



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0077-22</b>
<b>2. Advertiser :</b>	<b>SafeWork NSW</b>
<b>3. Product :</b>	<b>Community Awareness</b>
<b>4. Type of Advertisement/Media :</b>	<b>Radio</b>
<b>5. Date of Determination</b>	<b>27-Apr-2022</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This radio advertisement features a woman receiving a phone call. She says, "Hello? (pause) Yes, that's me. What?! When?... oh no... is he breathing?"

A voice-over states, "When you're working at heights in construction, remember it's not only your life you're protecting. Even falls from under four metres, can be devastating. Not only for you, but for the ones you love most."

The woman on the phone says, "Ok... ok... I'm leaving right now."

The voice-over states, "When you fall... they fall. Work safely at any height. Visit [safework.nsw.gov.au](http://safework.nsw.gov.au)".

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*Listening to the phone call played out where we hear a woman receive the devastating news that her loved one has been seriously injured and possibly not breathing, was obviously designed to shock and awe, in the interest of getting attention.*



*It certainly got my attention, as I listened to the entire ad. Unfortunately, during this specific time of day, my 3 and 5 year old boys were also in the car with me on our way to preschool and school. My 5 year old in particular has had a very negative reaction to the ad. It was clear he thought he had just heard a real life recording of an emergency aired on radio, which the ad intended us to think. He asked me about death, and if he was doing to die, with tears welled in his eyes. I called my husband (his Dad) from the car in an attempt to reassure our son. As I asked Google to call my husband, my son immediately asked if I was calling him because there was an emergency. Later, after we had reassured him, I made another call, and he pressed me again, asking if my call was an emergency.*

*This ad was designed to shock people into remembering the importance of workplace safety, but it has terrified my 5 year old son to hear what was believed to be a real-life emergency, possibly resulting in death, air on radio. The ad did not play out further, so my son never heard if the person in question made a full recovery. It was left with the panicked sound of the family member wondering the same thing.*

*It may made my son question his mortality. These themes are completely inappropriate for a 5 and 3 year old to be exposed to. I am also very disappointed this ad was aired at this particular time of day, which coincides with school drop off times.*

#### **THE ADVERTISER'S RESPONSE**

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

*AANA Code of Ethics\2.3 Violence\Causes alarm and distress to children – the advertising does not portray or reference the act or consequences of violence. We do not hear the workplace incident occur, there are no violent screams or sounds of impact. The advertising presents the human situation around the workplace accident through a phone conversation, using the ‘character’ of the partner/mother and a voiceover.*

*2.1 – Discrimination or vilification – the advertising does 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 orientation, religion, disability, mental illness or political belief.*

*2.2 – Exploitative or degrading – the advertising does not include content which is exploitative of or degrading to any individual or group of people.*

*2.3 – Violence – the advertising does not represent the act or consequence of violence. The ad depicts the consequences of a workplace accident which involved a fall. It does not promote or portray violence.*

*2.4 – Sex, sexuality and nudity – the advertising does not contain references to sex, sexuality, or nudity.*



*2.5 – Language – the advertising does not contain strong or obscene language.*

*2.6 – Health and Safety – the advertising does not depict content that would encourage or condone unhealthy or unsafe behaviour. While it portrays a workplace incident, this is only implied and we hear of it through the phone conversation of the mother/partner and through the voiceover. The ad depicts an incident that could have occurred due to unsafe behaviour, but this is designed to call out the negative effects of such an incident. The purpose of the ad is to encourage safe workplace behaviour. Pre-campaign research suggested this approach (of highlighting the impacts to the family and friends of an injured worker) would resonate with the target audience. See below for further detail on pre-campaign research.*

*2.7 – Distinguishable as advertising – the advertising is clearly distinguishable as advertising, due to the scripted/storytelling style, which uses background effects (of children playing, phone ringing), and also through the use of voiceover which presents the purpose of the advertisement, as well as a call to action to visit the SafeWork NSW website.*

*AANA Code for Advertising and Marketing Communications to Children – this advertising is not directed towards children. In addition, to answer section 2.3 of this code, the media channel selected to present this ad is not considered suitable for Children according to Prevailing Community Standards and the media profile of the Triple M Radio station (see below for further information on the media profile of this channel).*

*Unfortunately falls from heights in construction is a very serious issue. In 2017 alone, 9 deaths and many more serious injuries were reported on construction sites, due to a fall[1]. As a result, SafeWork NSW identified Falls from heights as a “towards zero” high-risk harm in the SafeWork NSW Work Health and Safety Roadmap for NSW 2022. The roadmap aims to reduce fatalities by 30% and serious injuries by 50% by 2022[2].*

*As such, the Falls From Heights in Construction advertising campaign is an important factor in achieving this target, raising awareness of the risks when working at heights and driving behaviour change, in order to save lives.*

*The person who registered the complaint has used terms such as ‘shocked, panicked and stressed’ to describe the content. While the ad was designed to have an emotional impact – it was not to create ‘shock value’ but to make the listeners in the target pause to consider the ramifications if they (or someone they know) were injured– especially on the people around them. As previous research has indicated that the target audience of males aged 18 to 65 have greater concern for the people around them than they do for their own safety[3]. This is the attitude we are attempting to overcome.*

*The ad is targeted at construction workers, and media channels were carefully selected to reach this audience.*



*We're very sorry to hear that a 5-year-old child was distressed and emotionally impacted after hearing the advertisement. However, we feel that the message and call to action, and the delivery of that message via our ad is suitable for the target audience and the channels we have selected to raise awareness in this instance.*

*References:*

*[1] SafeWork NSW, Construction Blitz on Falls From Heights, Initial Project findings, November 2018*

*[2] SafeWork NSW, SafeWork NSW Construction Interventions, Towards Zero High Impact Harms: Falls from Heights Harm Plan Development - Understand Stage Report, Version 1.2, 2018*

*[3] SnapCracker; Falls From Heights Campaign Full Report; July 2020*

## **THE DETERMINATION**

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

The Panel noted the complainants' concerns that the advertisement includes graphic audio which is distressing and is inappropriate for younger viewers.

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

### **Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised**

The Panel noted the Practice Note for this section of the Code which states "The results or consequences of violence (e.g. a black eye) and audio representations of violence may also be prohibited. However, graphic depictions of violence or the consequences of violence may be justified by the community safety message involved".

#### **Does the advertisement contain violence?**

The Panel noted that the advertisement does contain the sound of a phone call to a woman to inform her of an accident in which her loved one was injured. The Panel considered that while active violence is not shown in the advertisement, the aftereffects of suggested violence are depicted.

The Panel considered that some members of the community may find the advertisement to contain violence.

#### **Is the violence portrayed justifiable in the context of the product or service advertised?**



The Panel noted that as the advertisement is on radio, there is no visible violence, and it relied on the imaginations of the listeners to determine what had happened. The Panel noted that the tone of the advertisement is serious, there is no excitement or happiness in the speaker's voice. The Panel considered that it would be unlikely to gain a child's attention, though noted that it was played at times when children may hear it.

The Panel considered that the important community message being delivered in the advertisement was a critical message that justified the use of themes that would grab the attention of the audience and would lead to an increased awareness and consideration of the serious issue. The Panel considered that although the advertisement was impactful it was relevant to the advertisement's message and was not graphic or inappropriate.

The Panel acknowledged that the content and subject matter of the advertisement may be upsetting to some listeners, including children, but considered that the advertisement is raising awareness of an important issue and includes a call to action and in the Panel's view the overall tone is that positive action works and this is a message which children should be able to process.

The Panel considered that the imagery used in the advertisement was justifiable in the context of the organisation being advertised.

### **Section 2.3 Conclusion**

The Panel determined that the advertisement did not present or portray violence which was unjustifiable in the context of the product or service advertised and did not breach Section 2.3 of the Code.

### **Conclusion**

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.