



Case Report

1	Case Number	0204/11
2	Advertiser	RSPCA Australia Inc
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	22/06/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Violence Community service advertising
- 2.2 - Violence Cruelty to animals

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is part of a campaign by RSPCA Australia, Animals Australia and Get Up to call for an end to the export of live animals for slaughter. The advertisement shows footage of the treatment of sheep and cattle filmed in the Middle East and in Indonesia.

THE COMPLAINT

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

This advertisement shows graphic images of cruelty to animals, mainly livestock. Includes animals being bound, dragged and thrown into the boot of a car. There is no warning about the graphic nature of the advertisement. My wife is upset. I'm fed up to the back teeth with the amount of graphic images of violence and cruelty these days on TV. In years gone by there used to be warnings. This was particularly true of news reports. But now the images are displayed without hesitation. Enough is enough; we don't need to see this!

When similar images are transmitted on television news bulletins they are ALWAYS prefaced by a warning of impending 'disturbing images' thus offering the opportunity to switch off or avoid the images. No such opportunity is afforded with these advertisements and the images are extremely confronting.

The advertisement gives no warning of the images about to be shown.

I support the RSPCA and banning live exports but having to see those prolonged and graphic images WITHOUT ANY WARNING or CHOICE is too distressing and sickening. It causes

physical symptoms of anxiety and nausea. I am aware of it affecting others in similar ways; e.g. it triggers post-traumatic stress reactions for a friend of mine. If it was torture of people it would not be allowed to be shown.

I ask that this ad be removed from television immediately. While the export of livestock export is a serious issue (one which I wholeheartedly support the ban of) shock tactics thrust onto unsuspecting viewers is not acceptable.

I understand the issue of animal cruelty on live exports is very important and needs to be addressed; however the advertisement was extremely distressing to me. There was no warning that the ad may offend or distress some viewers. The content of the ad was graphic and extremely sickening. The ad showed scenes of animal cruelty. The television ad came on while my son and I were playing in the family room. Fortunately my son is not old enough to understand the content of the ad.

I think the message can be put across without the need for showing the actual act of animal cruelty.

It showed images of animals being tortured which I found disgusting. I didn't want to see it or choose to see it and think ads like that should have a warning first or not be shown at all.

THE ADVERTISER'S RESPONSE

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

We note that the advertisement is to be reviewed against Section 2 of the AANA Code of Ethics, and we note that clause 2.2 reads:

Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised

The advertisement shows genuine footage of the treatment of Australian sheep and cattle in Indonesia and the Middle East. These animals have been exported live for slaughter.

As the purpose of the advertisement is to gain support for a ban on the live export of animals for slaughter, it is vital that the viewer understands why we are calling for live export to be banned. It is therefore necessary to show the cruel treatment of these animals.

We believe that showing the footage is justifiable in the context of the aim of the advertisement.

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 is inappropriately graphic in its portrayal of animal cruelty and that it is not suitable for screening at times when children are watching.

The Board reviewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement complied with Section 2.2 of the Code which requires that advertisements 'shall not present violence unless it is justifiable in the context of the product or service advertised.'

The Board noted the advertiser's response that this advertisement is aimed at gaining support for a ban on the live export of animals for slaughter and that the imagery used in the advertisement is genuine footage.

The Board noted that some complainants were concerned at the effect of the advertisement on children and noted that this advertisement has been classified M by CAD and is only shown in allowable timezones and programmes.

The Board noted that the advertisement does contain graphic imagery which could be upsetting to some viewers, however the Board considered that the cruelty depicted is directly relevant to the message of the advertisement and is appropriate for the M rated timeslot in which the advertisement appears.

The Board determined that the advertisement does not present violence inappropriately, with the presentation of violence being justifiable in the context of the message being advertised. The Board determined that the advertisement does not breach Section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted that some complainants were distressed about the content of the advertisement and would prefer a warning to be displayed prior to each screening. The Board noted that the issue of warnings being displayed on advertisements falls outside of the Board's jurisdiction.

Based on the above, the Board determined that the advertisement is not inappropriately graphic and does not depict material contrary to prevailing community standards on health and safety and did not breach section 2.6 of the Code.

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

