

DCMS Select Committee's Call for Evidence on the Future of Public Service Broadcasting

June 2020

Summary:

- Public Service Broadcasters (PSBs) are a trusted source which help to inform our understanding of the world.
- The future of Public Service Broadcasting must continue to be one where broadcasters use this influence and reach in service of the public good, including by helping to improve the health of the nation.
- Initiatives by some PSBs to promote healthier diets are likely to be less impactful because of the flood of harmful HFSS advertising that children are exposed to on those same channels.
- Efforts to empower families to maintain healthier habits should be concerted, consistent and sustained.
- We recommend that those PSBs which show advertising commit to implementing a 9pm watershed for HFSS adverts, with similar restrictions for their on-demand platforms.
- This measure would be straightforward to implement, with many brands having healthier variants they could advertise instead.
- In order to avoid displacement to other channels and to ensure a level playing field across industry, there should be a comprehensive 9pm watershed on HFSS products across all linear TV, catch-up and TV on-demand services and to adverts online and on social media too.
- Cancer Research UK continues to believe that UK Government regulation is the best way to achieve this comprehensive channel and platform-wide approach, and the most equitable for PSBs too.

About Cancer Research UK

1. Cancer Research UK is the world's largest independent charity dedicated to saving lives through research. We support research into all aspects of cancer. Thanks to research, survival in the UK has doubled since the 1970s so, today, 2 in 4 people survive their cancer. Our ambition is to accelerate progress and see 3 in 4 patients surviving their cancer by 2034. We work to prevent, diagnose and treat all cancers more effectively to achieve that ambition.
2. Cancer Research UK is a member of the Obesity Health Alliance (OHA).

Our work on the regulation of advertising

3. Cancer Research UK has produced an extensive and renowned portfolio of research on the impact that the marketing of health harms - including tobacco, alcohol and unhealthy food and drink - has, on young people in particular.

The Future of Public Service Broadcasting should be one that works in service of the public good and helps protect the health of children

4. Excess weight – and the ill health which it causes – is prevalent across the UK, and for both children and adults. Higher rates of overweight and obesity are experienced in the most deprived areas. The emerging evidence of increased risk of adverse COVID-19 outcomes for obese or morbidly obese people again furthers the case for more intervention to support balanced diets and healthy weight.
5. Public Service Broadcasters (PSBs) serve to inform our understanding of the world and stimulate knowledge and learning. They have a responsibility to use their influence and prominence in service of the public good, including by helping to protect and improve the health of the nation and its resilience to disease.
6. In order to reduce childhood obesity, we need an approach that puts healthy food in the spotlight but also takes the focus away from unhealthy food.
7. Whilst we appreciate PSBs' efforts to put out healthy messaging through annual initiatives such as the *Veg Power* campaign, these are currently being counteracted by a pervasive tide of advertising for unhealthy food.

HFSS marketing is extremely prevalent on TV and online

8. Junk food marketing is prevalent on TV, with over half of all food adverts shown in September 2019 during children's peak viewing times (6pm-9pm) on ITV1, Channel 4, Channel 5 and Sky1 found to be advertising HFSS products. Fruit and veg ads on the other hand made up less than one-in-every-fifteen food ads shown at that time.¹ In order to be effective, initiatives that attempt to improve children's diets need not only to promote healthy food but also to reduce children's exposure to unhealthy nudges, such as HFSS advertising. These initiatives should also be sustained and concerted, in order to maximise their impact.
9. This prevalence of HFSS advertising is of particular concern on programmes popular with children as well as adults. *Britain's Got Talent*, for example, is the most popular TV show with children aged 4-15, regularly watched by hundreds of thousands of children.² Yet, it is not classified by the Advertising Standards Authority's current rules as a TV show 'of particular appeal' to children, leaving them vulnerable to exposure from harmful content. According to analysis by the Obesity Health Alliance, children watching just one episode of *Britain's Got Talent* saw over four and a half minutes of adverts for unhealthy food and drinks – including pizza, burgers, ice cream, cake and chocolate biscuits.³ The analysis further noted that there was not a

single ad for the Veg Power initiative, further demonstrating the lack of consistency in broadcasters' efforts to encourage children to maintain healthier diets.

10. Brands have also been quick to adapt their marketing strategies to make the most of online platforms.⁴ These forms of marketing both reach and appeal to children and young people, who are exposed to and participate with HFSS marketing across multiple digital channels.

Junk food marketing is harmful to children

11. There is overwhelming evidence that marketing for HFSS products impacts children's eating habits.^{5 6 7} Advertising influences the type of food children choose, how much of it they eat,⁸ and can lead to them 'pestering' parents to buy unhealthy products.^{9 10}
12. The impact of marketing (both online and offline) could explain 5% of young people's total energy intake from junk food, or the equivalent of 50 calories per day.¹¹ According to Public Health England, overweight and obesity is often caused by consuming a relatively small number of excess calories daily¹² (as little as 48 to 71 extra calories).¹³ Thus, even a small daily reduction in energy intake, which could be precipitated by reducing exposure to junk food marketing, can play an important role in reducing children's risk of weight gain and obesity.
13. Junk food adverts, both on TV as well as from on-demand and streaming sites are a clear risk for poor diet.^{14 15 16} Lower recall of junk food marketing has also been found to be linked to a significantly lower risk of being obese.
14. According to our research, children themselves say that they feel that HFSS marketing is pervasive and specifically targets them.¹⁷ They could also recall examples of when HFSS marketing had directly influenced their purchasing behaviours, either by buying HFSS products themselves or pestering their parents to buy them.¹⁸

The system for regulating marketing is flawed

15. As the example of *Britain's Got Talent* demonstrates, current linear TV advertising regulations are not adequately protecting children from being exposed to harmful advertising, including when viewing programmes with their families that are popular with both children and adults.
16. The system for regulating on-demand and digital marketing of HFSS food and drinks in the UK also has severe limitations, which prevents it from effectively protecting children from the pervasive harms of HFSS marketing.¹⁹ In particular, we know that children falsify their age online or use parents' or shared household accounts. Existing methods to determine a user's age online are not sufficiently accurate,

which means companies cannot guarantee they are not exposing children to their advert. There is also compelling argument that the UK's reliance on self-regulation by industry and lack of real consequences for non-compliance is not fit for purpose.²⁰

There is a real possibility for change

17. Our research has shown that not only that many tens of thousands of children are still exposed to junk food ads in peak times, but that there is a real opportunity for the industry to change. For over half (54%) of the 'less healthy' products advertised before the watershed, there was already a direct alternative within the same brand that could be advertised instead. This rose to over 80% of products once taking into account brands whose parent companies had other non-HFSS food and soft drink brands within their portfolio.²¹
18. Our research has also shown that HFSS advertising accounts for only 3% of PSBs' ad revenue between 6pm-9pm, and approximately 5% overall across the whole day.²² So if 80% of that amount could straightforwardly be switched to advertising non-HFSS products by the same brand or parent company, this suggests that a 9pm watershed would have minimal financial impact on PSBs (and other broadcasters).
19. This demonstrates that a change away from advertising unhealthy food and drink can be done in by switching to advertising existing healthier variants, offsetting possible revenue losses.

Our recommendations

20. In its report, the Lords' Select Committee on Communications and Digital found that the value of public service broadcasting was broader than the list of purposes set out in Ofcom's 2016 PSB annual report. In particular, they said that "many witnesses felt that public service broadcasting existed to serve the 'citizen' or 'public' interest, as distinct from the consumer interest served by the market".²³ In order to reflect this, there could be value in explicitly adding the purpose of "*Working in service of the public good*" to the list. This would include working to empower people - and children in particular - to maintain healthier habits, as health is a key public good.
21. An alternative option would be to include the topics of health and nutrition in the existing purpose of "stimulating knowledge and learning".
22. Whichever way the PSB's list of purposes is edited, this change should apply not only to the commissioned programmes but also to the advertising that may be shown alongside these, as all the content shown on PSBs should be held to the same standard.

23. As part of this new focus, broadcasters should consider ways in which they can continually empower the nation to maintain healthier dietary habits, including in their commissioning of programmes. This could include educational programmes on nutrition as well as programmes on awareness-raising and ways to normalise healthy habits. This could also mean more programmes highlighting key issues relating to nutrition and obesity and using their platforms to push for positive change, such as those Jamie Oliver, Hugh Fearnley Whittingstall and others have done in the recent past.
24. PSBs should also ensure that they remove unhealthy nudges during peak children's viewing and turn the spotlight onto healthier food and drink products instead. The most effective and straightforward way to achieve this would be for PSBs who show adverts to commit to implementing a 9pm watershed for the advertising of HFSS products, with similar restrictions on their on-demand platforms too. Public Health England have created a revised Nutrient Profiling Model that reflects updated Government dietary guidelines on reducing sugar intake and increasing fibre intake. PSBs should work towards implementing this model.
25. Whilst PSBs are the focus of this consultation, we continue to campaign for a comprehensive 9pm watershed on HFSS products across all linear TV, catch-up and TV on-demand services and to adverts online and on social media. This is in order to avoid displacement to other channels and to maintain a level playing field across industry.
26. CRUK continues to believe that comprehensive industry-wide regulations introduced by (or at the request of) the UK Government are the most effective approach, and the most equitable for PSBs too.

Why this matters for the reduction of preventable cancers

27. Obesity is the biggest preventable cause of cancer after smoking in the UK. It is linked to 13 types of cancers.
28. An obese child is around five times more likely to remain so as an adult²⁴ – so acting early is critical.
29. Children have the right to be healthy and given the best start in life. But too often they are denied that right, not given the opportunities and protection they need to stay a healthy weight and avoid an increased risk of cancer as an adult – especially children from more deprived and some ethnic minority backgrounds where obesity rates are higher. ^{25 26}

Tackling obesity-related health inequalities

30. There is strong evidence that obesity is linked to social class, which has significant consequences for health inequalities.²⁷ The highest prevalence of excess weight is found among low socio-economic groups for both men and women,²⁸ and these adults are more likely to have a higher sugar intake compared to all other income groups.²⁹
31. Obesity is more than twice as prevalent among the most deprived 10% of children in England³⁰ compared to the most affluent 10%, with similar patterns across Scotland³¹ and Wales.³² Moreover, the obesity gap between the most deprived and least deprived areas has increased in the last decade.³³
32. Tailored interventions for specific groups may only lead to behaviour change among more affluent groups, but population-level activity often benefits the most deprived communities where obesity rates are highest. Research indicates that obesity-related interventions which restrict or modify the choices available to the consumer are most effective at changing behaviour,^{34 35} whilst interventions which rely on voluntary behaviour are not only less effective but also seem more likely to increase health inequalities.³⁶

¹ Cancer Research UK's Analysis of HFSS TV advertising spots in September 2019, Research by Dominic Ng, Alizee Froguel and Malcolm Clark (February 2020, published in the Grocer ([link](#)))

² Ofcom (2019). Children and parents media use and attitudes: annex 1

³ Obesity Health Alliance (2019). Britain's Got a Problem with Junk Food Adverts: An analysis of adverts shown during a week of 'Britain's Got Talent' live shows (May 2019)

⁴ Nathan Critchlow, Kathryn Angus, Martine Stead, Jessica Newberry Le Vay, Emily Whiteside, Malcolm Clark, Briony Hudson, Jyotsna Vohra (2019) 'Digital Feast: Navigating a digital marketing mix, and the impact on children and young people's dietary attitudes and behaviours.' ([pdf](#))

⁵ Public Health England (October 2015). 'Sugar Reduction: the evidence for action'

⁶ UNICEF (2018), A child rights-based approach to food marketing: a guide for policy makers ([pdf](#))

⁷ World Health Organisation (2018), Evaluating implementation of the WHO set of recommendations on the marketing of foods and non-alcohol beverages to children: Progress, challenges and guidance for next steps in the WHO European region ([pdf](#))

⁸ Boyland E, Nolan S, Kelly B (2016). 'Advertising as a cue to consume: a systematic review and meta-analysis of the effects of acute exposure to unhealthy food and non alcoholic beverage advertising on intake in children and adults', *Am J Clin Nutr.*

⁹ Hastings, G. (2006). 'The extent, nature and effects of food promotion to children: a review of the evidence'. WHO 16.

¹⁰ McDermott L et al. (2006). International food advertising, pester power and its effects. *International Journal of Advertising.*

¹¹ Norman, J., Kelly, B., McMahon, A. T., Boyland, E., Baur, L. A., Chapman, K., King, L., Hughes, C., Bauman, A. (2018). Sustained impact of energy-dense TV and online food advertising on children's dietary intake: a within-subject, randomised, crossover, counter-balanced trial. *The international journal of behavioral nutrition and physical activity*, 15(1), 37. doi:10.1186/s12966-018-0672-6.

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- ¹² Public Health England. (2018). Calorie reduction: The scope and ambition for action. Available at: <https://www.gov.uk/government/publications/calorie-reduction-the-scope-and-ambition-for-action>
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- ¹⁶ Thomas, F. Hooper, L. Petty, R. Thomas, C. Rosenberg, G. Vohra, J. (2018) 'A Prime Time for Action: New evidence on the link between television and on-demand marketing and obesity' *Policy Centre for Cancer Prevention, Cancer Research UK* ([pdf](#))
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- ¹⁹ Nathan Critchlow, Kathryn Angus, Martine Stead, Ellen Saw, Jessica Newberry Le Vay, Malcolm Clark, Emily Whiteside, Alizee Froguel, Jyotsna Vohra (2019) Lessons from the digital frontline: Evidence to support the implementation of better regulation of digital marketing for foods and drinks high in fat, salt and sugar." ([pdf](#))
- ²¹ Cancer Research UK analysis of the Nielsen data of TV advertising in March 2019, published in the Grocer. ([link](#))
- ²² Cancer Research UK analysis of the Nielsen data of TV advertising in March 2019, published in the Grocer. ([link](#))
- ²³ Select Committee on Communications and Digital (2019) "Public service broadcasting: as vital as ever" ([link](#))
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- ²⁶ Public Health Wales (2019) Child Measurement Programme for Wales 2017/18 ([pdf](#))
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- ³⁰ NHS Digital (2018) National Childhood Measurement Programme for England – 2017/18 School Year ([website](#))
- ³¹ [Scottish Index of Multiple Deprivation](#), Scottish Public Health Observatory.
- ³² Public Health Wales (2019) Child Measurement Programme for Wales 2017/18 ([pdf](#))
- ³³ Barker, Carl. (2018). 'Obesity Statistics'. House of Commons Library Briefing Papers SN03336. ([website](#))
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