

## **RESPONSE FROM THE PORTMAN GROUP TO THE CONSULTATION ON THE PROPOSED OFCOM BROADCASTING CODE**

### **Introduction**

1. The Portman Group (TPG) was set up in 1989 by the UK's leading alcohol producers. Its purpose is to promote responsible drinking; to help prevent alcohol misuse; to encourage responsible marketing; and to foster a balanced understanding of alcohol-related issues.
2. TPG speaks for its member companies<sup>1</sup> on these social aspects of alcohol. It does not represent any drinks companies or other part of the trade on any other matter. TPG nevertheless welcomes the participation of the wider drinks industry – manufacturers, wholesalers and retailers – in its activities, for example as signatories to the Code of Practice, or in using the Proof of Age Card scheme, and believes that the drinks industry can thereby demonstrate its social responsibility, help to protect its commercial freedoms and enhance its success in a manner consistent with good citizenship.
3. TPG welcomes this opportunity to respond to the consultation on the proposed Broadcasting Code. Our comments relate solely to the issues it raises about alcohol and drinking. We are grateful for the two-week extension to the deadline for submitting our response.

### **Protecting the under eighteens**

4. The phrase 'drinking alcohol' in paras 1.10 and 1.11 of the proposed rules is problematic in this context. The phrase is used alongside and equated with 'smoking, solvent abuse, the use of illegal drugs and the abuse of drugs'. Alcohol, however, is legal, drinking is normal and most of the approximately 90% of the adult population who choose to drink have no problem with its consumption. The Government's sensible drinking message, which is scientifically based and balanced, is clear that moderate drinking in appropriate circumstances (eg not when driving) is perfectly compatible with a healthy lifestyle. The recent Alcohol Harm Reduction Strategy confirmed this as the basis for government policy.
5. Moreover, we know from research conducted amongst children of school age that while messages about the dangers of alcohol misuse, whether delivered

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<sup>1</sup> Member companies: Allied Domecq, Bacardi Brown Forman Brands, Beverage Brands (UK) Ltd, Carlsberg UK, Coors Brewers, Diageo Great Britain, Interbrew UK, Pernod Ricard, Scottish & Newcastle. Associate member companies: Enterprise Inns, Laurel Pub Company, Mitchells and Butlers, Pubmaster, Thresher Group, Union Pub Company/Pathfinder Pubs and JD Wetherspoon.

via curriculum-based or out-of-school media, provide information they need and welcome, they feel concerned and critical about the lack of exposure to any messages about what sensible, 'safe' drinking looks like. In other words, there is a need for positive reinforcement for responsible adult drinking, not just the negative side of alcohol misuse. Indeed, it is possible to argue that the negatives will not be effectively communicated *unless* accompanied or balanced by the positives. Children know that alcohol is not the same as illegal drugs and regard any attempt to portray it as if it were as hypocritical and patronising.

6. **We recommend that the phrase 'drinking alcohol' in 1.10 and 1.11 be replaced by 'alcohol misuse'.**

**We further recommend that in addition to these two 'disallowing' rules, there should also be a clause that reassures broadcasters and programme makers that there is no reason why the normal, socially responsible portrayal of 'drinking alcohol', including in settings that involve children (eg family occasions or in restaurants) should not be shown, although this should not normally include showing children themselves consuming alcohol.**

### **Harm and offence**

7. **We strongly support rule 2.1 and the proposed new rule 2.4**, in the context of the potential harm which certain portrayals of alcohol misuse could have on audiences, both adults and children. One of our concerns is with storylines which show inappropriate or excessive alcohol consumption, particularly by otherwise sympathetic characters, in ways which might encourage imitation, but which neglect to show any adverse consequences of such behaviour.
8. Two recent examples illustrate this point. A character in *Eastenders* (Kat Slater) was seen to share bottles of wine and vodka with her sister, followed immediately by her drinking two whole bottles of champagne on her own. She then fell asleep and the next day looked and behaved normally. In real life, she would have been badly affected by such a large volume of alcohol, possibly even fatally. The second example was a group of senior male doctors, including an anaesthetist and at least one surgeon, in *Holby City* who were shown in the bar after their shift one evening. They indulged in drinking games and were shown to consume large amounts and get progressively drunker. The next day they were working in the operating theatre as normal.
9. We are not advocating censorship, nor denying that storylines of alcohol misuse can be used to good and positive effect, but we would suggest that to show misuse in isolation of its adverse consequences is irresponsible and could encourage dangerous and/or seriously anti-social behaviour.
10. A similar concern arises in respect of documentary, drama-documentary and 'reality TV' programmes, such as *Big Brother* and *Ibiza Uncovered*. In the

case of the former, we regard it as irresponsible for the programme-makers deliberately to provoke excessive drinking and drunken behaviour through the provision of large quantities of alcohol. In the case of the latter, we regard it as irresponsible to broadcast a programme which shows excessive drinking and dangerous behaviour simply as entertainment.

### **Sponsorship**

11. We would argue that there is a case for introducing an additional specific rule about sponsorship by an alcoholic drinks brand within the section dealing with 'prohibited and restricted sponsors'. By aligning themselves with advertising regulation, the rules would already clearly prohibit the sponsorship of children's programmes, for example. We believe the restriction should be strengthened in relation to programmes which raise the issues of harm and dangerous behaviour discussed above.
12. **We recommend an additional rule which prohibits sponsorship by an alcoholic drinks brand of any radio or TV programme whose primary purpose or predominant theme encourages alcohol misuse.**
13. A rule expressed in these terms would, we believe, strike an acceptable balance between protecting the public, commercial freedom and freedom of expression. It would prevent a programme like *Ibiza Uncovered* being sponsored by an alcohol brand, but would not have affected the sponsorship, for example, of *Inspector Morse* or *Sex and the City*.