



Case Report

1	Case Number	0052/12
2	Advertiser	Department of Transport and Main Roads
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	22/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

The 45-second advertisement, Better buckle up – driver, tells the story of a male driver who crashes his car in an urban area at between 50km/h and 60 km/h. It graphically demonstrates what happens to a person's internal organs when they are not held back by a seatbelt, and the deadly consequences.

THE COMPLAINT

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

Graphic destruction of organs disturbing to whole family to point that pushing away from the channels that carry that advertising / quickly switch channels. As such the intent not being realised and significantly this intrusion is not advertising for a product or service - and NOT requested. It is considered an intrusion into private evening relaxation.

I object to the both the images and the commentary. This ad has caused upset in all 3 members of this home particularly to my ASD child who was significantly distressed. This is the first time I have ever felt the need to complain about an ad.

THE ADVERTISER'S RESPONSE

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

AANA Code of Ethics

This response relates to relevant sections of the AANA Code of Ethics:

- *2.2 - Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

This response also relates to relevant sections of the AANA Code for Advertising & Marketing Communications to Children:

- *2.3 Placement - Advertising or Marketing Communications to Children must not be placed in Media where editorial comment or program content, in close proximity to that communication, or directly accessible by Children as a result of the communication, is unsuitable for Children according to Prevailing Community Standards.*
- *2.6 Social Values - Advertising or Marketing Communications to Children must not portray images or events in a way that is unduly frightening or distressing to Children.*

Rationale for campaign

Not wearing a seatbelt remains a significant contributor to the Queensland road toll. On average, 30-40 unrestrained people die each year in Queensland in road crashes. Failing to wear a seatbelt is a contributing factor in more than one quarter of unrestrained vehicle occupant fatalities, where the restraint use is known. In reality, unrestrained vehicle occupant fatalities are likely to be much higher than officially reported because seatbelt use is only known in about one third of all vehicle occupant fatalities.

In an effort to reduce the road toll of unrestrained vehicle occupants, the Department of Transport and Main Roads is currently rolling out a social marketing campaign to increase the use of seatbelts in cars.

International research shows that wearing a seatbelt improves a person's chance of surviving a crash by up to 50 per cent. Drivers and front-seat passengers are at a five times greater risk of dying in a car crash if the rear passengers are not wearing seatbelts because unrestrained back-seat passengers become human missiles in a crash and can kill others in the vehicle as they are flung about.

Yet despite overwhelming research to support seatbelt use, a significant number of Queenslanders continue not to wear them.

In 2010, Queensland police officers issued 20,659 seatbelt infringements - the equivalent of 1721 every month.

In the five calendar years 2006-2010, there were 191 unrestrained vehicle occupant fatalities as a result of crashes within Queensland. That equates to 27 per cent of all vehicle occupant fatalities where restraint use was known.

Males aged 17-24 and 30-49 represent the most at-risk groups in terms of unrestrained vehicle occupant fatalities in Queensland. Of the above mentioned 191 fatalities:

- *80 per cent the people killed in the 17-24 age bracket were male*
- *90.2 per cent the people killed in the 30-39 age bracket were male*
- *80.6 per cent the people killed in the 40-49 age bracket were male.*

Complaints the advertisement causes alarm and distress

The purpose of the advertising is not to cause distress or offend people, but to help reduce our road toll.

While the advertisement contains graphic images, the creative approach will help save lives on our roads. The advertisement was developed following extensive market research that showed this approach was the most effective in convincing the target audiences to think about

the consequences of their decision not to wear a seatbelt and subsequently consider wearing one every time they get in a car.

For anyone who feels distressed by the advertisement, the department has published a spot schedule detailing the stations and programs the advertisement appears on, so people can avoid watching television during times they will see the advertisement. This is publically available from our website at <http://www.tmr.qld.gov.au/Safety/Safety-campaigns/Seatbelts.aspx>.

Complaints the advertisement involves graphic depictions

The 'Better buckle up' advertisement contains graphic images. The department's research showed this creative approach would best get the message through to the audience - particularly males aged 17-24 and 30-49, who are the most at risk-groups in terms of unrestrained vehicle occupant fatalities.

The department undertook extensive market research to ensure the campaign would convince the target audiences to change their seatbelt-wearing behaviour by considering the consequences of what may happen if they don't wear one.

The market research showed that presenting new information in a factual manner was the most effective strategy to encourage attitudinal and behaviour change. This is because the target audiences grossly underestimated the potential damage caused in a crash and had lapsed into complacency regarding their attitude and behaviour toward wearing a seatbelt. In particular, information about the forces at work on the internal organs of an unbuckled body was considered especially interesting by the target audiences.

The 'Better buckle up' creative concept was one of 15 tested on focus groups in metropolitan and regional Queensland. The chosen creative concept proved the most effective in achieving our aim of making the audience think about the consequences of their decision not to wear a seatbelt and subsequently consider wearing one every time they get in a car.

The chosen concept effectively delivers this strategy. Participants indicated their preference for the advertisement because it:

- represented highly interesting new information*
- clearly showed what happens to the internal organs – including the use of slow motion*
- sent a fresh message*
- made the viewer think*
- made the viewer nervous*
- showed the right level of graphicness*
- used the right tone and was less condescending than other concepts.*

Other concepts that were tested did not resonate as strongly with the target audiences.

Market research showed the target audiences want and need to be shown some level of graphic imagery for seatbelt messages to affect to them to the point of making them consider changing their behaviour. The following are some direct quotes from participants about the chosen concept:

- "Showing that organ stuff is good. And with the slow mo you see exactly what happens."*
- "It feels a lot more personal."*
- "I didn't realise how fragile your body can be."*
- "It makes me feel nervous."*
- "It made me think."*
- "It's a new take on the seat belt message."*

The footage used in 'Better buckle up' was originally produced as part of a seatbelt campaign in the UK in 2008. Market research conducted shortly after the UK campaign launched showed the advertisement was effective. Seventy-nine per cent of respondents were aware of

the broader campaign, with 75 per cent of all respondents and 82 per cent of respondents in the target age group citing the television advertisement as the source. Market research conducted in 2011 showed the UK public's attitudes towards wearing seatbelts had improved significantly. Perceptions of the danger of not wearing seatbelts in front seats increased from 75 per cent in 2008 to 83 per cent in 2011. Perceptions of the danger of not wearing seatbelts in back seats increased from 60 per cent in 2006 to 70 per cent in 2011.

What is considered shock advertising should be kept in context of the trauma that actually occurs on our roads as a result of fatal crashes involving unrestrained people. While the images in the Better buckle up television advertisement are realistic, the colour tone is deliberately softened and the use of blood minimised. The advertisement is not nearly as shocking as injuries sustained in a real road crash, a scene our police and emergency service workers are faced with almost every day.

Placement of the commercials

'Better buckle up – driver' is rated PG. Under this rating the advertisement may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods, and with the following recommendations:

- *weekdays 8.30 am – 4.00 pm*
- *weekdays 7.00 pm – 6.00 am*
- *weekends 10.00 am – 6.00 am.*
- *exercise care when placing in cartoon and other child – appeal programs.*

In addition, the advertisement may be broadcast on digital multi-channels during the following hours:

- *weekdays 6.00 am – 8.30 am*
- *weekdays 4.00 pm – 7.00 pm*
- *weekends 6.00 am – 10.00 am*

However, our media buyer has received instructions to adhere to M rating guidelines when placing the advertisement, and not to place it within any family programming.

M-rated advertisements may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods:

- *weekdays (schooldays):*
 - 8.30 pm-5.00 am (see Note)
 - 12.00 pm-3.00 pm
- *weekdays (school holidays) and weekends:*
 - 8.30 pm-5.00 am (see Note)

Note: not in G or PG programs or sport starting at or continuing past 8.30 pm. If the program continues past 10.30pm, this restriction ceases to apply.

The department has made every effort to ensure 'Better buckle up' airs during times when it is more likely to be viewed by members of the target audiences and not by children or young families. All spot schedules supplied by the media buyer have been reviewed to ensure the advertisement appears only in appropriate programs and timeslots.

For example, the advertisement does not appear until after 8.30 pm. In the case of placement within coverage of the 2012 tennis Australian Open, which aired from 7.00 pm over several nights, our media placement company received written confirmation from Channel Seven that the advertisement would not run until after 10.30 pm.

There have been instances where the advertisement has been scheduled during PG-programs, for example: Legally Blond 2 (Go! Brisbane, 5 February); Bride Wars (Channel Nine Brisbane, 8 February); Zathura: A Space Adventure (Channel Nine Brisbane, 28 January).

In these instances, our advertising agency has questioned the placement and received assurances the advertisements would not run until after 9.00 pm – or 9.45 pm in the case of Zathura.

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 complainants’ concerns that the advertisement has graphic images and is unsuitable for viewing by children.

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

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised”.

The Board noted that the advertisement - ‘better buckle up’ depicts a male driver who crashes his car in an urban area at between 50km/h and 60 km/h. It demonstrates what happens to a person’s internal organs when they are not held back by a seatbelt.

The Board noted the complainants’ concerns that the images used in the advertisement are graphic and distressing.

The Board noted community concern about depictions of graphic images in the context of violence and also noted that the advertisement was given a ‘PG’ rating, although the advertiser had asked that it only be shown in M programming, and that it has been aired in the appropriate time zones.

The Board noted that the advertisement is targeted toward particularly males in the age brackets of 17-24 and 30-49, who are the most at-risk groups in terms of unrestrained vehicle occupant fatalities.

The Board noted that the intention of the advertisement is to show a real life situation that drivers can relate to but at the same time highlights an important message about road safety and wearing a seatbelt when in a vehicle.

The Board considered that while some of the images may be confronting and alarming to children, the community message being delivered in the advertisement was extremely important and that the target audience for this advertisement would relate to the advertisement.

In the Board’s view the advertisement presents violence in a manner that is justifiable in the context of the product being advertised.

The Board determined that the advertisement did not breach section 2.3 of the Code.

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