



A Melanoma Patient Who Made a Difference

How Clare Oliver's Case Inspired
Sunbed Legislative Reform

CRAIG SINCLAIR

Clare Oliver, age 26, died from melanoma on the 13th of September, 2007. Her death was just one of over 1,200 melanoma-related deaths each year in Australia. However, her story left a remarkable legacy. Within days of her going public with her story, state and federal governments decided to implement legislation to control the operation of sunbeds. Undoubtedly, Clare's willingness — in fact desire — to speak openly to the media in the days leading up to her death was the catalyst for this quite significant



announcement. However, there is more to this tale about what influences change in public health policy.

SHARING HER STORY TO SAVE OTHERS

In Clare Oliver's last month of life, literally from her deathbed at the Peter MacCallum Cancer Centre, this heroic young woman — a budding journalist — provided reports (including live appearances on ABC-TV and a story she wrote for Australia's major daily, the *Herald Sun*) telling the public that sunbeds were what caused her melanoma, and warning the public

about how dangerous tanning beds were. Just before her death, Clare wrote, "If I could go back and talk to myself when I was 19 I would tell that girl not to use a solarium...Subconsciously I did know that cancer was involved with solariums because I was aware of UVA and UVB rays. But when I was 19, I saw a cheap offer: 'Buy 10 sessions and get 20.'"

What started as a 10-minute segment on a national current affairs show soon led to a media frenzy — TV news, daily newspapers and breakfast television picked up the story of this young girl who was about to die from melanoma, and thousands of people exchanged troubled emails about her case.

After such intense media exposure, the Victorian Health Minister announced the need for legislation to control the use of sunbeds. This was supported by the state Premier, Federal Health Minister, and Prime Minister, all of whom called for national uniform sunbed legislation. It appeared that Clare Oliver had achieved in a matter of days what public health advocates had been trying to achieve for the last decade.

Clare died just days after her 26th birthday, but had been first diagnosed with melanoma at age 22. Her mother was of Chinese descent, and she was not a typical fair-skinned sun-seeker. Her relatively short-lived but intense sunbed exposure consisted of 11 sessions at age 19. We will never know exactly to what degree her sunbed exposure contributed to her death, especially since she had experienced considerable sun exposure as well.

LAUNCHING LEGISLATION

A cynic might say that in undertaking legislation, the politically astute Victorian government was opportunistically responding to a very tragic story that had engaged the general public. However, with encouragement and assistance from The Cancer Council Victoria, the government had actually been collecting data on sunbeds (particularly the solarium industry's compliance or lack thereof with the Australian Standard for Solaria, the industry's own voluntary code of practice) for over 10 years.

Research undertaken by The Cancer Council Victoria showed that 50 percent

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of sunbed facilities allowed access to teenagers under age 17 without parental permission and 90 percent allowed access to adults with Fitzpatrick skin type 1, which burns but does not tan. Both these findings contravened the solarium industry's own code of conduct.

The Council had also studied the growth of the sunbed industry over a 10-year period by looking at Yellow Pages entries. It showed that the industry had grown in Melbourne by over 500 percent in the last decade. Data from the Victorian Sun Survey also confirmed that young people had greater desire

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for a tan than those in the mid-1990s. While the contribution of the solarium industry to this desire is uncertain, the significant industry growth was undeniable.

When the Health Minister announced the need for new legislation, the Victorian government was well aware of the poor compliance within the rapidly expanding tanning industry. The government had previously sent warning letters to solarium operators and funded a consumer information campaign about sunbed use. Clare Oliver's testimonial certainly fast-tracked the legislation, but the government's response may not have occurred so quickly had not sunbeds already been in their sights as an area in need of policy reform, supported by more than a decade of careful monitoring and research.

THE STANDARDS GET A SECOND LOOK

Another consequence of Clare's story was that Standards Australia, responsible for determining the self-regulated code for solarium operators, fast-tracked a review of the current Standard for Solaria. Its Committee for Solaria met within a month after Clare's story broke, recognizing an opportunity to revise the standard with stronger requirements to protect consumer health. (Standards Australia has a memorandum of understanding with the federal government, recognizing it as the peak non-government Standards development organization.)

At this meeting, it was clear the sunbed industry had experienced a serious blow to business due to Clare's story. Some operators had experienced a loss in income of as much as 75 percent. However, as a result of the media attack, the industry quickly realized it needed a united industry lobby group, something they had never previously had, unlike their colleagues in the United States.

The state government promised on the public record that the new legislation would come shortly, perhaps as early as late 2007 or early 2008. To a great extent following World Health Organization (WHO) guidelines, the government's proposed legislation includes:

- **Banning children under age 18 from tanning salons, except for 16- and 17-year-olds who have their parents' consent**
- **Requiring accredited training and licensing for all solarium operators**
- **Banning unsupervised solaria (which often appear in hotels and gyms, for example)**
- **Requiring all new solaria customers to sign a standardized client consent form**
- **Posting warning signs about tanning's dangers in all solaria cubicles and foyers**

While these rules will undoubtedly be welcomed by public health advocates, it will be important to ensure that licensing does not cause solaria to be considered safe by the general public. If solaria operators start using labels like "government-approved" or "government-controlled," it could do more harm than good, so watchdog groups will have to keep their eyes open.

A SHORT LIFE OF LASTING IMPACT

The Clare Oliver story is a powerful example of how one young person can significantly raise awareness of a public health hazard. Clare was not only young, pretty and effervescent, she was determined to let people know the dangers of sunbeds and UV exposure. Without her going public or the hard work of the Cancer Council Victoria, the decision to introduce legislation would not have been so swift.

Stories like Clare Oliver's can have an important impact on motivating public health policy changes. However, such stories are not always easy to find. It is important not to depend on good media talent alone to push for legislative reform. As this case illustrates, while a good personal story can be an important catalyst for change, it is also important that the foundations for determining evidence-based policy are in place. This enables governments to react swiftly and appropriately.

The challenge now is to ensure that any sunbed legislation truly enhances public health outcomes, without legitimizing an industry that is contributing to skin cancer incidence, disfigurement, and mortality. As Clare cautioned in the *Herald Sun*, "Young girls need to go out and educate themselves about solariums before they make any decisions. Obviously... I think they should be banned. But now that you know my story and the resulting risks involved, hopefully you will realise it is not worth having a golden tan." ■

CRAIG SINCLAIR is Director of the Cancer Education Unit and of Prevention and Screening, Cancer Council Victoria, Australia. He is also Head of the World Health Organization's Collaborative Centre for the Promotion of Sun Protection, and Chairman of both the Cancer Council Australia's National Skin Cancer Committee and the Standards Australia Committee on Artificial Tanning.

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