



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0552/18</b>
<b>2</b>	<b>Advertiser</b>	<b>Department of Health and Human Services (TAS)</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>23/01/2019</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.3 - Violence Causes alarm and distress

2.5 - Language Inappropriate language

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a group of mid to late-teenage children talking about the whereabouts of their friend Lucy. One remarks that Lucy may be ill having seen a social media post made by her the previous evening. It is at that point the group is approached by another friend who informs them that he has spoken with Lucy's mother and that Lucy has died. Viewers are informed that Lucy died of meningococcal disease. The advertisement then shows the aftermath of the group having received the news, including outpourings of grief. Viewers are then given information about how they can access free meningococcal vaccinations as part of the Tasmanian Government's vaccination program with the Tasmanian Government logo. The ad concludes with a Tasmanian Government authorisation screen and lists the actor's names under spoken by.

## THE COMPLAINT

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



*When they are told that Lucy has died a young man gets very aggressive towards his friends especially the girls using the f\*\*k word I feels this depicts the wrong message and detracts from the meaning of the add*

*My children were watching the tv (5:30 on a Sunday) and this ad pops up and it horrified them as they know about the immunisation as they've had their jabs. The way the people react in the ad is rather disturbing for adults to see and way too dramatic for children to see.*

### **THE ADVERTISER'S RESPONSE**

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

*In 2017, the Tasmanian Department of Health's Public Health Services started a Meningococcal ACWY vaccination program for Tasmanians aged 15-19 years through schools, councils and General Practice. At the beginning of 2018 Public Health found that the uptake of the vaccinations was low and requested the Department of Health's communications unit to develop an advertising campaign targeting teenagers to raise awareness and increase vaccination rates. The campaign was constructed on the basis that this cohort is notionally difficult to reach, and therefore the integrity of any advertising would play a major role in its effectiveness. Therefore, the decision was made to portray a real-life scenario depicting how quickly a person can die from meningococcal disease, utilising strong friendship bonds among a teenage group to project the message and the importance of being vaccinated.*

*Initially, this advertisement was only used on social media formats between February and April. The advertisement was viewed more than 160,000 times on YouTube alone and was successful in increasing the number of teenagers being vaccinated. The advertisement was discontinued at this point.*

*In late July 2018 there was a meningococcal outbreak in the northern suburbs of Hobart, which included the death of a 16 year old girl. The outbreak, in conjunction with a high rate of meningococcal W strain in Tasmania, required an urgent public health response and the government increased the age cohort eligible for the free vaccine to Tasmanians aged six weeks to 21 years. After three months of the mass vaccination roll-out that included public clinics, pharmacists, general practice and school clinics, Public Health data showed that young people aged 19-21 years had relatively low vaccination rates. (These rates were about 30 per cent, compared to rates as high as 94 per cent for 15 year-olds who had been targeted in the previous campaign.) This prompted us to utilise the advertisement from the previous campaign and to re-launch it both on social media and free to air television advertising.*



*As stated, this advertisement was deliberately produced to depict the reality of meningococcal disease. It shows natural reactions of teenagers who experience the sudden and unexpected death of a friend and the real and raw emotions that teenagers find relatable. It is acknowledged that the advertisement may be confronting to some people, but similar to anti-smoking or road safety campaigns, it is designed to save lives by having people within the target cohort take notice and change their behaviour accordingly.*

*2.1 – Discrimination or vilification – N/A*

*2.2 – Exploitative or degrading – N/A*

*2.3 – Violence – N/A*

*2.4 – Sex, sexuality and nudity – N/A*

*2.5. – Language – This advertisement includes one word of censored profanity. The censored profanity was seen as a very natural reaction of the heightened emotions of a grieving teenager coming to terms with the sudden and unexpected death of a friend. This explosion of grief adds and underlines the reality of the circumstance. The advertisement received a CAD rating of PG and was only shown on programming suitable for this CAD rating.*

*2.6 – Health and Safety – N/A*

*2.7 – Distinguishable as advertising – N/A*

*In relation to the specific complaints received by Ad Standards, neither of the complainants are within the target cohort. The feedback received by the Department is that the advertisement is an extremely believable scenario, which is highly relatable to the target cohort and has proven to be successful in increasing meningococcal vaccination rates in Tasmania. Contemporary teenagers arguably have a freer use of profanity as a method of expression than older generations, and we were simply attempting to portray a situation that older teenagers could relate to.*

*I would argue that seeing a grief-stricken teenager swear at a friend is hardly 'way too dramatic' given the circumstance of a close friend dying, and that losing a friend to a vaccine-preventable disease would be far more disturbing than witnessing the reaction to such news.*

*In closing, I would like to state that the circumstance of the 16 year-old girl who died in Tasmania last year from meningococcal W disease – six months after the advertisement was filmed – was extremely similar to what the advertisement portrays, including the girl conversing with her friends about feeling ill the night before she died. Public Health Services and the Department of Health's communication unit sought permission from the girl's family before re-airing the advertisement late last year, being mindful of the potential sensitivity. The family was satisfied of our need to do everything we could to ensure as many people within the target cohort were vaccinated to avoid another preventable death within the Tasmanian community.*



## **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 noted the complainant's concern that the advertisement features distressing images of teenagers reacting to a friend's death and inappropriate language.

The Panel viewed the advertisement and the noted advertiser's response.

The Panel noted that this TV advertisement features a group of teenagers reacting to the news of their friend's sudden death from Meningococcal, and a call to action for people aged 16-25 to get their free Meningococcal vaccination.

The Panel considered whether the advertisement breached 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 the complainant's concern that the images are distressing and disturbing.

The Panel noted that the teenagers react to their friend's death with anger and distress, and considered that these are realistic emotions that would be experienced in the circumstance depicted. The Panel considered that the advertisement did not contain any violent or menacing imagery, and considered that the alarming and impactful emotions portrayed in the advertisement were justifiable in the context of promoting such an important message.

In the Panel's view the advertisement did not contain violence and did not breach Section 2.3 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Panel noted the complainants' concern that the advertising featured the word 'fuck' which was inappropriate in the circumstances.

The Panel noted that one of the teenage boys is seen to react negatively towards someone trying to comfort him and his words are beeped over and considered that this is suggestive of swearing.



The Panel noted that they had previously considered a similar issue in case 0371/18, in which:

“The Panel noted that the beeping out in the advertisement is significant with no part of the word audible, and that there is therefore no clear indication as to what words are being beeped out and whether they are obscene.

The Panel considered that most adults would assume that the beeped out word is meant to suggest a swear word and most likely the ‘f’ word. The Panel considered however that the use of the text box with the word “FR@Z#N!” makes the language that has been beeped out ambiguous.

The Panel noted that the beeped out word is not being directed at a person and considered that overall the advertisement does not use language which is strong, obscene or inappropriate in the circumstances.”

In the current advertisement the Panel considered that there is a suggestion that the boy says ‘fuck off’ but that the ‘fuck’ is beeped over and no part of the word can be heard. The Panel considered that the language is aggressive, however is directed towards the situation of his friend’s death rather than towards a particular person. The Panel considered that the boy’s reaction was realistic and appropriate to the circumstances of learning about his friend’s death.

The Panel considered that any swearing in the advertisement is appropriately mild and that the language used is not inappropriate in the context of promoting an important health message.

Finding that the advertisement did not use strong or obscene language and that the language was not inappropriate in the circumstances, the Panel determined that the advertisement did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.

