

12 April 2016

Codes Review Panel
ASA Secretariat
PO Box 10675
Wellington 6143

Tēnā koutou,

Re: Submission on the Review of the Code for Advertising to Children and the Children's Code for Advertising Food

Healthy Families Spreydon-Heathcote is a large-scale initiative that brings community leadership together in a united effort for better health. It aims to improve people's health by challenging communities to think differently about the underlying causes of poor health and to make changes that will help people make healthier choices.

Led by the Ministry of Health, the submitter aims to make good health easier and more accessible for people to prevent the rising tide of obesity and chronic diseases that threaten their quality of life. However, many people including children are vulnerable and are unlikely to be able to directly control or fully understand the effects of food advertisements on their health, even though they have rights to information.

We understand that New Zealand has signed and ratified the United Nations Convention on the Rights of The Child (UNCROC), where Article 13 recognises the child's right to freedom of expression and to receive all kinds of information, including advertisements. Article 17(e) also calls for "appropriate guidelines for the protection of the child from information and material injurious to his or her well-being." Furthermore, Article 3 of the Convention states, "the best interests of the child shall be a primary consideration". The above Articles of the UNCROC are supported well by Principles 1 and 2 of the Code where advertisements should observe a high standard of social responsibility and not exploit children's lack of knowledge respectively. Often times, it is assumed that children lack the cognitive defences to withstand the coercive effects of advertising and hence need protection until they can understand its nature and intent.¹

We are aware that Canterbury District Health Board (CDHB) has made a thorough submission on the codes and included comments and evidence on all 13 questions. Healthy Families Spreydon-Heathcote supports the CDHB submission and welcomes the opportunity to further comment on questions 9 and 13 cited in your consultation review paper.

9. Do you support or oppose a specific guideline on sponsorship? Why?

Healthy Families Spreydon-Heathcote supports having specific guidelines on sponsorship.

¹ Simone Pettigrew and others "The effects of television and Internet food advertising on parents and children" (2013) 16 Public Health Nutr 2205 at 2205.

The rising tide of preventable chronic diseases like diabetes, cardiovascular disease and some cancers threatens quality of life. With rising rates of these diseases comes increasing health, social and economic impacts on families, communities and the health system.

Obesity or being overweight is a key factor driving this trend. Since 2006, child obesity in New Zealand has increased from 8% to 11% in 2015.² Worryingly, one in three New Zealand children are obese or overweight, and more than a third are inactive.³ New Zealand has one of the highest rates of childhood obesity in the OECD.⁴ Many experts have attributed the prevalence of obesity to environmental factors, one of which is advertising of unhealthy foods (often referred to as high fat, salt and sugar (HFSS) or energy dense, nutrient poor (EDNP) foods).⁵

To permanently slow the growth of obesity and chronic disease, we need to support families and communities to eat well, be physically active, be smoke-free and only drink alcohol in moderation.

A growing body of evidence is calling for a comprehensive and coordinated approach to prevention that is sustained over the long-term. Healthy Families Spreydon-Heathcote is about thinking bigger, driving innovation and supporting good health in the places where we spend our time. It is a move away from disconnected, small-scale and time-limited projects and programmes, towards a whole-of-community approach that makes changes to the systems that influence the health and wellbeing of individuals, families and communities – systems like workplaces, the education system, and community spaces.

Therefore, having a specific guideline on sponsorship is supporting a system-level change for childhood settings such as schools, early childhood centres and local sport clubs. It will also have a positive influence in community events.

12. Are there environments where you consider it to be inappropriate to advertise to children?

The New Zealand Medical Association's report on Tackling Obesity has included as one of their 10 top priorities the restriction of unhealthy food marketing to children.⁶ As part of the Healthy Food Environment Policy Index proposal in 2013, 56 public health experts identified two of the seven top priorities as the reduction of food marketing through broadcast and non-broadcast media and in settings where children gather.⁷

Healthy Families Spreydon-Heathcote aims to make good health easier and more accessible for people, by creating many health promoting environments, where people live, learn, work and play. We would like to see as many environments where children are present to be free from all forms of commercial marketing of HFSS/ EDNP foods. These settings include: early childhood centres, primary schools, intermediate and high schools, sports facilities and clubs, maraes, places of worship, parks and playgrounds, public libraries, community centres and community events.

Ngā mihi nui



Tracey Tuhi

Manager, Healthy Families Spreydon-Heathcote

² Annual Update of Key Results 2014/2015: New Zealand Health Survey

³ Ministry of Health. 2015. Understanding Excess Body Weight: New Zealand Health Survey.

⁴ www.oecd.org/els/health-systems/Obesity-Update-2014.pdf

⁵ Todd J Zywicki, Debra Holt and Marueen K Ohlhausen "Obesity and Advertising Policy" (2003) 12 Geo Mason L Rev 979 at 992; Ministry of Health Food and nutrition guidelines for healthy children aged 2-12 years (Ministry of Health, Wellington, 1997)

⁶ New Zealand Medical Association. NZMA Policy Briefing: Tackling obesity. Auckland: New Zealand Medical Association; 2014.

⁷ Swinburn B, Vandevijvere S, Kraak V, Sacks G, Snowdon W, Hawkes C, et al. Monitoring and benchmarking government policies and actions to improve the healthiness of food environments: a proposed Government Healthy Food Environment Policy Index. Obes Rev 2013;14 Suppl 1:24-37