No way to ignore it:
The case for removing alcohol ads from public transport
No way to ignore it: The case for removing alcohol ads from public transport

McCusker Centre for Action on Alcohol and Youth and Cancer Council Western Australia

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Alcohol Advertising Review Board

The Alcohol Advertising Review Board (AARB) considers and reviews complaints from the Australian community about alcohol advertising. The AARB was developed by the McCusker Centre for Action on Alcohol and Youth and the Cancer Council WA, supported by other health organisations, in response to the numerous weaknesses of the current self-regulatory alcohol advertising system.

The AARB reviews complaints on the basis of the Alcohol Advertising Review Board Code (the Code), which sets criteria for acceptable alcohol advertising in Australia. The Code aims to ensure alcohol advertising (i) is socially responsible, (ii) neither conflicts with nor detracts from the need for responsibility and moderation in liquor merchandising and consumption, and (iii) does not encourage young people to drink. The Code, which is primarily constructed using provisions from existing codes established by alcohol industry bodies from around the world, can be found at www.alcoholadreview.com.au

Alcohol...

...is one of the most heavily promoted products in the world.¹
Foreword

This latest report from Australia’s Alcohol Advertising Review Board is an important contribution to the debates around alcohol advertising and youth that are occurring around the globe. With alcohol as the leading cause of death and disability among young males ages 15-24 in all regions of the world except the Eastern Mediterranean, and among females in that age group in the wealthy countries and the Americas, and with at least 15 longitudinal studies now associating youth exposure to alcohol marketing with youth drinking behavior, there is ample cause for concern about the short- and long-term impact of youth exposure to alcohol advertising.

This report highlights two forms of alcohol advertising in particular: outdoor and public transit. My colleagues and I recently published an account of the landmark efforts in Baltimore to remove alcohol and tobacco billboard advertising from the city’s residential neighborhoods. Baltimore was the first city in the United States to ban this kind of advertising legislatively. A community coalition led by local grandmothers weathered challenges up to the level of the United States Supreme Court. As a result of their efforts, within weeks of the final court decision the number of alcohol and tobacco billboards in Baltimore fell from more than 1300 to approximately 70.

In Boston, Massachusetts, a coalition of young people and adults succeeded following a six-year campaign to convince the city’s transit system in 2012 to stop advertising alcohol, after it had been wrapping its buses in vodka advertisements. Research showing that alcohol advertisements on public transit in Boston were viewed an estimated 18,269 times on an average weekday by Boston Public School student transit passengers, reaching the equivalent of 54.1% of that population, underscored the need for the ban.

Alcohol industry self-regulation is still the primary means of limiting youth exposure to alcohol advertising in much of the world. These stories and this report illustrate the importance of citizen voices and stronger measures as a crucial response to the failure of industry self-regulation if we are to significantly reduce this risk factor in the lives of young people.

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Alcohol advertising and young people

Alcohol is one of the most heavily promoted products in the world. Australian children and adolescents are exposed to unacceptably high levels of alcohol advertising in many different forms, including outdoor advertising on billboards, buses, trams, and at bus stops and train stations. It is well established that alcohol advertising has an impact on young people. Exposure to alcohol advertising influences young people’s beliefs and attitudes about drinking, and increases the likelihood that adolescents will start to use alcohol and will drink more if they are already using alcohol. Exposure to alcohol advertising contributes to the normalisation of alcohol use and works to reinforce the harmful drinking culture that exists in Australia.

The World Health Organization, the Australian Medical Association, the National Preventative Health Taskforce and other expert groups have recommended restricting alcohol advertising during times and in places which have high exposure to children and young people as part of a comprehensive approach to reducing alcohol related harms. There is strong community support for effective regulation to protect young people from alcohol promotion; 72% of Australian adults support legal controls to reduce young people’s exposure to alcohol advertising, with only 6% opposed.

Outdoor advertising cannot be switched off, avoided or ignored, and it is impossible to control who views outdoor alcohol ads.

72% of Australian adults support legal controls to reduce young people's exposure to alcohol advertising, with only 6% opposed.

Outdoor alcohol advertising

Outdoor advertising continues to be a major promotional medium for advertisers. Advertising across billboards and outdoor media is forecast to account for 9% of advertising industry revenue in 2015-16, up from 7% in 2008-09 due to new advertising methods and an increasing number of advertisement locations at bus and train stops, on public transport and at sporting events. The advertising industry reports that while other traditional media continue to decline in both audience and market share, out-of-home advertising, which covers advertising on billboards, posters, public transit stops, public transport, in shopping centres and airports, continues to grow. The Outdoor Media Association reported that Australians are likely to see an average of 26 ads across out-of-home sites each day and out-of-home advertising reaches 12.2 million people daily across Australia.

In 2014, the Outdoor Media Association listed alcoholic beverages as ninth in the top 20 advertising categories, with a spend of $27.5 million on out-of-home advertising. An analysis of alcohol advertising expenditure in Australia found outdoor advertising expenditure on billboards alone increased from 1997 to reach a peak of $45.8 million in 2007.
Outdoor advertising cannot be switched off, avoided or ignored, and it is impossible to control who views outdoor alcohol ads. The advertising industry themselves describe outdoor advertising as "ubiquitous", "effective" and "always on, delivering messages 24 hours a day, seven days a week". Children and young people can be expected to be heavily exposed to outdoor advertising, including ads placed on public transport and at transit stops. These ads are highly visible to those driving and walking past, as well as those using public transport.

**Young people and public transport**

Public transport accounts for approximately 10% of total urban passenger travel in Australia. Various data sources provide evidence that children and young people represent a substantial proportion of public transport users:

» A community survey of parents of school-aged children found one in five children use public transport to get to school.16

» Around half of secondary school students use public transport to travel to and from school at least once a week.17

» Young people aged 18 to 24 years are more likely than older people to use public transport.18

» In Western Australia (WA) in 2014-15, students up to Year 12 accounted for 13% of cash and paid SmartRider* boardings. The Public Transport Authority in WA noted that the start of the new school arrangement in 2015 where Year Seven students were transitioned from primary school to high school saw a greater demand for Transperth to get students to and from school.19

» In New South Wales (NSW) in 2013-14, subsidised travel was provided to half a million school students on rail, bus, ferry and long-distance coach services under the School Student Transport Scheme.20 On an average week day in Sydney in 2012-13, 9.1% of public transport fares on trains and 27.4% on buses were for free school passes.21

* A SmartRider is a reusable smart card used to pay for travel on Transperth services.

**Alcohol advertising on public transport and transit stops in Australia**

Alcohol advertising on public transport and transit stops is widespread. An audit of bus stop ads in Perth, WA, found almost a quarter (172 of 744) of ads identified were for alcohol products, and alcohol was the dominant category.22 An audit of ads at train stations in Sydney, NSW, found that 21 locations had billboards advertising food or beverages, and of the 81 unique ads identified, the greatest proportion was for alcohol (27%).23 The extent of alcohol advertising on public transport and transit stops means children and young people are highly likely to be exposed to alcohol advertising placed on the sides of buses and trams, on bus stops and at train stations.

**Regulation of outdoor advertising placement in Australia**

The Outdoor Media Association (OMA) is the industry body that represents most of Australia’s outdoor media display companies.24 The OMA is part of the self-regulatory system in Australia, and has a Code of Ethics that outlines voluntary principles for its members.25 The OMA’s Alcohol Advertising Guidelines...
set only one restriction upon the placement of outdoor alcohol advertising; that it not be displayed within a 150 metre sight line of a school gate. This guideline does not apply where there is a club, pub or bottleshop in the vicinity of the school, and does not apply to advertising on buses, trams and taxis.26

There have been many instances where this restriction has been breached, demonstrating the failure of OMA's monitoring and enforcement of the Alcohol Advertising Guidelines. In addition, 150 metres is a very small distance, and buses, trams and taxis drive past schools every day, further demonstrating that the guidelines are inadequate in protecting children and young people from exposure to outdoor alcohol ads.

Complaints: alcohol ads on public transport and transit stops

Since its launch in March 2012, the AARB has received 130 complaints regarding alcohol ads placed on public transport and transit stops that would be expected to have high exposure to young people (18% of all complaints). Section (7) of the AARB Placement Code states:

7. Transport advertising

   No Alcohol Advertisements shall be placed on any means of public transport.
   No Alcohol Advertisements shall be placed at any train, tram, bus or ferry stops.

The title of this report, “No way to ignore it”, was taken directly from a complaint received by the Alcohol Advertising Review Board regarding an alcohol ad on public transport: ‘Buses drive all through our streets, past schools and playgrounds, and children would undoubtedly see the ads as there is no way to ignore it’.

Table 1 summarises the type of public transport and transit stops the complaints related to from 16 March 2012 to 31 December 2015.

<table>
<thead>
<tr>
<th>Number of public transport and transit stop complaints received by the AARB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus ad</td>
</tr>
<tr>
<td>Bus stop ad</td>
</tr>
<tr>
<td>Train station ad</td>
</tr>
<tr>
<td>Tram ad</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Examples of complaints received by the AARB relating to public transport and transit stop advertising include:

» An Eristoff Vodka bus stop ad next to a children’s playground in Adelaide, SA in March 2012 (ref 1/12).

» Bulleit Bourbon ads at Camberwell train station in Camberwell, VIC in December 2013 (ref 246/14).

» A Jack Daniel's ad at Town Hall train station in Sydney, NSW in October 2013 (ref 227/13).

» A Johnnie Walker Red Label bus stop ad outside a supermarket in Canberra, ACT in January 2014 (ref 268/14).
A Brown Brothers ad seen on a tram in Melbourne, VIC in February 2014 (ref 274/14).

A XXXX Summer Bright Lager bus stop ad near a university in Perth, WA in February 2015 (ref 381/15).

Five complaints for a Lemon Ed Hard Lemonade bus ad seen in Melbourne, VIC and Perth, WA between July and September 2015.

In each example listed above, the AARB Panel found the ad contravened section (7) of the Placement Code, as the ads were located in popular public places where children and young people were highly likely to be exposed to them.

There is substantial concern around young people’s exposure to alcohol advertising on public transport and transit stops, especially those in close proximity to schools. A survey of Western Australian adults shows 72% support removing alcohol advertising from buses and bus stops to reduce young people’s exposure, with only 10% opposed.

Failure of the Outdoor Media Association guideline

The AARB is aware of several instances where the OMA’s guideline restricting alcohol ads from being placed within 150m of a school gate has been breached, with seemingly no consequences. For example, the AARB has received five complaints about alcohol ads on bus stops located outside schools:

- January 2014: Corona ad placed near a primary school in WA (ref 253/14).
- April 2014: Dan Murphy’s ad placed directly outside a primary school in WA (ref 291/14). The placement of the ad received media attention, pictured right.
- July 2014: complaint regarding a Coopers Brewery ad placed near two schools in Canberra, ACT (ref 302/15).
- September 2014: a restaurant/hotel ad featuring two people drinking wine placed directly outside a primary school in WA (330/14).
- November 2014: Smirnoff Vodka ad placed across the road from a primary school in Melbourne, VIC (ref 350/15).

All five complaints were upheld. These are only examples of which the AARB has been made aware. It is likely that there are many more alcohol ads that have been placed outside schools where children and young people would have been exposed.
These examples demonstrate the failure of the Outdoor Media Association's Alcohol Advertising Guidelines. Not only are the guidelines narrow and inadequate to prevent young people's exposure to outdoor alcohol ads, the Outdoor Media Association's ineffective monitoring and enforcement processes have consistently failed to prevent inappropriate placement of outdoor alcohol ads. It is evident that there is an urgent need for much stronger regulation to reduce young people's exposure to alcohol advertising, including ads on public transport and transit stops.

**Action taken by governments in Australia**

In September 2015, the ACT government announced that alcohol advertising will no longer be allowed on public buses. In announcing the restriction, Minister for Territory and Municipal Services, Shane Rattenbury MLA, said:

> “ACTION buses travel right across our city and most people travelling about Canberra will encounter a bus most days of the week. Advertising on our buses is clearly a good way to reach a large cross-section of the community. In particular, a significant number of ACTION passengers who are school-aged children. I think it is really important that we don’t have alcohol, junk food and gambling advertised on our buses…

> While the Federal Government retains regulatory control of substantial advertising policy, it is important that the ACT Government does what it can to ensure that the advertising on our public assets is suitable and appropriate and in line with the values of the Canberra community.”

To our knowledge, the ACT is the only Australian jurisdiction to restrict alcohol advertising on their public transport services.

**International approaches to public transport alcohol advertising regulation**

Several other countries have policies and legislation around alcohol advertising on public transport and transit stops. These include Finland, Ireland and numerous jurisdictions within the USA.

In February 2014, the President of Finland signed off on proposed amendments to Finland’s alcohol advertising legislation, which would see outdoor alcohol advertising prohibited, including on billboards, bus stops and public transport vehicles (excluding sporting and cultural events). These restrictions aim to reduce the number of situations in which children and young people are exposed to alcohol advertising and came in to effect on 1 January 2015.

In the USA, numerous state capital cities have policies restricting alcohol advertising on public transport vehicles. A 2013 review of alcohol advertising policies of 32 major metropolitan transit agencies and city departments that control transit advertising in the USA found 18 agencies have alcohol advertising explicitly banned in agency policy (formally adopted by the administering body of the transit authority), contract requirements (stated in the contract between the transit agency and the advertiser), government policy (codified by the government body that controls the transit agency), or a combination of these. San Francisco (California), Philadelphia (Pennsylvania) and Honolulu (Hawaii) public transit agencies operate under city ordinances that prohibit alcohol advertising on city property, in addition to contract requirements and agency policy. Maryland Transit Administration, a state-managed transit system that covers the city of Baltimore, is subject to an executive order banning alcohol advertisements on all
property owned by the agency, requiring all contracts to reflect this order.

San Francisco (California) provides an interesting example of community opposition to alcohol advertising on public transport. In 2006, a policy allowing alcohol advertising on the San Francisco Bay Area Rapid Transit (BART) system was introduced, with alcohol advertisements expected to generate $400,000 in revenue for the transit agency facing a budget deficit. A California-based not-for-profit organisation formed a coalition of local prevention and youth groups to lobby city officials and board members to reverse the decision. At a hearing regarding the policy, the Board heard testimonies from coalition members on the research associating alcohol advertising with alcohol use among young people, and young people spoke about the BART’s responsibility to keep alcohol advertisements off trains and train stations. As a result, several BART Board members changed their position on the issue and the policy was abandoned. As the BART director stated: “There are plenty of places that advertise alcohol. I just don’t think that public transit, funded by the public, should be one of them.”

In January 2015, following a campaign by public health groups, the Los Angeles City council voted to ban alcohol-related advertising on city property in Los Angeles, including bus benches and bus shelters.

In December 2015, the Minister for Health in Ireland published the Public Health (Alcohol) Bill which includes restrictions on alcohol advertising and promotion in Ireland. The proposed legislation states that alcohol products cannot be advertised in or on public service vehicles, trains, light rail vehicles, and in or at train or bus stations. The Bill is yet to be fully implemented.

**Removal of alcohol advertising on public transport and transit stops**

There is international precedent for effective government regulation of alcohol advertising on public transport and transit stops. Phasing out the placement of alcohol advertising on public transport and transit stops is an important step to ensure young people’s exposure to alcohol advertising is minimised.

The AARB calls on each State and Territory Government to amend advertising agency contracts or existing legislation to prohibit the display of alcohol advertising on public transport and transit stops, including on buses, trains and trams, and at train stations and bus stops.

There is also important scope for Local Governments to take early action by introducing policies to prohibit alcohol advertising on transit stops in their communities.
Conclusion

There is a need for strong, independent, legislated controls on all forms of alcohol advertising and promotion in Australia. Leaving regulation of advertising to the alcohol and advertising industries does not work; the industries have demonstrated again and again that they are unable to prevent the exposure of children and young people to alcohol promotion, and are unable to ensure that all forms of alcohol advertising and promotion are socially responsible.

Constraints on alcohol advertising and promotion are an essential part of a comprehensive approach to preventing harm from alcohol. The AARB continues to advocate for effective regulation of alcohol advertising and promotion at a federal level. However, with high levels of concern about alcohol and young people, it is appropriate and necessary for State and Local Governments to take action to reduce young people’s exposure to alcohol advertising. This has been demonstrated by the ACT Government as well as internationally. Public transport and transit stops are locations where children and young people are clearly and substantially exposed to alcohol promotion. Removing alcohol promotion from these locations is an important step that can and should be taken now by State and Local Governments.
References

The Case for Removing Alcohol Ads from Public Transport


27. Independent market research commissioned by the McCusker Centre for Action on Alcohol and Youth, October 2014. Available from: www.mcaay.org.au


