



CASE REPORT

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| 1. Complaint reference number | 38/09 |
| 2. Advertiser | Cancer Institute of NSW |
| 3. Product | Community Awareness |
| 4. Type of advertisement | Cinema |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Wednesday, 11 February 2009 |
| 7. DETERMINATION | Pending |

DESCRIPTION OF THE ADVERTISEMENT

This cinema advertisement from the Cancer Institute of NSW is based on the theme of "everybody knows" and is about the effects of smoking. Throughout the advertisement a song which includes the words "everybody knows" is sung. During the advertisement viewers see images of blocked arteries being cleared, gangrenous feet, a lung cancer, eyes (blindness), a person with an oxygen mask (bronchitis), a brain cut in two (stroke), a woman's mouth (mouth cancer) a heart operation (vascular disease) and a picture of a blocked lung (emphysema). Words that appear on the screen say "Everybody knows that smoking causes all these diseases" and then a few scenes later "But you still smoke" and at the end the Quitline number appears.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The ads are extremely graphic and are very offensive. Is government advertising exempt from classification??? If this was an ad for anything else it would have an MA classification yet these ads are plastered all over advertising billboards, on busses and seen every time one turns on the TV (no matter the time of day) or goes to the cinema. Yes smoking is stupid but the public, and especially our children, do not need to be exposed to such graphic images.

This ad was a culmination of all the current stop smoking ads being shown in NSW and was screened for an inordinate length of time on the big screen during a Gold Class Cinema viewing. To have to see the images of women with missing teeth, a foot with missing toes and the lung squeezing out the cancer on a screen over 5 metres high which is less than 3 metres from what was meant to be a couples night out was offensive and changed the tone of the nite.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

Tobacco is the largest cause of preventable death and disease in our community. Smoking increases the risk of many cancers and 20% of all cancer deaths in NSW are caused by smoking. The cost to the NSW community as a result of tobacco smoking in 1998-99 was estimated conservatively at \$6.6billion. However, it has been estimated that for every \$1 spent on tobacco control programs to date, \$2 has been saved on health care. Total economic returns of tobacco control programs are estimated to exceed expenditure by at least 50 to one.

The objectives of Everybody Knows are to increase awareness of the health consequences caused by smoking, encourage smokers to recognise the addictive nature of cigarettes and prompt them to seek help to quit.

The television advertisement, referred to in the complaint (see Appendix A) is a 60-second television commercial that has both a PG and M rated version. The television commercials present a series of memorable scenes from existing campaigns. They show a range of health consequences caused by smoking. Formative research found that the series of familiar health consequences had a powerful and memorable impact, contributing to a sense of inevitability of the health consequences of smoking. An important element of the television commercial is recognising that smokers do know the health consequences of smoking but still smoke. Research found smokers strongly related to this message. It acknowledged that quitting smoking is hard and that help may be needed to break their habit. The call to action encourages smokers to speak to their GP, pharmacist or to call the Quitline.

Furthermore, recent evaluation shows that the campaign has been successful in achieving its advertising objectives among NSW smokers. Key results include:

- Just under two-thirds found the advertisement attention grabbing, and 57% found it believable.*
- Four out of 10 smokers stated that it made them worried about their smoking and made them think again about quitting.*
- Eight out of 10 found the advertisement made them stop and think*
- More than half found the advertisement reminded them of the health dangers of smoking.*

The M-rated version was recently shown in NSW cinemas during the summer holidays to capitalise on increased viewership. Placement of the commercial respected TV rating requirements, ensuring that it was only shown before M or MA rated films. Trying to change behaviours where addiction is involved is an enormous challenge. We know from research that it is important to demonstrate that smoking has immediate health consequences and that there is an immediate need to quit rather than sometime in the future. In this, we have followed a similar approach in other smoking cessation campaigns.

The research carried out for the National Tobacco Campaign, for example, shows that advertising that is credible, personally relevant, provides new information and evokes a strong visceral response, encourages smokers to put quitting on ‘today’s agenda’. It also helps ex-smokers stay quit and importantly, discourages non-smokers from starting. Since 2003 NSW has experienced an approximate 4% decline in smoking prevalence. This decline in smoking can in part be attributed to increased funding toward tobacco control, including smoking cessation campaigns. To sustain this level of decline, it is necessary to continue to prompt and remind smokers of the need to quit. I hope that the Advertising Standards Bureau will appreciate that this campaign is helping to educate smokers on the dangers of smoking. By quitting now, smokers can significantly decrease their risk of smoking-caused diseases and make a change to improve their health.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns about the graphic images presented in the advertisement and displayed on a large cinema screen, and considered the application of Section 2.2 of the Code, relating to violence and Section 2.6, relating to prevailing community standards on health and safety.

The Board noted that it had previously considered the television version of this advertisement (Case Reference Number 345/08) and had dismissed the complaints about the advertisement. The reasons for this determination included the following:

The Board considered the advertisement within the context of Section 2.6 of the Code on health and safety, and in particular the potential impact on the physical or mental health of viewers of the advertisement on the grounds of “alarm and distress”.

The Board agreed that the images displayed in the advertisement were confronting, but did not think they were excessive and noted the important message underlying the images used in the advertisement. The Board also noted that the montage was made up of images that had already been shown separately in the community in various forms, including television advertisements and images on cigarette cartons. The Board considered that the compilation of a series of confronting

images gave the advertisement greater impact, but that this was justifiable by the significant message being advertised. The Board therefore determined that Section 2.6 of the Code had not been breached.

The Board noted that the images presented in the advertisement were particularly confronting when shown on a big screen and could certainly be distressing to some viewers. However, the Board considered that the graphic nature of the images was justified by the important public health message. The Board noted that the advertisement was only shown in M or MA rated movies and considered therefore that most members of the community would be in support of the message being advertised in this manner for the benefit of the community as a whole. The Board therefore found no breach of either Section 2.2 or Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.