



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0013/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Department of Health and Human Services (TAS)</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/02/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Violence

## DESCRIPTION OF THE ADVERTISEMENT

The television advertisement shows a medical emergency being attended to by a paramedic at night. There is an injured man lying in the street with several onlookers standing around. One young adult male, in a state of agitation, comes close to the injured man and is asked by the paramedic to move away. The young male becomes angry, pushes the paramedic away and begins yelling before slamming the door of the ambulance shut. The scene is shown through the view of a mobile phone camera. The advertisement ends with the message 'I can't fight for your mate's life if I'm fighting for mine'.

## THE COMPLAINT

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

*I don't believe the violent nature of the footage shown and the audio that accompanies is appropriate to be shown at this time of day during a program (the cricket) which is being viewed or is on while young children are around.*

*It is very frightening and disturbing for people of all ages, especially young children. There is swearing and abuse occurring and it is bad role modelling for children, teenagers and*

*everyone. It is at risk of re-traumatising people who may have been in those situations before, or who have been diagnosed with post-traumatic stress disorder. It is confronting and causes anxiety. It is on very frequently, every evening when the cricket is on and comes on more than once. It interrupts the relaxing feel of the evening. It is something that would be better targeted as a social media campaign, as it is not reaching the target audience. It is a waste of tax payer's money. They should use the money to pay the health workers better or employ more health workers, or put they money into solving the real problem which is drugs and alcohol. Its message - keep your hands off our ambos - is threatening, not raising awareness.*

*Many young children watch this format of cricket and seeing an ad like the paramedic one is not appropriate. There is violence and screaming which makes even adults uncomfortable. This ad is a powerful ad and it certainly has a place but should not be shown during family style entertainment.*

*Advert regarding ambulance treatment too violent and scary for what is meant to be family viewing.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*Background:*

*In late 2015, Ambulance Tasmania (AT), part of the Department of Health and Human Services (DHHS) with the responsibility of providing emergency medical intervention and retrieval in Tasmania, found the number of incidents of violence or aggression against on-duty paramedics and ambulance officers was increasing.*

*There were 86 reported incidents of aggression and aggressive behaviour aimed at AT employees while attending emergency calls between April 2014 and March 2016. In October, 2015, the Health and Community Services Union stated publicly that acts of violence towards its members, which include both paramedics and ambulance officers, had been increasing "for some time".*

*Acts of aggression or violence toward on-duty AT staff was highlighted in a number of media articles, including <http://www.themercury.com.au/news/tasmania/paramedic-punched-in-the-face/news-story/45f128e601c665a917eb9c642236f654> and <http://www.themercury.com.au/news/tasmania/antiviolence-call-after-ambos-teeth-smashed-in-the-line-of-duty/news-story/904c737f13601d783ccd7f3bdc93d3a>*

*The impact of violence or aggression toward a paramedic or ambulance officer can have a significant and severe impact. Not only in dealing with the immediate physical damage caused by an actual assault, but there is potential for short and long-term psychological harm, which can hinder an individual's ability to successfully continue in their career. Ensuring such incidents are minimised and employee safety is reinforced is a key focus of both AT and DHHS.*

*In consultation with AT's senior management, a decision was made to deliver a public*

*campaign to reduce incidents of violence and aggression toward paramedics and ambulance officers.*

*AT was aware of an advertisement commissioned by the South Australian Ambulance Service to highlight this issue and educate the public that aggressive and violent behaviour directed at paramedics and ambulance officers put the lives of patients at risk. This advertisement was developed specifically for social media, and was published in May, 2015 on YouTube. It has been viewed on more than 212,000 occasions.*

*The advertisement depicts a 'real-life' scenario at night where a paramedic is attempting to treat a patient in a street. There are several onlookers and the viewer sees this scene as though it is being filmed on a mobile phone. As the paramedic is treating the patient, a young male becomes agitated and starts yelling at the paramedic, eventually pushing the paramedic away from the patient and slamming the door of the ambulance. While this is occurring, some onlookers are becoming upset, with one girl screaming in distress. The advertisement ends with the key message superimposed: "I can't fight for your mate's life if I'm fighting for mine".*

*DHHS purchased rights to the advertisement, had it re-produced to make it suitable for a 30 second television advertisement and commissioned television advertising in Tasmania from December, 2016.*

*Both AT and DHHS believe the advertisement is an extremely effective tool in educating the public – particularly the key target group of young adult males – about the impacts of aggressive behaviour toward ambulance workers. While it is too early to analyse incident data, anecdotally, during the Christmas and New Year period, there were few incidents of aggression or violence towards paramedics or ambulance officers in Tasmania.*

## **AANA CODE OF ETHICS – SECTION 2**

*2.1 Advertising or marketing communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*Neither complaint made about the advertisement relates to 2.1 of the Code. The advertisement, while portraying a young adult male as the instigator of aggression toward a paramedic, the focus of the advertisement is his behaviour and attitude at the scene of an emergency. The advertisement does not portray or depict material that vilifies or discriminates against any person on account of any of the attributes listed.*

*2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*Neither complaint made about the advertisement relates to 2.2 of the Code. The advertisement contains no material that could reasonably be considered as sexual appeal.*

*2.3 Advertising or marketing communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*Both complaints made about the advertisement relate to 2.3 of the Code. The violence portrayed in the advertisement is justifiable on the basis that it is not excessive, and the sole task of the advertisement is to demonstrate the impact that aggressive and violent behaviour can have when directed at paramedics and ambulance officers while they are attending to an emergency.*

*The advertisement seeks to create a 'real-life' scenario the target demographic can relate to and understand to give that message the best opportunity to modify behaviour when such a situation occurs.*

*Emergency scenes are, by their nature, unusual and high-stress environments, particularly where people under the influence of drugs and or alcohol are present. With impaired ability to make sound judgements, people can experience heightened emotional responses to stressful stimuli, and act without proper thought as to the consequences of their actions.*

*The advertisement sets out to educate the target demographic that in this scenario, the impact of a decision to be aggressive toward a paramedic involved in the treatment of an injured or unwell person can delay medical attention and have potentially harmful consequences for that patient.*

*The only direct physical contact portrayed in the advertisement is where the agitated man firstly knocks away the paramedic's hand as he attempts to get him to move away from the patient, and then when he pushes the paramedic backwards.*

*While the push is likely to be reasonably considered a violent act, it should be noted that it is committed with open hands to the chest area, and the paramedic remains standing. The act of the man pushing the paramedic represents the escalation of a tense and fraught situation where an individual has lost the ability to control his actions in line with a request from a person attempting to treat an injured person. It is, unapologetically, a representation of how a situation can escalate quickly and well-meaning concern for an injured person explodes into an outright act of aggression and violence, directly serving to disrupt medical intervention and effectively acting contrary to the aggressive party's concern for their friend's welfare.*

*The actual violence portrayed is low-level, and completely justifiable in the context of the advertisement's objective of portraying the impact of such a situation. Clearly, it shows a paramedic cannot attempt to treat the injured person if he is being distracted by a person threatening physical harm.*

*It is noted that one of the complaints against the advertisement states that "The fighting in public sends a message that it's [sic] accepted as long as [you] don't touch the ambulance workers". The message is clearly not to touch paramedics and ambulance officers, but the advertisement makes no attempt to send a message of any sort that violence in any form is acceptable.*

*It is further noted that another complaint against the advertisement is that it is "Too violent and real for younger viewers". While the advertisement deliberately depicts a 'real-life' scene to maximise its message penetration among its target audience, the level of violence actually shown, in the form of a double-handed push to the chest, is minimal.*

*The portrayal of violence included in this advertisement, and the broadcasting of such, is not undertaken lightly by AT or DHHS. The advertisement has been deliberately used to convey a strong message about not just the health and safety of paramedics and ambulance officers but also people needing emergency medical treatment. It is a serious message to tackle a serious problem of violence and aggression toward people who need to work without threat or hindrance – particularly when a person’s life is on the line and mere seconds can be the difference between survival and death or permanent disability. This advertisement has been deliberately used for its ability to penetrate a target demographic and effect behavioural change with content that is rightly considered confronting. When the lives of paramedics and patients are on the line, the reality of such messaging can arguably never be too harsh. However, DHHS contends that the violence portrayed in this advertisement is completely justifiable given the context of the advertisement and that incidents of violence are at the very heart of its message.*

*2.4 Advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*Neither complaint made about the advertisement relates to 2.4 of the Code. There is no depiction of sex, sexuality or nudity in the advertisement.*

*2.5 Advertising or marketing communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.*

*Neither complaint made about the advertisement relates to 2.5 of the Code. The language used is appropriate for the depiction of an emergency scene where a person is acting aggressively. Audible swearing has been removed using bleeps, although the implication of strong language, along with the tone and manner in which the young male aggressor speaks to the paramedic, is a key factor in the advertisement in portraying aggression and aggressive behaviour, which is essential for it to be able to deliver its message that such behaviour is unacceptable and can place lives in danger.*

*2.6 Advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety.*

*Neither complaint made about the advertisement relates to 2.6 of the Code. The advertisement would appear to comply with this clause.*

## **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 that the advertisement features violence scenes which are not appropriate for children to view.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted this television advertisement depicts a paramedic trying to attend to a patient on the street but being attacked by the patient's friend.

The Board noted the advertiser's response that this community awareness advertisement is intended to highlight the level of violence ambulance workers are exposed to and there are indications that the advertisement has successfully reduced these types of incidents.

The Board noted that the scenes in the advertisement are based on a real-life scenario and considered that while the content is realistic in the Board's view this is unfortunately a scenario that ambulance staff do encounter and therefore it is not unreasonable for the advertiser to highlight this in their advertising material.

The Board noted the advertisement had been rated 'J' by CAD which means it can be broadcast at any time of the day except during, or adjacent to, Preschool and Children's programs.

The Board noted that the man in the advertisement pushes the paramedic a few times and behaves in an aggressive manner but considered that the actual violence depicted is relatively low-level and the sense of menace is magnified by the shouting of the man and the screaming in the background. The Board acknowledged that the content of the advertisement would be impactful for younger viewers, as well as some adults, but considered that in the context of an important community awareness campaign about a serious issue which affects medical staff, the advertisement is not inappropriate for airing on television when children could see it.

The Board considered that the advertisement did present or portray violence in a manner that is justifiable in the context of the product or service being advertised and determined that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.

