

CASE REPORT

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| 1. Complaint reference number | 475/08 |
| 2. Advertiser | QLD Office of liquor, Gaming & Racing |
| 3. Product | Community Awareness |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Community Service advertising – section 2.2 |
| 6. Date of determination | Wednesday, 10 December 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for the Queensland Office of Liquor, Gaming and Racing opens in a very dark alley. A young woman's face is shown. She appears and sounds upset. There appears to be a man pushing up against the young woman. The camera pans back and the young woman and man are seen leaning up against a fence with another young man shown walking towards the two. The advertisement then reverses through the young woman's day showing her leaving a party with the young men, drinking in a variety of circumstances throughout the afternoon and evening, preparing for the party with her friends and being given a box of alcohol by her father. A voice over states "67% of teenagers have been abused or assaulted whilst under the influence of alcohol. Don't kid yourself - buy your children alcohol and they could pay the price".

THE COMPLAINT

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

SHE GETS RAPED!!! It's horrific, disgusting and completely unnessecary to remind people what it's like to be violated on the basest level. It's not the way it was filmed, it's that it was even filmed at all. It happens, and I understand the importance of informing people about the dangers and and using shock tactics to do it and whatever, but to be sitting down and watching a COMEDY, and be slapped in the face with this brutal reminder of how depraved the world is, without ANY warning was just ridiculous. As it is, there's no warning on any of these shows or ads for sexual violence, but there's plenty of warnings out there for 'terrorist themes' or 'supernatural/fantasy themes'. The closest thing to a warning about a rape scene in anything is 'violence' or 'adult themes'. I think it's only fair that we be given the chance to avoid something so vile and disturbing.

I do not object to the message of the ad - kids should not be given alcohol, but i don't want to come home from work to see a girl being implicitly raped in some ad. Surely the government does not need to impose this kind of shit upon society...

The opening of this advertisement is a very graphic depiction of a rape scenario. The imagery is extremely violent and distressing. The girl being raped in the advertisement is clearly upset and the inclusion of the attackers friend implies a group rape scenario. I found the footage very upsetting and extremely confronting. I am not being a victim of a sexual crime but I believe this imagery could be very distressing to victims. Whilst I respect what the ad is trying to put across about the dangers of buying alcohol for minors this is imagery is too violent and confronting for viewers.

THE ADVERTISER'S RESPONSE

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

I am writing in response to your emailed letter received on 18 November 2008 outlining complaints received by the Advertising Standards Bureau about an Office of Liquor, Gaming and Racing (OLGR) advertisement - 'Don't kid yourself'.

Comments in relation to the complaints

The 'Don't kid yourself' advertisement is designed to change the attitudes of parents who believe it is acceptable to supply alcohol for their underage teenage children to consume in unsupervised environments, particularly at Schoolies or private-parties. The campaign was developed to deliberately 'jolt' parents into thinking about the real consequences of supplying alcohol to underage teens for consumption in an unsupervised environment.

Contrary to the complaints made, the advertisement does not depict or refer to a rape, but rather an assault resulting from intoxication. The purpose of images is to highlight the statistic that 67 per cent of teenagers have been assaulted or abused while under the influence of alcohol, as indicated by the voice over in the advertisement.

Furthermore, the images that form the basis of the complaint are obscured by darkness and OLGR would submit that they are not of an 'extremely violent' or 'graphic' nature, as submitted by the first complainant, but are justifiable in the context of discouraging the supply of alcohol to minors by parents.

The incidence of parents supplying alcohol to their children for unsupervised consumption has increasingly become the norm. During Schoolies 2007, many parents were reported in the media for re-supplying their children during the week.

The Australian National Council on Drugs recently released a report that an estimated 11 per cent of 15 year-olds and 20 per cent of 16 to 17 year olds binge drink every week. Current statistics from Flinders University show that 73 per cent of underage teenagers believe it is easy to get alcohol and 75 per cent say they get their alcohol from friends or parents.

The advertisement aired on Queensland television stations between 12 October and 16 November 2008, the five weeks leading up to Schoolies. It was issued with an 'M' classification. Due care was taken to ensure the advertisement was communicated to the relevant target market (parents and late teens) by restricting the airing of the advertisement to programs with an 'M' classification.

The advertisements have received strong unsolicited support from key organisations providing frontline alcohol and drug counselling - Drug Arm and the Matthew Stanley Foundation. The well respected not-for-profit organisations both agreed that the scenarios in these ads are about as real as it gets. Dr Dennis Young from Drug Arm said his volunteers are faced with these situations on a regular basis and that hopefully these ads were the key to a reality check for all Queenslanders. Mr Paul Stanley from the Matthew Stanley Foundation believed that the advertisements were not graphic enough, but that the campaign was a good first step in the long road to combating alcohol-related violence. Copies of media coverage demonstrating their support can be provided on request.

This issue is a significant concern for teenagers and their parents as well as the Queensland Government. Of the campaign research respondents 72 per cent had children attending Schoolies in 2008. Approximately 46 per cent were either extremely or somewhat concerned about their child's attendance. Their greatest concern (48 per cent) was that their child would be physically or sexually assaulted during Schoolies.

It is of such concern that the recently released Australian Government anti-binge drinking campaign portrays similar scenarios.

Campaign research

The television advertisement is based on thorough market research among the target audience. The research was conducted at four separate phases:

- 1. accept testing focus groups - to tease out key words and concepts*
- 2. qualitative concept testing focus groups - to test the advertising story boards and concepts with the target audience*
- 3. quantitative concept testing online - to test the advertising story boards and concepts with the*

target audience

4. pre-launch focus group testing -two groups viewed the advertisement and commented prior to its live air date.

Feedback from research participants drove the design of the advertisement in relation to selecting the images and scenarios that resonated with the group. The scenario used in the final advertisement was the one that resonated most strongly and had the strongest audience response to understanding the risks of exposing their son or daughter to alcohol without supervision.

None of the research respondents identified that they were offended by the scenario presented in the advertisement. Instead they identified a feeling of guilt as parents who had provided alcohol to their own children and stated that it made them think about providing alcohol in the future.

Parents indicated that they felt that if they provide the alcohol to their child, they will be able to control consumption - both in terms of quantity and product. Research conducted before the release of this campaign indicates that the advertisement is successful in getting parents to realise that they can not control quantity consumed, nor the consequence of young people taking risks while under the influence of alcohol.

As with all social marketing campaigns, this is a long term strategy. This first stage is aimed at encouraging awareness and causing people to think about the issue. The success of the first stage will determine further development of strategies aimed at behaviour change.

Given the serious nature of this campaign and the issue it attempts to address, OLGR believes the advertisement content, although hard-hitting, is justifiable in the context of the message intended to be communicated to the audience. On these grounds we respectfully request that the Advertising Standards Bureau dismiss these complaints.

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 is overly graphic and distressing to viewers.

The Board considered the application of Section 2.2 of the Code, relating to the presentation or portrayal of violence. The Board noted that Section 2.2 provides that "Advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board viewed the advertisement and agreed that the opening scene was a depiction of sexual assault, although it was noted that the depiction had been carefully masked in darkness and shadows to avoid it being overly graphic. The Board noted that the female character sounded distressed during this scene, adding to its impact. The Board considered the advertisement was very impactful and agreed that it would be likely to upset or disturb some viewers, particularly those who may have been victims of abuse or assault.

The Board noted the statistical information provided in the voiceover to the advertisement, that "67% of teenagers have been abused or assaulted whilst under the influence of alcohol" and considered this was an important issue for the community to be made aware of and, in particular, the audience to which the advertisement was directed - parents and late teens.

The Board considered that, without the first scene, the advertisement would lose much of its impact, which would dilute the message of the advertisement regarding the supply of alcohol to minors by parents. 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 other grounds, the Board dismissed the complaint.