

23 February 2023

Senate Standing Committees on Economics
PO Box 6100
Parliament House
Canberra ACT 2600

To the Committee Secretary,

Re: Senate Inquiry into the Influence of International Digital Platforms

The Alcohol and Drug Foundation (ADF) is one of Australia's leading not-for-profit organizations that works with communities to prevent harm from alcohol and other drugs (AOD). The ADF's flagship *Good Sports* program, focused on alcohol management, is Australia's largest and most successful health promotion initiative in community sport. It has been proven to have a positive community impact and has a reach of over 2 million Australians. The ADF advocates for positive social change to reduce the harms related to alcohol and other drugs.


We are writing to submit our thoughts and recommendations to the inquiry regarding the influence of international digital platforms. This submission focuses on the issue of marketing on digital platforms of harmful products and the need to protect consumers, especially children and young people, from its negative impact. This is relevant to terms (c) and (d) of the inquiry. In particular this submission is concerned with children's safety, data and privacy, and algorithms and transparency.

The rise of digital technologies has brought many benefits to our society, including social connectivity, access to learning opportunities, and flexible working arrangements. However, digital platforms have also enabled harmful marketing for unhealthy products, including alcohol. The lack of standards for how these products are marketed on digital platforms is a pressing concern that must be addressed.

Alcohol takes a significant toll on our communities, causing violence, injuries, and deaths. In 2018, alcohol was responsible for 4.5% of the total burden of disease and 15% of the overall burden of injury¹. Alcohol use is linked to over 200 disease and injury conditions and causes at least seven types of cancer². The expansion of digital platforms has given the alcohol industry the opportunity to market products in highly targeted, time-relevant, and interactive ways, which has only amplified the problem. Algorithms developed by digital platforms allow the industry to target heavy users and new consumers in a range of markets and demographics, including children and young people.

Level 12
607 Bourke Street
Melbourne VIC 3000

PO Box 818
North Melbourne
VIC 3051

-
 03 9611 6100
 adf@adf.org.au
adf.org.au ABN 66 057 731 192

The online tracking, profiling, and data collection enabled by digital platforms have facilitated harmful marketing of alcohol. During the COVID-19 pandemic, the alcohol industry used digital platforms to aggressively promote rapid delivery services and drinking at home, exacerbating vulnerabilities already caused by the pandemic³. The lack of transparency and visibility in online marketing makes it difficult to gauge the full extent of its negative impact. However, research has shown that young people's exposure to alcohol marketing online is linked to increased alcohol use, and that the constant flow of pro-alcohol messages is challenging for those trying to reduce or stop their use of unhealthy products⁴. Algorithms target those who are drinking at heavier levels, exacerbating harms, while also targeting new consumers with specifically designed products⁵.

There is no public accountability for how individuals' data is used, or how it may be being used to target specific consumers, including children. Advertisements are ephemeral, and may only be seen by those being targeted meaning that regulation and enforcement of existing regulation is made incredibly difficult if not impossible⁶. Leaked information from digital platform corporations has shown that children have been profiled and tagged as 'interested' in harmful products including gambling and alcohol^{7 8}. In other cases, digital platforms have advertised weight-loss content to individuals with eating disorders⁹.

Companies selling harmful products are able to leverage this inappropriate profiling to target advertising towards individuals who are experiencing vulnerabilities or who are underage with effectively no oversight. People with lived experience of harms from unhealthy products in Australia were recently surveyed, with 83% agreeing or strongly agreeing that digital marketing makes it harder for them to reduce their use of harmful products like alcohol, gambling, or unhealthy food. Close to 90% would prefer to see less or no online advertising of alcohol¹⁰.

The existing regulatory system, relying largely on voluntary, industry-managed codes and practices, has proven to be ineffective in protecting the community from the negative impact of unhealthy marketing. The industry's clear conflict of interest means that the industry-led processes will never restrict alcohol marketing in a genuinely effective manner. Existing codes do not adequately restrict alcohol companies from marketing on digital platforms that are heavily used by children, and there are concerning examples of alcohol advertising directed to children online. The limited provisions that do exist are poorly adhered to, demonstrating a clear need for effective monitoring and compliance mechanisms. Leaked documents from Meta clearly demonstrate this, as personal data from young people is used to create profiles of people with interests in harmful products including alcohol, smoking, and gambling⁷. Studies, including by ABAC, have found that up to 1 in 5 alcohol brand accounts are not compliant with age-restrictions across a variety of the main digital platforms^{11 12}.

It is clear that the existing framework for regulating unhealthy marketing on digital platforms fails to protect the community, especially children and young people. Therefore, we recommend that mandatory regulation be put in place. We believe that higher standards for unhealthy product marketing on digital platforms are necessary to better protect the community and that the online tracking, profiling, and data collection of children and young people for marketing purposes must be prohibited. The ADF therefore makes the following recommendations:

1. A legislated regulatory framework is developed to manage alcohol marketing on digital platforms, with effective mechanisms and resourcing for deterring non-compliance. Regulation

should be comprehensive and mandatory and protect consumers from digital marketing practices which put them at harm. This should include specific provision for children and young people, and others at risk of greater harm. This framework should ensure:

- a. Minimum standards for digital platform organisations should be set to ensure that they do not act in a way that puts users of those platforms at risk of harm.
- b. Oversight of algorithms to ensure that they are designed in such a way to prevent harms caused by targeting those who are experiencing vulnerabilities (e.g. people experiencing harms from alcohol dependence) or who are underage.
- c. Mandatory measures are put in place to make advertising information accessible, including data practices and automated decision systems.
- d. The tracking, profiling, monitoring, or targeting of children for commercial purposes, especially in the case of companies selling or marketing products like alcohol to children under 18 years of age, must be prohibited

Please do not hesitate to contact us about the contents of this submission or any other matters.

Sincerely,

Dr. Erin Lalor

CEO

-

References

1. Australian Institute of Health and Welfare. Alcohol, Tobacco & other drugs in Australia. Canberra: Commonwealth of Australia; 2022.
2. Rehm J, Gmel GE, Sr., Gmel G, Hasan OSM, Imtiaz S, Popova S, et al. The relationship between different dimensions of alcohol use and the burden of disease-an update. *Addiction*. 2017;112(6):968-1001.
3. An alcohol ad every 35 seconds. A snapshot of how the alcohol industry is using a global pandemic as a marketing opportunity. Canberra: FARE & CCWA; 2020 2020.
4. 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(S1):7-20.
5. 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: Education, Prevention and Policy*. 2022:1-12.
6. Carah N, Brodmerkel S. Regulating Platforms' Algorithmic Brand Culture: The Instructive Case of Alcohol Marketers on Social Media. In: Flew T, Martin FR, editors. *Digital Platform Regulation: Global Perspectives on Internet Governance*. Cham: Springer International Publishing; 2022. p. 111-30.
7. Williams D, McIntosh A, Farthing R. Profiling children for advertising: Facebook's monetisation of young people's personal data. Sydney: Reset Australia; 2021 2021.
8. Hern A, Ledergaard F. Children 'interested in' gambling and alcohol, according to Facebook. *The Guardian UK*2019.
9. Hern A. Instagram apologises for promoting weight-loss content to users with eating disorders. *The Guardian*2021.
10. Foundation for Alcohol Research and Education, VicHealth. Experiences with online marketing of alcohol, gambling, and unhealthy food: A survey. 2023.
11. The ABAC Scheme Limited. Alcohol marketing compliance audit – social media age restriction. 2022.
12. Pierce H, Vidler AC, Stafford J, Keric D. Alcohol brands' use of age-restriction controls on Facebook and Instagram in Australia. *Public Health Res Pract*. 2022;32(2).