



Ad Standards Community Panel  
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Ad Standards Limited  
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## Case Report

1. Case Number :	0399-19
2. Advertiser :	Dept Justice & Community Safety - Victoria
3. Product :	Community Awareness
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	11-Dec-2019
6. DETERMINATION :	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This television advertisement portrays firefighters and bushfire survivors gathered in a community centre in rural Victoria reflecting on their shared experience. It includes flash back scenes of three fictionalised stories:

- a memory of a firefighter helping children escape through a fence
- a woman and her partner trying to escape via a car
- a family making the heartbreaking decision to leave without their pet

### THE COMPLAINT

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

*IT'S ...TRAUMATISING!!! As a bush fire survivor when my family wasn't, I am REPEATEDLY re-traumatised by the insensitivity and graphic nature of the ads. I can not watch TV now, again. It took 12 months before I could watch TV or listen to the radio after the Black Saturday fires in Gippsland because of constant retraumatisation from the media reports. .How can you possibly even consider it ok to place ads this graphic on tv? Do you have ANY idea of the trauma and flashbacks this triggers? Obviously not or you simply wouldn't do it. I am a mental health clinician and I understand trauma, from both sides and to have this level of graphic depiction is*



*criminal. Shame on you. I hope legal cases for harm caused against those responsible for these ads come flooding out of everywhere. Wait for them. They will. This is cruel, and negligent, and unconscionable. Cease them.*

*I object to this add due to the grafic nature. My 6 year old and 10 year old were both in tears and terrified. Not suitable for young children*

*Members of our family live in NSW in a fire threat region. We live on Mt. Dandenong also a fire threat area each year. The advertisement shows horrific evacuations from bushfire threat at the very last chance. The imagery is extremely intense with a boy being forced into a car leaving his dog behind and a little terrified girl scrambling through a fence totally distraught. This imagery is seriously disturbing for all of us who have to live with threat during the bushfire season. It is more than normal disturbance when confrontations such as the ones shown in this advertisement are shown. For many around us in our communities who have experienced neighbours losing homes and indeed their lives - it is emotionally devastating. Who is responsible for such a confrontational advertisement? In our areas we are each year updated by CFA on protection and action during the fire season. We are advised on clearing and trimming growth around our homes and places for Fire Retreat well indicated along our roads etc. As we all know the horrors, it would have been more in the interests of safety and wellbeing for humans and animals, to advertise along these lines. How To Prepare. Where to go. What to do before you go - like ensuring all your animals are safe etc. and a listing of Fire Retreat places for last minute evacuations. The image of a boy and his dog being separated is not even indicative of what actually happens. Humans in fire prone areas are very aware of their animals' safety and a quick pick-up of the dog would certainly be made in any rescue. What - other than serious emotional distress were the makers of this advertisement trying to engender? The advertisement does nothing to help - it only emotionally disturbs all of us who live with these threats and the aftermath of Bushfires. Have the advertisers no understanding of the life changing effect of losing home, neighbours, loved pets etc. to a raging fire? I would bet they have not and therefore have no right to upset those who have. It is also being played a number of times during the day when children could be watching. What are the advertisers trying to achieve - hysteria? We request this advertisement be reviewed and rejected on the grounds of emotional and deeply disturbing imagery and its lack of any positive help with dealing with preparation for fires in the coming months in Victoria. WE NEED A MUCH MORE INTELLIGENT APPROACH.*

*This is simply too much. I understand the argument that some ads need to shock people but this traumatises them. It has crossed a line. I wish they had taken the money they paid to the advertising agency that came up with this ad and spent it on some well-thought-out, targeted community engagement in areas that need it.*

*The part where the teenage boy has to leave his dog burn to death is disgraceful can't they get their point across without distressing people to the maximum? Both my mother and I were hysterical in tears crying. This advert would've been watched by children at that time! Absolutely disgusting! Please stop playing it AT ALL. Thank you*



*I found it deeply stressful and traumatising as I live in a bushfire area with 2 dogs and children and found it way to over the top fixating on the child crying when his dog was dying in the fire , I understand this is a real issue but feel this is to close to home and to much for some people , I do not want this on my tv and especially when I have children around*

*I understand that the nature of these ads is to shock people into taking action, but I think this goes too far and is too graphic. I personally found the ad highly disturbing and know of others who feel the same way. I am particularly concerned about those who may be going through PTSD relating to fire, that this ad could trigger a mental health event.*

*I think this ad is disgusting. It is a very traumatic scene and I think this would traumatise young children and that it is a very horrible scene for children to see especially if they have a pet themselves. Children see enough horror on television.*

*I have seen the whole add and the problem I have is that now the add has been on for a few weeks now and the part is now constantly playing is the part where the father makes the son get in the car and leave his poor dog burning on the property this is very sickening and disturbing I understand raising awareness but to constantly play that part of the add is just sick and it makes me sick and sad every time I see it and I know I am not the only one that gets affected from it*

## **THE ADVERTISER'S RESPONSE**

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

*The television commercial titled Plan and Prepare, portrays firefighters and bushfire survivors gathered in a community centre in rural Victoria reflecting on their shared experience. It includes flash back scenes of three fictionalised stories to convey the devastation of fire and reinforce the importance of preparing for fire. We see a memory of a firefighter helping children escape through a fence, a woman and her partner trying to escape via a car and a family making the heartbreaking decision to leave without their pet as it's not safe for them to get the dog. This was an important scene to capture as research tells us that many pet owners don't have a plan for their animals and delay evacuating or try to return to their property during a fire to rescue a pet, placing their lives at risk.*

*All of the cast and crew are professionals, including the child actors involved in the scenes.*

*No animals or people were harmed during the production. While it may appear that some children and animals were exposed to smoke or flames, this is an optical illusion achieved through a combination of camera lenses, props and special effects. During all filming sessions involving the children and animals a Safety Officer, Nurse and Animal*



*Trainer were always on the set, in case of emergency. Trained personnel from fire authorities were also present.*

#### *Campaign objectives*

*Victoria is one of the most fire-prone areas in the world and living with fire is a reality. Following the events of the devastating 2009 bushfires, the 2009 Victorian Bushfires Royal Commission (VBRC) emphasised the critical role communication plays in ensuring Victorians, particularly those living in high risk fire areas, understand their risk and are well-informed about how to respond to the threat of fire.*

*The annual Victorian Fire Season campaign is a critical public awareness campaign that is designed to help save lives, property and preventable injury caused by fire. The campaign does this by creating awareness of:*

- personal and community risk of fire*
- planning and preparation activities to mitigate risk*
- the dangers of being complacent with respect to fire risk, preparedness and leaving early*
- the range of information sources available, and*
- the actions to take on high risk fire days and during fires, depending on your local risk*

#### *Creative rationale*

*Our research found that after an initial increase in preparedness after the devastating 2009 Victorian bushfires, the Victorian community had once again become complacent around their personal fire risk.*

*This year's Victorian fire campaign needed to address high levels of complacency in the population in relation to planned versus actual actions both prior to and during high fire risk days.*

*Strategically, we recognised that currently the cost benefit ratio of action is out of balance. We are faced with a situation where the perception of risk is low whilst the perception of effort is high. Data indicates that Victorians rationally accept Bushfire risk exists, however their subconscious cognitive biases mislead these same people into feeling less at risk.*

*This complacency is driven by several biases including:*

- optimism bias where people believe they are less likely to be impacted by a negative event than others..... "it won't happen to me"*
- gamblers fallacy, they believe that past effects impact the probability of future events.... "there hasn't been a fire around here for years"*
- peak end rule, whereby people judge an experience or risk by what happened at the peak and or end of it.... "last season wasn't too bad"*
- stereotyping biases, they believe that kind of thing happens to people who are careless... "That happens to people like them, not people like me".*



*These same Victorians also think that planning and preparing for bushfire sounds complex – thus put it in the ‘too hard’ bucket. As a result, too many Victorians are self-exempting and discounting the future and not engaging in the right behaviour to mitigate the real risk from fires.*

*We needed a circuit breaker. Strategically the campaign needed to ensure that we increased people’s sense of personal risk. To make people feel at risk, we need to communicate both the severity of risk and susceptibility to risk. In short, we need to make people feel vulnerable.*

*Most people (thankfully) have very little direct experience, thus a low understanding of the true power and destructive horror of bushfire. Our creative strategy was to change people’s understanding of bushfire through reframing it. To overcome the subconscious self-exclusion and discounting of risk that is driving complacency and inaction, our creative needed to tell people of the very real, very confronting and therefore emotional and drama fuelled stories, supported by facts, all presented in the context of human vulnerability. Our creative executions are delivered from people who know fire all too well --firefighters and bushfire survivors. They’ve experienced and seen things that the rest of us haven’t - frightening, confronting things that most of us can’t even imagine. This is what the TV depicts. It’s very deliberate in its construct and content to force them to confront the reality of fire risk and drive the required behavioural change.*

*The campaign architecture ensures that executions include both the reframe with respect to bushfire & the simplification of the tasks and actions to take, but the weighting will significantly change by channel. For example, TV is designed to lead on reframing fire, with digital/social the lead medium for informing and nudging behavioural actions and decreasing the sense of effort required.*

*Consultation and support for communities impacted by bushfire*

*In developing the campaign, we tested campaign materials and messages with people in areas that had experienced a major bush or grassfire in the last two years and spoke with individuals impacted by the devastating 2009 Victorian fires.*

*We acknowledge that the campaign may impact some people who have experienced fire and consulted with the lead agency for relief and recovery support for people impacted by fires in Victoria, the Department of Health and Human Services (DHHS) prior to launching the campaign. DHHS provided content and resources on preparing mentally for the fire season, which are available via the campaign landing page [vic.gov.au/knowfire](http://vic.gov.au/knowfire) (note this website is the call to action for advertisement).*

*Before the campaign launched, the department and emergency services agencies issued social media messaging to inform affected communities that a harder-hitting campaign will be launching soon and to provide advice on where to seek support if needed. We will continue to promote the support resources throughout the campaign. The Victorian Government held a high-profile media launch on Sunday 10 November*



*ahead of the campaign advertisements running on television that evening. The launch included representatives from all fire agencies, as well as bushfire survivors, and received extensive coverage, which outlined the rationale for a harder-hitting campaign and encouraged Victorians to prepare for fire.*

#### *Response to Code of Ethics*

- *2.1 - Discrimination or vilification*

*Careful consideration has been taken to not discriminate or vilify any group.*

- *2.2 - Exploitative or degrading*

*Careful consideration has been taken not to exploit or degrade any person or group.*

- *2.3 – Violence*

*As detailed above, we believe the use of graphic and emotive scenes is justifiable as the campaign is a critical public awareness campaign that contributes to the minimisation of avoidable loss of life, property and preventable injury caused by fire. We believe the scenes are not violent in nature as the viewer doesn't see any person or animal get injured as a consequence of the event, and are necessary to convey the devastation of bushfire and cut-through to an audience who is becoming complacent about their fire risk.*

- *2.4 - Sex, sexuality and nudity*

*The advertisement does not depict sexually suggestive or inappropriate content.*

- *2.5 – Language*

*The advertisement does not use inappropriate language.*

- *2.6 - Health and Safety*

*While the commercial is depicting an emergency situation, careful consideration has been given to adhering to safe practices. For example, the woman driving the vehicle is wearing a seatbelt.*

- *2.7 - Distinguishable as advertising*

*We believe it is clear that this is an advertisement. It includes the Government authorisation, which is standard for all government advertising and public information campaigns.*

## **THE DETERMINATION**

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

The Panel considered the complainants’ concerns that the advertisement depicts graphic imagery of which is distressing to both adults and children.



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 in particular noted a scene depicting a dog left behind as his family evacuates and a teenage boy screams for him, and a scene depicting a young girl crawling through a fence. The Panel considered that these images are emotionally confronting rather than violent. The Panel noted that the voiceover identifies the importance of being prepared for bushfires and uses imagery to enforce the seriousness of this call to action.

The Panel noted that the advertisement was similar to other advertisements raising awareness for animal charities. The Panel noted it had previously considered a print advertisement in case 0245/17, which depicted a deceased horse tied to a wire fence and the text 'Sorry. We don't have enough Inspectors.' In this case:

*"The majority of the Board considered that the important community message being delivered in the advertisement was a critical message that justified the use of an image that would grab the attention of the reader and would lead to an increased awareness and consideration of the serious issue. The Board considered that although the image was graphic, there was no blood and the inclusion of the text meant that parents could initiate a discussion with children about the image and the reality of what it was about."*

Similar to case 0245/17, in the current advertisement the Panel considered that although the images were impactful they did not feature graphic 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 and those that have experienced bushfires, but considered that the advertisement is depicting realistic scenarios in a manner clearly focused on raising awareness of people that they need to prepare for bushfires and not be complacent. The Panel considered that the advertisement includes a clear call to action. The Panel considered that the depiction of scenes in which people and animals were at risk from fires was likely to be upsetting to some viewers, but in the Panel's view, this is justified by the important public safety message which the advertiser is seeking to get across.

The Panel determined 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 complaint.