

University of Wollongong

## Research Online

---

Faculty of Health and Behavioural Sciences -  
Papers (Archive)

Faculty of Science, Medicine and Health

---

2006

### Ethical issues in social marketing

Sandra C. Jones

*University of Wollongong*, [sandraj@uow.edu.au](mailto:sandraj@uow.edu.au)

Danika V. Hall

*University of Wollongong*, [danika@uow.edu.au](mailto:danika@uow.edu.au)

Follow this and additional works at: <https://ro.uow.edu.au/hbspapers>



Part of the [Arts and Humanities Commons](#), [Life Sciences Commons](#), [Medicine and Health Sciences Commons](#), and the [Social and Behavioral Sciences Commons](#)

---

#### Recommended Citation

Jones, Sandra C. and Hall, Danika V.: Ethical issues in social marketing 2006.  
<https://ro.uow.edu.au/hbspapers/507>

Research Online is the open access institutional repository for the University of Wollongong. For further information contact the UOW Library: [research-pubs@uow.edu.au](mailto:research-pubs@uow.edu.au)

---

## Ethical issues in social marketing

### Abstract

"As a community of professionals we have adopted no standards of ethics and it is probable that most of our community has not read or analysed the guidelines set up for either commercial advertising or commercial marketing" (Smith, 2001) Unfortunately, deciding what is ethical in social marketing (as in marketing in general) is rarely simple. In most cases, there is not a definitive right and wrong; for example, it is often the case that we are dealing with controversial products or sensitive behaviours (e.g., contraceptives and central practices) and/or two principles which are seen to be "right" by different groups are in conflict (e.g., pro-life versus pro-choice). Further, it is a well recognised fact in social marketing that what we are often dealing with is a trade-off between individual and community good (e.g., the right of the individual to smoke a cigarette, which is currently a legal product, versus the right of others to be protected from passive smoking).

### Disciplines

Arts and Humanities | Life Sciences | Medicine and Health Sciences | Social and Behavioral Sciences

### Publication Details

Jones, S. C. & Hall, D. V. (2006). Ethical issues in social marketing. Proceedings of the 3rd Australasian Non-profit and Social Marketing Conference Newcastle, 10-11 August 2006, Australia: University of Newcastle.

# Ethical Issues in Social Marketing

## Introduction

### Ethics and the social marketer

“As a community of professionals we have adopted no standards of ethics and it is probable that most of our community has not read or analysed the guidelines set up for either commercial advertising or commercial marketing” (Smith, 2001)

Unfortunately, deciding what is ethical in social marketing (as in marketing in general) is rarely simple. In most cases, there is not a definitive right and wrong; for example, it is often the case that we are dealing with controversial products or sensitive behaviours (e.g., contraceptives and central practices) and/or two principles which are seen to be "right" by different groups are in conflict (e.g., pro-life versus pro-choice). Further, it is a well recognised fact in social marketing that what we are often dealing with is a trade-off between individual and community good (e.g., the right of the individual to smoke a cigarette, which is currently a legal product, versus the right of others to be protected from passive smoking).

### A simple ethical framework

While there are numerous complex, albeit valuable, ethical frameworks that one could consider in analysing social marketing, we have chosen to focus on the simple distinction between deontological and teleological perspectives. Deontologists argue that to be ethical we must use the right means regardless of the outcome (Immanuel Kant's categorical imperative); for example, advertisers should not use overt sex appeals in cigarette advertising as this behavior is frowned upon by society – regardless of whether doing so leads to harm. Teleologists (or utilitarianism), on the other hand, argue that it is the goodness or badness of the outcome that counts; for example, advertisers should not use characters in cigarette ads who have high appeal to young people as these characters may encourage kids to smoke, which is a bad outcome.

This leads asked to two fundamental problems for the social marketer:

- A teleological problem: Determining the appropriate goal  
If we take the perspective that it is the goodness or badness of the outcome that determines what is ethically correct, then it is important to consider whose role it is to decide what constitutes this "good" outcome (see, for example, Andreasen, 1995). In many cases, this decision would be made by the social marketer (e.g., the relevant Health Department, NGO, or similar body), with varying degrees of input from the target audience. It has been suggested that, wherever possible, goals should be set by some sort of society representative collective.
- A deontological problem: The ethicality of rewards  
If we take the perspective that it is the means used to change a behaviour or idea that determines what is ethically correct, then we need to consider the fundamental ethicality of the messages, and associated programs, we develop. For example, we

should consider whether it is ethical to offer rewards for socially desirable behaviours, and what nature such rewards should (not) take. One of the fundamental distinctions between different types of rewards is the distinction between extrinsic and intrinsic rewards, with considerable evidence that intrinsic rewards lead to more sustained behaviour change (Williams, McGregor, Sharp, Levesque, Kouides, Ryan & Deci, 2006; Sheldon, Ryan, Deci & Kasser, 2004; Deci, Koestner & Ryan, 2001), although it is often argued that such intrinsic rewards may be insufficient to bring about initial change, particularly for more complex or high-involvement behaviours. An example of this is the issue of encouraging blood, tissue and organ donation; while we would like to believe that people will be motivated to donate (for example, blood) for the intrinsic reward of feeling that they have done something to help others, the low rates of donation in most countries suggests that this may not be the case; in 2000, Australia had an organ donation rate of 1.5 per 1,000 deaths, comparable with estimated rates for New Zealand and for several European countries including the United Kingdom and Ireland (Australian Social Trends, 2002). If we are to offer extrinsic rewards, such as financial incentives for donations, we may see an increase in donations; but many would question whether, in a case like this, the ends do indeed justify the means (in terms of both the sustainability of such an intervention and the public health impact of a potentially different donor base). This problem is evident in Pakistan where paying for blood donations led to an increase in donations from intravenous drug users, with a study reporting that 30 percent of injecting drug users in their study had been paid for donating their blood, increasing the risk of transmission of HIV and other infections (IRIN, 2003).

### Standards for marketing

Smith (2001) proposed seven basic standards for marketing, which are as appropriate to social marketing as they are to commercial marketing:

- Be truthful – is what we say truthful, accurate, complete, or exaggerated?
- Protect privacy – are we invading the privacy of an individual or group, or revealing facts about people that others don't need to know?
- Don't model inappropriate behaviour – are we, directly or unintentionally, teaching or even inciting people to practise a negative behaviour?
- Don't be offensive – are we showing or promoting behaviour that society deems offensive?
- Be fair and balanced – Are we being fair to everyone in our programs?
- Avoid stereotyping – are we projecting inaccurate or harmful images of groups based on historical stereotypes?
- Protect children – Are we exposing children to programs that are inappropriate for their age?

### **Ethics in advertising**

The issue of standards for ethics in commercial advertising is consistently, if not frequently, discussed in the academic literature as well as the general press. For example, there is an ongoing debate in both arenas in relation to the ethics surrounding food

advertising and children. In the academic literature, the debate in Australia has focused largely on the advertising of fast foods, soft drinks, and high-calorie snack foods – with widespread calls for restrictions on advertising of “unhealthy” foods during children’s viewing times (see, for example, Pritchard 2003; Zuppa, Morton and Mehta, 2003; Morton, Stanton, Zuppa et al., 2005). Mass media interest has been fanned by the release of a series of major studies of food advertising to children, resulting in calls for bans on food advertising in both Australia and New Zealand (e.g., Patty 2002; Tallon 2001; Crouch 2003; Esplin 2002).

A 2004 Morgan poll reported that only 13% of the Australian public rated the advertising industry as “high” or “very high” on ethics and honesty, with only three other professions (newspaper journalists, real estate agents and car salesman) receiving a lower ranking (Morgan Poll 2004). In a study of environmental claims on Australian dishwashing liquid packaging, two sets of judges found that the information provided to consumers was not entirely accurate (Polonsky et al. 1998). The authors made the important point that whereas from a legalistic perspective any organisational activity that is “legal” may be argued to be “ethical”, these same behaviors may be seen as unethical “using the broader corporate citizen approach to ethics” (p.290).

### Ethics in social advertising

While social marketers – or public health practitioners – are rarely targeted in discussions of the ethics of advertising, we are increasingly becoming aware of the importance of ensuring that social marketing (or health promotion) messages are developed and conveyed in an ethical fashion (Andreasen, 2001; Coveney, 1998; Guttman, 2000; Rothschild, 1999; Sindall, 2002).

The purpose of marketing communications, whether they be commercial- or government-originated, is to persuade people to adopt a new product, belief, or behaviour (e.g. Kotler, 2003). Thus, it appears reasonable that they should be held to similar standards of ethical behaviour.

It has long been said that one cannot *not* communicate (Watzlawick, Beavin, & Jackson, 1967). Witte (2002) argues it is even more true that one cannot *not* manipulate when communicating about health and disease; that is, the very nature of health-related information means that a doctor's communication with his patient, or a social marketing campaign's communication with the target audience, will change the way understands, feels, or acts in relation to the health issue concerned

Witte (2002) proposes that health communicators can begin to address this ethical dilemma by:

1. Deciding in advance what their health-related goal is, and then constructing their messages to fit that goal
2. Promoting the "common good" (i.e, the world-wide ethical standard of "the greatest good for the greatest number of people")
3. Ensuring that a community standard is used to determine the common good

It is this third point that is often overlooked in the development and dissemination of public health campaigns; as, traditionally, the common good is defined by the social marketer (INSERT references and examples)

Thus it is possible, and even likely, that some advertising campaigns which are designed to increase the "common good" do so by utilising messages and strategies which would be considered unethical if used to sell commercial products. For example, it has been argued that many such campaigns utilise exaggerated claims to achieve socially beneficial outcomes (Rossiter & Bellman, 2005). VISCUSI??

### The use of fear appeals

A central ethical consideration for social marketers is the ethics of using fear to motivate behaviour change (see, for example, Hastings et al., 2004). Fear-inducing advertising, which is less common in commercial marketing than in social marketing, has been argued to: compromise the 'manipulee's' ability to make a rational and free choice; exploit a particular vulnerability (e.g., young, ill or addicted consumers); and potentially create unnecessary consumer anxiety (Hastings et al, 2004). A teleologist may support the use of fear if the product, behaviour or idea being promoted is beneficial to society and if other approaches have been shown to be less effective; whereas a deontologist may reject the use of fear appeals on the grounds that, regardless of the ultimate societal consequences, it is morally wrong to engender anxiety and distress.

Various models of communication effects have argued that while fear-based appeals may bring about appropriate behaviour change in some individuals, they have the potential to evoke "maladaptive" responses among other individuals (REFERENCE), that is, responses designed not to control or remove the danger addressed in the advertisement but to cope with the unpleasant feelings evoked by the fear message (such as avoiding or tuning out the message).

### Purpose of the paper

The purpose of this paper is to review complaints made by members of the general public in Australia and New Zealand to the advertising regulatory bodies in those two countries, and to consider whether the number, type, and nature of these complaints demonstrates the need for further investigation of community attitudes to social marketing messages and, potentially, any changes to the design and dissemination of social marketing campaigns.

### **Method**

Data were obtained on all complaints lodged with Australia's Advertising Standards Board and New Zealand's Advertising Standards Authority for the period 1999 to 2004; and then obtained copies of all decision records for complaints lodged in relation to social marketing advertisements.

## **Australia**

### The regulatory framework

Following the demise of the Australian commonwealth government's Advertising Standards Council in 1996, the major industry body, the Australian Association of National Advertisers (AANA), developed the Advertiser Code of Ethics (which applies to all forms of advertising), and established the Advertising Standards Board (ASB) and the Advertising Claims Board (ACB) to deal with complaints and breaches of this code. Under the new regulatory system, the ASB deals with complaints about taste and decency in advertising, and the ACB deals with rival advertiser complaints (Baker et al. 1998). The authority of the two boards rests on the willingness of advertisers to adhere voluntarily to ethical standards.

The ASB administers Section 2 of the AANA Code of Ethics (ASB 2004a) which states that advertisements shall:

- not portray people in a way which discriminates or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief;
- not present or portray violence unless it is justifiable in the context of the product or service advertised;
- treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant program time zone;
- for any product which is meant to be used by or purchased by children not contain anything which is likely to cause alarm or distress to those children;
- use only language which is appropriate in the circumstances and strong or obscene language shall be avoided;
- not depict material contrary to prevailing community standards on health and safety;
- comply with the Federal Chamber of Automotive Industries Code of Practice relating to Advertising for Motor Vehicles.

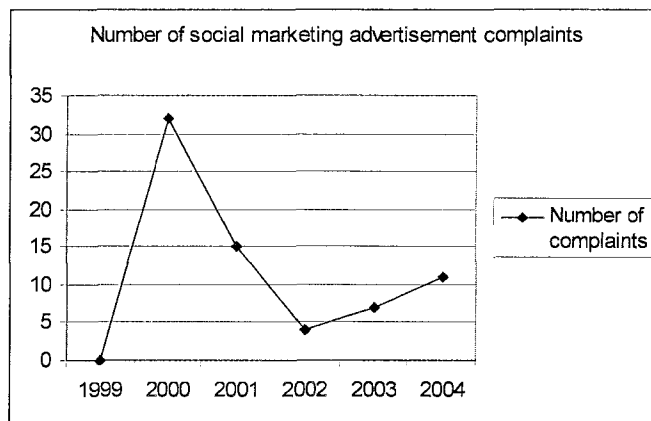
### The complaints

Between 1999 and 2004, xxxxxxxxx INSERT total number of complaints – and by year xxxxxxxxx Of the total of 4,192 decisions on complaints against advertisements which were reported by the ASB between January 2002 and December 2003, the most recent years for which consolidated figures are available ([http://www.advertisingstandardsbureau.com.au/facts\\_figures.html](http://www.advertisingstandardsbureau.com.au/facts_figures.html)), only 34 of the complaints (i.e., 0.8%) were upheld (this increases to 1.1% if we exclude the 129 that were withdrawn before board determination and the 1,068 that were deemed to be outside the charter of the ASB.<sup>1</sup>

---

<sup>1</sup> The primary reasons for complaints being “outside charter” were that the item complained about was not an advertisement (241), that the complaint was about truth and accuracy and thus under

The Australian advertising standards board has a list of 28 product categories under which complaints are categorised, including a specific category for "community awareness" advertisements. In total, 69 of these advertisements (i.e., an average of 11 per year) were categorised by the ASB as "community awareness," ranging from a low of none in 1999 to a high of 32 in 2000. Of the 69 decisions, 68 were to dismiss the complaints and one (in 2001) to uphold the complaint (see below).



The majority of complaints related to television advertising (51). Other media attracting complaints were print (8), outdoor (6), radio (5), and cinema (2).<sup>2</sup> This is consistent with the statistics for all advertising categories combined, with over 80% of complaints in 2003-2004 relating to television advertising, and approximately 8% print, 6% outdoor, 2% radio, and less than 1% any other form of media.

Advertisers: Road safety advertisements featured prominently in the list of complaints (33% of complaints). The three most complained about advertisers were the Transport Accident Commission (9), Queensland Transport (7), and the Roads and Traffic Authority (5). Other health-related advertisers also received a large number of complaints; for example, there were 12 complaints about cancer-related advertisements.

Issues: The highest number of complaints related to violence (24), closely followed by health and safety (22) and portrayal of people/discrimination (18). There were a considerably smaller number of complaints in relation to language (7), portrayal of sex/sexuality/nudity (5) and causes alarm or distress to children (4); and 10 categorised as "other." This is fairly consistent with the patterns of statistics for all advertisements combined in relation to "portrayal of people" and "violence," which have historically been the second and third most common issues attracting complaints. However, these results differ considerably from all advertisements combined for the issue of sex/sexuality/nudity which attracted only five complaints for social marketing but is

---

the remit of the ACB (108), that the ad was withdrawn or discontinued (100), and the category of "other" (544).

<sup>2</sup> This is higher than the number of decisions as one advertisement appeared in three media (television, radio and outdoor) and another in two (print and television).



generally the most commonly complained about issue for all advertisements combined; and for the issue of health and safety which received 22 complaints in relation to social marketing, but averages less than 10% of all complaints fall advertisements combined.

*Violence* - The majority of complaints considered under the "violence" clause relating to road safety (14); largely advertisements which focused on speeding (8) or drink-driving (3), although some addressed seatbelt usage or driving skills in general, and in many cases they showed graphic images of people being injured or killed. Other areas included workplace safety (3), again showing dead or injured people; fund-raising (2), specifically world vision Australia and the big issue; payment of court fines (2); anti-drug advertising (1); and promoting the work of the police force (1).

*Health and safety* - the highest number of complaints considered under the "health and safety" clause related to cancer prevention and detection (7), particularly tobacco-related advertisements. Road safety advertisements also featured highly in this category (4). Other areas included home safety (3), specifically electrical safety switches and dangers associated with powerlines; political lobbying (2), specifically union campaigns and pro-democracy/pro-US; anti-abortion (1); erectile dysfunction (1); and workplace safety (1).

*Portrayal of people* - road safety again featured in this category as the most-complained about category with three advertisements, one which featured a young male who had lost his licence for drink-driving and won a young male trying to avoid the police on his way home from the pub, and one with the tagline "High speed. Low IQ." Other areas receiving complaints included domestic violence (2), specifically the Office of the Status of Women and the Northern Territory Office of Women's Policy; fund-raising (2) specifically the big issue, which featured homeless people singing out of tune, and the Heart Research Institute which suggested "...forget schizophrenia and manic depression ... bequest money to the Heart Research Institute..."; anti-abortion (1); erectile dysfunction (1); tourism (1); anti-smoking (1); payment of court fines (1); home safety services for the elderly (1); work safety (1); and promotion of eating meat (1). The only complaint upheld in the six-year period in relation to social marketing advertisements was considered under this clause. This was a print advertisement for the Australian Family Association (Western Australia), opposing proposed changes to the laws in relation to homosexual relationships; which included the statement "Dr Gallop, please for the sake of our children, STOP your plans to legalise homosexual behaviour in our primary and secondary schools."

*Language* - As stated above, there were only seven complaints under this clause; and no category of advertising received more than one complaint. The categories attracting complaints were: domestic violence, specifically the use of the words "bullshit" and "slutty;" anti-drug advertising, the use of the phrase "Pot. It mightn't kill you, but it could turn you into a dickhead;" litter prevention, the use of the word "tosser;" gambling problems, one of the actors stating that he felt like "such a dickhead;" workplace safety, the use of the term "didn't give a stuff;" road safety, one of the actors saying "... I said I'd get a friggin taxi;" breast cancer screening, the spokeswoman saying "if you haven't had your free mammogram yet, well you bloody well should."

*Portrayal of sex/sexuality/nudity* – Of the five complaints considered under this clause, each was for a different category of advertisement. The complaints related to advertisements for: road safety, with a voice-over describing a paraplegic's loss of bowel control and sexual function; crime prevention; safe drinking, a campaign targeted at teenagers which visually implies that a young couple have had sex under the influence of alcohol; tourism; and erectile dysfunction.

*Alarm or distress to children* - other than the advertisement for the Australian family Association discussed above, which was also considered under this clause, there were two complaints related to road safety and one to fund-raising (World Vision Australia).

*Other* – As discussed above, there were 10 complaints categorised as "other." Three of these were for road safety advertising; two for cancer awareness, including one for anti-smoking; one for workplace safety; one for fund-raising (disabled children); one for political lobbying (pro-democracy); one for anti-abortion; and one for household electrical safety

## **New Zealand**

### The regulatory framework

The New Zealand Advertising Standards Authority (ASA) has a series of codes which cover all advertising activity. This includes an overarching Code of Ethics, as well as specific Codes covering particular issues (eg. Advertising to Children) and product areas (eg. Financial Services).

The basic principles of the ASA Code of Ethics ([www.ASA.co.nz](http://www.ASA.co.nz)) are:

1. All advertisements must comply with the laws of New Zealand.
2. No advertisement should impair public confidence in advertising.
3. No advertisement should be misleading or deceptive or likely to mislead or deceive the consumer.
4. All advertisements should be prepared with a due sense of social responsibility to consumers and to society.
5. All advertisements should respect the principles of free and fair competition generally accepted in business.

The code also includes the following twelve rules:

1. **Identification** - Advertisements should be clearly distinguishable as such, whatever their form and whatever the medium used; when an advertisement appears in a medium which contains news or editorial matter, it must be presented so that it is readily recognised as an advertisement.
2. **Truthful Presentation** - Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead the consumer, makes false and misleading representation, abuses

- the trust of the consumer or exploits his/her lack of experience or knowledge.  
(Obvious hyperbole, identifiable as such, is not considered to be misleading).
3. **Research, Tests and Surveys** - Advertisements should not use tests and surveys, research results or quotations from technical and scientific literature, in a manner which is misleading or deceptive.
  4. **Decency** - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).
  5. **Offensiveness** - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).
  6. **Fear** - Advertisements should not exploit the superstitious, nor without justifiable reason, play on fear.
  7. **Violence** - Advertisements should not contain anything which lends support to unacceptable violent behaviour.
  8. **Denigration** - Advertisements should not denigrate identifiable products or competitors.
  9. **Testimonials** - Advertisements should not contain or refer to any personal testimonial unless it is genuine, current, related to the experience of the person giving it and representative of typical and not exceptional cases. The claims in the testimonial should be verifiable.
  10. **Privacy** - Unless prior permission has been obtained an advertisement should not portray or refer to any persons, whether in a private or public capacity, or refer to any person's property, in a way likely to convey the impression of a genuine endorsement.
  11. **Advocacy Advertising** - Expression of opinion in advocacy advertising is an essential and desirable part of the functioning of a democratic society. Therefore such opinions may be robust. However, opinion should be clearly distinguishable from factual information. The identity of an advertiser in matters of public interest or political issue should be clear.
  12. **Safety** - Advertisements should not, unless justifiable on educational or social grounds, contain any visual presentation or any description of dangerous or illegal practices or situations which encourage a disregard for safety.

When complaints are lodged with the ASA, there are five possible determinations:

1. Decision withdrawn/Resolved/Adjourned
2. Decision Upheld/Settled
3. Decision Not Upheld
4. Decision Unclassified
5. Decision Not Accepted (Changed to No Grounds to Proceed in 2004)

*(Discussion on what these mean after email is returned from ASA)*

In order to accurately compare complaints regarding social marketing advertisements in Australia and New Zealand, it was necessary to recode the complaints made to New

Zealand's ASA in alignment to the Australian system. Complaints lodged to the ASA are reviewed in regard to their compliance with the Code of Ethics and in many cases any of the other codes that relate to the commercial of which there are 12. Within these codes, there are specific guidelines and principles which are used in the determination process. An example to demonstrate how comprehensively the commercials are reviewed, a complaint against a direct marketing advertisement for the World Vision 40 Hour Famine was upheld in 2001. It had been determined that the commercial was in breach of the Advertising Code of Ethics Basic Principle 4, Code for the Advertising to Children Principle 2, Guideline 2(d) and 2(e), Principle 3 Guidelines 3(a) and 3(b) and Principle 4, as well as Principle 2 for the Advertising of Food ([www.asa.co.nz](http://www.asa.co.nz)) Although this system provides the ASA with the opportunity to more thoroughly examine and categorize the commercial it does not allow a direct comparison with the Australian system which certainly does not go to that depth. Therefore in order to accurately compare the complaints made to both systems, it was imperative that the NZ complaints were recoded utilizing the Australian complaint categories of: portrayal of people, violence, health and safety, language, sex/sexuality and nudity, alarm and distress to children and other.

#### Complaints

The complaints made to the ASA were analysed and recoded from the year 2000 to 2004. Unlike the Australian system, there is no distinct category where social marketing complaints can be placed. Instead of the possible 23 product categories, social marketing complaints can be placed under six:

1. Advocacy products
2. Road safety products
3. Government products
4. Social good/charity products
5. Public good products
6. Charity products

In addition to the increased product categories where advertisements can be placed, the ASA includes analysis of all complaints received including those that do not reach the board. This however does not make the complaint any less important or real to the complainant, it only reflects the decision made by the chairman of the board who believes that the complaint should not go any further. Due to this inclusion, the total number of decisions made by the ASA relating to social marketing appear to be quite high, however in comparison to the total decision made for each year, they are only a small proportion.

<b>Year</b>	<b>Decisions Released</b>	<b>Social Marketing Related</b>	<b>% of Total Decisions Released</b>
2000	315	20	6.41
2001	336	31	9.22
2002	419	34	8.11
2003	326	35	10.74
2004	459	47	10.24

The majority of complaints were made regarding television (80) followed by print advertisements (50), radio (14), outdoor (13), Direct marketing (7), cinema (2) and

website (1). The numbers of complaints against print advertisements in were much higher in NZ, however the other figures are alongside those from Australia with complaints against television far outweighing those from the other mediums.

### Advertisers

Road safety commercials had the highest number of complaints made against them with 36, a total of 21.56% of all complaints made. The Land Transport Safety Authority (LTSA) was the advertiser responsible for each of those complaints. The Ministry of Agriculture received 13 complaints relating to their campaign for their pesticide spraying programmes. Another high recipient of complaints was the Accident Compensation Commission (ACC) with 11 complaints against their commercials promoting safety around the home. Other multiple recipients of complaints were anti smoking campaigns (6), Office of the Retirement (4) and advertisements relating to the health of newborns (4).

### Issues

There were a total of 167 complaints registered with the ASA and some complaints were classified under multiple categories. The highest number of complaints related to other (80), then portrayal of people (44), alarm/distress to children (23), violence (22), health and safety (21), sex/sexuality and nudity (8), language (6) and one complaint was not classified as no description was available.

*Other-* The number of complaints classified as “other” far outweigh those in any other category. There are a number of reasons for this. The first can be explained by the sheer volume of complaints relating to the false or misleading nature of the advertisement. Often complainants would not object to the graphic content of a road safety commercial for example, but would complain about the time it was shown, or dispute the scientific facts of how a change in speed or slight change in direction could result in an accident and therefore the advertisement is misleading. There were also many complaints regarding the false or misleading information regarding the pesticide spraying by the Ministry of Agriculture with members of the public complaining about the claims regarding the benefits of the spraying and the chemical composition of the spray itself. There was even a complaint regarding an old photograph of a councilor in advertisement which in the complainants view then made it misleading. Due to this particular type of complaint which is not one commonly found in the Australian complaints, they needed to be classified as “other” which consequently resulted in this clause having the highest number of counts.

*Portrayal of People-* Advertisements from the LTSA received the most amount of complaints in this category with 13. Issues ranged from the depiction of a vet trying to use his vocation to escape a speeding fine, to the insinuation that a commercial for drink driving and speeding is comparing those who commit those offences as criminals in the same class as murderers and rapists. Charity advertisements received a total of eight complaints, Office of the Retirement Commissioner (4) for their depiction of elderly people, other Government Departments (2), Anti abortion advertisements (2) and

commercials for fundraising received 3 complaints with an objection to the use of a young boy suffering from Downs Syndrome who talks about how he can do many things such as putting bread into a toaster. He then self identifies as disabled and says “if you can’t do this..” as he places \$20 into the fundraising envelope, “what does that make you?”

*Alarm/Distress to Children-* More than a dozen different advertisements received complaint regarding the alarm/distress they cause to children. Road Safety commercials topped the list with 5, with the LTSA receiving 4 of those. The complaints were centred around the graphic images shown from car accidents. Charities received 3 complaints due to the distressing images of impoverished children from around the world, and the ACC also received 3 complaints, again relating to safety around the home in particular people falling off ladders and in the shower. Other social marketing messages that received complaints under this clause was an anti smoking commercial (1) for showing the dissection of a brain and also a commercial for the end of child prostitution which showed a man in only a towel sitting on a bed placing his hand on the shoulder of a young girl who was naked from the waist up.

*Violence-* Again the LTSA received the greatest number of complaints with a total of 11. The issues surround the vision of serious and graphic injuries received from an accident. Charity commercials received 4 complaints including those for showing implied scenes of domestic violence and graphic footage of young people using drugs. Other Advertisers that received multiple complaints were the office of Retirement Commissioner (2), anti smoking advertisements (2) and the Accident Compensation Corporation (2). All other advertisements in this category received only 1 complaint including the National Society for Alcohol and Drug dependency in New Zealand which showed a male clubber who having just removed a piece of his brain, cut it and snorted it as if was a type of drug.

*Health & Safety-* The LTSA received the highest number of complaints about their advertisements in this category also with a total of 8. Complaints ranged from pedestrians walking in front of cars, demonstrating drug use to children and speeding. The ACC had five complaints with the issues relating to swimming pool safety, electrical safety and people tripping over toys left on the floor. Charities received 2 complaints with the World Vision 40 Hour Famine advertisement mentioned earlier telling young people that during the famine, “...to be healthy you need to drink heaps of Just Juice and water...and replace each meal or snack with a Campenalla Barley Sugar!...” Other recipients of complaints were City Councils (2), National Rural Fire Authority (1) and Guides NZ (1).

*Sex/sexuality and Nudity-* The spread of complaints regarding this issue was quite broad with only two advertisers receiving multiple complaints, The Ministry of Health (2) for showing two men kissing at the conclusion of a safe sex commercial made in a cartoon genre, and the ACC (2) for showing someone in the shower. Other commercials included

one for genital herpes, internet pedophilia and a Drive wise campaign where naked bodies were laying across the ground.

*Language-* This was the issue that received the least number of complaints. The LTSA received three complaints, two for the use of the term “bloody idiot” and the other for the use of tag lines such as “kill her, kill him” where the complainant did not approve of the constant references to killing. Other language complaints related to an advertisement depicting the issue of domestic drinking and the offence taken to the “violence and strong language” used at that hour in the morning, 0650.

## References

- ASB (1999a), *Case Reports of the Advertising Standards Board January-June 1999*, Sydney: Advertising Standards Bureau Ltd.
- (1999b), *Case Reports of the Advertising Standards Board July-December 1999*, Sydney: Advertising Standards Bureau Ltd.
- (2000a), *Case Reports of the Advertising Standards Board January-June 2000*, Sydney: Advertising Standards Bureau Ltd.
- (2000b), *Case Reports of the Advertising Standards Board July-December 2000*, Sydney: Advertising Standards Bureau Ltd.
- (2001a), *Case Reports of the Advertising Standards Board January-June 2001*, Sydney: Advertising Standards Bureau Ltd.
- (2001b), *Case Reports of the Advertising Standards Board July-December 2001*, Sydney: Advertising Standards Bureau Ltd.
- (2002), *Case Reports of the Advertising Standards Board January-December 2002*, Sydney: Advertising Standards Bureau Ltd.
- (2003), *Case Reports of the Advertising Standards Board January-December 2003*, Sydney: Advertising Standards Bureau Ltd.
- (2004a), *AANA Advertiser Code of Ethics*, available at: <http://www.advertisingstandardsbureau.com.au/PDF/AANACodeofEthics.pdf> (accessed 03/01/06).
- (2004b), *Case Reports of the Advertising Standards Board January-December 2004*, Sydney: Advertising Standards Bureau Ltd.
- Baker, Michael, Peter Graham, Debra Harker, and Michael Harker (1998), "Controlling advertising in Australia," *Marketing: Managerial Foundations*, 403-405. South Yarra, Australia: Macmillan Education Australia Pty Ltd.
- Crouch, Brad (2003), "Ads for snacks breach TV laws," *Sunday Mail*, August 5, 19.
- Esplin, Hamish (2002), "NSW: Calls for food ads on TV to be banned," AAP Newsfeed, September 11.
- Hastings, Gerard, Martine Stead, Laura McDermott, Alasdair Forsyth, Anne Marie MacKintosh, Mike Rayner, Christine Godfrey, Martin Caraher. and Kathryn Angus (2003). Review of research on the effects of food promotion to children. Glasgow: University of Strathclyde.
- IRIN (2003) New study suggests Afghan war has led to increase in HIV/AIDS, 15 Jul 2003, IRIN News: UN Office for the Coordination of Humanitarian Affairs.
- Kotler, Philip. (2003), *Marketing Management*, Eleventh Edition, Prentice Hall, New Jersey
- Lane, Jim C. (1995), "Ethics of business students: Some marketing perspectives," *Journal of Business Ethics*, 14(7), 571-80.
- Morgan Poll (2004), Finding No. 3701 - January 08, 2004, <http://www.roymorgan.com/news/polls/2004/3701> (accessed 25/11/05).
- Morton, Heather, Rosemary Stanton, Julie Zuppa, and Kaye Mehta (2005), "Food advertising and broadcasting legislation - a case of system failure? (viewpoint)," *Nutrition & Dietetics*, 62(1), 26-27.
- Patty, Anna (2002), "Children fed an unhealthy diet of ads," *The Daily Telegraph*, July 22, 11.



Phillips, 1993

Polonsky, Michael J., Judith Bailey, Helen Baker, Christopher Basche, Carl Jepson, and Lenore Neath (1998), "Communicating environmental information: Are marketing claims on packaging misleading," *Journal of Business Ethics*, 17(3), 281-94.

Pritchard, Chris (2003), "Food marketers feel the heat Down Under," *Marketing Magazine*, 10(12), 7.

Rossiter, John R. and Steven Bellman (2005) *Marketing Communications: Theory and Applications*, Pearson Prentice Hall

Smith, W. A. (2001) "Ethics and the Social Marketer: A Framework for Practitioners." *Ethics in Social Marketing*. Ed. A.R. Andreasen. Washington, D.C.: Georgetown University Press, 1-16.

Tallon, Steele (2001), "The junk your children see on television," *Sunday Mail*, September 9, 32.

VISCUSI??

Watzlawick, Beavin, & Jackson, 1967

Witte (2002)

Zuppa, Julie, Heather Morton, and Kaye Mehta (2003), "Television food advertising: counterproductive to children's health? A content analysis using the Australian Guide to healthy Eating," *Nutrition & Dietetics*, 60(2), 78-85.

Sindall, Colin (2002) Does health promotion need a code of ethics? *Health Promotion International*, 17(3), 201-203.

Coveney, J. (1998) The government and ethics of health promotion: the importance of Michael Foucault, *Health Education Research*, 13(3), 459-468.

Andreasen, Alan R. (2001) *Ethics in Social Marketing*. Washington, D.C.: Georgetown University Press.

Guttman, N. *Public Health Communication Interventions – Values and Ethical Dilemmas*. Thousand Oaks: Sage Publications, 2000.

Rothschild, M.L. "Carrots, Sticks, and Promises: A Conceptual Framework for the Management of Public Health and Social Issue Behaviors." *Journal of Marketing* 63 (1999): 24-37.

Williams, G. C., McGregor, H. A. Sharp, D., Levesque, C., Kouides, R. W., Ryan, R. M., & Deci, E. L. (2006). Testing a self-determination theory intervention for motivating tobacco cessation: Supporting autonomy and competence in a clinical trial. *Health Psychology*, 25, 91-101.

Sheldon, K. M., Ryan, R. M., Deci, E. L., & Kasser, T. (2004). The independent effects of goal contents and motives on well-being: It's both what you pursue and why you pursue it. *Personality and Social Psychology Bulletin*, 30, 475-486.

Deci, E. L., Koestner, R., & Ryan, R. M. (2001). Extrinsic rewards and intrinsic motivation in education: Reconsidered once again. *Review of Educational Research*, 71, 1-27.