



Case Report

1	Case Number	0294/14
2	Advertiser	Diabetes Australia VIC
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	27/08/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Other

DESCRIPTION OF THE ADVERTISEMENT

The advertisement's imagery first shows a man nervously tiptoeing into a body of water on the beach (with a lower-third text highlighting galeophobia – the fear of sharks) and him running away; the ad then shows the man entering a car only to find a hairy spider on his dashboard (with a lower-third text highlighting arachnophobia – the fear of spiders) with the man running away in a comically scared fashion; next a clown appears from behind a tree to which there is a close-up of the man looking frightened, the clown holds up a balloon and walks towards the man as the man turns and runs (with a lower-third text highlighting coulrophobia – the fear of clowns). The ad finishes with the man standing on the beach calmly looking directly into the camera with the key message – “Two million Australians are at high risk of developing type 2 diabetes – we think that’s scary. Take the test now at checkmyrisk.org.au”

THE COMPLAINT

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

I have a severe coulrophobia (phobia of clowns) to the point where I can end up in hospital with a panic attack or suicidal issues. This ad picks on phobias and it isn't right to do this the clown they use in the add isn't a kid one it's quite a scary one. I can't deal even watching tv shows anymore, I am 23 imagine a child seeing this, this isn't right.

Because I have an extreme phobia of clowns that are in this ad, the one shown in this advertisement is the scariest one to put on tv, I had a panic attack over it which can cause me to go to hospital.

THE ADVERTISER'S RESPONSE

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

The community service announcement, 'You think this is scary?' uses strong images illustrating the fears and concerns that many people have, and compares with the lack of concern about the real and hidden threat of type 2 diabetes. This campaign is in a similar vein to graphic campaigns raising awareness of health threats that are effective for tobacco control and road accident prevention.

The objective was to develop a national campaign to increase public awareness of the seriousness of type 2 diabetes, draw attention to the increasing numbers of Australians developing the condition, and promote the 'good news' story that type 2 diabetes can be prevented in up to 58 per cent of cases.

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Diabetes Australia does not believe that we have violated Section 2.1 (Advertising or Marketing Communications shall 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) as we clearly stated throughout this community service announcement and throughout this campaign that the incidence of type 2 diabetes is scary, not that people with type 2 diabetes or type 2 diabetes itself is scary.

We have not discriminated or vilified any groups of people that are mentioned above. The ad simply prompts people to think about some fears or threats in comparison to others.

The person who issued a complaint specified that their complaint was in relation to their extreme phobias of clowns (such as the one in the advertisement) and that the clown was so scary that the complainer argued they suffered a panic attack after seeing the ad which in some cases would send them to hospital. This ad certainly did make light of anxiety or panic or vilify or discriminate against people who have phobias in relation to sharks, spiders and clowns.

This clown did draw upon images of clowns from popular culture, knowing that they are scary to some people, in order to compare the various fears and threats and attract the attention of the public. The aim was to get people talking in order to spread awareness of type 2 diabetes and we believe we achieved that with nearly 100,000 views on YouTube within weeks of the campaign being launched.

Free TV rated the advertisement as G and there is no footage, music or narration that is sexual in nature, exploitative or degrading; there is no violence, sex, sexuality or nudity; there is no strong or obscene language and the advertisement does not depict anything contrary to prevailing standards on health and safety 2.2: Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. 2.3: Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised. 2.4: Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience. 2.5: Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided. 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

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 includes scenes of a clown that are frightening and can cause alarm and distress.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray 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.’

The Board noted the advertisement features a man in various scenarios where he is seen running away frightened of sharks, spiders and clowns. The ad finishes with the man standing on the beach calmly looking directly into the camera with the key message – “Two million Australians are at high risk of developing type 2 diabetes – we think that’s scary. Take the test now at checkmyrisk.org.au”

The Board noted that the advertisement is a community awareness campaign drawing the attention of the viewer to the statistics on developing type-2 diabetes.

The Board noted the complainants concerns that the advertisement can cause panic attacks due to a genuine fear of clowns.

The Board noted that it had recently dismissed an advertisement for Sportingbet Australia (0068/14) where Shane Warne was featured running away from a spider used in the campaign. In this case the Board considered that ...” these complaints were due to the complainant’s own personal experience and fear of spiders. The Board noted that this is not an issue which falls under the Code and therefore would not be considered by the Board in their determination.”

In the current advertisement, additional information provided to the Board by the

complainant further suggested that there was a matter of discrimination by showing the clown which was directly impacting on a group who have a serious phobia relating to clowns.

The Board noted that the advertisement is intended to be humorous and the man is portrayed in a comedic way similar to a slap stick style movie or scene. The advertisement refers to real conditions suffered by people in the community such as a fear of sharks (galeophobia), a fear of spiders (arachnophobia) and a fear of clowns (coulrophobia). The Board noted that the advertisement does not mock or make light of any of these conditions and does not suggest that one is more serious than any other.

The Board noted the importance of the public awareness message that the advertisement was aiming to get across and considered that the use of the clown and other creatures that cause alarm was relevant to the message being delivered about the alarming rate of people in the community at risk of developing type-2 diabetes.

The Board considered that the advertisement carries a serious and important public health message about diabetes awareness and determined that the advertisement did not breach Section 2.1 of the Code.

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