



Case Report

1	Case Number	0075/11
2	Advertiser	Motor Accident Commission SA
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	23/03/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Violence Community service advertising

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is filmed from the point of view of a rear passenger of a car. The driver's face appears to change so that it looks like he has blood on him. The driver glances away from the road for a second and then he hits something.

SUPER: Creepers don't just hurt themselves. Watch out for Creepers

LOGO: MAC. Government of SA

THE COMPLAINT

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

The advertisement is garish, very graphic, and disturbing, yet does not make a "clear statement" of the intention of the advertisement. It's graphically violent yet does not indicate what the purpose of the advertisements is unless all 3 are watched in sequence. They are therefore not effective in getting any actual "point" across and are overwhelmingly disturbing/graphic and not something I would choose to watch. If it was in a film I wouldn't watch such a film.

THE ADVERTISER'S RESPONSE

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

This complaint was made against one TV commercial in a series of three.

For reference and context, I have submitted all three.

The TVC under consideration is MAC0439B

1. CREEPERSII_BEFORE Key No:MAC0439A CAD: MTKEXGOA

2. CREEPERSII_DURING Key No:MAC0439B CAD: MTKEYGOA

3. CREEPERSII_AFTER Key No: MAC0439C CAD: MTKEZGOA

The complainant is concerned that the TVC is unnecessarily graphic. We respect and acknowledge that the complainant has a right to an opinion regarding our advertising and the right to express it. We also recognise that it is unfortunate that we need to continue to address bad road user behaviour, sometimes at the expense of the comfort of those who do the right thing.

Speed is South Australia's primary road safety issue and road safety professionals and researchers generally place speed as the key issue influencing road trauma.

Where speeds are reduced, crash numbers and crash severity reduce. When the urban speed limit in South Australia was reduced to 50km/h, on those roads reduced to 50km/h, mean speeds fell by 2.3km/h and casualty crashes fell by 21%.

While we, as a community at large, continue to bemoan the road toll, we continue to view the fastest and most effective way to reduce it as a contentious issue.

In relation to the complainant's specific comments, I offer the following feedback.

*** The general nature of the complaint is that the TVC is disturbing and graphic.*

Section 2.2 of the Advertiser Code of Ethics states: Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

MAC believe that the graphic content of this TVC is justifiable in the context of public education and safety.

The TVC was reviewed and approved to go to air by CAD in the form that it has been seen.

The TVC was issued an M rating directing our media buyers to restrict its placement to appropriate timeslots.

As you may expect, research and opinion concerning the effectiveness of graphic road safety advertising is voluminous. That the realistic depiction of road trauma is more effective in changing behaviour is one view with a wide body of support.

MAC do not exhaustively use graphic imagery across our whole range of road safety messages but based on our observations and experience in delivering many road safety campaigns, it is MAC's opinion that the approach is appropriate for the low level speeding issue. This is primarily because the general public do not think low level speeding has consequences and the general public appear to notice and talk about graphic campaigns more quickly than other audiences (such as young males who are often de-sensitized to such approaches).

Aside from this theoretical framework, MAC's Creeper campaign has demonstrated a positive impact on low-level speeding behaviour. Prior to campaign launch, self reported speeding behaviour, as measured by our market research company, sat at 65% of the SA population. Since it's inception, that figure reduced to a low of 48%.

In recent months, the campaign began to show signs of wear out with improvements beginning to decay. For this reason, the low level speeding campaign was refreshed while

keeping the learnings and terminology that made the first campaign effective, including the TVC under question.

In light of our previous comments regarding the appropriate circumstances of graphic content and more importantly, a demonstrated past effectiveness, we believe that the TVC's graphic content is both in context and in the community's best interests.

*** The complainant feels that the TVC does not make a clear statement.*

The TVC depicts a speeding driver hitting a pedestrian. The TVC displays the super "Creepers Don't Just Hurt Themselves" followed by "Watch Out for Creepers".

I believe that the demonstration of a possible consequence of speeding and the warning that speeding drivers can injure innocent parties and should be treated with vigilance is a statement that is made abundantly clear in this TVC.

*** The complainant feels that the three executions need to be seen in sequence in order to glean their purpose.*

It is true that the three TVC's together are designed to paint a broader picture of the low-level speeding issue. Our media buyers have ensured their placement in a manner that gives them the best chance to be seen in sequence. Based on the comments made, I can only assume that the complainant has seen the three commercials and seen them in sequence. However, recognising that for various reasons they may appear alone we have also ensured that each can stand on their own merits and deliver a road safety message that makes sense in isolation from one another.

I hope you will agree that the graphic content of this commercial is both justifiable and in context under Section 2 of the AANA Advertiser Code of Ethics.

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 is graphically violent and disturbing, and that the purpose of the advertisement is unclear if watched on its own instead of within the series of three it is a part of.

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

The Board considered whether the advertisement complied with section 2.2 of the Code which requires that advertisements 'shall not present violence unless it is justifiable in the context of the product or service advertised.'

The Board noted that the main purpose of the advertisement was to educate the public on the consequences of speeding and the images shown related directly to the message of the advertisement.

The Board noted the advertiser's response that this advertisement is aimed at preventing unnecessary road trauma by encouraging people to drive at a safe speed.

The Board noted that this advertisement has been classified M by CAD and is only shown in allowable timezones and programmes. The Board also noted that this advertisement is one of

a series of three, and that seen together the three advertisements tell a story. The Board noted the advertiser's response that whilst the advertisements would ideally be seen in sequence, and that their media buyer had tried to ensure this, each advertisement had been designed to 'stand alone' and make sense even if seen in isolation. The Board considered that the depiction of a man hitting a pedestrian accompanied by text reading "Creepers don't just hurt themselves" provides a clear message regarding the dangers of speeding.

The Board considered that the content of the advertisement was relevant to the message and that consistent with previous discussions about public health and safety advertisements, the Board considered that a higher degree of graphic detail is appropriate given the important message of this advertisement.

The Board considered that, although some members of the public would find the depiction of someone hitting the windscreen of a moving car graphic and disturbing, the images depicted in the advertisement are relevant to the important public health and safety message that the advertisement is attempting to convey and the advertisement is rated M, and that the advertisement did not breach section 2.2 of the Code.

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