



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0029-20
2. Advertiser :	Canteen
3. Product :	Community Awareness
4. Type of Advertisement/Media :	Print
5. Date of Determination	22-Jan-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This poster advertisement depicts a girl with turquoise coloured hair and the text “If one more person says I’m brave I’m going to loose my sh*t”.

THE COMPLAINT

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

Large letters implying the word “Shit” that my primary-aged children asked why that’s allowed.

I was driving so I couldn’t take a photo.

THE ADVERTISER’S RESPONSE

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

We refer to your correspondence dated 10 January 2020 in respect of the above complaint regarding a print advertisement appearing as part of Canteen’s “Canteen Connect” campaign targeted at young people and parents of teens impacted by cancer (the Advertisement).



As requested, please find attached a copy of the Advertisement.

We note that advertising pre-vetting approval was provided for this Advertisement by JCDecaux, campaign ID 104202.

For the integrity of self-regulation, we consider that it would be important for the determination in respect of this Advertisement to be consistent with the determinations made by the Panel in respect of previous similar advertisements and complaints.

BACKGROUND

The objective of Canteen's "Canteen Connect" Advertisement is to attract attention for youth, and the parents of youth impacted by cancer, and encourage them to seek support from Canteen's new 24/7 online service, Canteen Connect.

Canteen Connect is an online support platform for young people. It offers a forum where individuals can connect to others in similar situations and be transparent and open about everything they are facing, feeling, fearful of or overwhelmed with.

The strategic campaign aim was to ensure the message got right to the heart of the business and share Canteen's ethos with the wider public. The headline is a direct quote from a young person impacted by cancer. It was used to show the honest, brutal truth of how cancer affects a young person and the internal struggle that they face.

This Advertisement is high-impact and intended to 1) disrupt and cut-through the busy media environment to capture and articulate the mental health concerns associated with cancer with which the general public may not be aware, and 2) engage with and encourage those in need to seek the support that will help them through a difficult period in their lives.

COMPLAINT

Complaint 0029-20 concerns the content and the placement of the Advertisement with TransLink Queensland. The complainant states (in their opinion) that "Large letters implying the word "Shit" that [caused] my primary-aged children asked why that's allowed" are inappropriate.

Relevant sections of the of the AANA Code of Ethics

We understand that the relevant section of the AANA Code of Ethics is Section 2 – Consumer Complaints.

Section 2 states that:

2.1 Advertising or Marketing Communication 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.

*2.2 Advertising or Marketing Communication shall not employ sexual appeal:
(a) where images of Minors, or people who appear to be Minors, are used; or
(b) in a manner which is exploitative or degrading of any individual or group of people.*

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

2.4 Advertising or Marketing Communication shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

2.5 Advertising or Marketing Communication 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.

2.6 Advertising or Marketing Communication shall not depict material contrary to Prevailing Community Standards on health and safety.

2.7 Advertising or Marketing Communication shall be clearly distinguishable as such to the relevant audience.

RESPONSE

Please find our responses to the complaint in your letter of 6 August 2019 (with respect to AANA Code of Ethics and to the specific points the complainant raised) as follows:

2.1 Advertising or Marketing Communication 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.

We do not believe that this section of the code is relevant to this complaint. The Advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community.

*2.2 Advertising or Marketing Communication shall not employ sexual appeal:
(a) where images of Minors, or people who appear to be Minors, are used; or
(b) in a manner which is exploitative or degrading of any individual or group of people.*

We do not believe that this section of the code is relevant to this complaint. There is no sexual content within the Advertisement.



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

We do not believe that this section of the code is relevant to this complaint. There is no violence presented or portrayed in the Advertisement.

2.4 Advertising or Marketing Communication shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

We do not believe that this section of the code is relevant to this complaint. There is no sexuality or nudity in the Advertisement.

2.5 Advertising or Marketing Communication 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.

We do not believe that this section of the code is relevant to this complaint as there is no use of strong or obscene language. The use of the word 'shit' has been partially censored.

The Advertisement is intended to portray the mental anguish and associated concerns of individuals living with cancer. There is genuine community concern associated with mental health issues and the Advertisement is targeted at teenagers and young adults living with cancer and their parents, it draws their attention to the valuable service available to them.

This section states that advertising and marketing communication: "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".

'Shit' is a word that is in relatively common use in Australia. The practice note to this section of the Code states that: 'Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted (provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner). Examples are "bugger", "shit", "pissed-off", "crap" etc'.

*We are of the opinion that the use of the word 'sh*t' in the manner chosen to deliver the message, is innocuous, justifiable, appropriate for the intended audience, and does not breach community standards.*

We also draw the Panel's attention to the following recent decisions of the Panel concerning complaints of inappropriate language in similar circumstances using similar language where the Panel determined to dismiss the complaint:

- 1. 0353/15 Beyond Blue*
- 2. 0330/17 Cotton On*



3. *0197/18 Aqua Cleanse Pty Ltd*

2.6 Advertising or Marketing Communication shall not depict material contrary to Prevailing Community Standards on health and safety.

We do not believe that this section of the code is relevant to this complaint. There is no content which is contrary to prevailing community standards on health and safety in the Advertisement.

2.7 Advertising or Marketing Communication shall be clearly distinguishable as such to the relevant audience.

We do not believe that this section of the code is relevant to this complaint. The Advertisement is clearly distinguishable as an advertisement to the relevant audience.

CONCLUSION

Based on the points above, we respectfully submit that the complaint should be dismissed on the basis that the Advertisement, does not breach any of the relevant codes, in particular section 2.5 of the AANA Code of Ethics.

We note that there has only been one complaint made in relation to the advertisement and generally the public response to the advertisement to date has been overwhelmingly positive.

We regret if any members of the general public were offended by the advertisement and would like to take this opportunity to assure the Panel and the general public that this was never our intention.

If the Panel feels that Canteen has not responded adequately (or at all) on a particular issue arising from the complaint, we respectfully request that we be notified and given the opportunity to provide a further response before an adjudication is made.

We appreciate the opportunity to respond to the complaint and acknowledge our commitment to self-regulation of advertising in Australia. We sincerely hope that the Panel reviews the advertisement positively having regard to the points raised above.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement contained language that was not appropriate for children to see.

The Panel viewed the advertisement and noted the advertiser's response.



The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "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".

The Panel noted the Practice Note for Section 2.5 which states:

"Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted (provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner). Examples are "bugger", "shit", "pissedoff", "crap", "bloody", "cheap bastard", "bum", and "balls"."

The Panel noted that it had considered an advertisement stating "It's ok to lose your sh*t sometimes because if you don't you'll end up full of sh*t" in case 0357/17 in which:

"In the Panel's view the actual meaning of the words themselves are relevant to the service advertised, however in the Panel's view the phrases "full of shit" and "lose your shit" have, a mildly aggressive reference and that in the context of a billboard for colon health the advertisement is not appropriate in this context particularly on a billboard that would be visible to a broad audience including children."

The Panel noted that in the current advertisement the word 'shit' is not used in full but includes one letter replaced by a symbol. The Panel noted the context of the advertisement in that the word 'shit' is used by a woman with cancer in reference to being frustrated when told she is brave. The Panel considered that most members of the community would relate to and be understanding of such a feeling, and that the mildly aggressive reference is not inappropriate in the context of such an emotionally fraught medical condition.

The Panel considered that the advertisement did not contain strong or obscene language and did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.