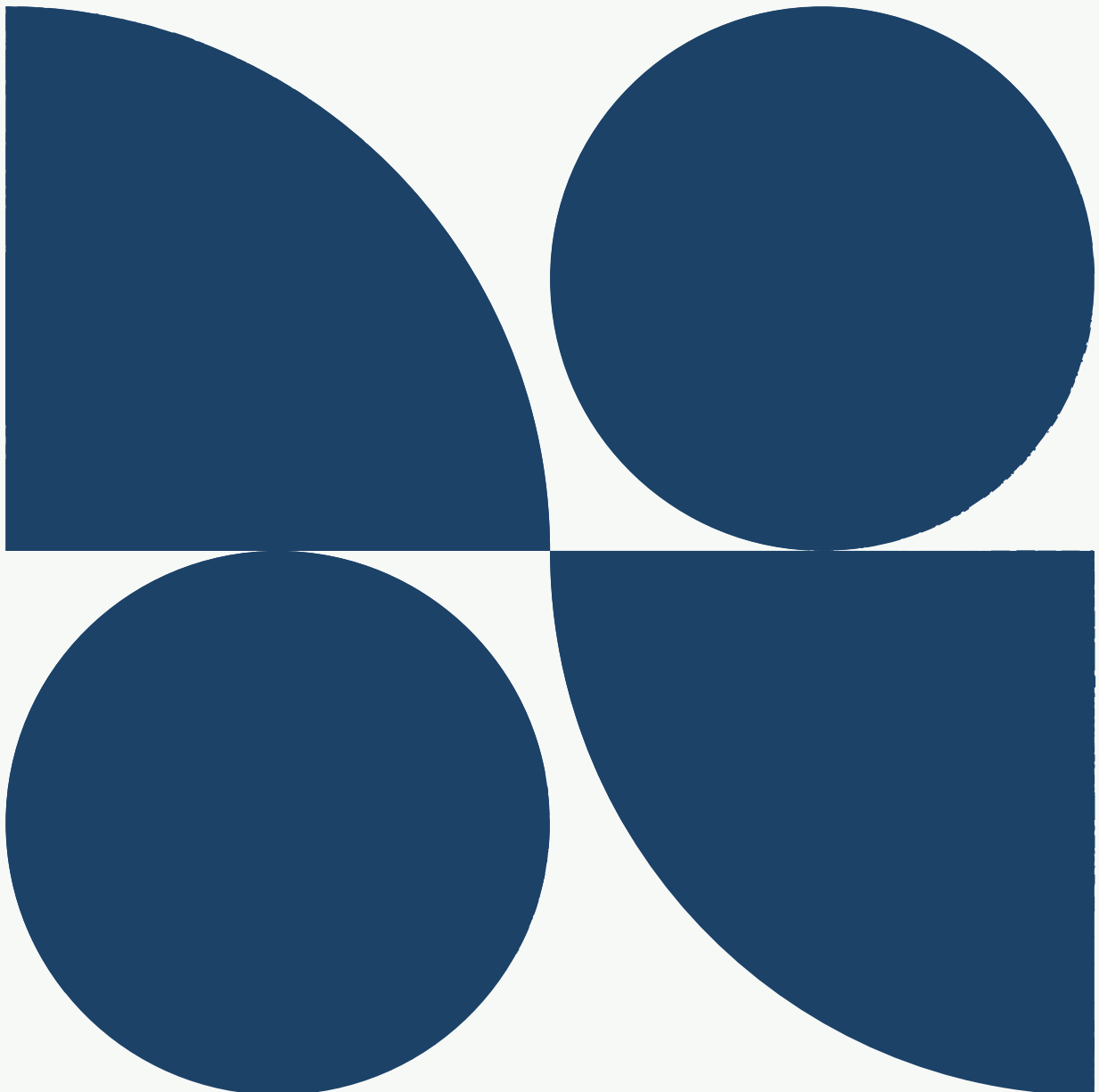


Submission

Privacy Act Review Report





Acknowledgement of Country

WANADA acknowledge the traditional custodians of Country on which this submission was developed, the Whadjuk people of the Noongar Nation. We acknowledge their continuing and unbroken connection to land, sea and community. We pay our respect to their culture and their Elders, past and present and acknowledge their ongoing contribution to WA society and the community.

About WANADA

The Western Australian Network of Alcohol and other Drug Agencies (WANADA) is the peak body for the specialist alcohol and other drug education, prevention, treatment and support sector in Western Australia. WANADA is an independent, membership-driven, not-for-profit association.

WANADA is driven by the passion and hard work of its member organisations, which include community alcohol and other drug counselling; therapeutic communities; residential rehabilitation; intoxication management; harm reduction; peer based; prevention; and community development services.

Key Points

WANADA welcomes the opportunity to provide feedback on the Australian Government response to the Privacy Act Review Report.

- Australians experience significant levels of alcohol-related harm, with one person hospitalised every three-and-a-half minutes due to an alcohol-related cause.¹
- Reducing the ability to collect and use people's data for targeted advertising can reduce alcohol-related harm though preventing consistent exposure to alcohol advertisements, particularly when targeting vulnerable populations such as children or those experiencing alcohol-related harms.
- Responsibility for the impact of alcohol advertising cannot be simply negated by including disclaimer 'drink responsibly' messages, as these; are not evidenced to reduce alcohol-related harms, are often strategically ambiguous, and at times glamorise and promote alcohol use.
- Regulating targeted digital alcohol advertising is a strong strategy to prevent and reduce alcohol-related harms.

WANADA wishes to express support the submission being lodged by the Foundation for Alcohol Research and Education (FARE).

¹ Lensvelt E, Gilmore W, Liang W, Sherk A and Chikritzhs T (2018) [Estimated alcohol-attributable deaths and hospitalisations in Australia 2004 to 2015. National Alcohol Indicators. Bulletin 16.](#) National Drug Research Institute, Curtin University.



Alcohol-Related Harm in Australia

Alcohol causes significant harm across Australia, in the form of seven types of cancer, liver and heart disease, family and domestic violence, and accidents, just to name a few. One person dies from an alcohol-related cause every 90 minutes, and another is hospitalised every three-and-a-half minutes.² Alcohol is the fifth leading risk factor contributing to disease burden³ and costs the Australian community nearly \$67 billion a year in health, workplace and other costs.⁴ Locally, the rate of lifetime risky alcohol use across WA is rising, having increased 44% between 2019 and 2020 to a rate of 24.8%,^{5,6} notably higher than the national average.

Community ramifications are broad; from increased demand for already overloaded alcohol and other drug and other community services, to increases in frequency and severity of family and domestic violence,⁷ and of course, greater pressure on our hospital and ambulance services.⁸ It is important to note that harm from alcohol is not limited to those who consume it or those who experience alcohol dependence: research shows friends, family, bystanders, and others are equally impacted by alcohol harms, meaning alcohol has overtaken tobacco in its risk of harm to others.⁹ To put this into perspective: approximately 4.5 million Australians are a victim of an alcohol-related incident each year.¹⁰

Impact of Alcohol Advertising and Marketing

Advertising's core function is to entice its audience to purchase its product and therefore, alcohol advertising inherently encourages alcohol purchasing and consumption. Targeted digital advertising, which functions by collecting personal information via a person's online behaviour and using this data to advertise products that person may be interested in, exacerbates the issue. By fostering a 'feedback loop' where interest in a product results in frequent and consistent advertising, targeted advertising – by design – facilitates an environment where those who already purchase high amounts of alcohol, including those who experience significant harms from alcohol (or those who are in recovery from alcohol dependence), are exposed to the most advertising material.¹¹ This can create a 'snowball effect', where the more data that is gathered from previous purchases and online activity, the more it can be used for targeted advertising, which in turn facilitates more purchases. It should be noted that during the COVID-19 lockdowns of 2020–21, alcohol was increasingly purchased online,¹² and concurrently, alcohol sales across Australia increased by \$3.6 billion; a 29.1% increase.¹³

Responsibility for the impact of alcohol advertising cannot be simply negated by including disclaimer 'drink responsibly' messages, as these; are not evidenced to reduce alcohol-related harms, are strategically

² Lensvelt E, Gilmore W, Liang W, Sher A and Chikritzhs T (2018) [Estimated alcohol-attributable deaths and hospitalisations in Australia 2004 to 2015](#). *National Alcohol Indicators, Bulletin 16*, National Drug Research Institute, Curtin University.

³ AIHW (2021) [Australian Burden of Disease Study 2018: Interactive data on risk factor burden: Alcohol use](#).

⁴ Whetton S, Tait RJ, Gilmore W, Dey T, Agramunt S, Abdul Halim S, McEntee A, Mukhtar A, Roche A, Allsop S and Chikritzhs T (2021) [Examining the Social and Economic Costs of Alcohol Use in Australia: 2017/18](#), National Drug Research Institute, Curtin University.

⁵ Please note, this is referring to the 2009 alcohol guidelines definition of lifetime risk of two standard drinks per day. Australian Institute of Health and Welfare (2019) [National Drug Strategy Household Survey](#) (Table S.15).

⁶ Epidemiology Directorate (2021) [Health and Wellbeing of Adults in Western Australia 2020, Overview and Trends](#), WA Department of Health.

⁷ Centre for Women's Safety and Wellbeing, Stopping Family Violence and WANADA (2021) [Submission to Parliamentary Inquiry into Sexual Harassment Against Women in the FIFO Mining Industry](#).

⁸ Cancer Council WA, WANADA, Alcohol and Drug Foundation and Telethon Kids Institute (2022) [WA's hidden crisis: Harm from alcohol](#).

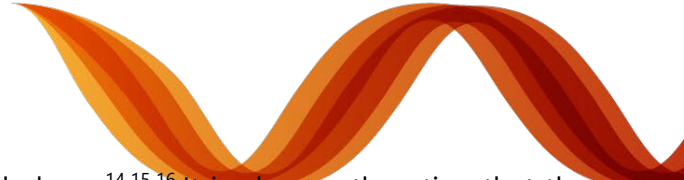
⁹ Jiang H, Doran C, Room R, Chikritzhs T, Ferris J and Laslett A (2022) [Beyond the Drinker: Alcohol's Hidden Costs in 2016 in Australia](#), *Journal of Studies on Alcohol and Drugs*, 83(4).

¹⁰ Australian Institute of Health and Welfare (2019) [National Drug Strategy Household Survey](#) (Table 3.47).

¹¹ House A (2019) [Dan Murphy's introduces Netflix approach to marketing, Drinks trade](#).

¹² FARE (2021) [Online & delivered alcohol during COVID-19](#).

¹³ FARE (2022) [Alcohol retail during COVID-19 \(2020-2021\)](#).



ambiguous by design, and often promote and glamorise alcohol use.^{14,15,16} It is also worth noting that the Alcohol Beverages Advertising Code (ABAC) Scheme – the regulatory body which handles complaints regarding alcohol advertisements – is alcohol industry-run, posing a clear conflict of interest in its rulings on industry public health messages.¹⁷

The impact of targeted digital advertising on children’s perceptions and behaviours regarding alcohol is of particular concern. There is strong evidence that exposure to alcohol marketing; *causes* children and underage people to drink alcohol,¹⁸ and is associated with high-risk drinking in young people.¹⁹ Alcohol companies bombard people with online ads, with a recent analysis finding almost 40,000 distinct ads were published on Facebook and Instagram over a year,²⁰ and research has found that social media platforms tag children as interested in alcohol ads.²¹ This, combined with the widespread use of social media amongst children²² and the fact that digital advertising is only visible to its target audience and therefore not open to public scrutiny, poses a clear risk of inducing alcohol-related harms.

Several federal and state government strategies have been devised to reduce alcohol-related harms. The *National Alcohol Strategy 2019-2028*, for example, aims “to prevent and minimise alcohol-related harms among individuals, families and communities”.²³ Given the evidenced relationship between alcohol advertising, use and harms, WANADA and the WA alcohol and other drug sector strongly support the Australian Government to create safe digital environments where public health and people’s privacy, health and wellbeing are prioritised.

¹⁴ Alcohol Justice (2012) [How Big Alcohol Abuses “Drink Responsibly” to Market Its Products](#).

¹⁵ Atkin J (2006) [Are “Drink Responsibly” Alcohol Campaigns Strategically Ambiguous?](#), *Health Communication*, 20(1).

¹⁶ Jones S, Hall S and Kyri K (2017) [Should I drink responsibly, safely or properly? Confusing messages about reducing alcohol-related harm](#), *PLoS One*, 12(9).

¹⁷ Pierce H, Stafford J, Pettigrew S, Kameron C, Keric, D and Pratt I (2019) [Regulation of alcohol marketing in Australia: A critical review of the Alcohol Beverages Advertising Code Scheme’s new Placement Rules](#), *Drug and Alcohol Review*, 38.

¹⁸ Sargent j and Babor T (2020) [The relationship between exposure to alcohol marketing and underage drinking is causal](#), *Journal of Studies on Alcohol and Drugs, Supplement*, (s19), p.113-124.

¹⁹ Jernigan D, Noel J, Landon J, Thornton N and Lobstein T (2017) [Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008](#), *Addiction*, 112, p. 7-20.

²⁰ Hayden L, Brownbill A, Angus D, Carah N, Tan XY, Dobson A and Robards B (2023) [Alcohol advertising on social media platforms – A 1-year snapshot](#), *Foundation for Alcohol Research and Education*.

²¹ Williams D, McIntosh A and Farthing R (2021) [Profiling children for advertising: Facebook’s monetisation of young people’s personal data](#), Reset Australia.

²² The eSafety Commissioner (2021) [The digital lives of Aussie teens](#).

²³ Commonwealth Department of Health (2019) [National Alcohol Strategy 2019-2028](#).



Recommendations

WANADA supports the recommendations proposed by FARE.

1

Prohibit the collection, use and disclosure of personal information for commercial marketing purposes unless a person has provided active, informed, voluntary and non-incentivised opt-in consent.

2

Even when consent is provided for the collection and use of a person's information for marketing purposes:

a

Prohibit the collection, use or disclosure of sensitive information, which should extend to indicators of a person's use of alcohol or whether they have accessed support for their alcohol use, and;

b

Require a fair and reasonable test to be met whereby it is ensured that the risk of adverse impact and harm are minimised.

3

Prohibit the tracking, profiling, monitoring or targeting of children for commercial purposes.

4

Prohibit the collection, use and disclosure of children's personal information for commercial marketing purposes, particularly by, or for, companies selling or marketing addictive or harmful products, including alcohol, gambling, tobacco (including e-cigarettes/vapes), and unhealthy food.