

Advertising Association

Response to Scottish Government Alcohol Refresh 31 January 2017

About the Advertising Association

1. The Advertising Association (AA) is the single voice for all sides of advertising in the UK – the agencies that create and buy campaigns, the commercial media that carry them and the companies that use advertising to communicate with customers and drive their businesses. We promote the role, rights and responsibilities of advertising for the industry. We develop and communicate industry positions for politicians and opinion-formers, as well as publish industry research through advertising's think-tank, *Credos*, including the *Advertising Pays* series which has quantified the advertising industry's contribution to the economy, culture, jobs and society. We are in the process of producing a specific *Advertising Pays Scotland* report, which will demonstrate the in which all sectors of the advertising industry support the Scottish economy and local communities.

General comments

2. We welcome the Scottish Government's objective of tackling alcohol-related harm. We support reducing alcohol health harms through a pro-active approach, building on current successes, including education and awareness campaigns and public private partnerships.
3. However, we are concerned that the forthcoming 'refresh' of the alcohol strategy could impose restrictions on advertising, particularly outdoor, that would go further than elsewhere in the UK, effectively creating two markets. Such measures would be disproportionate, difficult to implement and could in effect mean a complete ban for the media concerned.
4. Existing rules such as the Advertising Codes and industry-specific measures e.g. the Portman Group Sponsorship Code are effective and binding on the whole market. We ask the Government to consider the current framework of Codes and what they achieve, as part of a holistic approach to the issue of alcohol-related harm.
5. Alcohol harms need to be addressed, but it is also important to take into account the contribution of the alcohol industry, as well as the advertising and creative industries, to the Scottish economy and jobs and not to unfairly restrict or place unnecessary administrative burdens on businesses.
6. Evidence has shown that the 1991 French 'Loi Evin' legislation to restrict alcohol advertising to young people has been unsuccessful, with the proportion of 12-18 year olds drinking alcohol increasing by 18% over the four years after the law was introduced. Using the Evin law as a basis for combating alcohol harm in Scotland would be ineffective while having a detrimental effect on Scotland's creative industry and economy.

Declining consumption

7. Per capita alcohol consumption in Scotland has reduced by 8% since 2007¹. Downward trends in alcohol-related deaths and hospitalisations since 2000, along with a halving of the

¹ <http://www.healthscotland.scot/media/1202/27345-00-alcohol-consumption-and-price-in-scotland-2015-may2016.pdf>

proportion of children aged 13 who have ever tried alcohol, are also key positive developments. Meanwhile, harmful drinking has fallen by 23% for men and 28% for women since 2003. Whilst focused action should continue, the decline of alcohol consumption in recent years is very positive and shows the success of current measures.

Contribution to the Scottish economy and events

8. The drinks industry provides significant employment and economic benefits in Scotland. The Scottish beer and pub sector supports over 60,000 jobs and contributes more than £1.5 billion to the Scottish economy. In the Scotch Whisky industry, more than 10,000 are directly employed - many in economically deprived areas.²
9. In 2012 the GVA of the creative industries in Scotland was £5.8 billion³. They employed 68,000 people in 2013, representing 2.69% of all employment in Scotland. There are 665 registered enterprises listed in the advertising sector.
10. Advertising is the second largest creative sector by GVA in the UK, contributing £10.2 billion in 2013.⁴ In 2012 the GVA for Scottish creative industries was £3 billion, and as part of that Scottish advertising and marketing's GVA was £257 million.⁵
11. There are 150,400 SMEs (as defined by 2-249 employees) in Scotland, which makes up 99.6% of all companies.⁶ These enterprises would be adversely affected by further restrictions on advertising, as many rely on corporate sponsorship to continue their business. This could potentially lead to the decrease of SMEs in Scotland which would ultimately have a harmful effect on the economy and disadvantage many start-ups, small business and independent enterprises that make up part of the local community.
12. Alcohol companies that advertise are key sponsors of many sporting and cultural events, e.g. T in the Park (Tennent's Lager, C&C Group), public services e.g. Scottish Mountain Rescue⁷ (Ian Macleod Distillers) and responsible drinking campaigns e.g. 'Join the Pact' campaign to combat drink driving⁸ (Johnnie Walker, Diageo). In addition Diageo sponsor free buses in Edinburgh on Hogmanay to help get thousands of revellers home safely and deter drink driving⁹. Heineken also ran an Edinburgh Fringe event in 2016, 'Brewing Good Laughs', through their Caledonian Brewery, which involved brewery volunteers helping to improve an Edinburgh community centre that provides opportunities to disadvantaged groups, such as a local food bank¹⁰.
13. Creative advertising enables competition and innovation, and increases demand, export potential and growth, which in turn, enables enterprises such as these to thrive. We therefore urge the government to consider the implications of imposing further advertising restrictions on the wider Scottish economy.

² <http://www.scotch-whisky.org.uk/news-publications/news/new-figures-show-scotch-is-biggest-boost-for-uk-balance-of-trade/#.WJGni2cfy70>

³ Scottish Government Growth Sector Statistics (September 2013)

⁴ Economic Contribution Study, An Approach to the Economic Assessment of Arts & Creative (2012)

⁵ Creative Industries Economic Estimates: January 2015 Statistical Release. DCMS. (2015)

⁶ Inter Departmental Business Register, ONS, (2013).

⁷ <http://www.scottishmountainrescue.org/2014/12/ian-macleod-distillers-announce-second-year-of-sponsorship/>

⁸ <https://www.johnniewalker.com/en-gb/responsible-drinking/>

⁹ <http://www.diageo.com/en-row/ourbrands/infocus/Pages/tflnye2013.aspx>

¹⁰ <http://thirdforcenews.org.uk/tfn-news/brewery-teams-up-with-fringe-comics-to-transform-community-centres>

14. Introducing restrictions on advertising and sponsorship would not be an effective way of addressing the issue of alcohol related harm and would additionally cause both the industry and local communities harm.

The current rules

15. Neither the alcohol nor advertising industries want to be associated with alcohol related harm and take a precautionary approach to all alcohol advertising. The UK has a well-established and reputable system of self-regulation through the Committee of Advertising Practice (CAP) and the Broadcasting Committee of Advertising Practice (BCAP), industry bodies on which sit the different parts of the advertising industry, including advertisers, agencies and media in the UK and Scotland. The members of CAP and BCAP help enforce the rules that apply to all advertisements shown in the UK. Both bodies publish Codes to manage how alcohol is advertised. The Codes are regularly reviewed and updated, and substantial changes are made through public consultation and scrutiny of evidence. These Codes provide sufficient restrictions on outdoor and broadcast advertising to fully address the Government's concerns.
16. The UK rules are among the strictest in the world - in addition to scheduling restrictions, alcohol adverts are banned from appearing in and around programmes which are made for or likely to appeal to those under the age of 18. There are also a wide range of content rules designed to ensure that alcohol ads do not appeal to children. They must not:
 - encourage excessive consumption
 - link alcohol with daring, antisocial, aggressive or irresponsible behaviour
 - link alcohol with seduction, sex or social success
 - show alcohol being handled or served irresponsibly
 - show people drinking or behaving in an adolescent or juvenile way or reflecting the culture of people under 18 years of age
 - depict people who are, or appear to be, under the age of 25.
17. In outdoor and broadcast advertising the industry places a restriction to prevent alcohol advertising being shown where at least 25% of the potential viewers are under 18. There are placement restrictions on alcohol ads in all media to ensure they are not placed around content watched, read or consumed by a high proportion of children.
18. The outdoor media contractors have a self-imposed restriction, coordinated and monitored by Outsmart (a member of the AA), not to advertise on any static sites within 100 metres of the school boundaries. This commitment was described as "an encouraging example of responsible marketing practice" by Reg Bailey, the Chief Executive of Mothers' Union, in a review for the UK Government.¹¹
19. The Advertising Standards Authority (ASA) investigates complaints against the Codes and monitors compliance across the year, in which alcohol advertising has a 99% rate of compliance. If the ASA adjudicates against an advert, it may no longer appear unless it is amended. In addition they conduct ad hoc monitoring surveys.

Our Recommendations

20. We refer to the excellent work produced by the Portman Group and the Scottish Alcohol Industry Partnership (SAIP), which emphasises the importance of focusing on local solutions and targeting local problems, rather than depending on national and whole population approaches. The alcohol industry works with local authorities and police forces in order to

¹¹ Independent Review of the Commercialisation and Sexualisation of Childhood, Reg Bailey 2011

create a safer local environment, prevent underage drinking and ensure responsible alcohol marketing. Campaigns like Pubwatch, Challenge 21/25 and Community Alcohol Partnerships, which are retailer led partnership to tackle issues of underage drinking, have been proven to be effective¹². We believe that this is the most effective way of reducing alcohol harm without placing additional restrictions on the advertising industry, which would be unlikely to actually address areas where alcohol harm is a particular problem.

21. We further recommend that the government target their actions towards reducing alcohol harm, rather than alcohol consumption, which would unfairly disadvantage both the alcohol industry and the discerning consumer.
22. We urge the government to consider the importance of the advertising industry as a central part of the Scottish creative industries, and particularly outdoor advertising as it funds vital community infrastructure and services e.g. bus stops.
23. We also refer to the recent Lancet report¹³ in which, though the report recommends other interventions where marketing and advertising of alcohol is concerned, it states that evidence restricting alcohol advertising as a means of reducing both alcohol harm and alcohol consumption is inconclusive and is not listed as a cost-effective option for decreasing alcohol harm overall.
24. A recent evidence review by the highly reputed Cochrane Collaboration found that “There is a lack of robust evidence for or against recommending the implementation of alcohol advertising restrictions.”¹⁴ We instead urge the government to continue its campaign of education and increasing awareness of the dangers of excessive alcohol consumption, with full cooperation from the alcohol and advertising sectors through their own responsible drinking campaigns, for which the Lancet report shows evidence of success.

¹² <http://www.portmangroup.org.uk/docs/default-source/alcohol-and-local-areas/-local-alcohol-partnerships-.pdf?sfvrsn=2>

¹³ [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(16\)32420-5/fulltext?rss=yes](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(16)32420-5/fulltext?rss=yes)

¹⁴ http://www.cochrane.org/CD010704/ADDICTN_does-banning-or-restricting-advertising-for-alcohol-result-in-less-drinking-of-alcohol