



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0129/19
2	Advertiser	United Nations High Commissioner for Refugees
3	Product	Community Awareness
4	Type of Advertisement / media	TV - On Demand
5	Date of Determination	22/05/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

This TV On Demand advertisement is to raise money for refugee children.

THE COMPLAINT

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

Graphic depictions of war torn environments, children walking through streets lined with bodies... no one should be subjected to such imagery against their will. It's given my daughter nightmares.

THE ADVERTISER'S RESPONSE

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



Australia for UNHCR takes all comments from the public very seriously.

Overall, we believe that our TV appeal is true, responsible and restrained in the context of the terrible situations of refugee children and families.

In common with many good causes, Australia for UNHCR relies upon the generosity of the public to fund its important work. And the response to our fundraising TV activity has been overwhelmingly positive since we started using this media in June, 2011. Hundreds of thousands of dollars have been raised, and those funds are being put to work to help many refugees due to the very real threat to their survival.

When people give money to good causes, they do so as an expression of their passionately held beliefs and their desire to make the world a better place. Fundamentally, people want to make a difference. In order for them to make a difference, good causes need to make people aware of both the bad things, and the good things that are done to alleviate the bad things.

*For hungry children, causes need to show children who need food.
Appeals for cancer research may feature people who have cancer.
For refugees under threat, people need to understand the nature of the threat.*

In UNHCR's TV appeals around the world, we feature a wide range of refugees, we show the threats they face, and we offer people the opportunity to support our work to help refugees.

We take very seriously our responsibility to tell the truth. However, we know we cannot tell the whole truth of the threats that face refugees – because the full reality would be too strong to feature in a TV appeal.

Therefore we do very strongly self-censor our TV appeals. Of course, we do not wish to alienate people, indeed quite the opposite. Australia for UNHCR cannot operate, and refugees cannot be helped if we alienate the public on whose support we rely. And the positive response to date does strongly indicate that people both support this work, and our approach.

In terms of our self-censorship of the Australia for UNHCR appeal, we:

- Have not included the most powerful parts of the footage;*
- Have ensured that the strong footage that is included, is on screen for a short time;*
- Have ensured that the viewer is given a clear sense that we can help support refugees in these situations;*
- We have also briefed our media agency to follow the CAD guidelines that followed this ad being classed as a P. Guidelines states that the advertisement "May be broadcast during the following hours except during P or C programs or adjacent to P or C periods; Weekdays 8.30am to 4pm; Weekdays 7pm to 6am; Weekends 10am to*



6am. Exercise care when placing in cartoon and other child - appeal programs."

We appreciate that we have not included a warning at the start of the appeal, and we would be prepared to do this when we next update the ad (as this will be quite a costly exercise).

We appreciate that every individual who watches the appeal will see it in a different way. We try hard to ensure that our TV appeals do not make people turn away – if we make people turn away, we deny them the opportunity to give, and we can't afford that.

Contrary to the complaint, we do not show any imagery of streets lined with bodies.

In terms the code of ethics, we believe the Anna TV appeal complies entirely. Namely:

- It complies with the law.*
- It is neither misleading nor deceptive.*
- It contains no misrepresentation likely to cause damage to the business or goodwill of a competitor.*
- It does not exploit community concerns in relation to protecting the environment by presenting or portraying distinctions in products or services advertised in a misleading way or in a way which implies a benefit to the environment which the product or services do not have.*
- It does not make claims about the Australian origin or content of products advertised in a manner which is misleading.*
- It 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 preference, religion, disability, mental illness or political belief.*
- It does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*
- It does not present or portray violence unless it is justifiable in the context of the product or service advertised.*
- It treats sex, sexuality and nudity with sensitivity to the relevant audience.*
- It uses only language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language is avoided.*
- It does not depict material contrary to Prevailing Community Standards on health and safety.*

We appreciate that there are some viewers who will turn away from some less pleasant things – hungry children, homeless people, people who are sick, animals that are sick or abused – but we also believe that TV can play a crucial role in enabling good people to support good causes and thus make the world a better place.



THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement features graphic depictions of war-torn environments with streets lined with bodies.

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

The Panel noted the TV on Demand advertisement features the story of Anna, a young refugee. A voice over describes that one night she heard the sound of machine guns and screaming, and that in the chaos she lost her parents. The voice over continues to describe Anna walking through a war zone with bodies all around her. The voice over requests assistance in helping refugee children. The advertisement shows Anna in a dark room talking and crying, and vision of other refugee children in need of assistance.

The Panel 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 Panel considered that the story being told by the voice over and the concept of refugee children in war torn environments are violent themes, however the Panel considered that there is no depiction of bodies or graphic imagery in the advertisement. The Panel considered that the language used in the advertisement was emotive rather than violent and that the concepts being discussed were justifiable in the context of advertising a serious and emotive subject.

Although the narration of the advertisement made reference to violent events, in the Panel's view the advertisement did not present or portray violence and therefore did not breach Section 2.3 of the Code.

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

