

COMPLAINT NUMBER	19/368
COMPLAINANT	N. Jackson
ADVERTISER	Scapegrace Gin
ADVERTISEMENT	Out of Home
DATE OF MEETING	15 October 2019
OUTCOME	Settled

Advertisement: The Billboard advertisement for Scapegrace Gin had a black background with a picture of the bottle of gin. The wording in the advertisement said, “Hello darkness, my old friend”.

The Chair ruled the complaint was Settled

Complainant, N. Jackson, said: This complaint relates to an alcohol advertisement for the Scapegrace Gin brand Black variant.

The advertisement is on a billboard located in Pīwakawaka St, in the Auckland neighbourhood of Eden Terrace, near the corner with Newton Rd, and was observed by a member of the public on Monday 23rd September 2019.

The advertisement features a dark background, a bottle of the product on the left, accompanied by the text “*Hello darkness, my old friend.*” At the bottom of the advertisement are the words “Welcome to the brave new world”. A photograph of the advertisement is shown below. We believe the advertisement breaches Principle 1 of the ASA Code for Advertising and Promotion of Alcohol

Alcohol advertising and promotions shall observe a high standard of social responsibility.

We are concerned that the use of the popular song lyric and meme, *Hello darkness, my old friend* is not observing a high standard of social responsibility. The term *darkness* is evocative, and can evoke many metaphorical and literal associations, but we submit that in this context the term very obviously evokes an association with depression, despair, or existential angst. Given that the advertisement is being displayed during Mental Health Awareness Week, and despite alternative associations the song lyric could evoke, we submit that this advertisement is failing to observe a high standard of social responsibility.

Alcohol misuse is a major risk factor for suicide, the second strongest risk factor after depression. Acute alcohol intoxication in a drinking event, as well as the presence of alcohol use disorders, are associated with increased risks of suicide. It is thought that heavy drinking facilitates suicidal behaviour in those already at risk, possibly by increasing impulsivity, impaired judgement and aggression.

Among young people aged 15-24 years who had attempted suicide and were admitted to one of three Auckland Emergency Departments in 1999, alcohol was present for 29%.

Data provided by Coronial Services (see below) shows that in 2016 and 2017, alcohol was present above trace level in 34% and 31% of suicide cases respectively. Alcohol was present at trace levels in either blood or urine in further 26% of suicide cases in 2016 and 2017.

Profile of Coronial Suicide Cases with Date of Death Between 1 January 2016 to 31 December 2017
By Year of Death and Alcohol Classification of Case

Alcohol Classification	Number of Suicide Cases		Percent	
	2016	2017	2016	2017
Alcohol above Trace level	198	197	34.02%	31.07%
No Alcohol found	174	202	29.90%	31.86%
No Toxicology Report	58	69	9.97%	10.88%
**Trace of Alcohol in either blood or urine	152	166	26.12%	26.18%
Grand Total	582	634	100.00%	100.00%

**ESR Reference

Trace Level (less than 5 milligrams per 100 millilitres);
Trace levels of alcohol may be due to means other than deliberate ingestion.

Please note that these details include some active cases which are suspected suicides and as such are provisional pending the Coroner's official finding

The link between alcohol, depression and suicide is important. Furthermore, our society sees mental health and suicide as one of the critical challenges of our times.

Though the above advertisement could be interpreted in a number of ways, we submit that it clearly can evoke thoughts regarding depression, and it is particularly poor taste, and socially irresponsible to place this advertisement during Mental Health Awareness Week.

We would appreciate if the Advertising Standards Authority Complaints Board would consider whether this advertisement does or does not breach Principle 1 of the Code for Advertising and Promotion of Alcohol.

The relevant provisions were Code for Advertising and Promotion of Alcohol - Principle 1;

The Chair noted the Complainant's concern that the advertisement for an alcohol product was linking drinking to depression and suicide during Mental Health Awareness Week.

The Chair said that upon receipt of the complaint, the Advertiser had withdrawn the advertisement and changed the wording on the new advertisement.

The Advertiser said in part; "We take mental health very seriously and it was definitely not our intention to cause any offence. To be honest we weren't aware that Mental Health Awareness Week was approaching nor did we make the connection that the word 'darkness' would have been portrayed negatively. We chose this line because Scapegrace Black is literally a black gin, hence the use of the word darkness. We have since taken down all the billboards and replaced that line with 'The New Black'. Which again directly refers to the colour of the gin which is black."

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled- advertisement removed**

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 www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.