



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0457/12
2	Advertiser	WA Prison Officer's Union
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	12/12/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Graphic Depictions
- 2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

A male voiceover describes how a prison officer called Andy could have died after being stabbed in the neck by a prisoner and that it was only the assistance of a nearby staff member which saved him.

We see images of Andy as well as the weapon used to stab him in the neck.

The voiceover then goes on to say that the Premier has cut public service spending and that that this will impact on the future safety of prison officers.

THE COMPLAINT

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

Alarming for my 5, 8 and 9 year old kids.

These ads must be moved to a mature or adult time, or maybe my point is whom approved it to be on in the first place...

The advertisement is only suitable for adults - because of the graphic nature of the injury and everything that flows from that injury...additionally only adults vote...so why show the ad during a family movie when my 10,11 and 13 year old children were sitting watching the movie?

This is the first time I have been motivated to make a complaint and suggest that this advertisement during this viewing time - and especially during a family/children's movie, is entirely unacceptable.

The advert displayed a graphic image and related dialogue with reference to a prison guard being stabbed in the neck. At this time of the evening, our young children were watching "PG rated Home and Away", this was very confronting for such a young audience as well as my wife and I. It appeared during primetime viewing well before our children's 7:30pm bedtime curfew.

THE ADVERTISER'S RESPONSE

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

The advertisement is a major element of the 'Respect the Risk' campaign being run by the WA Prison Officers' Union, which advocates for better recognition by the Barnett State Government of the serious risks faced by Western Australia's Prison Officers.

WA's prisons are chronically overcrowded with over 4900 prisoners in prisons designed to hold little more than 3600. These conditions lead to Prison Officers facing violent and explosive situations at work.

At the same time as this overcrowding taking place the State Government is making budget cuts to Departmental funding in the order of 8%. The WA Prison Officers' Union is firmly of the view that these budget cuts will have a negative impact on the prison system.

More than 75 WA prison officers were assaulted while doing their jobs in the last twelve months. Andy Smith who features in the advertisement was one of those officers.

Last year during the course of his work Andy was attacked by a prisoner who had carved a toilet brush into a sharp weapon. The prisoner stabbed Andy in the neck just missing Andy's artery. Andy was lucky to have a colleague nearby who raised his arm to deflect the weapon helping ensure Andy is still alive today.

The WA Prison Officers' Union have used this advertisement to remind the State Government and the general public of the dangerous work prison officers do helping keep the Western Australian community safe.

On behalf of the state's prison officers the WA Prison Officers' Union has recently made an enterprise bargaining agreement claim for better wages and conditions, this advertisement seeks to highlight the real dangers faced by WA prison officers at work and encourage the Barnett Government to negotiate a new EBA with the WA Prison Officers' Union.

Based on the CAD approval and rating of PG, a media buy targeting the voting public (18+) in WA was obtained in line with the PG classification.

The decision to show the impact of dangers officers face in prison is consistent with

campaign objective of raising community awareness of the risks officers face and the danger to safety caused by cuts to public service funding.

The story and image used in the advertisement was based on a real life incident and featured the officer who had been the victim of the attack, with photos taken at the time of the incident used in a brief and stylised manner.

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 graphic violent imagery which is not suitable for children to see.

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 of the Code 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 the advertisement is highlighting the dangers faced by prison officers in WA and that it shows images of a wound received by one prison officer when he was stabbed in the neck.

The Board noted that whilst the advertisement does show images of the consequences of a violent act the Board considered that these images are justified by the context of the advertisement which is to raise awareness of this serious issue.

A minority of the Board considered that imagery is impactful however the majority considered that the advertisement is not directed at, or likely to be of appeal to, children and that even if children were to take notice of the advertisement its content is not inappropriate for the relevant PG audience.

The Board considered that the advertisement does not present or portray violence and that it is not inappropriate for viewing by a broad audience including children.

The Board 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 Board dismissed the complaint.