



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0146/14
2	Advertiser	St John Ambulance WA
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	14/05/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Other - miscellaneous
- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

Depicted in the commercial is a young child playing in a swimming pool that then hits his head and disappears underwater. The boy's mother rushes to his aid by jumping into the pool but instead she finds herself sliding across the surface of the water on an invisible barrier – a barrier which prevents her reaching her drowning child despite her desperate attempts to break through.

THE COMPLAINT

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

The ad is bullshit, disgusting, untrue, distressing and totally over the top. It's a load of crap that the mother can't save her son because she doesn't have first aid training. Every time it comes on it makes me shriek, and my immediate friends and family are exactly the same. We've all been in positions of emergency and a fatality is obviously worst case scenario, but clearly not the result of every case.

"If you don't know first aid you can't help" What a joke... This ad needs to be removed, and I truly believe there are other's out there who agree. I hope they find the time to write.

Although I fully support the message that the advert is trying to portray but the time it was

shown was not appropriate. It made my 8 year old son cry and also my daughter who is 4 had to watch it. I feel that it should of been shown at least after 7.30, as it did show someone looking as if the were drowning.

Distress. I am a nurse. I have assisted in the resuscitation of children post drowning. This is the most distressing advertisement I have ever seen.

I respect the ad is aimed at gettjng people to do a first aid course- but it is essentially St John advertising for people to pay for their courses. Maybe they could advertise cheaper prices rather than screaming distressed mothers.

If this was shown in a TV show it would not have a 'G' rating. I find it distressing that there is no warning, prior to the content of this add and that it is shown at all times of the day.

Several colleagues have voiced distress at this ad. This is an advertisement that cleared the emergency department staff room in seconds...

Its to graphic, there is no need for us to see the little boy hit his head.

My 6 year old son keeps asking if he will die since watching the ad.

As a mother who has had to suffer the pain of the death of 2 children I found this advertisement immensely distressing and offensive.

I have over the years of being a mother done multiple first aid courses and been vigilant in caring for my children.

I do not agree with the way they are trying to send the message across, that if you have done a first aid course you will be able to save your child's (or a person's) life.

I am agreeable that we should know first aid and that the benefits of having someone who knows first aid around in the case of accidents is by far hugely beneficial.

However, there are cases in life where regardless of the circumstances or resources we cannot save all lives. My 2nd son died in a hospital with doctors and nurses on hand to care for him.

It is a personal grief that I as a mother carry with me each day. I think that this ad does not deliver the message correctly and is very offensive to parents who have suffered the loss of a child.

This ad portrays a dangerous behaviour resulting in the boy injuring himself which is violent to watch. As the as continued it is distressing to watch as the mother screams and cries as she cannot get to her son who is trapped underneath the water, this lasts for an extended period of time. The portrayal of the boy drowning on the ad is distressing.

I don't mind them pointing out the fact that if your child falls in a pool you should know first aid. But what they are doing is making parents feel like if they don't know first aid then even if they watch there child and he falls in a pool you are helpless no matter how quick you are. Its emotional black mail. Its a good idea to get first aid training but allot of people cannot afford it and making them feel like bad parents for not getting it is wrong.

BRUTAL! One of the many horrible words to describe this and I hear it from not only my family, but colleagues and friends also.

It is sickening and absolutely shocking. There are other ways to advertise first aid training - especially in a less graphic way. An ad like this should not be shown on prime time tv. Every time it comes on I am uneasy all night. I thought TV was supposed to be somewhat of an escape to daily stresses, instead this ad makes it completely opposite.

I believe it's an offense - people should not be made to feel uneasy. At the very least a disclosure prior to its screening needs to be considered!

Ad shown at inappropriate time. Very distressful to young viewers. My daughter was very upset by the ad and was moved to write her own complaint.

This ad upset all our family (2 children and 2 adults). In the ad, the child looks like it died and should not be shown on TV, particularly when children could be watching. It's school holidays and we sat down to watch this movie as a family and this ad came on twice. This ad would also be very upsetting to someone who has lost a child.

Apart from being upsetting, it is also misleading - you don't have to attend their training to have the skills to save a child.

This ad should not be on TV, it is offensive.

Well the advert is in very bad taste! Every mother would find it extremely distressing its absolutely upsetting. Just imagine the small children watching that and asking their mothers about it. Advert was first viewed way before 11pm also. We all know its a very important message but surely it could be done in a less distressing manner!

I object to this commercial, as it was graphic and disturbing, seeing the boy actually hitting his head on the ledge and going under was like something out of a MA 15+ horror movie, and had I wanted to see something like that I would have rented, said horror movie. I don't object to first commercials encouraging people to learn it, should a situation ever arise where they need it, but when an advertisement leaves you feeling sick and disturbed I then object.

There are better ways to get people to learn first aid that don't include graphic advertisement of people being hurt, especially children.

I understand that an advertisement like this needs to be impactful and it needs to leave a mark, but I believe that this advertisement went too far.

I suffer from depression. I've managed to bring it under control, though.

The advertisement is impactful to a fault. It goes much further than it needs to go to get its point across.

After watching the commercial, my depression came rushing back. For a moment I felt like killing myself to get away from the sudden rush of emotion.

I understand that advertisements like these need to be impactful, but if they're depressing to the point where they give young men suicidal thoughts and push them to kill themselves, it's counterproductive.

There wasn't even any warning. I was never given the chance of saying "I'm in an incredibly unstable state of mind and I shouldn't see this". I feel that it's unfair to expect me to be able to deal with subject material like this and not be pushed back into suicidal thoughts.

I'm now scared to watch TV, which was what I did to escape the bad thoughts. What am I supposed to do now?

I found it inappropriate and stressful to see a child drowning on the screen.

I found this advert very confronting and distressing. I was in the middle of Sunday movie relaxing after a busy day and to have this thrust at me was unbelievable. I am still recovering from the near drowning of my son. This made me feel sick, stomach churning and distressing,

reliving my experience again and for how long this will now continue from tonight I don't know, it brings back memories yet again which I have to deal with, let alone my son seeing that yet. This was a silly ad. Surely there is another way to get the message across, it went on and on for too long and affected me deeply. Please remove this immediately. There are many other mothers out there that have experienced what I have experienced and would too find this distressing.

THE ADVERTISER'S RESPONSE

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

Thank you for your correspondence of 23 April 2014 which advised that several complaints had been made to the Advertising Standards Bureau (ASB) in response to television advertisements produced by St John Ambulance WA. We have noted the instructions contained in that correspondence and duly provide our response as follows.

Firstly, we note that several complaints have referred to our advertisements being unsuitable for the time-slots at which they were screened. St John complied fully with all requirements pertaining to CAD rating and tailored its advertisement to be suitable for the audience likely to be viewing it any given time. It was for this reason that some of the more graphic detail (vision of the child hitting his head as he slipped and then floated to the bottom of the pool) was edited from the M-rated version of the advertisement to produce a PG-rated version (CAD reference PZE7JPSA) and a G-rated version (CAD reference WZE7LPSA) which could be shown at earlier times. It was necessary for us to produce three versions of the advertisement in order for our educational message about the importance of first aid to be communicated to as large an audience as possible while ensuring the content was appropriate for that audience. We believe that message was not only justified, but necessary, as we outline below.

In editing the M-rated advertisement to produce two other versions for showing at earlier times, we accept it was likely that children would be exposed to the advertisements – thus bringing the PG and G-rated advertisements potentially within the scope of the Australian Association of National Advertisers (AANA) Code for Advertising & Marketing Communications to Children; specifically, Section 2.6(a) which states that advertising “must not portray images or events in a way that is not unduly frightening or distressing to children”. We submit that Free TV Australia would not have provided our advertisements with classifications appropriate for childrens’ viewing were those advertisements in any way frightening or distressing; the classifications, in this respect, speak for themselves.

Secondly, the ASB identified, for our convenience, Section 2.3 of the AANA Code of Ethics as being the specific section of the code to which the complaints related. We understand that the ASB will, however, consider our advertisement against the code in its entirety, but submit that Section 2.3 is the only section which could be relevant to the matter under consideration. We do not believe an interpretation could reasonably be sustained that other sections have possibly been breached, for the advertisement does not deal with discrimination, sexual exploitation, or sex/sexuality insensitively, nor does it use inappropriate language or depict material which we understand to be contrary to prevailing community standards on health and safety, and we hope this will be apparent once the ASB has viewed the advertisement. Section 2.3 of the code states that “advertising or marketing communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised”. We submit that the advertisement is not violent in the sense that term is

understood within the community; it does not show the outcomes or consequences of an act perpetrated by one person to another, nor does it show the physical actions, aggression or exertions of force by one person either to another person or 'at large'. We have considered, however, whether the advertisement represents a situation or sequence of events in a graphic way.

We concede that our "Break the Barrier" advertisement (CAD reference MZE7FPSA, CAD rating 'M') is graphic. It shows vision of a child slipping by the pool, hitting his head, falling unconscious into the pool, and unable to be saved by his now-distressed mother who does not know how to apply the first aid he needed to improve his chances of survival. We acknowledge that such vision may be confronting to some members of the public, especially to those who have experienced similar circumstances.

Academic research (references attached) has indicated that effective advertisements are those which make a viewer believe that a negative outcome will result, or at least increase in likelihood, as a consequence of non-compliance with the recommendation being advertised. Advertisements promoting community health and safety, such as ours, often appeal to the greater good (saving a life) by showing graphic images (to portray the effects of 'non-compliance') which may cause distress among viewers. Accordingly, our strategy here is no different to road safety advertisements which may distress those who have lost loved ones in road accidents, or to anti-smoking advertisements which affect those who have lost loved ones to tobacco-related illnesses. The ASB has continually held that such advertisements do not violate AANA codes.

We contend that the graphic nature of the advertisement was justified in the context of the product (first aid training) and a critical part of our campaign to educate the public about the vital importance of knowing first aid; to see (and be provoked into feeling) the realistic consequences of first aid inaction; to realise the disproportionate effect even a small investment in first aid knowledge can have – essentially, that knowing first aid can mean the difference between saving a life, and losing one; and to change community behaviour.

We believe that most in the community could relate to the advertisement, its realistic depiction, and its context, even if similar events to the one portrayed might not have been experienced. Accidents often happen, and our human instinct is to react to ease the pain, manage the injuries, and intervene until expert medical attention can be provided. It is commonplace that feelings of powerlessness, distress, and anguish are evident if there are barriers preventing a first responder from doing something to help. In this sense, what the "Break the Barrier" advertisement does is hold a mirror up to the 75% of the (West Australian) community who do not have the propensity to apply first aid – as indicated by an independent survey conducted by Roy Morgan – and projects a look into what their reactions and emotions might be like if they are ever faced with a situation where they cannot help because they do not have the skills to, even though the skills could so easily have been attained.

That message is very much the same given by two separate focus groups of nine individuals, facilitated by an independent moderator, which provided feedback on the advertisements prior to their screening on television. To quote from a summary of that feedback:

"Of the 18 respondents all agreed that learning first aid was extremely important and without first aid you feel powerless to help. Despite its rough format the concept clearly had impact and evoked strong feelings amongst respondents. They demonstrated empathy for the predicament and feelings experienced by the mother. Some likened these to feelings they had experienced in emergency situations with friends or family and led some to question their own first aid skills and ability to deal with a similar situation."

Based on initial analysis of the impact the advertisement has had on interest in first aid training, we believe that the community understood (and agreed with) the message we

delivered. While we did receive some negative commentary, most feedback was positive and in support of the message. A typical example of such feedback, given by an individual with no connection to St John, is provided below:

“[I] am a Mother of two beautiful girls, Shannon 17 and Tori 15. I wish to congratulate you on the new ad campaign for St John. The confronting image of the mother unable to help her son is so powerful, the first time Shannon saw it she asked me if she could please do a first aid course. Every time I see the ad it has an impact, the fear, the panic, the terror in that mothers [sic] face is so powerful.

I'm luck [sic] enough that my work place provides me with senior first aid training and CPR upgrade every year, this ad reminded me of the importance of this training. Tori did her first aid training through Duke of Ed classes at school.

I understand that the ad is confronting, but the impact of not having first aid training needs to be shown.

Shannon will be doing a first aid course in her next uni holidays and Tori and I will upkeep our training. We would like to thank everyone involved in educating the community to learn first aid.”

Community support can also be gleaned by the quantitative and qualitative results we have received to date, which show that the campaign has increased the number of people calling to book a first aid course.

We note that a review of previous cases indicates the ASB has dismissed complaints about advertisements very similar to ours (in terms of their graphic depictions) on the basis that those advertisements delivered “extremely important” messages (0336/12, and 0088/14 as examples) and could be related to by the target audience (0170/12). We submit, respectfully, that complaints against our advertisement be dismissed for exactly the same reasons.

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 depicts a child drowning which is distressing for viewers and misleading because a lack of first aid training would not necessarily prevent a death.

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

The Board noted that the issue of misleading advertising falls under Section 1 of the Code and is therefore outside of the Board’s jurisdiction. The Board noted that the Australian Competition and Consumer Commission (ACCC) is the government agency that handles complaints about misleading advertising and considered that the complainants should address their concerns regarding the content they find misleading to the ACCC.

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 that the advertisement depicts a mother trying to rescue her son who is drowning in their backyard pool but she is prevented from entering the water by a layer of glass.

The Board noted that it had previously dismissed complaints about community awareness campaigns where graphic imagery is used in cases 0088/14 and 0137/14 where: “The Board

agreed that the advertisement was graphic and likely to be offensive to some people. The Board noted its previous decisions relating to public health and safety campaigns, where it accepted that a higher level of violence can be shown where it is considered to be justifiable in the context of the important health message being conveyed to the public.”

In the current advertisement the Board noted that the scene of the boy hitting his head is fleeting and is shown for the purpose of giving cause to the reason he fell into the pool. The Board noted that the advertisement is realistic in its depiction of the mother being distressed about not being able to reach or save her son and that it is alarming but is critical to the effectiveness of the advertisement.

The Board noted that the current advertisement had been modified so as to give the versions different CAD ratings to effectively place them in the appropriate timeslots for the relevant audience. The Board noted that they considered the M rated version in this instance so that the advertisement was viewed in its complete form.

The Board acknowledged that some members of the community would find the advertisement to be distressing however in the Board’s view the impact of the advertising is vital in order deliver the important community awareness issue relating to first aid in a manner which is appropriate for the relevant audiences.

Based on the above the Board 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 complaint.