

COMPLAINT NUMBER	22/326
ADVERTISER	Cancer Society New Zealand
ADVERTISEMENT	Cancer Society New Zealand, Radio
DATE OF MEETING	25 October 2022
OUTCOME	No Grounds to Proceed

Advertisement: The radio advertisement for Cancer Society New Zealand is a call to action to leave a legacy to the charity in your will. The advertisement's voiceover says, "You have cancer. Every day 71 New Zealanders hear these words. 71 New Zealanders have to face that journey". The advertisement explains what Cancer Society New Zealand can offer and how a donation can assist them to provide that support.

The Chair ruled there were no grounds for the complaint to proceed.

Complaint: As a cancer survivor, I am terrified every time the Cancer Society voice comes on to say, "You have cancer". What a horrible thing to direct to any listener. I had cancer in 2010-11 and recovery was a long uphill journey. I don't need to hear anyone threatening me about cancer again. This is a stone-cold way to present a plea for people to leave their money or their estate to the Cancer Society. And I get scared and angry every time that horrible advert comes over the airwaves.

Can you get them to rewrite their plea for people's money?
Or can you get them off the air?

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(g);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(g) Fear and distress: Advertisements must not cause fear or distress without justification.

The Chair noted the Complainant was concerned the advertisement was distressing and threatening in its use of language for those who have experienced cancer.

The Chair said the likely consumer takeout of the advertisement would be that every day in New Zealand many people are given the confronting news they have cancer. The Cancer Society can help people cope with cancer, but it requires resources, and you can contribute.

The Chair said the advertisement used hard-hitting facts in a direct way to make listeners think about the reality and prevalence of cancer in New Zealand.

Rule 1(g) of the Advertising Standards Code required the Chair to consider whether the advertisement was likely to cause fear and distress without justification. The Chair said the Advertiser had a valid reason to refer to cancer in such a confronting manner. She said the advertisement quoted the reality of cancer diagnoses and tried to counter this by promoting its services to support people. The Chair said the tone and wording in the advertisement did not reach the threshold to breach Rule 1(g) of the Advertising Standards Code.

The Chair acknowledged the genuine concern of the Complainant and understood the reaction some listeners would have when hearing the advertisement. The Chair said from time-to-time scenarios in advertising do resonate with consumers due to personal experience and it would be difficult to mitigate this in every case.

The Chair confirmed that taking into account context, medium, product and audience, the advertisement had been prepared with a due sense of social responsibility and was not in breach of Principle 1 or Rule 1(g) of the Advertising Standards Code.

The Chair ruled that there were no grounds to proceed with the complaint.

Chair's Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [Appeal Process](#). Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.