



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0075-21
2. Advertiser :	SA Police
3. Product :	Community Awareness
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	14-Apr-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This television advertisement follows a young man leaving a pub and driving home. On the way he passes a booze bus, a vulnerable road user, an ambulance and a crash site. We hear his self-reflective internal monologue as he drives, ending with the realization that he is a 'selfish prick'.

There are two versions of the advertisement featuring different voiceovers.

Version 1

Yeah... Call me selfish. I ghost on my mates...I don't care my missus gotta drive me around if i get caught...I don't care if i knock a random off his bike. Some ambo might have to mop me up. And my mum might have to identify my body. I drive after drinking. Yeah...I'm a selfish prick .

Version 2

Yeah, call me selfish. I drive home after drinking. Because I drive carefully and don't attract attention. Because I can handle my booze... And not hit anyone. Cos I don't want to waste money on a cab. I just can't be bothered going back for my car in the morning. I drive after drinking. Yeah... I'm a Selfish Prick.



THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The use of the word 'PRICK'.

It's a vulgar term. There is no need for this language, the Police are endorsing the use of this term. I certainly wouldn't like my children calling someone else a p...k, nor should elderly parents be subjected to this language.

At the end of the ad there is both written text using the term 'prick' and also verbal use of the same term. This is a vulgar word, which, by using it in an ad can now be perceived as being a term that can be used in public. The term used, is directed at male drink drivers - so what do we call a female drink driver? 7.30am! Some children are having breakfast and getting ready to play sport. The 'idiots' they are directing the ads at are still in bed hungover! The use of the specific term does not need to be used.

I felt the description sexist. When we have the female version and we describe her as a selfish C..T wait for the outcry

I found the end catch phrase "Drink Drivers... are Selfish Pricks" to be unnecessarily crude and use of language that we do not encourage in our home. It is disappointing that the State Govt is running ads that normalise language that some in the community find inappropriate.

Firstly its singling out males suggesting females don't drink and drive which of course is completely miss leading and incorrect and states that a male drink driver is a "selfish prick" which is not a term we should be incur-edging our children to use. I assume not to be sexist we will see the same adds describing female drink drivers as "selfish vagina's" Humm I think not.

The ad discriminates against and vilifies men by constantly showing them in this light. The language ('selfish prick') is not appropriate for this time of day where children have the ability to see/hear it.

Slogan used is "don't be a selfish prick". This is both spoken & large text on screen. This is during prime time. The language used is inappropriate.

It is extremely offensive colloquial language of an expletive nature that should never be broadcast into homes

My 3 year old son was reasonably awake at this time of the evening, and is now repeating the disgusting phrase 'selfish prick.' I appreciate the seriousness of what is being depicted in the advert, but I'm disgusted by the use of this language, on an advert at this time that children can see and pick up the language from!



THE ADVERTISER'S RESPONSE

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

Drink driving is a key concern for the road safety community.

At time of campaign development, over the previous 5 year period, 14% of all fatal crashes, 8% of serious injury crashes and 3% of minor injury crashes in South Australia involved at least one driver or rider with a blood alcohol concentration (BAC) over the legal limit. These injured and lost lives were entirely avoidable and as such the issue needs rigorous intervention.

In developing this campaign we undertook detailed attitudinal research amongst drink drivers and identified that of the many and varied reasons why people said they were motivated to drink drive, the unifying theme was personal convenience.

In light of these alarming statistics and insights, we decided to put to market a campaign that cut through and engaged with our target audience in their language, with the intent of triggering self-reflection regarding their self-reported, selfish behaviour, "Drink Driver. Selfish Prick", which has become the source of these complaints.

As part of our development process, we concept tested this potential campaign amongst drink drivers via two separate market research companies both of which identified this campaign to be potentially highly effective.

Key feedback included:

- The concept gets straight to the point and is confronting.*
- Many drink drivers find the excuse of convenience highly relatable and the use of the slang "selfish pricks" engaging as it clearly calls out the behaviour.*
- Appealed uniformly across the broad audience; both younger and older drink drivers (aged between 20 to 40), males and females, metro and regional.*
- Was identified as novel, shareable and memorable which will assist in the delivery of reach and dissemination of the message.*
- Has application at both an individual level and in a peer to peer environment, providing a language for calling people out on their behaviour.*
- Importantly the concept made people realise how selfish they are when their drink driving decision might impact others, and rethink their driving behaviours.*



Given the positive feedback it was decided to proceed with this concept.

You have told us the complaints fall under:

AANA Code of Ethics\2.1 Discrimination or Vilification\Gender

Section 2.1 prohibits the discrimination or vilification of any individual or group of people on the basis of certain defined attributes.

AANA Code of Ethics\2.5 Language\Inappropriate language

Section 2.5 prohibits the use of strong or obscene language and requires that the language used in advertising must be appropriate for the circumstances.

Your advice also asks us to address all other sections of the code.

The complaint is not relevant to either the AANA Code for Advertising and Marketing Communications to Children or AANA Food and Beverages Marketing and Communications Code.

With regard to the remaining sections of Section 2 of the Advertiser Code of Ethics:

2.2 - Exploitative and degrading

The commercial does not employ sexual appeal in any manner.

2.3 – Violence

There is no depiction of violence in the commercial.

2.4 - Sex, sexuality and nudity

There is no depiction of sex, sexuality or nudity in the commercial.

2.6 - Health and Safety

The commercial does not depict any unsafe behaviour, other than the drink driving it addresses.

2.7 – Distinguishable as advertising

Each element of the campaign is in traditional commercial formats, and branded with the SA Government logo and our current 'Think! Road Safety' logo.

With regard to 2.1 Discrimination or Vilification\Gender, we make the following comments.

Drink driving is overwhelmingly a male skewed issue. 88% of lives lost and 82% of those seriously injured in the period 2015-2019 were male. Males are detected drink driving at nearly three times the rate as females. While we accept that there are some females that drink drive and that we have chosen to depict a male driver, as with any



piece of communication we have identified our core target audience and have depicted them in the commercial, along with synergistic language, in order to best engage with them. Given the negative nature of the issue being addressed, over the positive tone of traditional product advertising, we understand how this may cause discomfort however it simply makes no sense to depict a demographic that does not reflect that which we are targeting.

With regard to 2.5 Language\Inappropriate language we make the following comments.

It was not our intention to cause offence to any individuals in the community. We respect and understand that individuals have a right to express their disapproval of our messages and that not all members of the community will like or agree with a particular campaign's approach, particularly as mass media campaigns will invariably reach people outside of our target audience. It is also our challenging charter to reduce road trauma. As such, it is our position that advertising that cuts through, engages with and challenges our key target audiences in an effort to change their attitudes and unsafe behaviours is both appropriate, necessary and of higher priority.

In considering the language we intended to use in campaign we wanted to identify if prevailing community attitudes would or would not support us.

A survey was conducted that canvassed the opinion and reactions of 1,437 South Australians, with an age, gender and geographic sample reflecting SA, providing results at 95% confidence with a margin of error of +/-2.58%.

Key results were:

- 69% disagreed that the phrase is offensive*
- 17% agreed that the phrase is offensive. Of those 5% identified they would complain.*
- 14% were neutral*
- 83% agree that we should call out drink drivers*
- 77% agree that it is worth using the phrase to discourage drink driving*
- 73% disagree that it is too aggressive a term*

I note that on basis of Ad Standards advice we also made an amendment to the proposed outdoor element of this campaign, however the outdoor execution has not been referenced in these complaints.

With respect to parents' concerns that their children have seen the commercial, ClearAds applied a PG rating directing our media agencies to place the commercial in programs PG rated or above and unlikely to attract children.

We consulted with ClearAds prior to production who advised that the concept would likely receive a PG rating, in itself applying consideration the language is below 'mature' content.



On the basis of these survey results and industry feedback we believed that prevailing community standards would not find the language ‘strong or obscene’.

We hope you agree that the campaign has the potential to positively impact drink driving behaviour and that its continued broadcast is both necessary and not in contravention of the Advertiser Code of Ethics.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether the advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants’ concerns that the advertisement:

- Uses the word “prick” which is offensive and inappropriate for children
- Discriminates against men by singling them out as the only people who drink drive.

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

Section 2.1: Advertising or Marketing Communication shall not portray people 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 Panel noted the AANA Practice Note which provides guidance on the meaning of:

Discrimination - unfair or less favourable treatment

Vilification - humiliates, intimidates, incites hatred, contempt or ridicule

Gender - male, female or trans-gender characteristics.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel noted the advertiser’s response that this campaign is targeted towards men as they make up a significant portion of the statistics for fatality and serious injury on South Australia’s roads. Consistent with its previous determinations for similar complaints about the portrayal of one gender in advertising, (0302/13, 0212/16, 0580/16), the Panel considered that by featuring a man as a potential drink driver the advertisement does not suggest that only men would drink drive, or that women would never drink drive.

The Panel considered that the content of the advertisement did not show the man to receive unfair or less favourable treatment because of his gender, and did not humiliate, intimidate or incites hatred, contempt or ridicule of the man because of his gender.

Section 2.1 conclusion



Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Section 2.5: Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

The Panel noted the Practice Note for Section 2.5 of the Code states: “Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner.”

In case 0327-19, the Panel considered an advertisement on Free to Air TV depicting various men telling a story, that featured language such as “wanker” and “knob”. The relevant audience for the advertisement was considered to be broad and included children. In that case the Panel found:

“The Panel noted that the words “wanker” and “knob” are not obscene words although recognised that some people in the community would consider this strong language which would not be appropriate to broadcast to children. The Panel considered however that these terms are used colloquially in the Australian vernacular. The Panel noted that the language is used towards another person in the advertisement, advising them not to drink and drive and therefore be a wanker/knob, but the Panel considered that the use is not demeaning or aggressive, but rather imploring their friend to be responsible.

“The Panel considered that the use of the language was justifiable in the context of the important public safety message and is delivered in a relatable way. The Panel considered that the language was not strong or obscene or inappropriate in the circumstances and did not breach Section 2.5 of the Code.”

The Panel considered that the use of the word “prick” in the current advertisement is very similar in context to the earlier case. The Panel noted that the word is not used loudly or aggressively, but rather in a self-reflective manner and the Panel considered that the word is not the focus of the advertisement.

The Panel considered that the language was not strong or obscene and was not inappropriate in the circumstances.

Section 2.5 conclusion

The Panel determined that the advertisement did not breach Section 2.5 of the Code.

Conclusion



Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.