



Case Report

1	Case Number	0478/15
2	Advertiser	Cancer Institute of NSW
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/12/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features images taken from various other advertising campaigns over the years regarding the damage smoking can do to your body. Images include fat being squeezed from an artery, a foot with gangrene and a brain being sliced open to demonstrate a bleed brought about by a stroke. The final screens promote the two state-wide quit smoking support services; Quitline and the iCanQuit website.

THE COMPLAINT

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

I strongly object to having this offensive vision shown without any warning. I am not a smoker.

It is a repulsive advertisement and has no place on television.

It is inappropriate for children to be exposed to as well.

It is not acceptable, if it were a medical program I would have fair warning that procedures would be shown. Instead I just get an artery being squeezed as I watch eating my dinner. This is worse than a horror movie when kids are watching.

I as a member of the community do believe the majority of non smokers wish to see the result of 20% minority smokers health problems.

This advert should be removed as it is too graphical for children and adults. Please remove

this blood and guts feast.

THE ADVERTISER'S RESPONSE

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

Tobacco is the largest cause of preventable death and disease in our community. Smoking increases the risk of many cancers and 20% of all cancer deaths in NSW are caused by smoking. The cost to the NSW community as a result of tobacco smoking in 2006/07 was estimated conservatively at \$8.4billion. Anti-tobacco social marketing campaigns remain one of the most effective and cost-efficient methods to reduce smoking rates. An economic appraisal has been conducted on the Institute's anti-smoking mass media campaigns, demonstrating a benefit-cost ratio of between 6.6:1 and 19.1:1. Even on the most conservative basis, this result demonstrates the cost effectiveness of these campaigns in NSW and the magnitude of the social cost savings.

The advertisement referred to in the complaint is a 30-second television commercial that has a PG rating and CAD reference number of P296MGOA. The objectives of the advertisement are to increase awareness of the range of health consequences caused by smoking and prompt NSW smokers to quit. The advertisement presents a series of scenes from campaigns that have previously aired in NSW. While the images used in the advertisement are confronting, they are not intended to cause distress. An important element of the television commercial is recognising that smokers do know the health consequences of smoking but still smoke. The advertisement acknowledges that quitting smoking can be a challenge and the final screens promote the two state-wide quit smoking support services; Quitline and the iCanQuit website.

Trying to change behaviours where addiction is involved is an enormous challenge and it is important that our campaigns reach as many NSW smokers as possible. The television commercials are therefore placed during programs, which are popular with smokers. Care has been taken to ensure that our advertising complies with its PG rating and is not placed within cartoons and other child-appeal programs. We know from research that it is important to demonstrate that smoking has immediate health consequences and that there is an immediate need to quit now rather than sometime in the future. In this, we have followed a similar approach in other smoking cessation campaigns. The research carried out for the National Tobacco Campaign, for example, shows that advertising that is credible, personally relevant, provides new information and evokes a strong visceral response, encourages smokers to put quitting on 'today's agenda'. It also helps ex-smokers stay quit and discourages non-smokers from starting.

Furthermore, there is strong evidence that emotionally intense messages emphasising the negative health effects of smoking using testimonials consistently perform better (lead to higher ratings, more Quitline calls, higher quit rates) than advertisements generating lower levels of negative emotion .

As per the Australian Association of National Advertisers code of ethics, I do not believe this

advertisement is in breach of Section 2 (Consumer complaints):

2.1 The advertisement does not portray people or depict material in a way which discriminates against or vilifies a person or section of the community.

2.2 The advertisement does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. There are no scenes within this advertisement of this nature.

2.3 The advertisement does not present or portray violence. While this complaint refers to Many Diseases breaching section 2.3 of the code of ethics, violence infers the use of physical force against oneself or others. Many Diseases shows footage of people and body parts displaying the physical consequences of smoking, but there is no footage of anybody being violent towards themselves or others.

2.4 The advertisement does not include any sexual/nudity scenes.

2.5 The advertisement does not contain any inappropriate or obscene language.

2.6 The advertisement does not depict material contrary to Prevailing Community Standards on health and safety. The Many Diseases advertisement does not contain references to unsafe behaviour. In fact, the advertisement acts to discourage people to smoke and motivate smokers to quit. Tobacco use is a public health issue.

Smoking prevalence in NSW has declined from 22.5% (2002) to 15.6% (2014) . This is due to a comprehensive tobacco control response of which these kinds of campaigns are an important element. However, while these declines are positive, there are still almost 1 million smokers in NSW. To sustain this level of decline, it is necessary to continue to prompt and remind smokers of the need to quit.

I hope that the Advertising Standards Bureau will appreciate that this campaign is helping to educate smokers on the dangers of smoking. By quitting now, smokers can significantly decrease their risk of smoking-caused diseases and make a change to improve their health.

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 features graphic and disturbing imagery and is not appropriate for airing on television where children could see it.

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 that this television advertisement features images showing the damage smoking can do to your body such as blocked arteries, gangrene, bronchitis and emphysema.

The Board noted that the visuals in the advertisement have been taken from previous campaigns. The Board noted it had previously considered complaints about the depiction of a gangrenous foot in case 0312/12 where:

“The Board agreed that the images displayed in the advertisement were confronting, but did not consider the images depicting the foot of the patient were excessively graphic in relation to the important message underlying the images used in the advertisement.”

In the current advertisement the Board noted that there are a number of images designed to highlight the dangers of smoking. The Board noted that these images are impactful but considered that they are designed to shock the viewer to understanding the real consequences of smoking on your body. The Board noted the visuals of the fat being squeezed from an artery and considered that whilst many members of the community could find this image distasteful in the Board’s view it is not overly graphic or inappropriate in the circumstances. The Board noted the scene showing a brain being sliced open to show a bleed brought about by a stroke and considered that this depiction is an accurate portrayal designed to be informative and in the Board’s view it is relevant to the advertised message and is therefore justifiable in the context of the important community health message being promoted.

The Board noted the advertisement had been rated ‘PG’ by CAD. The Board acknowledged that some members of the community would prefer that these types of advertisements not be aired on television, especially at times where children can view them, but considered that in the context of the important community service message conveyed in the advertisement the content is not inappropriate and the level of graphic imagery is justifiable.

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 complaints.