



Case Report

1	Case Number	0004/12
2	Advertiser	Motor Accident Commission SA
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	08/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Two people kissing in the back seat of a taxi. Male looks alarmed as fare metre approaches \$300. On screen super delivers the campaign message: "Lose your licence and you're screwed"

THE COMPLAINT

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

The Images were too young people sexually kissing: A) then went on and on - B) the manner was erotic implicit was that sex would have been offered If they had been private - completely licentious.

It was screened during the cricket I did not want to watch it myself let alone watch it with my teenage sons.

I was also completely horrified that a Government agency would waste money with that kind of appalling and offensive ad

It should be removed. The message could be given without such a graphic statement.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

I refer to the complaint submitted against our young driver's campaign, reference number 0004/12.

The complaint references a TVC that is one of a suite of three in a multi-media campaign that includes radio, outdoor and online.

The complainant is concerned that the TVC is 'licentious'. As such, we direct our comments to section 2.3 of the AANA Advertiser Code of Ethics:

2.3 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and where appropriate, the relevant programme time zone Young South Australian drivers are over-represented in road trauma. At the time of campaign development, people aged 16-24 made up 12% of the population but accounted for 27% of fatalities and 30% of serious injuries each year in South Australia. In 2010 alone, 36 young people died in crashes in South Australia. This prompted MAC to develop a campaign that spoke specifically to young drivers and addressed the unique challenges the road safety community face in influencing this audience.

While young drivers are vulnerable for a multiple of reasons, a key contributor with many is an attitude and behaviour that leads to highly risky driving and otherwise avoidable crashes. It is this problem that the campaign seeks to address.

The campaign was extensively researched. Key insights that influenced campaign development were:

- Attaining a drivers licence and access to a car coincides with, and is symbolic of, the wider experience of young adulthood, growing independence and search for peer approval and relationships.*
- Young people do not view death or serious injury as a probable outcome of unsafe driving.*

This led to the campaign strategy and headline - "Lose Your Licence and You're Screwed." Rather than threaten young people with the consequences of a crash, we reminded them of the disappointments that would result from losing the item that delivered to them the things that were of most importance to them at that time of life – independence, relationships, social status.

The message was leveraged into executions depicting different scenarios in which a young person undergoes a social hardship or embarrassment as a result of losing their licence. The tone is intended to be humorous and light hearted in order to better engage with a notoriously difficult to reach audience. The TVC concerned is intended to humorously convey the perils of dating.

We respect and acknowledge that the complainant has a right to an opinion regarding our advertising however we believe the content of the commercial is justifiable and not in violation of 2.3 of the AANA Advertiser Code of Ethics:

- It does not depict sex or nudity.*
- It does depict two young people kissing but in our opinion does so comically and not in a distasteful or lewd manner.*
- The complainant appears to believe the scenario is overtly sexual. While it is difficult to refute a personal point of view, we believe that prevailing community standards would not apply the same assessment. That the commercial was approved for broadcast and given a 'P' rating by Commercials Advice would support this.*

• *The commercial was approved for broadcast and given a 'P' rating, directing our media buyers to restrict placements to appropriate program environments. Most importantly, the campaign message appears to be resonating with the intended audience with the desired result. Results of the current activity are pending, however the campaign launched in July 2011 with the following encouraging effects on behaviours and attitudes.*

- *70% appropriate message take-out*
- *77% consideration to obey road rules as a result of seeing the campaign*
- *61% actual adherence to road rules after seeing the campaign*
- *43% talking to peers about sticking to the road rules after seeing the campaign*
- *16% increase in always sticking to the legal speed limit.*

In 2010, 36 people under the age of 25 died on South Australian roads. In 2011 this figure reduced by over 50% to 15.

In light of the importance of this issue and demonstrated positive impact it is having in keeping young people safer on the roads, I hope you will agree that the content of this commercial is both justified and appropriate.

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 the complainant’s concerns that the advertisement features sexual scenes that are offensive and not appropriate for family viewing.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with Section 2.4 of the Code. Section 2.4 states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement features a young couple passionately kissing in the back of a taxi.

The Board noted that the target audience for this campaign is young drivers often with little driving experience. The Board noted that the intention of the advertisement is to show a possible situation that is relevant to teenagers of 17-21 years and yet another reason why it is important to drive safely and not behave in a way that may lead to a loss of licence.

The Board considered that the light, humorous approach to the scenario and the concern on the young man’s face when he sees the meter reading in the taxi draws a clear connection to the realisation that losing his licence can limit freedom and cost a lot of money. The Board considered that the community message being delivered in the advertisement was extremely important and that the target audience for this advertisement would relate to the advertisement.

The Board agreed that the young couple were quite passionate in their behavior and that there was a mild sexual connotation to the scene being showed.

The Board noted that some members of the community may find the advertisement offensive, however the Board acknowledges that most members of the community would find the advertisement to be lighthearted and effective rather than inappropriate.

The Board considered the advertisement did treat sex, sexuality and nudity with sensitivity and that it did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.