

20 June 2024

Director – Strategy and Research
Online Safety, Media and Platforms Division
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
OSAReview@COMMUNICATIONS.gov.au
Submitted electronically via online portal.

Statutory Review of the Online Safety Act 2021.

Dear Director of Strategy and Research,

We welcome the opportunity to provide a submission to the Statutory Review of the *Online Safety Act 2021* (the Act). Our submission relates to the harms caused online by digital alcohol marketing practices.

Every Australian should be able to grow up and live in an environment that supports their health and wellbeing. Yet our community is constantly bombarded with promotions for alcohol. Alcohol companies advertise relentlessly through a wide range of media, using sophisticated technology to target people with marketing for their products.

Digital technologies can provide the community with benefits that support health and wellbeing, including social connectivity, access to learning opportunities, and flexible working opportunities. However, digital platforms are currently operating in a way that enables harmful marketing for unhealthy products, including for alcohol. Higher standards and regulations for how unhealthy products are marketed on digital platforms are urgently needed to better protect the community.

About Alcohol Change Australia.

Alcohol Change Australia is a group of health and community organisations working to prevent and reduce alcohol harm in Australia. Alcohol Change Australia encourages policy change to improve the health and wellbeing of our community. While our submission focusses on digital alcohol marketing, our recommendations are applicable to the marketing of other unhealthy products that cause harm including gambling, tobacco, and unhealthy foods.

Alcohol-fuelled harms in Australia are unacceptably high.

Alcohol takes a significant toll on our communities, fuelling violence, injuries, and deaths. Every day, 15 people die from alcohol-related harm in Australia.¹ In 2018, alcohol contributed to 4.5% of the total burden of disease and 15% of the overall burden of injury.² Alcohol use is causally linked to over 200 disease and injury conditions,³ and causes at least seven types of cancer.⁴ Some of those most at harm from alcohol

¹ Lensvelt E, Gimore W, Liang W, Sherk A, Chikritzhs T. Estimated alcohol-attributable deaths and hospitalisations in Australia 2004 to 2015. National Alcohol Indicators, Bulletin 16. 2018. Perth: National Drug Research Institute, Curtin University.

² Australian Institute of Health and Welfare. Alcohol, tobacco & other drugs in Australia, Health impacts - Australian Institute of Health and Welfare. December 2024. Available from: <https://www.aihw.gov.au/reports/alcohol/alcohol-tobacco-other-drugs-australia/contents/impacts/health-impacts>

³ Rehm J, Gmel GE Sr, Gmel G, Hasan OSM, Imtiaz S, Popova S, Probst C, Roerecke M, Room R, Samokhvalov AV, Shield KD, Shuper PA. The relationship between different dimensions of alcohol use and the burden of disease—An update. *Addiction*. 2017;112(6):968-1001.

⁴ Bagnardi V, Rota M, Botteri E, Tramacere I, Islami F, Fedirko V, Scotti L, Jenab M, Turati F, Pasquali E, Pelucchi C, Galeone C, Bellocco R, Negri E, Corrao G, Boffetta P, La Vecchia C. Alcohol consumption and site-specific cancer risk: a comprehensive dose-response meta-analysis. *Br J Cancer*. 2015 Feb 3;112(3):580-93.

include children and young people, unborn babies, those living in rural and remote areas, and people living with mental illness.

Alcohol marketing on digital platforms is causing harm.

The expansion of digital platforms has given the alcohol industry the opportunity to market products in ways that are highly targeted, time-relevant, and interactive. Alcohol companies bombard the Australian community with 40,000 alcohol ads a year on Facebook and Instagram alone.⁵ The extensive amounts of personal data used in digital marketing allows alcohol companies to profile and target people based on particular behaviours and characteristics, meaning the alcohol industry can specifically target heavy users of alcohol at the same time as recruiting new consumers in a range of markets and demographics.⁶ The use of online tracking, profiling, and data collection enables harmful marketing of alcohol.

Concerningly the marketing of harmful products does not only target adults. Digital platforms collect the data of children and young people for marketing purposes, with technology companies collecting over 72 million data points on a child by the time they are 13 years old.⁷ Meta has been found to have flagged children as being 'interested' in harmful products, including alcohol.⁸ It has also been reported to use personal data collected to create profiles of young people with harmful or risky interests, including 13- to 17-year-olds interested in alcohol, smoking, and gambling.⁹ Furthermore, Meta has allowed advertisers to buy access to the data of young people profiled as having harmful interests.⁹ This is just a snapshot of some of the harmful marketing practices that occur on digital platforms. The lack of transparency and visibility of online marketing means the true extent of harms is unknown.

The health, wellbeing and online safety of children, individuals and the community should be protected above the profits of online service providers and companies selling harmful products. However, right now, online marketing benefits digital platforms and the alcohol and advertising industries. This is coming at a cost to the community. A recent study found that when online, children and teenagers are being targeted by advertising of unhealthy products, including alcohol.¹⁰ The more children and young people are exposed to alcohol advertising, the more likely they are to start using alcohol products at a younger age, and to drink more if they are already using alcohol.¹¹ This impact is seen with digital marketing, with young people's exposure to alcohol marketing online linked to increased alcohol use.¹² Research has found 'liking' or following alcohol marketing pages on social media is associated with riskier alcohol use among young Australians.¹³

The constant flow of pro-alcohol messages is confronting and difficult for people with lived experience of alcohol harm. Unfortunately the collection of personal data means that the people most likely to be targeted

⁵ Hayden L, Brownbill A, Angus D, Carah N, Tan XY, Dobson A, Robards B. Alcohol advertising on social media platforms – A 1-year snapshot. Canberra: Foundation for Alcohol Research and Education, 2023 Mar.

⁶ Norman T, Anderson-Luxford D, O'Brien P, Room R. Regulating alcohol advertising for public health and welfare in the age of digital marketing: challenges and options. *Drugs: Educ. Prev. Policy*. 2022

⁷ Collins D. How much data do adtech companies collect on kids before they turn 13? Superawesome. 2017. Available from: <https://www.superawesome.com/blog/how-much-data-do-adtech-companies-collect-on-kids-before-they-turn-13/>

⁸ Hern A, Ledergaard F. Children 'interested in' gambling and alcohol, according to Facebook. *The Guardian UK*. 2019 Oct 10. Available from: <https://www.theguardian.com/technology/2019/oct/09/children-interested-in-gambling-and-alcohol-facebook>

⁹ Williams D, McIntosh A, Farthing R. Profiling children for advertising: Facebook's monetisation of young people's personal data. Sydney: Reset Australia, 2021.

¹⁰ Deakin University. #DigitalYouth How children and young people are targeted with harmful product marketing online. 2024. Available from: <https://iht.deakin.edu.au/wp-content/uploads/sites/153/2024/06/Digital-Youth-brief-Final-2.pdf>

¹¹ Jernigan D, Noel J, Landon J, Thornton N, Lobstein T. Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008. *Addiction*. 2017; 112 Suppl 1: 7-20.

¹² Noel, J, Babor, T, Robaina, K. Industry self-regulation of alcohol marketing: a systematic review of content and exposure research. *Addiction*. 2017;112(Suppl 1), 28–50.

¹³ Carrotte E, Dietze P, Wright C, Lim M. Who 'likes' alcohol? Young Australians' engagement with alcohol marketing via social media and related alcohol consumption patterns. *Aust NZ J Public Health*. 2016; 40(5):474-497.

with advertising for alcohol and other harmful products are often the people most harmed by these products, such as those experiencing dependence.¹⁴ A recent survey of Australians who were trying to reduce or stop their use of unhealthy products found 83% agreed or strongly agreed that digital marketing makes it more difficult for them to reduce their use of alcohol, gambling, and unhealthy foods. Almost 9 in 10 people would prefer to see less or no online marketing for alcohol.¹⁵

Reforms are urgently needed to better protect the community.

We recognise the significant work to date to improve online safety in a rapidly evolving digital environment. We support the objects in the Act to improve and promote the safety of Australians online. To strengthen this and to reduce the harms from online marketing, the advertising of harmful products, including alcohol, must be included within the scope of the Act. Without this, the advertising of harmful products will continue to create online environments that negatively impact on the health and wellbeing of Australians.

Below we outline a number of recommendations that span across the details included in the Issues Paper and that focus on reducing the impact of marketing of harmful products online.

Australia needs regulatory systems that ensure safe and healthy online environments for everyone. We strongly recommend that the Australian Government implement the following recommendations in relation to the Online Safety Act to protect Australians from harm online caused by harmful alcohol marketing:

1. Expand the scope of online harms addressed by the Act to include harmful online advertising, including the advertising or promotion of alcohol.
2. Protect the community, including children from exposure to alcohol marketing online. This includes requiring online services to ensure that all services children can access are free from harmful advertising, including of alcohol. Additionally, online services must be required to ensure that people are not targeted with harmful product advertising on their services. Online services must ensure that people are required to provide informed and explicit opt-in consent to receive any harmful product advertising while using their service.
3. Require online services to ensure all harmful advertising on their service includes an evidence-based warning. For example, a standard health warning on any alcohol advertising.

Thank you once again for the opportunity to contribute to this consultation. Any questions regarding our submission, please contact Natalie Stapleton, Executive Officer – Alcohol Change Australia, at natalie.stapleton@adf.org.au.

Yours sincerely,

Dr Erin Lalor
Chair, Alcohol Change Australia

Natalie Stapleton
Executive Officer, Alcohol Change Australia

¹⁴ World Health Organization. Reducing the harm from alcohol by regulating cross-border alcohol marketing, advertising and promotion: a technical report. Geneva: World Health Organization; 2022. Available from: <https://www.who.int/publications/i/item/9789240046504>

¹⁵ Foundation for Alcohol Research and Education and VicHealth. Experiences with online marketing of alcohol, gambling, and unhealthy food: A survey. January 2023. Available from: <https://fare.org.au/experiences-with-online-marketing-of-alcohol-gambling-and-unhealthy-food-a-survey/>