



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0148/13
2	Advertiser	WWF Australia
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	22/05/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Cruelty to animals

DESCRIPTION OF THE ADVERTISEMENT

The advert shows a Tiger that has been rescued from a trap. Tiger body parts are shown in the forms of a tiger skin and paws in a market stall. All other imagery is of healthy tigers in the wild or the adoption pack gifts (toy, bag etc.) The script explains that the Tiger rescued from the trap later died.

THE COMPLAINT

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

Not only are they being shown without warning, they are shown any time of the day or night. It's all very well to shock people into donating but these are explicit images that some of us are unable to deal with! Unbelievable that they are shown first thing in the morning.. incomprehensible that children could see it!

Very important that these advertisements are accompanied with warnings...please!

THE ADVERTISER'S RESPONSE

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

WWF-Australia takes all comments from the public very seriously.

We take a measured approach to all WWF public communications and we believe that our TV appeal is true, responsible and restrained in the context of the terrible abuse suffered by tigers.

In common with many charities, WWF relies upon the generosity of the public to fund its important work. The response to our fundraising TV activity has been overwhelmingly positive since we started using this media in 2010. Hundreds of thousands of dollars have been raised, and those funds are being put to work to protect these animals from the very real threat of extinction in the wild.

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. To better understand the cause, people need to become aware of both the critical threats, and the positive solutions their money will provide.

To raise funds that aid poverty stricken communities, causes may show hungry children in need of food.

Appeals for cancer research may feature people who are affected by this disease.

For animals under threat, people need to understand the nature of the threat.

IN WWF's TV appeals around the world, we feature a wide range of animals, we show the threats they face, and we offer people the opportunity to support our work to save endangered species such as tigers.

We take very seriously our responsibility to depict the truth. However, we understand that to visually demonstrate the full reality of the threats to tigers would be too strong to feature in a TV appeal.

Therefore we apply strict self-censorship across all our TV appeals. We do not wish to alienate people, indeed quite the opposite. WWF cannot operate, and endangered animals cannot be protected, if we alienate the public on whose support we rely. And the positive response to date strongly indicates that people both support our conservation work, and our fundraising approach.

In terms of our self-censorship of the tiger 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 stop tigers being harmed.

We have also briefed our media agency to follow the CAD guidelines that followed this advert being classed as a PG:

“Requirement: 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.”

Having read the complaint carefully, our understanding is that while the complainant does not appreciate what they term as ‘shocking people into donating’ they do not have an issue with the advertisement airing on TV if it were to carry a warning.

We appreciate that we have not included a warning at the start of the appeal, as we feel strongly that this is not necessary.

We appreciate that every individual who watches the tiger 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.

In further response to the complaint, we do not consider our advertisement as trying to

'shock people into donating'. We seek to offer people the opportunity to put right something that is wrong, and we do this responsibly.

In terms of the code of ethics, we believe the tiger 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 want to turn away from some of the less pleasant things in life – 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 Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement features confronting images that are alarming and not suitable for viewing by children.

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 of the Code 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 features scenes of tigers in the wild. The advertisement includes footage of the making of traps and a scene of the capture of a tiger in one of these traps. The advertisement also shows footage of a market style place where various body parts of the tigers appear to be available to buy.

The Board noted that in this instance, the visuals of the animals in these conditions are not violent but intended to conjure emotion and a potential for change and positive action from viewers who are affected by the advertisement.

The Board noted that the advertisement was given a ‘PG’ rating by CAD.

The Board noted that in the past it has considered complaints relating to advertisements of anti-animal farming or animal abuse (such as Animals Australia 0460/12) which have also contained confronting and sometimes graphic imagery and that in almost all of those cases the Board has recognised that the message of the advertiser does require a degree of confronting material to be shown or suggested.

In the present advertisement the Board considered that there is no overt cruelty or violence and that the visuals are mild and unlikely to be understood by young children, and it is not inappropriately confronting for other audiences.

In the Board’s view the advertisement does not present violence and the footage of cruelty is mild and justifiable in the context of the service being advertised.

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.