



## CASE REPORT

1. Complaint reference number	459/08
2. Advertiser	Quit Victoria
3. Product	Community Awareness
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Wednesday, 12 November 2008
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television commercial for Quit Victoria shows a mother and child walking into a train station holding hands. The mother then disappears into the crowd, leaving the child standing alone. The boy becomes increasingly distressed and begins to cry. We watch as his face registers anxiety, then panic, then fear. A voice over then says: "If this is how your child feels after losing you for a minute, just imagine if they lost you for life." The advertisement ends showing the Quit logo with 13QUIT and web address.

## THE COMPLAINT

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

*It is disgraceful that these people would put this boy through this real anxiety to film an advertisement. This was not acting it was real. A claim that is backed up by the quit campaign themselves.*

*While I understand that the advert has to be realistic and get a point home about the impacts of smoking, the child is either a fantastic actor or is genuinely upset at being lost. If the advertiser has in fact made the child feel this way for the purpose of the advert, then I would question whether the child has been unfairly exploited as he would be too young to understand what was happening. As a parent of 3 young children myself, every time I see the advert I turn the TV to another channel immediately.*

*I visited the Quit.org website which offers a description and justification for using the child in this way. They say it was done in one take and the mother actually did disappear for a time and they filmed (Alexander's) reaction for a short period. They say that child health professionals were on hand to advise etc.. I find the justifications for the treatment of the child in this way unnecessarily cruel and unacceptable, and the process unduly manipulative. The ad is extremely sad and I feel awful after seeing it every time.*

*I object to seeing the child crying. I wonder what was done to this child (as an actor) to make him cry like this. Under what conditions is it okay to force a child into tears. It is very obvious that the child is extremely distressed. What was done after the filming of the advertisement to appease the child? How many times was the child forced to cry? I think that it is extremely cruel to make the little boy get into such a distressed state for the sake of an advertisement. I think that the little boy is too young to have 'acted' this scene. As a parent, i get extremely upset when i see this little boy crying. Please note that i am NOT a smoker. I never have been and am vehemently opposed to this horrible addiction. I want to make it clear that my objection is not based on any ulterior motive to undermine the quit campaign. I am very supportive of all the way in which they tackle the issue. What i am opposed to is cruelty to children.*

*I object to this ad because firstly, as a mum who has tucked her kids in to bed and grateful that*

*another day has passed without harm to my children, I don't appreciate that image being put into my head from an event that could very well happen to anybody through no fault of their own or their children. To see that kind of genuine looking distress on a child's face knowing that it could happen to your own children is taking advertising too far. And secondly, how appalling to partner it with the statement that "if this is how a child feels after losing you for a few minutes, imagine how they would feel if they lost you for a lifetime" In many places there would be a partner of a parent that had passed away watching this ad, that quite likely had absolutely nothing to do with smoking, dealing with their own devastation and grief, agonising over their children's grief, only to be confronted with a tasteless, graphic, heart wrenching image of an inconsolable child, with a voice over as described above. Please take this ad off the air as it's one of the most damaging ads I've ever seen.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

### *Anti-Smoking TV Advertisements*

*For more than 20 years, Quit Victoria's central purpose has been to inform the public of the dangers of smoking and provide smokers with the help and support they need to quit. Over that time, Quit Victoria has gained significant experience and built a strong research base in what are the most effective messages in motivating smokers to quit, many of which have been sold for use in overseas countries.*

*TV advertising remains one of the two most effective interventions in reducing smoking prevalence (the other being price increases). A 2006 survey from the Cancer Council Victoria found that more former smokers (quit within the past 5 years) were helped by anti-smoking advertisements when deciding to quit, than by any other influence (including smoking bans, Graphic Health Warnings on cigarette packs and advice from health professionals). Anti-smoking advertisements were also perceived as being helpful when trying to quit and also helped more former smokers to stay quit, than did any other quitting aid (including NRT, smoking bans and advice from health professionals).<sup>1</sup>*

*Changing behaviours where addiction is involved is challenging. The development of the key campaign message is critical to engaging smokers and research shows the most effective anti smoking messages are those that are credible, personally relevant, provide new information, evoke a strong visceral response and use confronting messages to convince smokers of the serious effects of smoking on themselves and their children. The communications aim is always to encourage smokers to put quitting on 'today's agenda' rather than putting it off to some time in the future.*

### *Developing the 'Separation' Campaign*

*The new Quit advertisement, to which the letters refer, was launched in Victoria on October 23, 2008.*

*This advertisement was made after data from the Cancer Council Victoria identified almost one in three smokers in Victoria (approximately 211,000 people) have children under the age of 12, and every week 4 Victorians lose a parent under the age of 50 to a smoking-caused disease. According to the Cancer Council Victoria's Cancer Epidemiology Centre, over 3,000 Victorian parents die each year from a smoking-caused disease – leaving behind almost 10,500 sons and daughters.*

*Whilst the primary target audience for this campaign is smokers with children under 12, the message also extends to parents who smoke with children of any age and smokers in general.*

*The key message of the campaign is that deaths caused by smoking do happen to younger parents and to send an early warning to parents who smoke in an effort to avoid future suffering. The unfortunate reality is that thousands of Victorians are experiencing the loss and grief of losing a parent to smoking, such as that suggested in the advertisement.*

*Quit undertakes significant focus testing before and during the making of all its advertisements, which involves testing a number of concepts and ideas with groups of smokers to determine what will work best to motivate them to quit.*

*In this case, smokers told Quit a strong motivator to quit is seeing the possible loss and damage to those left behind, particularly children, if smoking took their life. On viewing 'Separation',*

*smokers responded that the powerful and relevant message was “my smoking isn’t just about me”.*

*Further, smokers often self-exempt when presented with information about their risk of developing a smoking related illness, and this tendency becomes less relevant when the consequences relate to what their children might experience in this situation.*

*Although highly emotive, the ‘Separation’ concept prompted smokers to think about the emotional impact on their children of them dying of a smoking-caused illness, the consequences of which are so undesirable that it could likely overcome the self-exemptions that are typically associated with messages about death from smoking.*

*Final testing of ‘Separation’ took place with smokers who are parents to children under 12, prior to its release. Despite finding the advertisement confronting and distressing, these smokers were in unanimous agreement that Quit needed to show this campaign.*

*The final decision to proceed with the release of ‘Separation’ was made with the Director of the Cancer Council Victoria (Quit’s parent organisation), who’s deliberations considered the organisation’s wider responsibility for all those affected by cancer, not only those that are smoking related. This required weighing up the possible distress the ‘Separation’ campaign may cause, balanced against the loss of life it could potentially avoid.*

*Whilst ‘Separation’ has received a PG classification, Quit has made the decision not to screen it in children’s programmes.*

#### *Public Response to ‘Separation’*

*In its 10 days of screening, the campaign has engendered a strong public response expressed via the Quitline and the Quit website, letters to the Herald Sun and 3AW talk back programs (a sample of responses appears at Attachment A). People are spontaneously contacting Quit with personal stories about how the advertisement has given them a new perspective and motivated them to quit.*

*However, the campaign has also generated response that is unsupportive, most of which has been focused on concern for the young boy actor. This has prompted Quit to post information of how the advertisement was made on its website (see Attachment B) to allay these concerns.*

*All communication from the public to Quit has received a response either in writing or phone call.*

#### *Effectiveness of ‘Separation’*

*Smoking remains the number one cause of preventable death and kills 4,000 Victorians a year.*

*The public health reality is that for every two smokers who can be assisted to quit smoking, one avoidable tobacco-caused death will be averted. If this campaign reduced smoking by only 1% among the 211,000 smokers with children under 12, it would ultimately prevent over 1000 premature deaths in Victoria. In addition, when parents quit there is significantly less chance of their children taking up smoking, so there is potentially a double benefit from the strategy targeting parents who smoke.*

*The campaign is having the desired impact of prompting smokers to quit now, with calls to the Victorian Quitline increasing by 90% after the initial launch, when compared to the same time last year.*

*I trust the Advertising Standards Bureau will appreciate that through this campaign, Quit is fulfilling its mandate to educate smokers and the general public on the dangers of smoking to avoid any further loss of life and emotional trauma to the thousands of sufferers, carers and families of those who lose their life to smoking caused diseases. By quitting now, smokers can significantly decrease their chances of their children having to go through the loss of a parent.*

## **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 complainants' concerns that the advertisement's suggestion of children's parents dying from smoking was extremely distressing to both adults and children. The Board also noted concerns that the child actor depicted in the advertisement may have been mistreated during filming of the

advertisement.

In relation to the treatment of the child during the creation of the advertisement, the Board noted that child employment laws apply to protect minors in this type of work. The Board noted the advertiser's response that the child's mother was with him during the advertisement and that a child welfare worker was also present. The Board considered that it is the advertiser's responsibility to ensure that there is no abuse of actors during creation of a commercial. The Board would only comment on this issue if the advertisement was suggesting (either directly or by inference) that mistreatment of children is condoned or encouraged. In this advertisement the Board considered that although the child is left by his mother, the context of this is clearly indicated and in the Board's view there is no reasonable suggestion that the advertisement condones or in any way encourages children to be left in public places without supervision.

The Board considered the application of Section 2.2 of the Code, relating to violence. The Board considered the advertisement was very impactful and agreed that the advertisement would be likely to upset or disturb viewers, particularly those who had been touched by tragedy resulting in the loss of a parent. However, consistent with previous decisions about advertisements directed to positive public health outcomes, the Board considered that this advertisement did not breach the Code. The Board recognised complainant concerns about not wanting to cause distress to children. The Board noted that the advertiser has advised that the advertisement is not being shown during children's programming.

The Board considered that the value of the message contained in the advertisement outweighed any distress it may cause to some viewers. The Board therefore considered that the depiction was justified in the context of that message and was not in breach of Section 2.2 of the Code.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.