, point-of-sale promotions and company websites. The AHA's interest in addressing these areas of the Issues Paper is to ensure that any recommendations made in ANPHA's final report are done so in full awareness of the structure and activities of the licensed hospitality sector rather than only on alcohol producers.

Questioning the basis of the Issues Paper

The AHA is concerned with the claim made by ANPHA in the Overview section of the Issues Paper that "there is increasing public concern within Australia and internationally about the effects of harmful alcohol consumption". Whether the level of public concern is increasing or decreasing is debateable and certainly there appears to be no empirical basis for such an emotive statement in this paper.

A primary tactic of the well-funded and highly active network of anti-alcohol activists is to plainly state wherever possible that the 'problem' of drinking is getting worse. In fact, the available data indicates the opposite is occurring. The Australian Institute of Health and Welfare found daily drinking rates declined in two consecutive national household surveys and found alcohol consumption rates among women dwindling¹. ABS stats show per capita annual alcohol consumption by Australians has declined by around 25% since the 1970s, including a six per cent decline in the three years to 2011². The Preventative Health Taskforce also noted declining youth binge drinking³ in its 2010 report.

The Overview also makes reference to "expert advice" received by ANPHA, presumably from its Expert Committee on Alcohol. The AHA has previously raised concerns about the lack of industry representation on ANPHA's official committees, particularly the Expert Committee on Alcohol and the Advisory Council. We maintain our view that there is insufficient representation of the industry within the formal ANPHA structure and that this may contribute to the development of a somewhat alarmist view of alcohol's impact on Australian society.

¹ AIHW (July 2011) *National Drug Strategy Household Survey Report 2010-11*

² ABS (May 2012) *Apparent Consumption of Alcohol, Australia 2010-11*

³ National Preventative Health Taskforce (2009) *Australia: The healthiest country by 2020*

The AHA is also surprised to see in the Issues Paper a significant broadening of scope beyond that directed to ANPHA in the Australian Government Response to the Preventative Health Taskforce Report, which stated ANPHA would be tasked to "monitor the compliance of the alcohol industry with voluntary codes of practice and other commitments on alcohol advertising; and to monitor industry-funded efforts to conduct evidence-based social marketing on responsible drinking; and to report annually to the Minister on these activities".

Instead of an annual report to the Minister there is now an Issues Paper that significantly diverges from the original directive, although we note the Issues Paper does state that "it is worth noting that that all BAANZ, WFA and DSICA members abide by the Scheme - which represents nearly all advertisers" (p26). The Issues Paper extensively references noted anti-alcohol organisations such as FARE, AMA, Alcohol Policy Coalition and Alcohol Concern as evidence of "public concern", further challenging the evidence-base of the Issues Paper.

On-premise promotional activity is already regulated by state/territory governments

The AHA is also concerned with the interest of ANPHA at a federal level on the promotional activities of licensed venues, given that these are already regulated by liquor licensing authorities in every state and territory with the exception of Tasmania (where promotional activities are instead the focus of local liquor accords).

Liquor licensing legislation generally prohibits licensees from engaging in any promotion or activity that encourages the rapid or excessive consumption of alcohol or which appears to promote alcohol to minors. Typically, legislation provides for the creation of promotional guidelines or lists of prohibited activities to be introduced by regulation. The type of activities subject to regulation includes discounting, happy hours, offering free products, external price advertising, providing beverages in irregularly shaped containers and many others.

Licensees are frequently inspected by police and licensing officers and checked for compliance. Breaches of licensing conditions are subject to a range of enforcement measures ranging from financial penalties to the forced closure of the venue. In the context of happy hours, discounting and other on-premise promotions, the AHA submits that the existing oversight by state/territory regulators is sufficient to address community concerns both in terms of the scope of regulation and the capacity for enforcement.

Support for existing arrangements

The AHA supports the operation of the ABAC scheme for alcohol producers. Each of the three producer industry bodies (DSICA, WFA and BAANZ) are signatories to the Code, binding their members who comprise "nearly all advertisers" as acknowledged by the Issues Paper. The ABAC scheme has evolved to ensure relevance in a changing media landscape and will in all likelihood continue to be an effective and viable self-regulatory initiative for alcohol producers.

The AHA is not a signatory to ABAC, although hotels do advertise their venues across a variety of channels including television, radio, print, outdoor signage, online and via social media. Hotel advertising generally seeks to promote the venue and its many entertainment options, one of which is the availability of alcohol. It is not appropriate for ABAC to adjudicate on an advertisement for a hotel, as any irresponsible marketing practices employed would be subject to potential action by the state/territory liquor licensing regulator.

Conclusion

The AHA cautions against overstating community concern in relation to alcohol advertising in the absence of an evidence base supporting this claim. The AHA believes the ABAC scheme has been an effective example of industry self-regulation, covering the vast majority of alcohol advertisers in Australia and adapting to modern advertising and promotional trends.

The advertising and promotional activities of individual licensed premises are already subject to regulation by state and territory liquor licensing authorities, and there is no justification for national intervention in this area.

If further information is desired on any part of this submission please contact the AHA's National Office in Canberra on (02) 6273 4007.

Yours sincerely

A handwritten signature in black ink that reads "Des Crowe". The signature is written in a cursive style with a prominent vertical stroke on the left side.

Des Crowe
National Chief Executive Officer