



CASE REPORT

1. Complaint reference number	477/06
2. Advertiser	Dept of Health & Ageing (skin cancer)
3. Product	Community Awareness
4. Type of advertisement	TV
5. Nature of complaint	Other - Causes alarm and distress
6. Date of determination	Tuesday, 12 December 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set in a hospital operating theatre as a doctor dressed for surgery, and identified as a melanoma surgeon at RPA Hospital, tells us "Every year almost 400,000 Australians are diagnosed with skin cancer. You could say it's our national cancer." As the doctor prepares to operate he continues "Tanya's 22, and thought treating melanoma meant simply removing a mole...but don't be fooled – skin cancer can kill." A skin cancer is shown being cut out of the girl's back. The doctor continues "Outdoors you can't just rely on sunscreen. Protect yourself in five ways with a hat, clothing, shade, sunglasses and sunscreen. Do that out there to avoid ending up in here." The surgical incision is then shown closed up after the operation and the cancerous growth is shown in a specimen jar.

THE COMPLAINT

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

Why wa there not a warning to come up on the screan to say that viewing of a graphice nature is about to be shown...the sight of blood and a scalple about to touch the skin...it was sickning and disturbing (sic).

...graphic surgical procedures...makes me physically ill.I find this ad extremely graphic and gory.

...it has caused my young daughter to have night mares...

I will never get any skin cancers cut out because the advertisement has actually made me scared of what I would have to go through if one was found.

The images are very graphic and stomach-turning...Promoting sun-care and skin cancer awareness does not call for using graphic surgical footage!

Surgical procedures during programming require warnings...

THE ADVERTISER'S RESPONSE

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

The campaign is designed to engage parents/carers of children 0 - 17 years of age so that they may encourage their children to protect themselves from skin cancer...In Australia skin cancer is a common cancer causing close to 1500 deaths a year.

The real images from surgery used in the campaign materials are not gratuitous; they are

intended to increase Australians' understanding of how severe skin cancer can be and encourage them to adopt preventative measures against skin cancer.

This television commercial underwent significant testing with youth and parents, together with skin cancer survivors. This testing identified that the graphic imagery was necessary to convey the seriousness of the surgery and therefore, skin cancer, and increase their perceptions that they are at risk.

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 that clause 2.2 of the Code requires that violence not be presented unless it is justifiable in the context of the product or service advertised.

The Board viewed the advertisement and noted the footage of the surgery and of the tumour contained in the bottle following the surgery. The Board noted the comments of the complainants that the advertisement was "repulsive", "offensive" and "too graphic".

The Board agreed that the advertisement was graphic and likely to be offensive to some people. The Board noted its previous decisions relating to public health and safety campaigns, where it accepted that the level of violence shown is justifiable in the context of the important health message being conveyed to the public.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.