

Foreword

Scottish Families Affected by Alcohol and Drugs welcomes this public consultation on alcohol marketing in Scotland. Scottish Families organised focus groups consisting of family members affected by a loved one's substance use, people with lived experience of harmful alcohol use, and staff, which have informed our response to the consultation paper.

The consultation poses questions around how alcohol advertising and promotion should be restricted to challenge the normalisation of alcohol and address the effects of alcohol marketing on early or high-risk drinking. It focuses heavily on the effects of marketing on consumption by children and young people. It also acknowledges the threat of alcohol ubiquity to people's recovery from problematic alcohol use. The families we consulted agree that protecting children and young people from marketing is a vital part of social change around alcohol, and they have also highlighted how marketing threatens people's recovery from alcohol use.

However, we should avoid 'othering' our concerns around alcohol marketing to only certain groups of people, or seeing alcohol harm as a stigmatised issue that is only associated with certain groups of people. Children and young people, and people in recovery, are not the only groups in Scotland harmed through alcohol and alcohol marketing. The whole population is harmed, as is reflected in persistently high levels of alcohol-specific deaths (over 1,000 deaths per year for all but one of the past twenty years¹), other deaths related to alcohol, hospitalisation rates, and the wide range of harms linked to everyday alcohol consumption. And families affected by a loved one's alcohol use face significant harms and risk of harm, including where this person is currently using alcohol or in recovery and at risk of relapse. The normalisation of alcohol through marketing affects everyone in Scotland.

Tackling early-age, heavy, or problematic alcohol consumption linked to alcohol marketing is vital to addressing alcohol harm. However, the Scottish Government must consider how the pervasiveness of alcohol in society affects *everyone*, especially when confronted with the alcohol industry's arguments surrounding free choice around drinking alcohol. Relentless alcohol marketing has a considerable effect on what, when and where people choose to drink. Moreover, family members and the general public do not get to choose to be harmed by someone else's alcohol consumption.

Scottish Families supports calls for alcohol-related harm to be approached as a human-rights issue. One's right to health, life, security, and development can be compromised by the drinking of a loved one or other people in their community – in which they do not have a choice. When it comes to health and well-being, *everyone* – not just children and young people or people in recovery – is

¹ Scottish Families (2022) *Our Distressing Level of Alcohol Deaths is Adding to Scotland's Shame* (Media Release, 04.08.22), <https://www.sfad.org.uk/our-distressing-level-of-alcohol-deaths-is-adding-to-scotlands-shame>

affected by alcohol's pervasiveness in society, and *everyone* has the human right not to be confronted with the advertising of a harmful substance.

The alcohol industry's responses to the release of this consultation forewarn damages to Scotland's tourist economy. They claim that local alcohol businesses such as whiskey distilleries will not be able to stay afloat because they cannot distribute alcohol-branded merchandise, or sponsor sports teams or non-sporting events. Industry stakeholders and politicians also claim that this will cause an exodus of such businesses and events out of the country. It is important to note that similar claims were made in response to the introduction of Minimum Unit Pricing in 2018, even though a 2023 report has suggested that MUP policies have not had any significant impacts on the alcohol industry in Scotland.² When comparing alcohol restrictions to tobacco restrictions, marketing bans on tobacco marketing have not driven the tobacco industry out of Scotland. They have, however, reduced tobacco harm in Scotland by discouraging early smoking and limiting second-hand exposure to smoke.

However, impacts on the alcohol industry (or the lack thereof) should not be at the centre of legislation around alcohol marketing. On the contrary, restrictions should be put into place to benefit society, by protecting people from alcohol harm. We must challenge narratives perpetuated by the alcohol industry through its marketing and through its reaction to this consultation.³ Recognising that the industry relies on harmful levels of drinking for its profits, the commercial interests of the industry must not be prioritised over the human rights of children and young people, people in recovery, families affected by a loved one's alcohol use, and the general public – their right to health and their right to a life free from the harms of alcohol.⁴

Introduction

Scottish Families Affected by Alcohol and Drugs (Scottish Families) is a third sector organisation that supports anyone impacted or concerned about someone else's alcohol or drug use in Scotland (www.sfad.org.uk). In responding to the consultation at hand, we aim to centre the voices and experiences of family members affected by alcohol marketing and its impact on society.

Question 1: Do you think we should prohibit alcohol sports sponsorship in Scotland?

Yes. Scottish Families supports Scottish Health Action on Alcohol Problem's (SHAAP) [Calling Time Campaign](https://shaap.org.uk/calling-time.html), which is calling for the Scottish Government to ban alcohol sponsorship and marketing in Sport.⁵

Exposure to alcohol through sponsorship increases brand awareness for viewers. Increased brand awareness correlates to early drinking, an increase in alcohol consumption, and an increased risk of

² Public Health Scotland (2023). Minimum unit pricing: Impacts on the alcoholic drinks industry in Scotland. <https://www.publichealthscotland.scot/media/17383/mup-impacts-on-the-alcoholic-drinks-industry-in-scotland-report-january-2023.pdf>

³ Institute of Alcohol Studies (2023). What are the commercial determinants of health?. *Alcohol Alert*. <https://instalstud.substack.com/p/alcohol-alert-january-2023>

⁴ Scottish Government (2018) *Rights, Respect and Recovery: Scotland's strategy to improve health by preventing and reducing alcohol and drug use, harm and related deaths*. <https://www.gov.scot/publications/rights-respect-recovery/>

⁵ Scottish Health Action on Alcohol Problems (2022). *Calling Time on Alcohol Sports Sponsorship*. <https://shaap.org.uk/calling-time.html>

relapse for people in recovery or those who are trying to abstain from drinking.⁶ Physical and mental health can be compromised by alcohol harm through increased risk of non-communicable diseases such as cancer and liver disease, alcohol-related accidents and violence, depression and anxiety, relationship breakdown, unemployment, and abuse and neglect. Therefore, the interests of the alcohol industry and sport – which promotes physical and mental well-being – are not compatible. Families stated that sports professionals are supposed to be “*role models*”. This leadership extends to sports teams, clubs, and staff – and it extends to all sports. One family member stated:

“As far as sports are concerned, there shouldn’t be alcohol anywhere near it, because sport is a healthy pursuit.”

Yet, alcohol is deeply embedded within Scotland’s sporting culture, as evidenced by advertisements on and surrounding pitches, advertising inside and outside of stadiums, logos on strips, popular players and managers featuring in advertisements and the naming of stadiums, cups and leagues. Tactics for alcohol advertising are wide-reaching and indiscriminate, regardless of their stated target audience, and sports sponsorship provides the alcohol industry with a large audience that includes children and young people and people in recovery, families affected by a loved one’s alcohol use, and the general public.

By associating alcohol with a healthy activity, sport sponsorship normalises alcohol as a part of a healthy lifestyle and community. Scottish Families supports SHAAP’s Calling Time campaign in saying that sports in promoting physical and mental wellbeing, should be free of alcohol industry influence.

Question 2: If sports alcohol sponsorship were to be prohibited, what types of marketing do you think should be covered by a prohibition?

Scottish Families supports a comprehensive ban on sports alcohol sponsorship that includes but is not limited to: prohibiting the use of alcohol brands on clothing worn by players or staff; prohibiting alcohol being advertised on pitch side hoarding, pitches, trophies, tunnels or interview boards; prohibiting players or staff from featuring in alcohol adverts in print or online; and prohibiting online content from linking the sports team, players or competition to an alcohol brand or vice versa. We also support a ban on broadcasting images of sports event attendees drinking or holding alcohol products during a match or game.

Regarding potential marketing bans, this consultation has asked respondents to identify what types of restrictions should be put in place, before identifying exceptions to these restrictions. This approach is not thorough enough, since marketing is a creative industry in which marketers capitalise on unaddressed, unregulated, or constantly changing marketing channels. A more thorough way of restricting exposure to alcohol marketing would be to put forward a comprehensive ban on alcohol advertisement and promotion. Then, exceptions identifying marketing that can exist can be proposed. Scottish Families recommends implementing this approach in order to prevent alcohol marketing from seeping into outdoor or family-friendly

⁶ Purves, R., Morgan, A., & Critchlow, N. (2022). *Alcohol Sponsorship of Football: Examining the nature of sponsorship relations for professional football teams across countries with varied restrictions on alcohol marketing*.

spaces, such as sporting events. Ultimately, legislation around alcohol marketing should assume that every space is an Alcohol Free Space, except those that are specifically dedicated to alcohol sales and consumption.

Question 3: What, if any, sporting activities or events do you think should be excepted from a prohibition on alcohol sports sponsorship?

There should be no exceptions to this total ban on alcohol sports sponsorships, to avoid a migration of alcohol industry sponsorships to sporting events where they would be permitted and broadcasted to wide audiences.

Question 4: Do you think we should prohibit alcohol events sponsorship in Scotland?

In addition to sporting events, Scottish Families supports a ban on alcohol events sponsorships in Scotland, in line with the approach that all spaces – except those founded specifically for alcohol sales and consumption – should be free from alcohol marketing. Banning alcohol sponsorships for non-sporting events will eliminate another outlet for marketing alcohol to wide, sometimes international audiences. This will protect children and young people, people in recovery, families affected by a loved one's alcohol use, and the general public from being bombarded by pressures to drink alcohol.

It will also be a step towards changing perceptions around alcohol and its necessity to enjoying events around entertainment, music, and social interaction. Families suggested that alcohol harm reduction in Scotland relies on a change in cultural norms around alcohol, which is often portrayed through marketing as being essential to relaxation, festivities, and social mingling. Marketing *has* affected drinking customs during certain events in the UK. Only recently has alcohol become centred within events like St. Patrick's Day and Freshers' Week, thanks to marketing campaigns associating alcohol with identity, togetherness, and celebration.⁷

In announcing its expanding partnership with Johnnie Walker, the Edinburgh Fringe Festival has emphasised how the whisky brand enhances festival-goers experiences by "invigorating their senses".⁸ It also encourages festival-goers to visit the company's hub on Princes Street, in order to experience its rooftop bars and see the festival in "full-swing". The partnership has been described by Johnnie Walker's Global Brand Director as a "true celebration of all that is great about Scottish culture".⁹ Through these examples, alcohol is portrayed as an important enhancement for experiencing Scottish arts, culture, and identity.

Glasgow's TRNSMT music festival also features alcohol partners, such as Bacardi Rum, FourLoko, and Fountain Hard Seltzer, which are marketed through stage sets, giveaways, and other immersive experiences. Specifically, TRNSMT promotes one of its partners, Bacardi Rum, as a centrepiece of "high-energy music", "the freedom to do what moves you", and "good vibes", through its Casa

⁷ Alcohol Change UK (2018). Shifted cultural norms. *The Alcohol Change Report*, pg. 14-15.

⁸ The Fringe Society (2022). Johnnie Walker Princes Street becomes Edinburgh Festival Fringe partner.

<https://www.edfringe.com/learn/news-and-events/johnnie-walker-princes-street-becomes-edinburgh-festival-fringe-partner>

⁹ Smith, K. (31/07/2019). Johnnie Walker is just the ticket for the Fringe. *Scottish Field*.

<https://www.scottishfield.co.uk/culture/performing-arts/johnnie-walker-is-just-the-ticket-for-the-fringe/>

Bacardi stage. Through TRNSMT, Bacardi Rum is able to market its “long-standing association” to music and summertime activities.¹⁰

Music festivals are also effective outlets for companies like FourLoko and Fountain Hard Seltzer to advertise their products amongst their target demographic: young people. In a Scottish Grocer and Convenience Retailer article titled “American flavour for young adults”, FourLoko has been described as “particularly appealing to students” by a managing director of UK distributor Red Star Brands, due to the drink’s high ABV, and its convenience for festivals, gigs, and “pre-drinks” events.¹¹ The director also mentions how FourLoko activities, such as its summer festival partnership with TRNSMT, will facilitate engagement with young adult consumers and “bring an epic party to life”. Hard seltzer, containing less sweeteners and calories than other ready-to-drink products, has been marketed to health-conscious young people.¹² It also has associations with the summer season, when many outdoor music events are held. Events sponsorship allows alcohol companies to capitalise on the ‘good vibes’ and weather associated with festivals by marketing their products as experience-enhancers. Recognising that alcohol is not necessary to enjoy social gatherings requires social change.

Families recognise that societal change around drinking norms will occur in the long-term. They have also identified actions, such as banning alcohol advertising and promotion at sporting and non-sporting events, that can be enacted in the short-term in order to save lives and promote health and wellbeing for everyone. Removing alcohol marketing from non-sporting events in Scotland will be step towards removing pressures to consume alcohol in order to fully experience music, entertainment, community, and identity.

Question 5: If alcohol events sponsorship were to be prohibited, what types of marketing do you think should be covered by a prohibition?

All events and types of marketing should be covered by a total ban on alcohol advertising and promotion.

Question 6: What, if any, events do you think should be excepted from a prohibition on alcohol events sponsorship, and why?

Once again, there should be no exceptions to this total ban on alcohol events sponsorships.

Question 7: If alcohol sponsorship restrictions are introduced, do you think there should be a lead-in time for these? How long might this be and how would it work?

Yes, there should be a lead-in time of around two years to allow time for non-alcohol-related sponsorships to replace alcohol sponsorships. Removing sponsors that trade harmful substances opens the door for other sponsors to take their place, such as we have seen with Scottish Women’s Football. Sporting activities and events in particular allow companies to promote their products to large audiences, and also create a halo effect in which more sponsors benefit from aligning

¹⁰ TRNSMT (2023). TRNSMT Partners. *Trnsmtfest.com*. <https://trnsmtfest.com/trnsmt-partners>

¹¹ Scottish Grocer and Convenience Retailer (01/03/2022). American flavour for young adults. <https://scottishgrocer.co.uk/2022/03/01/american-flavour-for-young-adults/>

¹² Scottish Grocer and Convenience Retailer (01/03/2022). Seltzers soaring with millennials. <https://scottishgrocer.co.uk/2022/03/01/seltzers-soaring-with-millennials/>

themselves with positive values in sport, such as improved health and wellness. For both sporting and non-sporting events, a lead-in time of close to two years should be adequate for allowing transitions to take place.

Question 8: Do you think we should prohibit alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland?

Yes, we support a comprehensive ban on all types of alcohol marketing, including on vehicles. The pervasiveness of alcohol in society is reflected in its marketing in outdoor and public spaces, where people cannot choose whether or not to be confronted by advertising. This pervasiveness is a theme evoked in our recent focus group discussions and in surveys conducted for Scottish Families' "Alcohol Everywhere" report, which explored the presence and visibility of alcohol in local communities. As highlighted in the report, widespread advertising is especially triggering for people in recovery¹³:

"It's everywhere and if you're recovering you cannot get away from it."

This inability to avoid alcohol references on public transport, bus stops, billboards, and other public spaces is not confined to people in recovery. The constant exposure to alcohol, for the general population, normalises drinking and downplays its harm to physical and mental health. It also, according to our discussions with families and staff, contributes to the differences between perceptions of alcohol harm and perceptions of drug harm. Both families and staff have reflected on how drug harm is seen as both a taboo topic and a problem that needs to be taken seriously, while alcohol harm is neither fully addressed nor acknowledged on a societal level.

Question 9: What do you think should be covered by a prohibition on alcohol marketing outdoors, on vehicles and in public spaces?

There should be no advertising or promotion of alcohol in outdoor or public spaces – including on vehicles – whatsoever. Legislation that designates all outdoor and public spaces as alcohol-marketing-free spaces will be more effective than that listing specific instances where alcohol marketing should be banned.

Question 10: What, if any, exceptions do you think there should be to prohibiting alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland?

There should be no exceptions, as part of a comprehensive ban on alcohol marketing.

Question 11: Do you think that we should further restrict the visibility of alcohol in retail environments, giving reasons for your response?

Yes. The blatant visibility of alcohol in retail environments has harmful implications for children and young people, people in recovery, families affected by a loved one's alcohol use, and the general community. It normalises alcohol as a part of daily life and an everyday purchase alongside food and household essentials, poses as a trigger for individuals in recovery in environments they cannot avoid, and encourages impulse purchases that could result in buyers consuming more alcohol than

¹³ Scottish Families Affected by Alcohol and Drugs (2022). *Alcohol Everywhere*.
<https://www.sfad.org.uk/content/uploads/2022/09/Alcohol-Everywhere-Report-2022.pdf>

recommended for a healthy lifestyle.¹⁴ Families members cited the overt presence of alcohol in everyday retail environments as unavoidable:

“The most prominent things there is the availability of alcohol – how it is ever-present. Not just in alcohol marketing, but in just your everyday life. It’s there, in small shops, in supermarkets. You can’t avoid it. And I think that is one of the biggest problems we have in Scotland – how easy it is to access the drug.”

“As far as the supermarket’s concerned, you don’t want to be confronted by alcohol wherever you go and by the end of the counter stuff, etcetera.”

In line with families’ suggestions, Scottish Families supports restricting window displays of alcohol in retail environments, reconfiguring mixed alcohol and non-alcohol aisles, prohibiting displays of alcohol at the end of aisles or at check-outs, designating separate spaces within supermarkets and small shops where alcohol can be displayed, and covering alcohol behind till areas. The visibility of no-alcohol and low-alcohol products in retail environments should also be restricted, by placing such products in the same designated areas as alcoholic beverages and banning their advertising and promotion in non-designated areas. No-alcohol or low-alcohol products are packaged and marketed like alcohol products (minus the addition of 0.0% or non-alcoholic labels), therefore promoting alcohol brand awareness just as products containing alcohol do. At the same time, there should be sections within alcohol-specific areas dedicated to displaying no-alcohol or low-alcohol products. Often, no-alcohol or low-alcohol products are interspersed amongst products containing alcohol; near-identical packaging and aisle location can make them difficult to find:

“While I was doing my shopping I thought I’d have a little look [for no-alcohol products] and I couldn’t see the no-alcohol stuff for ages. It’s just all in amongst the actual alcohol. So I spent a good, like, ten minutes walking up and down the aisles thinking ‘where is this?’. I didn’t want to ask anybody – I wanted to see if I could actually find any.”

Moving no-alcohol and low-alcohol products to separate areas will reduce visibility and brand awareness. At the same time, displaying no-alcohol and low-alcohol products in their own aisle sections will make it easier for people who are set on buying these products to find them.

Question 12: Do you think we should consider structural separation of alcohol in Scotland to reduce the visibility of alcohol in off-trade settings (e.g. supermarkets)?

Yes. Families have shown support for structural separation to reduce the visibility of alcohol in supermarkets and small shops:

“I would certainly go for the supermarkets first, because that’s got the most day-to-day impact... I think getting [alcohol] out the public eye, I think that would help more people who are in recovery or kids going in to buy booze.”

¹⁴ Alcohol Focus Scotland (2022). *Realising Our Rights: How to Protect People from Alcohol Marketing*. https://www.alcohol-focus-scotland.org.uk/media/440171/realising-our-rights-how-to-protect-people-from-alcohol-marketing.pdf?utm_source=Report&utm_medium=PDF&utm_campaign=Alcohol+Marketing

Structural separation would benefit the general population. Firstly, it would reduce impulse purchases by restricting alcohol visibility to people who have made the deliberate decision to buy alcohol.¹⁵ It would also reduce brand awareness – and therefore increased risk of early or heavy drinking – amongst young people. Furthermore, it would de-normalise alcohol as a part of the everyday shop, alongside food and household items. For the population as a whole, and not just young people or people in recovery, decreased consumption benefits physical and mental health and well-being.

Question 13: How do you think structural separation of alcohol in Scotland could operate? (e.g. with barriers, closed display cases).

Families and staff have advocated for separate, closed-off areas within supermarkets where alcohol can be sold and advertised:

“As far as supermarkets are concerned, you don’t want to be confronted by alcohol wherever you go. You can have what they used to have, which is an off sales in the corner. So you can go and buy alcohol, but it’s not right in the middle of the supermarket...having the alcohol in a different area, which is maybe closed off.”

Alcohol is already displayed in its own, single section in supermarkets. However, restrictions on visibility are lax, and alcohol aisles are often located near check-outs or near everyday food and household items. As one family member pointed out:

“The soft drinks at our Tesco is one aisle before the alcohol, and the cordial is at the bottom of the alcohol aisle.”

Structural separation restricting the visibility of alcohol will ensure that people who enter supermarkets with the intention to buy alcohol are the only customers that encounter alcohol. Others who have not chosen to interact with alcohol will not have to. In the case of small shops, family members suggested the sale of alcohol operate similarly to that of cigarettes, with products kept behind barriers or in closed display cases behind a sales counter.

Question 14: Do you think that we should prohibit the sale of alcohol-branded merchandise in Scotland?

Yes, there should be a prohibition on the sale of alcohol-branded merchandise in Scotland. Ownership of alcohol-branded merchandise increases brand awareness, and high levels of brand awareness, especially amongst children and young people, has been linked to higher level of high-risk consumption.¹⁶

¹⁵ Alcohol Focus Scotland (2022). *Realising Our Rights: How to Protect People from Alcohol Marketing*. https://www.alcohol-focus-scotland.org.uk/media/440171/realising-our-rights-how-to-protect-people-from-alcohol-marketing.pdf?utm_source=Report&utm_medium=PDF&utm_campaign=Alcohol+Marketing

¹⁶ Critchlow, N., MacKintosh, A. M., Thomas, C., Hooper, L., & Vohra, J. (2019). Awareness of alcohol marketing, ownership of alcohol branded merchandise, and the association with alcohol consumption, higher-risk drinking, and drinking susceptibility in adolescents and young adults: A cross-sectional survey in the UK. *BMJ Open*. 9: e025297. doi:10.1136/bmjopen-2018-025297

The effects of alcohol-branded ownership are not limited to the owner of merchandise, since they essentially become walking adverts when wearing or using merchandise in public.

Question 15: Do you think that we should prohibit the free distribution of alcohol-branded merchandise in Scotland?

Yes. For reasons similar to the previous answer, there should be a prohibition on the free distribution of alcohol-branded merchandise in Scotland.

Restrictions on the free distribution of alcohol-related paraphernalia – even if items are not promoting a particular brand -- should also be considered. In speaking with family members, various experiences around receiving free, alcohol-branded or related merchandise – especially that given to children and young people – were brought up, and they indicated how alcohol has become ingrained within Scottish society. According to families, normalisation is even present in schools:

“When my oldest son was graduating high school they were given a shot glass as a parting gift from the school... that’s how normalised it is in our culture.”

The distribution of free alcohol-related merchandise, in this case as a graduation gift for secondary school pupils, many of whom were aged under 18, points to the idea that drinking alcohol is a rite of passage for young people. This idea is carried into university settings, with Freshers fairs promoting discounts for alcohol and alcohol-related events. One question brought up in discussion reflected this cultural norm:

“Why have we gotten into the position where it is so normal for our young people to see [drinking] as a rite of passage?”

Others agreed that the presence of alcohol and alcohol-related items within school venues at after-school events, at school Christmas fairs, and as gifts for teachers is not uncommon. They agreed it is, as one family member put it, “*entirely inappropriate*” and that schools and other community venues should be guaranteed Alcohol Free Spaces. Statutory restrictions on where alcohol and alcohol-related paraphernalia can be distributed should be enforced in order to reconfigure society’s relationship with alcohol. Equally, there should be a ban on the distribution of free branded merchandise that raises brand awareness in addition to situating alcohol in everyday spaces.

Question 16: What, if any, exceptions do you think should there be to prohibiting the sale or distribution of alcohol-branded merchandise?

Alcohol branded items can remain within spaces that have been created for alcohol sales and consumption – spaces people can choose to go in to drink.

Question 17: What, if any, other restrictions do you think should be considered on the use of alcohol brands on non-alcohol products?

There should be no difference between how alcohol and non-alcohol products are treated when it comes to restricting alcohol branding. The mere presence of an alcohol company’s logo and

imagery evokes brand awareness and normalises alcohol's associations with certain events, places, or circumstances.

Question 18: Do you think that any potential alcohol marketing restrictions should also apply to no-or low drinks products between 0% ABV and 1.2% ABV, where these carry the same brand name, or identifiable brand markings, as alcohol drinks over 1.2% ABV?

All of the marketing bans and restrictions mentioned so far should be applied to no-alcohol and low-alcohol products between 0% ABV and 1.2% ABV. This is because such products still raise brand awareness for alcohol brands and draw connections between drinking and social acceptance. One focus group attendee highlighted this in saying:

"I also saw an advert for non-alcoholic Guinness that I've never seen before... it's exactly the same as an advert for alcohol. It's a guy in a pub – there was nothing different about it, nothing to disassociate that pattern of drinking or that social aspect of drinking from an alcohol-free source."

Associations between no-alcohol drinks and drinks containing alcohol have also been identified by people in recovery, as pointed out by one of our members of staff:

"Even with non-alcoholic drinks – in working with a lot of people who are sober because of alcohol problem – they don't want to be drinking alcohol-free products because it's just a trigger back to their drinking. It might be a useful tool for them at first to reduce their drinking and managing that a bit, but in the long-term it's not something anybody I've come across wants to be using in terms of 'I want to go to the pub and have a pint [of non-alcoholic drink]' because that is a function of re-triggering it."

No-alcohol and low-alcohol products are associated with alcohol and drinking culture by alcohol industries and everyday people alike. They are packaged, marketed, and displayed in almost identical ways. Therefore, it makes sense to apply the same marketing restrictions to these products.

Question 19: Do you think that we should prohibit advertising of alcohol in newspapers and magazines produced in Scotland?

Yes. Newspapers and magazines have a wide audience. People of all ages and backgrounds should be able to engage with current events without having to come across alcohol marketing.

Question 20: What, if any, exceptions do you think there should be to prohibiting alcohol advertising in newspapers and magazines produced in Scotland?

Print media exchanged amongst business in the alcohol industry (i.e. industry publications) should be excepted, but they should not be widely distributed to people who do not work in the alcohol industry.

Question 21: Do you think we should restrict alcohol branded social media channels and websites in Scotland?

Yes. Social media channels have a wide and often indiscriminate reach.

Question 22: What, if any, exceptions do you think there should be to prohibiting alcohol branded social media channels and websites in Scotland?

There should be no exceptions, especially since social media channels and formats are always evolving. It is best to implement a blanket ban when it comes to social media due to this reason.

Question 23: Do you think we should restrict paid alcohol advertising online in Scotland?

Yes.

Question 24: What types of paid alcohol advertising do you think should be covered by any restrictions?

All types of paid alcohol advertising should be covered.

Question 25: What, if any, exceptions do you think should there be to restricting paid alcohol advertising online?

There should be no exceptions.

Question 26: Do you think we should restrict alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) – whether this is produced by them or by consumers?

Yes.

Question 27: What, if any, exceptions do you think there should be from restricting alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) – whether this is produced by them or by consumers?

There should be no exceptions.

Question 28: Do you think we should explore prohibiting alcohol advertising on television and radio completely (e.g. like Norway or Sweden)?

Yes. Both television and radio, once again, have wide audiences, and references to alcohol on television were some of the most common references outlined in our Alcohol Everywhere report.

Question 29: Do you think we should introduce a watershed for alcohol advertising on TV and radio (e.g. like Ireland), and if so how would this work?

Yes, but this should be introduced in the case that a total ban on alcohol advertising on television and radio is not implemented. As outlined in our “Alcohol Everywhere” report, the majority of survey respondents were strongly supportive of introducing a watershed for alcohol advertising on TV and radio. Still, a total ban would protect the widest range of audiences from alcohol marketing.

Question 30: Do you think alcohol advertising should be restricted in cinemas?

Yes, alcohol advertising should be restricted in cinemas. A total ban on advertising in cinemas would reduce alcohol exposure for alcohol to people of all ages and backgrounds. It would address yet another marketing channel through which alcohol is associated with fun and relaxation and normalised from a young age.

Question 31: If alcohol advertising was restricted in cinemas, what, if any exceptions (e.g. products in scope, times of day or specific movie ratings) do you think should be considered?

Restricting alcohol advertising to 18+ films would eliminate alcohol exposure for children and young people at the cinema, and it would drastically decrease exposure for adults in general, since 18+ films comprise a small percentage of film releases in year. In surveys conducted for our Alcohol Everywhere report, 68% of respondents strongly supported restricting alcohol advertising to 18+ films. However, a total ban on alcohol advertising in cinemas is highly recommended, as it would protect the widest range cinema-goers possible.

Question 32: Do you think that the content of alcohol marketing in Scotland should be restricted to more factual elements?

A comprehensive ban on alcohol marketing would eliminate avenues for advertising and promotion of alcohol in all spaces, which would make outlining the kinds of acceptable content for marketing redundant. However, if a comprehensive ban were not implemented, we recommend restricting the content of alcohol marketing to factual elements, to address alcohol industries' ability to construct social norms and perceptions around alcohol through marketing.

This was mentioned during our focus group discussions. One person commented on how the content of alcohol marketing can easily change to create associations with upcoming events:

"Over the weekend I saw two new adverts for alcohol I hadn't seen before. One was for Bailey's which, for whatever reason, is associated with Christmas I think. But now they're saying 'Oh no this is a Spring drink now. We're going to associate it with Easter now as well'. It's all very 'in the garden, have a Bailey's'..."

Attendees put forward other examples, such as Mother's Day and Christmas. Associations between alcohol and celebrations are not factual elements of an alcohol product, but they are easily elicited through creative marketing.

One family member suggested how alcohol packaging promotes appeal amongst young people, saying:

"I walked down the aisle in Tesco yesterday and all the advertising for young people's stuff was funky patterns... why would you not buy it if it looked pretty and was in a can?"

Their observation reflects how many canned, ready-to-drink products are visually marketed to appeal to young people. Many alcohol products are also marketed towards women, as highlighted by Glasgow Caledonian University Professor Carol Emslie's "#Don'tPinkMyDrink campaign. Portrayals of women, use of what are seen as feminine colours, patterns, and sparkles, and diet culture have been manipulated by the alcohol industry to promote alcohol sales amongst women. The use of packaging and marketing to appeal to LGBTQ+ communities, friend groups, and mothers has also been noted by the campaign. In summary, allowing alcohol companies to take great liberties in how they can market their products glamourises alcohol, even amongst certain groups of people in Scotland.

Question 33: Do you think we should only allow alcohol marketing to include elements set out in a list, like in Estonia? This would mean all other elements not on the list would be banned from adverts.

Families have expressed support for the Estonian model to be applied to alcohol content in Scotland. However, they brought up the need for health warnings that accurately reflect the damage alcohol can do to the body and brain. The intention of these warnings would be to discourage overconsumption of alcohol and early starts to drinking, as well as normalise perceptions of alcohol as a harmful substance:

“[Maybe show] pictures of some of the harm that alcohol does. Show a brain that’s getting all messed up because of the effect of alcohol. People who are bright yellow because their liver is failing. It’s those kinds of things, those kind of pictures that people don’t see.”

People who have come across tobacco packaging are likely familiar with the imagery of diseases and decay linked to smoking and to being exposed to second-hand smoke. The inclusion of health warning labels and imagery around tobacco harm has contributed to changed perceptions and behaviours around smoking.¹⁷ The same associations between alcohol and harm are not made clear on alcohol packaging – and sometimes they are not made at all. A recent, UK-based Alcohol Health Alliance report analysed alcohol labelling across more than 360 products and found that only 65% included the latest Chief Medical Officer’s guidelines for lower-risk consumption.¹⁸ The remainder of products included out-of-date guidelines, foreign guidelines, or no guidelines whatsoever. 3% of products displayed general health warnings, while only one product included a specific health warning related to cancer risk. Such information is often written in small font and at the margins of labels. A 2022 University of Stirling study identified this as one reason why the majority of its participants claimed to rarely or never read health warnings on alcohol labels.¹⁹

As one family member said during our focus group discussion, health problems caused by alcohol consumption are not communicated well enough to promote widespread understanding of alcohol harm:

“I think an understanding of what alcohol can do to somebody – their brain, their body, everything that can be impacted by it – I don’t think that’s pushed enough.”

Scottish Families also encourages the Scottish Government to mandate ingredient and nutritional content on alcohol products sold in Scotland. Ingredient lists and nutritional content of alcohol products, as of now, are rarely transparent to purchasers. In 2022, only 5% of analysed alcohol products contained full nutritional information. The majority of products did not disclose their ingredient, calorie, and sugar content.

¹⁷ Hammond, D. (2011). Health warning messages on tobacco products: a review. *Tobacco Control*, 2, 327-337.

¹⁸ Alcohol Health Alliance (2022). Contents unknown: how alcohol labelling still fails consumers.

<https://ahauk.org/resource/contents-unknown-how-alcohol-labelling-still-fails-consumers/>

¹⁹ Jones, D., Moodie, C., Purves, R.I., Fitzgerald, N. and Crockett, R. (2022), The role of alcohol packaging as a health communications tool: An online cross-sectional survey and experiment with young adult drinkers in the United Kingdom. *Drug Alcohol Review*, 41, 1206-1215.

Withholding easy access to health warnings and nutritional content compromises individuals' rights to health, as people buying alcohol may not be fully aware of the numerous health risks linked to drinking. They may also be unknowingly consuming an excess of calories and sugar that could heighten risks for obesity non-communicable diseases such as diabetes. Statutory regulations around disclosing alcohol's health risks on alcohol packaging is one of the ways public understanding of harm can be increased.

Question 34: Do you think that content restrictions like the Estonian model should be applied to all types of alcohol marketing?

Yes. Similar to our response to Question 32, a comprehensive ban on alcohol marketing in Scotland would eliminate the need to apply the Estonian model. However, it is a good model to follow if a comprehensive ban is not put in place.

Question 35: How do you think that any future alcohol marketing restrictions in Scotland should be monitored and enforced?

Statutory restrictions on alcohol marketing in Scotland should be enacted. The self-regulatory system currently in place has failed to protect individuals' human rights to health, life, and privacy. The alcohol industry has responded to this consultation by saying that restrictions on alcohol marketing will eliminate people's right to choose to buy and drink alcohol – even though it consistently violates people's right to choose. Constant exposure to public, widespread advertising and promotion means that people of all ages and experiences are unable to choose if they engage with or avoid alcohol. Ever-changing marketing strategies and technology has allowed for restrictions to be bypassed by the alcohol industry, even in countries with stronger restrictions than Scotland. Therefore, comprehensive, statutory restrictions on marketing should still be continuously checked and enforced, to keep up with drinking trends and changes in the industry.

Question 36: Do you think that Scottish Government should require the alcohol industry to provide information and data on alcohol marketing campaigns in Scotland?

Yes. If no comprehensive bans are put into practice, transparency in the alcohol industry is necessary to understand how restrictions can evolve to keep up with the alcohol industry's marketing strategies.

Question 37: Do you think that Scottish Government should require the alcohol industry to provide local alcohol sales data in Scotland?

Yes. Transparency around local alcohol sales would promote a better understand of alcohol consumption in Scotland.

Question 38: Do you think the Scottish Government should look to introduce a comprehensive package of restrictions across a number of marketing channels? If so, what do you think this package should include?

Yes. Throughout this consultation response, we have stressed that a comprehensive ban on alcohol marketing in all spaces should be introduced in Scotland. This includes sporting, non-sporting, public and outdoor, retail, and print and digital media environments. There should also be statutory

requirements on information around alcohol labelling, alcohol industry sales, and marketing campaigns.

Question 39: What, if any, additional alcohol marketing methods or channels not covered in the consultation would you like Scottish Government to consider restricting and why?

In our response, we have advocated for enforced health and nutritional labelling on alcohol products, which was not addressed in the Scottish Government's consultation. Providing information that is thorough and easy to locate on the packaging is necessary for upholding the human right to health.

From our discussions with families, we came to learn about the distribution of free, alcohol-related paraphernalia on school campuses – such as shot glasses as school graduation gifts. This brought on more discussion around the normalisation of alcohol, even in spaces that are widely considered to be alcohol-free. Even if these items – such as shot glasses – are decorated with school logos instead of alcohol brands, they still reinforce alcohol as a part of everyday life and as a rite of passage into adulthood.

Focus group attendees also brought up the use of alcohol as a prize or gift, especially in contexts where alcohol is normally not present – such as in schools or in public settings. One staff member recalled:

“I went into Greggs one day and they were doing a Christmas hamper raffle, and they had alcohol in their Christmas hamper for raffling...I was thinking to myself I just nipped into Greggs for a sausage roll and there’s a bottle of champagne sitting on the top of the counter for you to try and win. You’re making it impossible for people to manage in the short-term.”

Therefore, we think it is vital for the Scottish Government to start with an assumption that ALL of our communities should be Alcohol Free Spaces for children, young people, families and the wider community to enjoy. This includes schools, further and higher education establishments, workplaces, public buildings, community settings and public spaces. The only exception to this should be settings which are specifically designed for alcohol sales or consumption.

Question 40: What further evidence on alcohol marketing would you like the Scottish Government to consider?

Alcohol marketing cannot be seen in isolation from the impact of price and availability on alcohol harm in Scotland, alongside the importance of high quality, accessible alcohol treatment, care and support. Depending on the measures taken, all of these factors work together to either increase alcohol use and harm within Scotland’s ‘alcogenic’ environment, or alternatively can reduce harm and risk to individuals, families and communities.

Scottish Families’ core purpose is to support people affected by the alcohol or drug use of someone else, whether that person is a child, parent, sibling, immediate or distant relative, or friend. Through our Alcohol Everywhere report and discussions leading up to this response, we’ve found that family members are invested in change around alcohol marketing, because of advertising and

promotion's normalisation of alcohol harm. Alcohol harm is not limited to the person who uses alcohol; it impacts family, friends, and other members of the community – the whole population.

Cost has been a reoccurring theme in arguments for and against the restrictions outlined in this consultation. The alcohol industry has complained time and time again about what restrictions on alcohol marketing will cost – in terms of money, jobs, and tourism.

But what about the costs of alcohol harm? Not just in terms of the money spent in health or social care services -- but the human costs of stress, isolation, and bereavement felt by families across Scotland. As one family member said:

"We've heard it [restrictions on advertising] is going to cost jobs, it's going to cost this, it's going to cost that – funny thing is we never hear people saying 'it's going to save lives'. And that's what I'm interested in."

Policies around restricting alcohol marketing must centre the lived experience of families and communities affected by alcohol harm – not the interests of alcohol industry. In considering restrictions on alcohol marketing, the Scottish Government must not create a hierarchy of evidence where industry is valued over human rights. Families' voices must be heard and acted upon.

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