

ASA Statement on the Depiction of Covid-19 Protective Measures in Ads

Background

Since the start of the Covid-19 pandemic the ASA has been receiving complaints about ads that depict scenes or behaviours, (for instance: crowds of people in close proximity to each other or people in shops not wearing face masks), which go against current government and scientific rules and guidelines that are aimed at limiting the spread of Covid-19 through the population.

The ASA has taken a pragmatic approach to this issue, recognising that many ads were created before Covid-19 was a concern and mindful of the fact that the overwhelming majority of us recognise that ads are not 'instructional', i.e. they don't actively tell or encourage the public to behave in a certain way.

The ASA has also been guided by our [Regulatory Forbearance](#) statement, issued at the beginning of the lockdown in the UK, which was drafted in response to the Chancellor of the Exchequer's call for regulators to act proportionately in the face of the existential challenges that many businesses are facing in the light of recent economic upheaval. In this regard the ASA has recognised that there are costs to requiring advertisers to make all relevant ads compliant with government guidelines and that those guidelines are evolving differently in all four nations of the UK, and changing over time, such that keeping all ads up to date would be prohibitively costly and burdensome for many advertisers.

In recent weeks, as government policy on the use of facemasks and social distancing as well as other measures has further evolved, the ASA has been receiving enquires on the position we are likely to take on the depiction of protective measures for ads and campaigns that are created today and in the foreseeable future.

The ASA recognises that there is a balance to be struck between ensuring that advertising is responsible and plays its part in ensuring that public health messages are adhered to and promoted, whilst recognising that the public is generally able to draw distinctions between the reality of current events and efforts underway to control the Covid-19 virus and the variety of different creative contexts that ads can be set in.

The ASA Council has therefore now agreed three guiding principles that it will take account of when assessing these issues until further notice.

Guiding Principles

- a) Ads which actively discourage protective measures such as mask wearing or social distancing are likely to be irresponsible in all circumstances and therefore a breach of the Code. The ASA will be likely to investigate such ads with a view to banning them.
- b) Ads which are responsibly created and which make explicit reference to the existence of the pandemic must, where relevant, show depictions of social distancing, the correct use of face masks and other protective Covid-19 measures in line with current Government advice¹ at the time the ads were created.
- c) Ads which are responsibly created but which do not explicitly reference the existence of the pandemic would not be likely to need to depict coronavirus protective measures such as social distancing and the use of face masks.

¹ Advertisers should follow the government advice appropriate for the nation of the UK that the ad is being shown in, where possible. Advertisers who are creating ads for a UK audience should carefully consider how to avoid conflicts with the current guidance or rules of any one of the four nations.

The ASA Council notes that whilst these guiding principles are the starting point for their assessment, as always, it will have regard to the specific content and context of each ad when reaching a decision on whether an ad is compliant with the Advertising Code(s).

Further help and guidance

Advertisers seeking additional guidance are invited to contact CAP Copy Advice.

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