



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0519/18</b>
2	<b>Advertiser</b>	<b>World Animal Protection</b>
3	<b>Product</b>	<b>Community Awareness</b>
4	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
5	<b>Date of Determination</b>	<b>12/12/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.3 - Violence Causes alarm and distress

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement has two versions, "Baby" and "Shout". Both versions features scenes of animals including bears, dogs, elephants, tigers and monkeys and depicts the way they used for entertainment around the world.

## THE COMPLAINT

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

*It is distressing and unnecessary to see footage of animals being treated inhumanely. This ad was on each ad break making it difficult to miss and we had to turn it off to avoid our child seeing it.*

*I understand this may prompt some people to help this organisation, however the content was distressing.*

## THE ADVERTISER'S RESPONSE

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





*World Animal Protection takes all comments from the public very seriously and we thank you for the opportunity to respond.*

*Overall, we believe that our TV advertisement is true, responsible and restrained in the context of the terrible cruelty suffered by bears, elephants, tigers and dogs when used as entertainment.*

*In common with many charities World Animal Protection relies upon the generosity of the public to fund its important work. The response to our fundraising TV activity has been overwhelmingly positive since we started using this media, raising vital funds which are used to save these animals from the very real threat of cruelty.*

*When people give money to charities, they do so as an expression of their passionately held beliefs and their desire to make the world a better place. Fundamentally, people want to make a difference. In order for them to make a difference, World Animal Protection needs to make people aware of suffering of animals and what can be done to alleviate the suffering.*

*In World Animal Protection TV fundraising around the world, we feature a wide range of animals, we show the cruelty they face, and we offer people the opportunity to support our work to help stop that cruelty*

*We have a responsibility to tell the truth. However, we know we cannot tell the whole truth of the cruelty to these animals because the full reality would be too strong to feature in a TV advertisement.*

*Therefore, we do self-censor our TV fundraising. We do not wish to alienate people. World Animal Protection cannot operate, and animals suffering abuse cannot be saved if we alienate the public on whose support we rely. The positive response to our TV advertisement to date strongly indicates that people both support our work, and our approach.*

*In terms of our self-censorship of World Animal Protection advertising, we:*

- Have not included the most powerful parts of the footage eg there is no blood or actual physical abuse*
- Have ensured that the strong footage that is included, is on screen for a short time.*
- Have ensured that the viewer is given a clear sense that we can stop Bears, Elephants, Tigers and Dogs being harmed.*

*We have also briefed our media agency to follow the CAD guidelines that followed this ad being classed as a PG for Baby and G for Shout*

*We appreciate that every individual who watches the appeal will see it in a different way. We try hard to ensure that our TV fundraising do not make people turn away – as*



*this would deny them the opportunity to make a difference for these animals.*

*Contrary to the complaint, we do not try to ‘shock people into donating’. We seek to offer people the opportunity to help put right something that is wrong, and we do this responsibly.*

*In terms the code of ethics, we believe the TV advertisement complies entirely.*

*Namely:*

- It complies with the law.*
- It is neither misleading nor deceptive.*
- It contains no misrepresentation likely to cause damage to the business or goodwill of a competitor.*
- It does not exploit community concerns in relation to protecting the environment by presenting or portraying distinctions in products or services advertised in a misleading way or in a way which implies a benefit to the environment which the product or services do not have.*
- It does not make claims about the Australian origin or content of products advertised in a manner which is misleading.*
- It 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.*
- It does not present or portray violence unless it is justifiable in the context of the product or service advertised.*
- It uses only language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language is avoided.*
- It does not depict material contrary to Prevailing Community Standards on health and safety.*

*Having read the complaint carefully, it does not have an issue with any specific element of the advertisement – language, tone or footage. It is a complaint that this sort of advertisement should not be broadcast at this time and in high frequency.*

*We appreciate that there are some viewers who will find some content disturbing to watch on TV – but we also believe that TV can play a crucial role in enabling people to support World Animal Protection and thus contribute to a world a free from animal cruelty.*

## **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 animal cruelty which is not appropriate for children to be exposed to.

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 noted that whilst some of the images show animals that appear in distress the Panel considered that these images are emotionally engaging rather than violent. The Panel noted that the voiceover is softly spoken and considered that although a problem is highlighted – that of animals mistreated for the purposes of the tourist industry – the voiceover does highlight the work that the advertiser does for the purpose of reducing or preventing animal cruelty.

The Panel noted it had previously considered a print advertisement for a similar issue 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 gore or depict acts of 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, but considered that the advertisement is using factual information in an informative manner to raise awareness of an issue and includes a call to action and in the Panel's view the overall tone is that positive action works and this is a message which children should be able to process and therefore the overall impact of the advertisement is not violent and in any case is justified by the content of the service advertised.

The Panel noted that the advertisement versions had been rated 'G' and 'PG' by CAD and considered that the content of the advertisement was not inappropriate in the



context of the relevant broad audience which would include children and was relevant to the service advertised.

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.

