



Ad Standards Community Panel
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Case Report

1. Case Number :	0345-21
2. Advertiser :	World Animal Protection
3. Product :	Community Awareness
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	8-Dec-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts various scenes of animals, with some shown in cages and on chains.

THE COMPLAINT

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

The ad included graphic images of animals under distress, being chained and confined to small pens. One image that was extremely distressing was that of a live small monkey with a metal "collar" around it's neck attached to a chain from a cage. The monkey appeared to be hanging itself.

THE ADVERTISER'S RESPONSE

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

World Animal Protection takes all comments from the public very seriously.



Overall, we believe that our TV appeal is true, responsible and restrained in the context of the terrible abuse suffered by wild animals.

In common with many good causes World Animal Protection relies upon the generosity of the public to fund its important work. And the response to our fundraising TV activity has been overwhelmingly positive since we started using this media in 2016. A great number of new financial supporters have been acquired in response to this advertising and their generosity is vital in enabling World Animal Protection to rescue animals and help them to live their lives free from cruelty. 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. Fundamentally, people want to make a difference. For them to make a difference, good causes need to make people aware of both the bad things, and the good things that are done to alleviate those bad things.

*For hungry children, causes need to show children who need food.
Appeals for cancer research may feature people who have cancer.
For victims of injustice, people need to understand the nature of the injustice.
In World Animal Protection TV appeals, we feature a range of animals in need, we explain the cruelty they face, and we offer people the opportunity to support World Animal Protection's work to help put a stop to it.*

We take very seriously our responsibility to tell the truth. However, we know we cannot tell the whole truth of the cruelty that some animals face – because the full reality would be too strong to feature in a TV appeal.

Therefore, we do very strongly self-censor our TV appeals. Of course, we do not wish to alienate people, indeed quite the opposite. World Animal Protection cannot operate, and victims of animal cruelty cannot be helped if we alienate the public on whose support we rely. And the positive response to date does strongly indicate that people both support this work, and our approach.

In terms of our self-censorship of the World Animal Protection appeal, we:

- Have not included the most shocking footage of animal cruelty.*
- Have ensured that the viewer is given a clear sense that we can help animals in need; Have ensured that the strong footage that is included, is on screen for a short time.*
- Have briefed our media agency to follow the CAD guidelines based on this ad being rated PG-P:*

“PG-P” Requirement:

Definition: Parental Guidance Recommended

May be broadcast at any time of day, except during P and C programs or adjacent to P or C periods.

Product Description: Commercials which comply with the PG classification criteria in Appendix 1 of the Code of Practice and which contain careful presentations of adult



themes or concepts which are mild in impact and remain suitable for children to watch with supervision.

We appreciate that every individual who watches the 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.

We appreciate that there are some viewers to whom the ad will not appeal but we believe that TV can play a crucial role in enabling good people to support good causes and thus make the world a better place.

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.*

Having read the complaint carefully we do appreciate that the footage of the monkey is distressing. However, there is not physical violence towards the animal or graphic display of blood for example. It is a true representation of how the animal is treated to illustrate the need.

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.



Thank you for the opportunity to respond to this matter. Please do not hesitate to contact me should you have any further questions.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement includes graphic imagery of animals in distress.

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

Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised

The Panel noted the Practice Note for this section of the Code which states "*Violence against animals is caught by this section. However graphic depictions of violence against animals or the effects of such violence may be justified by the community message involved*".

Does the advertisement contain violence?

The Panel noted that the advertisement does contain scenes of animals in distress, including being in cages or in chains. The Panel considered that while active violence is not shown in the advertisement, the aftereffects of suggested violence are depicted.

The Panel considered that some members of the community may find the advertisement to contain violence.

Is the violence portrayed justifiable in the context of the product or service advertised?

The Panel noted that whilst some of the images show animals that appear in distress the Panel considered that these images are emotionally engaging rather than violent in an aggressive or threatening manner. The Panel noted that the voiceover is softly spoken and considered that although a problem is highlighted – that of animals mistreated for the purposes of the tourist industry – the voiceover does highlight the work that the advertiser does for the purpose of reducing or preventing animal cruelty.

The Panel considered that the important community message being delivered in the advertisement was one which justified the use of imagery that would grab the attention of the reader and would lead to an increased awareness and consideration of the serious issue. The Panel considered that although the imagery was impactful it did not feature gore or depict acts of active violence. The Panel considered that the



images were designed to shock, however they were more emotionally impactful than graphic.

The Panel acknowledged that the content and subject matter of the advertisement would be upsetting to some viewers, including children, but considered that the advertisement is using factual information in an informative manner to raise awareness of an issue and includes a call to action, and in the Panel's view the overall tone is that positive action works and this is a message which children should be able to understand.

The Panel considered that the imagery used in the advertisement was justifiable in the context of the organisation being advertised.

Section 2.3 Conclusion

The Panel determined that the advertisement did not present or portray violence which was unjustifiable in the context of the product or service advertised and did not breach Section 2.3 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.