



**AlcoholAction**  
Ireland

# Alcohol Action Ireland Submission to Coimisiún na Meán

## Call For Inputs on Developing First Online Safety Code

Alcohol Action Ireland (AAI) was established in 2003 and is the national independent advocate for reducing alcohol harm. We campaign for the burden of alcohol harm to be lifted from the individual, community and State, and have a strong track record in campaigning, advocacy, research and information provision. Our work involves providing information on alcohol-related issues, creating awareness of alcohol-related harm and offering policy solutions with the potential to reduce that harm, with a particular emphasis on the implementation of the Public Health (Alcohol) Act 2018. Our overarching goal is to achieve a reduction in consumption of alcohol and the consequent health and social harms which alcohol causes in society.

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## 1.0 Introduction

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Alcohol is one of the most heavily marketed products in our retail environment with the annual spend on alcohol marketing conservatively estimated at €115m in Ireland alone. Young people are an important market for the alcohol industry.

Comprehensive research now clearly tells us that alcohol marketing increases the likelihood that adolescents will start to use alcohol, and to drink more if they are already using alcohol.

Given that we know alcohol is no ordinary commodity but one that has been identified as one of the four industries (tobacco, unhealthy food, fossil fuel, and alcohol) responsible for at least a third of global deaths per year, we must protect children from it and its predatory marketing practices. The Joint Committee on Tourism, Culture, Arts, Sport and Media in its report on pre-legislative scrutiny of the general scheme of the Online Safety and Media Regulation Bill 2022, recommended a ban on advertising to children online, including, at the very minimum, advertising of junk foods, alcohol, foods high in fat, salt or sugar, and gambling.

It is clear from all of the available evidence that we cannot continue to allow big business to commodify childhood by allowing young people to fall under the influence of advertisers selling products detrimental to their health and well-being- or what global children's rights experts call exploitive marketing of unhealthy commodities and "an important threat to children's health and futures".

## 2.0 Protection from predatory commercial practices

Digital advertising is far more harmful for children than any other form. Estimates suggest that by the time a child turns 13, advertisers already hold over 72 million data points about him/her, and the surveillance advertising industry for children is worth in excess of \$1 billion. A recent World Health Organization report, noted that: "Alcohol marketing is adapting to new realities faster than current legal regulations across the region, with industry using opportunities offered by digital platforms to sell their products in a largely unregulated market". It also contained a stark warning on "the targeting of consumers including children and adolescents to promote drinking."

International experts on children's health and rights have also warned that "large companies incorporate the science of the life course approach into their marketing, to achieve the adherence and fidelity of children to capture future consumption".

Advertising restrictions have been assessed as highly cost-effective because they can influence the initiation of alcohol use and risk behaviour at the population level. Currently, Irish law- the Public Health Alcohol Act (section 14) prohibits the advertising of alcohol in certain public spaces with the aim of reducing the amount of advertising children see, but does not specify similar restrictions in the online environment. By allowing this gap to remain, in essence we are saying that in the real world children must be 200 metres from alcohol ads, but in the digital world, they have it in the palm of their hand 24/7. This is an irrational position. Furthermore, any gain made may have been undermined by the proliferation of the marketing of zero alcohol drinks, using the same branding as the master brand. This brand sharing is a real threat to the spirit and intention of the PHAA and AAI has been advocating to ensure advertising alcohol brands in areas protected by PHAA does not continue.

Alcohol brands are steadily spending more of their advertising budgets on digital marketing, likely because there's a younger audience and very little in the way of regulation. This makes keeping pace with the ever-evolving digital marketplace capturing the influence of our children even more urgent. Currently there is a Children's Commercial Communications Code which was devised by the Broadcasting Authority of Ireland. It is of note that the Statutory Report of the effect of this Code found that Diageo was the number four broadcast advertiser to children in Ireland. This is clearly highly unsatisfactory and illustrates that despite protestations from alcohol producers that they do not target children for their advertising, none the less children are seeing and absorbing their marketing.

It is essential that any new codes which are developed by Coimisiún na Meán must ensure that children are not targeted by alcohol advertisers either in online or traditional broadcast marketing.

The main priority and objective of the first binding Online Safety Code should be the protection of children and young people online. The UN Committee on the Rights of the Child are clear that ‘the rights of every child must be respected, protected and fulfilled in the digital environment.’ Further they recommend that ‘in all actions regarding the provision, regulation, design, management and use of the digital environment, the best interests of every child is a primary consideration. It follows then that the wellbeing of children must be given primacy over the commercial interests of the alcohol industry.

1. AAI recommends that the commission develops Codes that protect children and the general public from harmful commercial practices of the alcohol industry - including advertising to children (in spaces they inhabit), sponsorship and product placement.
2. The onus should be on alcohol producers and advertisers to provide evidence that their advertisements are not reaching children.
3. There should be an easily accessed facility which allows individuals to set controls so that they do not see alcohol advertisements if that is their choice.
4. Alcohol brands (including zero alcohol products) should not be allowed to sponsor programmes that are before 9pm and might be seen by children.
5. Alcohol brands should not be allowed to use sponsored content campaigns to reach young people across digital platforms and mediums, allowing them to normalise the visibility of a harmful product and drive consumption of alcohol.
6. The United Nations Committee on the Rights of the Child (UNCRC), new General Comment pertaining to the rights of the child in relation to the digital environment states that “States parties should prohibit by law the profiling or targeting of children of any age for commercial purposes on the basis of a digital record of their actual or inferred characteristics, including group or collective data, targeting by association or affinity”. Alcohol brands must be prohibited from collecting data on young people and must provide evidence that they are not tracking and profiling young people.

7. AAI welcomes the establishment of a Youth Advisory Committee to advise the Commission on its online safety work and in conducting research on online harms. The World Health Organisation in a 2021 [report on digital marketing of alcohol](#) have called for research to include children and young people's exposure to and engagement with digital marketing of alcohol. The impact of alcohol on children's lives has emerged as a consistent theme throughout consultations with them through the structure of the Comhairle na nÓg over the years. Additionally, the [2016, Children Seen and Heard report](#), younger children (8–12 years) mentioned alcohol abuse in the top four categories of things they disliked about Ireland. AAI's believes that by consulting with young people, we can better understand what needs to be achieved to fulfil children's rights obligations and protect children from alcohol harm and the predatory commercial practices of the alcohol industry.



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