



Ad Standards Community Panel
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Advertising Standards Bureau Limited
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Case Report

1	Case Number	0179/19
2	Advertiser	Quit Tasmania
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	26/06/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows a middle-aged man coughing over a bathroom sink in a white singlet looking in the mirror. One version depicts blood in the sink at the end of the advertisement, the other version does not.

THE COMPLAINT

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

I understand that smoking ads have to be shown but I think this one is gruesome and shouldn't be shown. It's awful to see and is on constantly during the day and night. I think young children could get very upset watching it and I was eating my tea tonight when it came on several times. It has been on nearly every time there is a set of ads which is excessive. I have seen other non smoking ads with people talking that gets the point across that smoking kills. Please remove it from our screens

Not only does it nearly make me vomit each and every time I see this add and it is





totally inappropriate to run it on any tv station, but to run it whilst I was enjoying my dinner is totally inappropriate. I was unable to eat my dinner and still feel quite ill. I do not smoke and I do not need to see this.

This particular quit smoking ad is extremely unpleasant. To hear somebody coughing so harshly and then to see the product of that cough is really revolting. Every time I have seen this ad has been during a mealtime and nobody, I'm sure, wants to see that while they're eating. I know it's meant to hit hard but I really do not think this graphic way is appropriate.

THE ADVERTISER'S RESPONSE

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

Tasmania has the second highest rate of smoking in Australia, with 70,500 Tasmanians who smoke. Quit Tasmania, a program of Cancer Council Tasmania, has been funded to reduce smoking rates in Tasmania. It uses evidence based research to determine the most effective ways to reduce smoking levels. Mass media campaigns have been proved to reduce youth and adult smoking. This evidence base will be uploaded as an attachment.

Consequently, decisions on the television material, placement and frequency are based on the following:

Frequent exposure by target populations to high negative emotive material is required to have optimal effects on smokers. Campaign intensity is especially important for vulnerable subgroups. Free to air television is one of the most frequent media habits of low income populations.

Smoking needs to be clearly seen as a dangerous behaviour and de-normalised.

This TVC clearly meets the brief to attract the attention of smokers and get the "why to quit" message across. We have testimonials from Tasmanian smokers who have communicated to us that this particular TVC made them give up and/or begin a quit attempt.

The issues raised as complaints relate to Section 2.3 of the Code:

Violence Causes alarm and distress

Violence Graphic Depictions.

The visuals and information presented in this TVC do not portray violence.

There are 2 versions of this TVC - the only difference being the blood is not shown in the other version. Even though both received the same CAD rating (P) and incurred no restrictions on viewing time Quit Tasmania made a decision to place the blood version



in 7.30pm or later time slots. Red Jelly, our media buying and placement agency, has confirmed that the blood version was not shown as anytime before 7.30pm on any stations. One of the complaints referred to the blood version of the TVC being seen at 6.45pm which could not be correct. It is possible that they presumed the TVC they saw was the blood version as they were expecting to see the blood from previous viewings and had not watched that particular TVC until the end.

The material and placement for the Suffering TVC was placed for maximum impact but lowest frequency. Our usual 4 week campaigns run a negative graphic TVC for the first 2 weeks followed by a positive TVC in the following 2 weeks. For this particular TVC the placement was scheduled selectively throughout the 4 weeks into high TARP programs rather than condensed into a shorter period. This may have made it appear to be more memorable for viewers even though the actual placement numbers are the same as for previous campaigns. One of the complaints received referred to it being "on constantly" but the placement schedule attachment shows the intensity was not excessive.*

We also ran a complementary positive TVC "You Quit You Win" to provide another motivation to quit.

The placement schedule for this campaign is attached plus evidence base.

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 complainants' concerns that the advertisement depicts material which is revolting, gruesome, graphic and upsetting to children. The Panel further noted the complainants' concerns that the advertisement airs during mealtimes which is unpleasant.

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

The Panel noted the complainants' concerns that the advertisement airs during mealtimes which is unpleasant, however considered that the role of the Panel is to consider the content of advertisements and the timing of an advertisement is only a consideration when determining whether an advertisement treated sex, sexuality, nudity and language with sensitivity to the relevant audience. Accordingly, the Panel was unable to consider this aspect of the complaints.

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 noted that the television advertisement has two versions. Both depict a man in a bathroom coughing. In one version, a scene shows blood in the bathroom sink, in the other version this scene is not shown. Text on screen states “Dying from smoking is rarely quick...and never painless. When smoking leads to lung cancer, you can suffer every minute of every day. Almost 27,000 Australians are living with the misery of lung cancer caused by smoking. Quit smoking today”.

The Panel noted the complainants’ concerns that the advertisement depicts material which is revolting, gruesome, graphic and upsetting to children.

The Panel noted that the advertisement received a ‘P’ classification from Free TV, and could be aired in any timeslot excluding children’s programming.

The Panel considered that although the advertisement was confronting, there was no graphic imagery that was violent, and the advertisement showed a realistic depiction of a person suffering from lung cancer. The Panel considered that although the advertisement may cause a level of unease, disgust or discomfort in viewers, this is not of itself a breach of the Code. The Panel considered that the advertisement may be distasteful, but does not depict content which most members of the community would consider to be violent.

The Panel noted that it had previously dismissed similar smoking advertisements for the same advertiser in case 0134/14 in which:

“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.

And case 0247/14 where:

“A minority of the Board expressed concern that the images were too graphic and would likely cause nightmares or distress for young children. The majority of the Board however, considered that consistent with its previous determination, the advertisement handles an important community awareness issue of the adverse health effects of smoking in a manner which is not inappropriate for the relevant PG audience.”

Consistent with the previous determinations, the Panel determined that the imagery in the advertisement was justified by the important public health and safety message of the advertisement and 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 Panel dismissed the complaints.

