



Case Report

1	Case Number	0246/15
2	Advertiser	Department of Health and Ageing
3	Product	Community Awareness
4	Type of Advertisement / media	TV - On Demand
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The Ice destroys lives advertisements aim to raise awareness of the serious harms of 'ice' amongst high risk young people, encourage parents to talk with their children and increase the likelihood of young people avoiding the drug.

The television and online advertisements depict the serious and highly negative outcomes of using 'ice' across a range of scenarios. These include:

- a) Loss of sleep: A young man in an office is struggling to concentrate and loses his temper with a colleague.
- b) Aggression: A mother and son are arguing in the kitchen after he takes money from her wallet. He knocks his mother to the ground as a young girl, who could be his daughter, looks on.
- c) Formication: A girl is sitting in her room picking at her arm.
- d) Psychosis: A young man is escorted into the emergency department of a regional hospital. He snaps and attacks the orderly and police. Security run to help and the man is wrestled to the floor.

THE COMPLAINT

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

We were watching a catch-up episode of Masterchef with our family. Our son is 10 years old. The Ice awareness ads featured quite extreme violence, including a man gouging a chunk of his arm out with a sharp object, and a patient head-butting and attacking a group of people in a hospital. We really don't need to see this sort of violence during prime time, when lots of kids would be watching. I imagine if these ads had cinema ratings they would carry an 'M'.

THE ADVERTISER'S RESPONSE

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

Re: Advertisement Complaint - Reference 0246/15

I refer to your letter regarding a complaint received in relation to the placement of the Ice destroys lives advertisement during the viewing of a program via channel 10's catch up TV platform TenPlay as part of the broader National Drugs Campaign launched on Sunday 10 May 2015.

Description of the advertisement

The Ice destroys lives advertisements aim to raise awareness of the serious harms of 'ice' amongst high risk young people, encourage parents to talk with their children and increase the likelihood of young people avoiding the drug. The harms depicted in the scenarios shown in the advertisements have been verified by experts.

Since 2010 usage of crystal methamphetamine or 'ice' has increased to become the main form of methamphetamine used in Australia. The 2013 National Drug Strategy Household Survey found that among meth/amphetamine users, the use of ice more than doubled, from 22% in 2010 to 50% in 2013.

With the rapid growth of the methamphetamine problem across cities, regional and remote communities and the harms methamphetamine poses to the individual and the community, the Australian Crime Commission assesses that methamphetamine, and in particular crystal methamphetamine ('ice'), poses the highest risk to the Australian community of all illicit drugs.

'Ice' usage is associated with severe addiction and specific harms including cardiac conditions and stroke, seizures, depression and self-harm, insomnia, aggression and psychotic episodes which can manifest in various ways including paranoia and tactile hallucinations such as 'formication' where the individual imagines small insects crawling on or under the skin. Users are also at greater risk of physical harms due to misadventure such as motor vehicle accidents.

Concept testing research among 'ice' users found that the possible health and social harms depicted in the advertisement were highly credible, gave an honest portrayal of the impact of

ice, and reflected their own experiences. In many cases, users believed advertising about the harms of 'ice' is a positive step for the Government to take to target the population at large.

The television and online advertisements depict the serious and highly negative outcomes of using 'ice' across a range of scenarios. These include:

- a) Loss of sleep: A young man in an office is struggling to concentrate and loses his temper with a colleague.*
- b) Aggression: A mother and son are arguing in the kitchen after he takes money from her wallet. He knocks his mother to the ground as a young girl, who could be his daughter, looks on.*
- c) Formication: A girl is sitting in her room picking at her arm.*
- d) Psychosis: A young man is escorted into the emergency department of a regional hospital. He snaps and attacks the orderly and police. Security run to help and the man is wrestled to the floor.*

Comments in relation to the complaint

The Australian Government believes that the National Drugs Campaign advertising material is consistent with the AANA Code of Ethics, particularly in relation to Section 2.

In developing this campaign, due care has been taken to present the facts in a responsible and appropriate manner, having regard to the target audiences nationally for whom the advertising is directed. As well as young people aged 14-17 who are beginning to be exposed to illicit drugs and parents of 14-25 year olds, the target audience includes 18-25 year olds who are at greater risk of using 'ice'.

2.3 Violence

The development of the campaign was based on current evidence and best practice in relation to reaching parents and young people with an awareness raising message. The depiction of the consequences of using 'ice' in each of the online advertisements is a realistic portrayal, intended to increase awareness and understanding of the harmful effects of 'ice' use.

The Department's principal medical adviser for Population Health Division (a working Emergency Department doctor) and Dr Priestley (who appears in the TVC) provided advice throughout the development of the creative material. The content was also verified by the Department's Drug Strategy Branch.

Accuracy and credibility of specific scenes was also achieved with input from two medical experts involved in the film shoot who have extensive experience both as medical professionals and also, importantly, in filming re-enactments of emergency department scenarios.

The doctor on-set has broad experience in working in Emergency Departments and, as an Emergency Senior Medical Officer in rural areas, has extensive experience in creating high

fidelity simulations. These simulations have covered almost every field of medicine (including creating scenarios for emergency medicine, anaesthetics, intensive care, GP consultations, hospital out patients, hospital ward, natural disasters, and car accidents). This experience has meant that he has developed a keen awareness of the essential components to ensure the appearance of “reality”.

The on-set nurse has been a registered nurse in Queensland for 19 years. As an agency/contract nurse she works across all the major hospitals in Brisbane and the Gold Coast and has firsthand experience in the realities of what happens when ‘ice’ users come into the Emergency Department. In addition, she has worked extensively in Emergency Trauma Surgery, Vascular Surgery, Cardio Surgery, ENT Surgery, Gynaecology Surgery, and Ortho Surgery.

2.6 Health and Safety Within prevailing Community Standards

Regarding the specific complaint where a ten year old child was exposed to the campaign advertisement when viewing MasterChef on catch up tv (via Ten’s online platform – TenPlay), the department has raised this issue with the Government’s master media buying agency, Mitchell & Partners Pty Ltd (Mitchells), who undertake the planning and placement of the Australian Government’s advertising.

Mitchells explained that this situation occurred within the catch up TV bookings on TenPlay (in run of network), with advertisements being placed across three G rated programs i.e. MasterChef, Neighbours and Modern Family at the discretion of the network. Mitchells added that the rules for advertising that apply across television for TVCs do not apply to the online platform. For example, alcohol advertisements can run at any time of day online, whereas they would not be able to run until after 8.30pm on television.

While there is no rule in place for use of ‘M’ rated TVCs on online platforms, this incident has ensured that advertising placements of the Ice destroys lives pre-rolls on TenPlay have now been amended. To rectify the situation, Mitchells has taken the following remedial action:

- TenPlay: the pre-roll advertisements are now only being placed in ‘M’ rated programs on Ten’s online platform.*
- 9Jumpin: an age filter (18+) and time targeting (after 8pm) has been applied to the placement of the pre-roll advertisements on Nine’s online platform.*
- Plus7: an age filter (18+) and time targeting (after 8pm) has been applied to the placement of the pre-roll advertisements on Seven’s online platform.*

Government approvals

As with all advertising the Department undertakes, this approach was focus-tested prior to development and against the Guidelines on Information and Advertising Campaigns by non-corporate Commonwealth entities (the Guidelines). These Guidelines set out the principles applying to information and advertising campaigns undertaken in Australia, which include that Campaigns should be:

- relevant to government responsibilities;*

- *presented in an objective, fair and accessible manner and be designed to meet the objectives of the campaign;*
- *objective and not directed at promoting party political interests;*
- *justified and undertaken in an efficient, effective and relevant manner.*

The National Drugs Campaign – ‘Ice destroys lives’ was assessed as capable of complying with Principles 1-4.

The Department’s Legal Section reviewed the Campaign and found that the materials complied with Principle 5 of the Guidelines, including all relevant laws, such as broadcasting and media.

The Secretary of the Department certified that the National Drugs Campaign - ‘Ice destroys lives’ complies with the Australian Government’s Guidelines on Information and Advertising Campaigns by non-corporate Commonwealth entities.

The media activity for this phase of the National Drugs Campaign will conclude on 30 June 2015.

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 features graphic and violent scenes that are distressing to viewers especially 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 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 this television advertisement features Dr Stephen Priestley, Director of Emergency Medicine, Sunshine Coast Hospital and Health Service, explaining the serious and highly negative outcomes of using ‘ice’ across a range of scenarios. There are four main

scenes depicted:

- a) Loss of sleep: A young man in an office is struggling to concentrate and loses his temper with a colleague.
- b) Aggression: A mother and son are arguing in the kitchen after he takes money from her wallet. He knocks his mother to the ground as a young girl, who could be his daughter, looks on.
- c) Formication: A girl is sitting in her room picking at her arm.
- d) Psychosis: A young man is escorted into the emergency department of a regional hospital. He snaps and attacks the orderly and police. Security run to help and the man is wrestled to the floor.

The final screen shot states “ice destroys lives – don’t let it destroy yours.”

The Board noted that there are shorter versions of the advertisement being aired that may show one or several of the scenes depicted above. In this matter, the Board considered the full version of the advertisement which includes all of the scenes detailed above.

The Board noted it had recently dismissed complaints about this advertisement when it aired on the internet (0240/15) and on television in case 0219/15 where:

“The Board noted the advertiser’s response that concept testing research among ‘ice’ users found that the possible health and social harms depicted in the advertisement were highly credible, gave an honest portrayal of the impact of ice, and reflected their own experiences.

The Board likened this advertisement to previously considered community awareness campaigns regarding cancer awareness 0137/14 and 0247/14 and 0066/15.

Consistently throughout those cases the Board considered that the occasionally disturbing images are relevant to the important public health and safety message that the advertisements are attempting to convey.

Similarly in the current case, and considering the ‘M’ classification given by CAD, the Board considered that although there were graphic images in the advertisement, the inclusion of such confronting scenes was justified in the context of the very important public health message the advertisement is promoting.

The Board acknowledged that some members of the community who have been affected by drug use could find the advertisement to be upsetting but considered that the actual content of

the advertisement was disturbing but not overly graphic and was relevant to the important community awareness message being communicated regarding the effects of ice use on the body and mind.

Consistent with its previous determinations the Board considered that the advertisement depicted graphic imagery which was justifiable in the context of the product or service advertised.”

The Board noted that the current complaint concerns the advertisement’s placement via online television (on-demand). The Board noted the advertiser’s response that there are no rules regarding the placement of advertisements via on-demand television but that their media buyer has since taken steps to ensure the placement of this advertisement has been modified to keep in line with the relevant M rated audience. The Board noted that the complainant had viewed the advertisement whilst watching Masterchef. The Board noted that this program is not directed at children and considered that whilst the advertisement could be confronting to children, most children would view the advertisement under parental supervision.

The Board acknowledged that some members of the community would find the content of the advertisement to be confronting but considered that the amended media buyer approach means the audience will be limited older children and adults. The Board considered that in the context of a community awareness advertisement, the content of the advertisement is not overly graphic and is relevant to the important community awareness being communicated regarding the dangers of the drug ‘ice’.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

The Board then considered 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 the intent of the advertisement was to raise awareness of the negative social and physical aspects of drug use and that this message was intended to reach the broader community in an attempt to deter those who may be considering use and those who may be users alerting them to associated dangers.

The Board noted that the advertisement includes a call to action at the end providing a web address of where to go to get help.

The Board determined that the advertisement promoted an important community awareness message and did 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.

