



Case Report

1	Case Number	0012/13
2	Advertiser	Transport for NSW
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	30/01/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

The 'Drink Driving - What's your Plan B' campaign highlights ways to avoid drinking and driving by showing alternative ways of getting home if you have been drinking. These include a man being carried aloft by a group of women, catching a bus or taxi, staying in a motel and sleeping on a friend's sofa.

THE COMPLAINT

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

It encourages people to walk home alone at night, as in the end of the ad, the man's final decision after many fantasies about alternate ways to get home in order to avoid drink driving, is to walk in the dark down a suburban street. This is not safe for men or women and should not be an example of how to get home safely.

It doesn't provide people with a useful and helpful insight of how to get home safely after a night out. His various fantasies include 'star trek style' beaming and other unrealistic and unhelpful methods.

It is sexist. One of the fantasies is the man being carried away by a group of gorgeous women. It is aimed at men and unhelpful to women who really need advice on how to get home safely. The ad did not feature women taking a safe mode of transportation home; instead it shows a man walking home alone at night. It offers no help to women whatsoever and no realistic help to men.

THE ADVERTISER'S RESPONSE

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

Transport for NSW is committed to reducing the number of deaths and injuries on our roads through evidence based campaigns, coupled with social marketing strategies and enforcement programs.

Drink driving continues to be a significant road safety issue. In 2011, there were 71 deaths and 1,176 injuries attributed to drink driving in NSW.

The 'Drink Driving – What's your Plan B?' campaign was launched in August 2012 and builds on previous education and enforcement messages.

While the campaign was designed to reach all drivers it recognises that the overwhelming majority of drivers involved in fatal crashes where an illegal level of alcohol is a factor are male. In 2011, 62 out of 64 drink drivers (or 97%) killed were men.

The campaign messages were developed to resonate most strongly with, and reach, young male drivers who are over represented in all alcohol related crashes. In 2011, male drivers between 17 and 39 years old made up 64% of drink drivers in fatal crashes. During the development of the campaign, research showed the campaign did test well though among both men and women.

Creatively, Transport for New South Wales (TfNSW) campaigns do not include the use of graphic shock-horror imagery because research shows that messages delivered through this style of campaign do not resonate with the target audience, who instead disassociate with the message. They have little value in delivering attitude or behaviour change for road users.

The 'Plan B' campaign is about making positive choices to get home safely after a night out and highlights that driving is not an option. Plan B has taken a humorous and positive approach designed to engage the community in conversation about the topic.

The campaign promotes the fact that 'Some Plan B's are smarter than others' which is why a human cannonball, a science fiction teleporter and Grecian girls using a shoulder carriage as humorous ways to get home are incorporated into the television advertisement.

However, while the campaign uses humour to get the message across there are plenty of Plan B options, there is a serious tone to the advertisement as well and a clear message – if you drink and drive you run the risk of being breath tested by police, arrested and lose your licence (ie. 'RBT means you need a Plan B').

A range of legitimate Plan B options are promoted in the television advertisement (such as catching a train, bus or taxi, staying at a mate's house or in a motel room) and as part of the overall campaign. For example, the key messages on bus and taxi back advertisements are designed to encourage people to consider using these transport options as their Plan B (ie. 'Is this bus your Plan B?' and 'Is this taxi your Plan B?').

Digital also has a very strong role within this campaign, and the dedicated website, www.whatsyourplanb.net.au has a comprehensive overview of transport options to consider to avoid drink driving:

- *Transport Info 131500 which has public transport information and links to download public transport apps.*
- *Taxi information.*
- *Links to source alternate accommodation; and*
- *for those who aren't too far from home, to walk.*

These options are all better than the alternative – to drink and drive and face the consequences.

The NSW Government is committed to making public transport safer. In 2011, an additional 91 NightRide services a week were introduced on trains bringing the total number of services to 903 a week.

Work is continuing by TfNSW and Roads and Maritime Services (RMS) on establishing other late night alternative transport schemes with local communities, such as courtesy buses from venues.

Walking is another important way that people get home and is a safer option than drink driving. With most transport options there is a part of the journey that people still need to walk. Unfortunately people do take risks and make poor decisions when they drink.

Many alcohol affected pedestrians involved in crashes are extremely intoxicated, having a BAC over 0.15. Ensuring that people do not drink to this level is also important and if you notice that your friends are very drunk, look out for them and help them get home safely.

There are a number of strategies that are used to reduce the risk of alcohol affected pedestrians being hit by cars such as providing taxi ranks close to venues, using pedestrian fencing around trouble spots and other engineering treatments to make the roads around venues safer for pedestrians.

TfNSW and RMS also use radio advertisements to raise driver awareness of pedestrians around venues and sporting events where they are more likely to encounter alcohol affected pedestrians.

Overall, initial research has indicated the Plan B campaign has shown strong cut through in targeting young males through state-wide marketing and the selection of media channels based on the preferences of the target audience.

TfNSW will continue to monitor the relevance and effectiveness of the Plan B campaign through an ongoing campaign tracking and evaluation program.

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 discriminates against women and shows scenes that are unsafe.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.’

The Board noted that the advertisement features two men at a pub drinking beer when one man asks the other “so are you driving?” The young man then imagines several options for how he will get home that night rather than driving. These include traditional methods such as taxi, bus, train and walking, as well as fanciful methods such as by chariot, being fired from a canon and by teleportation.

The Board noted the complainant’s concerns that depicting the man being carried in a fancy

chariot by attractive women as an alternative way of getting home, is sexist against women. The Board considered however that most reasonable members of the community would recognise that the images that the man conjures up in his mind are complete fantasy. The Board considered that the depiction of the women carrying him on an extravagant chariot is humorous, fanciful and an unrealistic transportation solution, as were several other of the imagined methods. The Board considered that this humorous depiction was not overtly sexist or discriminatory toward women.

The Board determined that, in this instance, that the advertisement did not depict any material that discriminated against or vilified any person or section of society and that the advertisement did not breach Section 2.1 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the complainant's concerns that by showing only a man looking for alternative ways home was unhelpful to women and that the options shown were generally unhelpful as well.

The Board noted that there is a genuine community concern regarding drink driving and that the message that is being highlighted is that if an adult chooses to drink then the best option for a safe way home is to have a 'plan B' rather than consider drinking and driving.

The Board noted the advertiser's response that statistically young men are over represented in all alcohol related crashes and that the use of a man in the advertisement is intended to resonate most strongly with young men viewing the advertisement.

The Board did not consider that this portrayal was suggesting that only men should look for alternative ways home but that all adults, male or female should look for a Plan B if intending to drink.

The Board considered that the depiction of the man walking home as one of the possible options would not be considered by viewers as depicting material that is contrary to prevailing community standards but that overall the important message of finding an alternative way home (including walking) would be a safer option than drinking and driving. The Board did not consider that the advertisement was encouraging women to take unnecessary risks in getting home after a night out.

Based on the above, the Board determined that the advertisement did not depict material that was contrary to prevailing community standards on health and safety and did not breach section 2.6 of the Code.

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

