



Ad Standards Community Panel
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Advertising Standards Bureau Limited
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Case Report

1	Case Number	0349/18
2	Advertiser	Quit Victoria
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/08/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a woman in bed struggling to breathe. A man then helps her roll over and fixes her bedding. Text on screen throughout the advertisement states "Dying from smoking is rarely quick...and never painless. When smoking leads to stroke, you can suffer every minute of every day. Smoking doubles your risk of stroke."

THE COMPLAINT

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

This Ad is and has given my children nightmares and they are SCARED and block their ears and close their eyes each and every time it comes on.

Graphic depictions of recently deceased smokers is base. Nanny state needs to focus





on higher order priorities..

It is offensive and distressing. I don't smoke and don't believe that these advertisements stop smoking.

It is deeply distressing, far too graphic and creates a feeling of shock every time it airs between normal programming. It is too offensive to suddenly appear without warning.

This graphic form of advertising has been shown time and again not to work. The Quit ad is akin to emotional violence that strikes when we least expect it. Utterly abhorrent. Ask around!

THE ADVERTISER'S RESPONSE

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

1. Discrimination or Vilification: 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.

The practice note for disability as defined in the AANA code of ethics mentions that a realistic depiction of people with a disability can be acceptable, even if the advertisement may be upsetting to some members of the community, where there is an important message being delivered. The Stroke ad portrays a woman lying in bed distressed as a result of having suffered a stroke which is implied by the transcript played on the TVC. She is depicted in a way which would be natural for a person who has suffered a particular type of stroke with a full time carer checking on her and offering some comfort by way of holding her hand. Prior to the ad airing on TV, the Stroke Foundation was consulted on whether the ad portrayed a realistic view of stroke victims. We were advised that of those who survive a stroke, almost two thirds would be left with some form of disability inhibiting their ability to carry out everyday activities. Many adult stroke survivors struggle to return to work after stroke causing increased hardship to them and their families. However as many as 80% of strokes can be prevented through lifestyle changes such as quitting smoking, drinking less alcohol, increasing physical activity etc to reduce a person's stroke risk. The script attached plays in between showing the woman in bed with being cared for by a man which is based on a realistic depiction of how smokers could end up being limited in their ability to perform everyday tasks as a result of being affected by a stroke. Smoking kills two in three long-term users, but before death, there is often a lot of suffering. This new campaign shows the debilitating suffering that strokes can inflict on a person, and also their loved ones. The campaign is urging Victorians who smoke to consider how they



would feel if they had to rely on their families day in, day out, to perform simple tasks such as going to the toilet, eating and showering. Research has also been proven to show that mass media campaigns are especially effective when they use confronting messages to convince smokers of the serious effects of smoking on themselves, their families and friends. The commercial also provides an avenue to quit smoking

2. Advertising or Marketing Communications shall not employ sexual appeal: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative or degrading of any individual or group of people

The stroke ad does not imply sexual appeal in any way

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

The advertising raises an important health issue between smoking and the risk of stroke. Whilst the ad is difficult to watch, it's aimed at urging Victorians who smoke to think of how much harder it would be to experience a debilitating illness on account of smoking. It's important to highlight this public health issue as whilst the number of smokers in Victoria has fallen, the current adult smoking rate in Victoria is 11.9% and kills 4,500 Victorians each year and two in three long term users. Therefore whilst the ad is hard to watch, it does provide a strong reason for a quit attempt as well as by providing them with resources to support them through it. Research has shown that exposure to anti-smoking advertisements four times a month is associated with a 0.3 per cent reduction in smoking rates. Whilst 0.3 per cent might not sound like much, it is actually a bit over 13 000 Victorians quitting every year. The ad does not directly target children and has been given a W rating by CAD which means it could be placed in all times except directly in children's programming. Only a 6 second version of the ad was placed digitally via Facebook targeted at an adult smoker audience. All other digital materials were of a supportive nature using real testimonials of people who have suffered a stroke directly as a result of smoking. The ad therefore was broadcast primarily through TV alone. No versions of the ad (apart from the sounds of breathing) played on radio with a completely separate script being deployed on radio not directly a version of the TV commercial.

4. Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience

The stroke ad does not imply sexual appeal in any way

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



The stroke ad has no voice over and is limited to only the script shown on the TVC which has no inappropriate, strong or obscene language

6. Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety

The stroke commercial has statistics based on the latest research available. The key message for the stroke ad is that Smoking doubles the risk of stroke, but the link between the two is 'top of mind' for just 6% of Victorian smokers. Based on this statistic, there appears to be a clear need for this important public health message to be shown and made more broadly known.*

**In a 2017 Cancer Council Victoria survey, just 5.6% of current Victorian smokers stated that smoking causes stroke when asked what illnesses were attributable to smoking. The survey of 4,000 randomly sampled Victorian adults, (aged 18 years and over) were interviewed during the Victorian Smoking and Health Survey (VSHS), an annual, cross-sectional telephone survey, conducted between late October and early December 2017*

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 graphic material which is traumatising for children to view.

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

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 depicts a woman in bed struggling to breathe. A man then helps her roll over and fixes her bedding. Text on screen throughout the advertisement states "Dying from smoking is rarely quick...and never painless. When smoking leads to stroke, you can suffer every minute of every day. Smoking doubles your risk of stroke.

The Panel noted the complainants' concerns that the advertisement was graphic and not suitable for children to view.

The Panel noted that the advertisement received a 'W' 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 or grotesque, and the advertisement showed a realistic depiction of a person who had suffered a stroke.

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.

