



## Case Report

1	Case Number	0439/15
2	Advertiser	World Vision Australia
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/11/2015
6	DETERMINATION	Dismissed

### ISSUES RAISED

- Other Social Values
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

The TVC is about an 8 year old girl named Kema who is at risk of being forced into marriage and mentions some of the risks of child marriage. World Vision's Child Sponsorship program is offered as the solution to help girls like Kema go to school and a personal connection to a sponsored child for the supporter.

### THE COMPLAINT

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

*The advertisement upsets me, brings up past trauma and graphic visual images of young girls being force to have sex against their will. Any woman with past trauma will feel triggered by this reminder of her past. It is very upsetting to me whenever it comes on.*

*We mostly see it on GO during Kids WB as that is what our kids watch, but have seen it elsewhere. These ads are very disturbing and emotionally manipulative. Our children are upset by these ads, as I'm sure others are. I believe these ads are not suitable or appropriate for children - there is nothing the child can do about these situations anyway. These ads may be targeting the parents, but I find it unacceptable to be so confronting, disturbing and manipulative in a children's program timeslot.*

*This type of advertising is inappropriate for children. Please do not show this ad during cartoons again.*

## **THE ADVERTISER'S RESPONSE**

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

### *Background*

*World Vision Australia ("WVA") as a community development organisation advocates and raises awareness of issues concerning children and communities worldwide. As part of WVA's Child Sponsorship program WVA runs a "Forced and Early Marriage Campaign" (the Campaign). The Campaign aims to educate Australians about the issue of forced and early marriage of children across the world.*

*As part of the Campaign, WVA released a TVC titled the Kema Advertisement (the "Kema Ad"). The Kema Ad identifies the risks associated with child marriage and conveys the impact of this issue in an accurate and transparent way. The purpose of the Kema Ad is to engage the Australian community on this important issue and invite Australians to be part of the solution through Child Sponsorship with WVA.*

*Prior to finalising the Kema Ad advice was taken from FreeTV Commercials Advice and they classified the Kema Ad as "PG". WVA itself however identified the target audience for the Kema Ad to be adults over the age of 20 years as per WVA research on attitudinal and generational segments. WVA engaged the media agency Vizeum Australia Pty Ltd ("Vizeum") to program and book media spots in alignment with this target audience. WVA instructed Vizeum of the target audience before the Kema Ad went to air.*

*WVA response to complaint to ASB regarding the inappropriateness of the airing the Kema Ad during a time slot aimed at children (5.55pm on 9/10/15).*

*On Monday 5 October 2015 at around 6pm, WVA was made aware that the Kema Ad aired during a PG animation period on Channel GO! On Tuesday 6 October 2015, WVA notified Vizeum about this and Vizeum then contacted Network Nine and requested that the Kema Ad be removed from all PG animation time slots on Channel GO! for week commencing 4 October 2015 onwards. Network Nine informed Vizeum they were able to remove some but not all of the bookings of the Kema Ad as a number of bookings had already been locked into Network Nine's logs. Network Nine confirmed to Vizeum that from the week commencing 18 October 2015 all spots for the Kema Ad had been removed from Channel GO! and moved to Channel GEM.*

*WVA confirms that the Kema Ad was never intended to be directed at children nor did we provide any instructions for the Kema Ad to be programmed during timeslots targeted at children. The Kema Ad was incorrectly programmed during a PG animation period on Channel GO! Vizeum has confirmed this in their letter dated 2 November 2015 (attached).*

*WVA response in relation to all aspect of the AANA Code of Ethics*

*WVA makes the following submissions with respect to compliance with Section 2 of the Australian Association of National Advertisers (AANA) Code of Ethics.*

### *2.1 - Discrimination or vilification*

*It is our view that this section of the Code of Ethics is not relevant as the Kema Ad 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.*

### *2.2 - Exploitative and degrading*

*It is our view that this section of the Code of Ethics is not relevant as the Kema Ad does not*

*employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

### *2.3 – Violence*

*It is our view that the Kema Ad does not present or portray actual violence. Any portrayal of the consequences of violence is low key and minor.*

*We refer you again to the purpose of the Kema Ad as described above.*

*WVA submit that in all the circumstances and taking into account the intended target audience the issue of forced and early marriage is appropriately messaged.*

### *2.4 - Sex/sexuality/nudity*

*The Kema Ad has treated the issue of sex and sexuality with sensitivity to the relevant target audience for the forced and early marriage campaign.*

*We acknowledge that the Kema Ad was incorrectly programmed for airing in a time slot which we did not want. Rectification steps were taken as soon as we were notified as noted above.*

*WVA understands the importance and takes very seriously the placement of its advertisements and communications around the forced and early marriage campaign. 2.5 – Language*

*It is our view that the Kema Ad uses appropriate language in the circumstances and for the relevant audience and medium. There is no use of strong or obscene language.*

### *2.6 - Health and Safety*

*It is our view that the Kema Ad does 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 depicts disturbing and emotionally manipulative material, features a girl who is raped, and is not appropriate for children to view.

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

The Board 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 Board noted this television advertisement features a voiceover explaining that the eight year old girl pictured is terrified because she is at risk of being forced in to a marriage with a man three or four times her age where she could suffer terrible abuse and pregnancy, before asking for sponsorship to help free the girl.

The Board noted the theme of the advertisement and considered that the imagery, sombre music and monotone voice are designed to appeal to the viewer emotionally. The Board noted that whilst the voiceover describes the girl as terrified we do not see any acts of violence being carried out and the reference to abuse is not accompanied by any imagery or explanation as to what type of abuse. The Board noted that there is a reference to children becoming pregnant and considered that this statement is presented as a fact to back up the need for the advertiser’s appeal. The Board noted that the advertisement ends with positive

images of the young girl attending school and smiling.

The Board noted that the advertisement had been rated 'PG' by CAD. The Board noted the complainants' concerns that the advertisement had been aired during children's cartoons, which is not appropriate. The Board noted the advertiser's response that the advertisement had been booked to air in programmes aimed at their target audience of adults over 20 years of age and that as a result of the complaints received they had instructed their media buyers to remove the advertisement from all PG animation time slots. The Board noted the change in air time for the advertisement but considered that even if children were to view the advertisement in a PG time zone, in the Board's view there is no portrayal of violence in the advertisement and in the context of a community awareness advertisement the content is not disturbing or inappropriate for a broad audience which would include children.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

The Board then 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 the complainant's concern that the advertisement features a girl who is raped.

The Board noted that the advertisement does not mention 'rape' and considered that whilst the reference to forced marriage and children becoming pregnant is suggestive of rape it is not so explicit that children would understand.

The Board considered that in the context of a PG rated community service advertisement the reference to forced marriage and pregnancy was relatively brief and not inappropriate for a broad audience which would include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board 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 complaints.