



Case Report

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| 1 | Case Number | 0399/17 |
| 2 | Advertiser | SAHMRI |
| 3 | Product | Community Awareness |
| 4 | Type of Advertisement / media | TV - Free to air |
| 5 | Date of Determination | 13/09/2017 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a small group of young indigenous Australians talking about being tested for sexually transmitted infections (STIs) such as Syphilis. They explain the reasons for getting tested, some of the symptoms, and how you can prevent the disease from spreading.

THE COMPLAINT

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

I don't feel that I should have to explain to my 9 year old what sex is and why you should use a condom at such a young age. I think it should be my choice when that should happen rather than her seeing it on TV when we are sitting down watching family TV shows or the football.

THE ADVERTISER'S RESPONSE

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

The ad is part of an education program to address the recent outbreak of Syphilis in remote indigenous communities in far north Queensland and NT, SA and northern WA. The campaign is funded by the federal government through a research grant to address this issue.

This TVC was produced in consultation with numerous indigenous communities to ensure that it was not discriminatory or vilified any part of the community. As this is a very sensitive issue with the indigenous community, the scripts were focus tested with 4-5 different groups to ensure that there was no exploitative tone or it degraded any part of the community especially the indigenous community. This ad has been developed for a health issue that is spreading through remote indigenous areas in Australia.

There is no violence, sex or nudity in the ad, it does however discuss the important a health safety issue of using a condom to prevent STI's. The language used in both ads is appropriate to the W classification and much consideration was given to the script to ensure no offence.

This ad qualifies is a community service announcement to receive CSA's from media groups however we have put some ad money towards the campaign to ensure greater exposure in order to reduce the further spread of Syphilis and educate the community to get tested as this is a disease they are sometime not aware they are carrying and then spread onto others.

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 complainant's concerns that the advertisement features references to sexual activity which are not appropriate for children.

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

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Board noted that this television advertisement features indigenous Australians discussing being tested for syphilis.

The Board noted it had previously dismissed complaints about a similar advertisement in case 0215/12 where:

"The Board considered that the advertisement handles the issue of safe sex in a manner which is factual and which treats the issue of sex with sensitivity.

The Board noted that the advertisement has been rated PG by CAD and considered that the content is appropriate for the relevant PG audience of this locally produced advertisement."

In the current advertisement, the Board noted that the references to sexual health issues are discreet and in the Board's view these issues are handled in a manner which is factual rather than sensational. The Board noted that sexual health is a big issue for the indigenous community and considered that the advertisement handles this issue in an informative manner which is relevant to the target audience.

The Board acknowledged that some members of the community would prefer that the issue of sexual health not be discussed on television but considered that in the context of a community awareness advertisement that has been rated W by CAD (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf), the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

Consistent with previous determinations (0215/12, 0572/16) the Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

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