



## CASE REPORT

1. Complaint reference number	172/00
2. Advertiser	The Heart Research Institute Ltd
3. Product	Community Awareness
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 13 June 2000
7. DETERMINATION	Upheld – discontinued or modified

## DESCRIPTION OF THE ADVERTISEMENT

The print advertisement, in The Sydney Morning Herald's In Memorium classified advertisement section, is captioned, 'You Don't Have To Be a Psychiatrist To Save Lives', and reads as follows: 'Forget schizophrenia and manic-depression, you too could help save 1,000's of lives through a bequest to The Heart Research Institute. To help stop heart disease, Australia's biggest killer, call 1800 651 373.' The advertiser's logo appears at the bottom of the advertisement.

## THE COMPLAINT

Comments which the complainants made regarding this advertisement included the following:

*'We found the advertisement to be in extremely poor taste and discriminatory towards those individuals and their carers suffering the effects of mental illness. .... It is offensive to have the needs of the mentally ill placed in competition with the needs of those individuals with heart disease and to infer (sic) that mental illness is less deserving than heart disease.'*

*'.....we take offence to the notion that schizophrenia and bipolar disorder are unworthy of public attention and public funding. .... To suggest that this is unworthy of serious attention from members of our community is not only grossly unfair but also discriminatory. .... There is a high level of stigma surrounding schizophrenia .... This style of advertising increases that stigma while attempting to undermine the seriousness of schizophrenia.'*

## THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics ('the Code').

The Board determined that the advertisement constituted vilification of sections of the community on account of their disability and, accordingly, breached Section 2.1 of the Code. The Board upheld the complaint on this basis.

Section 2.1 of the Code provides that:

*'Advertisements shall not portray people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'*

In making this determination, the Board considered that the advertisement could reflect adversely on the concern about mental illness felt by sufferers and their families and that mental illness should not in any way be denigrated within the community. The Board noted the advertiser's assurance that the advertisement had not been approved and had been placed in error. The Board commended the advertiser for withdrawing the advertisement and apologising to complainants.

## **ADVERTISER'S STATEMENT**

'We deeply regret that the advertisement in question has caused distress and concern, and tender our sincere and unreserved apologies to the mental health community. This advertisement was not intended to be published and as soon as we were aware of its appearance it was, of course, withdrawn. At no time was it the desire or intention of the Institute to undermine those who work in the mental health sector or those in the community affected by mental illness, directly or indirectly. We also provide assurance that The Heart Research Institute will take steps to ensure that no such references to the mental health sector occur in future.'