



Case Report

1	Case Number	0014/12
2	Advertiser	Transport Accident Commission
3	Product	Community Awareness
4	Type of Advertisement / media	Cinema
5	Date of Determination	08/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

‘Room for One More?’ is a two-minute film which tells the story of Jake, a young man on his way to a party who learns that he is soon to be responsible for a car accident. It takes a more serious look at what can happen when young people are distracted in a car and uses ghosts of road trauma victims to help tell his story.

THE COMPLAINT

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

This advertisement is a graphic road accident that is horrific to children. It was run in a time slot of 7.15pm on a PG rated film - Adventures of Tin Tin. I took my two children - ages 3 and 8 to see the film and they were scared and horrified of the above advertisement. I had to cover their eyes while they cringed and tried not to hear it too. I was able to settle them down once it was over but they were visibly upset over it.

This type of advertising is NOT SUITABLE TO CHILDREN UNDER 14 and should not be played on any film that is rated PG or is in a family timeslot e.g. before 9pm.

I would like for you to make sure these advertisements are played only in their appropriate time slot so that this doesn't happen again.

THE ADVERTISER'S RESPONSE

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

Thank you for notifying the Transport Accident Commission (TAC) of the complaint received by Advertising Standards Bureau in relation to the 2011 Make A Film. Make A Difference (MAFMAD) film 'Room for One More?'

In this response I outline the background to the campaign and the rationale for the creative approach taken. The nature of the creative was thoroughly market tested and endorsed by the target audience. Likewise, strategic consideration has been carefully applied to media usage for this program to maximise campaign effectiveness against the core target market.

I am confident you will find that the TAC has developed a campaign to tackle the issue of youth risk taking, the 'party in the car' scenario and the potentially hazardous distraction they can cause for the driver.

Background

Road trauma including death and injury, is a social issue that affects more than the individual road users. Families, friends and work colleagues are placed under enormous stress; not to mention the wider impact on our health and compensation systems. Each year the TAC provides over \$700 million dollars in benefits and financial support aimed at rehabilitating Victorians injured in road accidents and assisting their families.

The TAC's public education campaigns continue to focus on accident prevention, with the intention of reducing fatal, serious and minor casualty crashes on Victoria's roads. Large investments have been made in research to understand attitudes and behaviours of specific road user segments.

Globally, road trauma is the biggest killer of young people aged 16-25 years. Larger than AIDS, famine, war or drugs – cars, their drivers and passengers account for more deaths of people aged 16-25 years than any other cause.

Victoria is no different. The 18 to 25 year age group remains vastly over-represented in our road trauma statistics. This group accounts for just 14% of licence holders, yet 28% of all driver deaths on our roads in 2010. In their first year of driving, young Victorians are almost four times more likely to be involved in a fatal or serious injury crash than more experienced drivers.

Of the 36 young drivers killed in 2010:

- o 86% were males,*
- o 78% were killed in single vehicle crashes,*
- o 72% were involved in crashes that occurred during high alcohol times,*
- o 50% of crashes occurred between the hours of 8pm and 6am.*

(Victoria's 2011 annual road toll remains provisional. To be confirmed 01/02/12)

Due to their driving inexperience, young drivers also find it more difficult to cope with challenging driving conditions increasing the risk of collision. Driving late at night, with multiple passengers, drink driving and using mobile telephones are much higher risk activities for young inexperienced drivers.

The rate of fatal and serious injury crashes is also elevated when probationary drivers carry two or more passengers, either day or night. 26% of first year probationary drivers involved in fatal crashes are carrying two or more passengers, yet only 9 per cent of their total driving is with multiple passengers. Half of fatal crashes for first year drivers occur late at night or with multiple passengers.

Realising the enormity of youth road trauma in Victoria, measures have been taken through the Victorian Government's arrive alive 2008-2017 road safety strategy to improve young driver safety through a range of initiatives. The MAFMAD program is part of this strategic approach.

Another important road safety initiative is the Graduated Licencing System (GLS). First introduced in July 2008 GLS aims to address key young driver risk factors and includes the following requirements:

- *Learners aged less than 21 years must obtain at least 120 hours of on-road supervised driving.*
- *Probationary drivers can't drive a vehicle with an eight cylinder engine, a turbocharged or supercharged petrol engine, certain high performance six cylinder engines, an engine that has been modified to increase the vehicles performance.*
- *A driver on a P1 probationary licence is not permitted to carry more than one peer passenger (aged 16 to under 22 years of age).*
- *A learner or P1 probationary driver is not allowed to use a mobile phone whilst driving. This includes hand held and hands free devices.*
- *Learners and P1 and P2 drivers must have a zero blood alcohol concentration (BAC).*

The MAFMAD Creative Approach

The MAFMAD project, first launched in 2003, spearheads the TAC's Youth Risk Taking strategy with the aim of challenging young people's attitudes towards risk taking on the road and to encourage them to become actively engaged in finding solutions when faced with a high risk situation, either as a passenger or driver.

MAFMAD films promote peer-to-peer communication, which we know is exceptionally valuable in helping prevent youth road trauma. Research conducted in 2005 by Charlie Cochrane suggests that for young people, messages coming from their mates resonate more soundly than messages coming from authorities.

MAFMAD asks young Victorians aged 25 and under to submit an idea for a short film that will challenge young people's attitudes towards driving and looking out for their mates. The competition is in its tenth year and so far 19 exceptional films have been developed by the youth of Victoria.

In 2010 the TAC developed the brief to incorporate the theme 'party in the car', tackling subjects such as multiple passengers, distractions and risk taking in line with the Victorian Government's road safety strategy.

Research specific to the MAFMAD film 'Room for One More?'

The TAC is an evidence-based organisation and prides itself on being a world leader in road safety public education that is developed as the result of extensive, detailed and insightful research. In the development of our youth risk taking communications strategy, the TAC conducted in-depth analysis of young peoples' attitudes and behaviours towards key road safety issues affecting them.

Research was conducted with groups of people aged 18-25 on the TAC's behalf by Sweeney Research in order to gain some insights into the target audiences attitudes and reactions towards the 2011 MAFMAD film 'Room for One More?'

Key findings suggested that this film was targeting its message to both drivers and passengers, seeing both as having a role to play in preventing the consequences from driver distraction...

"It makes me worry about other people on the road, because I'm usually by myself or getting driven. So maybe it makes me think about affecting the driver while I'm a passenger."

The responses highlighted that our target market understood and could identify with the communication and clearly take away the important message that your actions on the road have consequences. Some key comments are highlighted below:

“It has a strong impact because you can relate to the situation.”

“It is shocking, because it seems like something that can happen to me.”

Distribution of MAFMAD films

Distribution of the MAFMAD films is targeted and carefully selected to ensure the target audience of young Victorians 16-25 years, are exposed to the communication. This includes being screened in cinemas prior to certain films, at youth festivals such as The Big Day Out, Falls Festival, television channels such as MTV and GO! and online.

As the recent MAFMAD films have been shown on both FTA TV and Pay TV channels, the TAC has obtained CAD approval for each. The film in question ‘Room for One More?’ received a PG rating and the TAC in conjunction with our media agency Mitchell and Partners, selected appropriate PG rated shows for the appearance of the film.

Although cinema advertising guidelines does not require the content to be rated by FTA TV Australia, the TAC has taken upon itself to hand select the films which the MAFMAD films will appear prior to, ensuring this is in line with CAD approved rating. The complaint was referring to ‘Tin Tin’ which is rated PG.

In Conclusion

We do acknowledge that some members of the public will find this campaign confronting, particularly if they are not the key target market. To date this is the only complaint we have received in relation to this film.

Whilst this film has a PG rating, the TAC has taken precautionary measures to ensure that it has not been exposed to an age group that is outside of our target demographic.

To ensure that the TAC limits the impact of those directly affected by making available a copy of the media schedule including all appearances of this film. This is available so that members of the public can wish to modify their viewing patterns to avoid seeing the film in the future.

I hope that the ASB acknowledges that the TAC is acting responsibly in its communications to address the issue of youth risk taking. Further, that every effort has been made to comply with Section 2 of the AANA Code of Ethics and associated 2.6 of the AANA Code for Advertising & Marketing Communications to Children.

The creative style used, while confronting, does not breach acceptable community standards in consideration of the social harm that road trauma can cause.

I trust that you will view this response favourably, given this campaign is critical to influencing young peoples’ behaviour and continues to play an important role in saving lives and reducing the level of trauma on Victoria's roads.

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 is horrific and 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 - 'Room for One More?' depicts a young man as the driver of a car on his way to a party who learns that he is soon to be responsible for an accident and uses ghosts of road trauma victims to help tell his story.

The Board noted the complainants' concerns that the images used in the advertisement of people that have been involved in an accident is 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 and that the movie that the advertisement was viewed in was also a 'PG' rated movie.

The Board noted that the advertisement is targeted toward younger drivers, often with little driving experience. The Board noted that the intention of the advertisement is to show a real life situation that young drivers can relate to but at the same time highlights an important message about road safety and concentrating 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.