



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0092/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Crimsafe</b>
<b>3</b>	<b>Product</b>	<b>House Goods Services</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/03/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children

## DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this television advertisement for Crimsafe.

“Regret” focuses on two couples enjoying a dinner party at home. This ad was created as a 30 second and 15 second version. An intruder breaks into a separate part of the house, unnoticed by the dinner party guests. The intruder is seen walking along the house hallway, pushing open a door. The interior of the room is slightly blurred and the only item clearly visible is a lamp on a side table.

“Home Alone” (15 second) focuses on a woman home alone, who seems to hear a suspicious noise. She looks concerned on hearing this noise.

Both ads feature the voice-over line: “When will you regret not insisting on Crimsafe”.

## THE COMPLAINT

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

*A man breaks into the home during a dinner party. They show him passing pictures of the owners children and then going into the childs room and they announce 'what will it take before you cobtact Crimsafe ' implying a child could be raped if you do not purchase the*

*product. Its a horrible low for potential profit and as a young mother it has offended me very much.*

*This advertisement resembles a horror movie and is intended to scare people into buying the product. My 16 year old daughter alerted me to the scariness of the ad earlier in the week, and just as well, because I was able to stop my 14 year old (who suffers from generalised anxiety and panic disorder) from seeing the majority of the ad. If she had seen this ad on her own while watching TV she would have been extremely traumatised and would have had trouble sleeping. The graphic nature of this ad, with the close ups of the knife and the intruder heading into a child's bedroom, is not acceptable in G, PG or even M rated timeslots. It shouldn't be on TV at all.*

*This ad is absolutely terrifying. Plays on developing anxiety and instilling fear. My 3yo saw this ad, as it was shown during the morning, and was very upset about the scary man coming and entering a child's room. This is very extreme and could cause a lot of distress for children and also adults.*

*This Ad clearly aims to invoke fear among the vulnerable elderly sector of our community, suggesting they are not safe in their own homes. This advertisement is predatory in nature specifically depicting an elderly woman in fear, created by the perception of her vulnerability to home invasion.*

*My elderly parents and mother in law experience this vulnerability and I find any form of advertising that exacerbates and preys on this vulnerability is offensive and unconscionable in its predatory and exploitative intent. There are better ways to promote this product than the base creation and exploitation of fear in vulnerable individuals. On that basis I ask that it be removed from broadcast.*

*The advertisement is saying if you don't have crimsafe screens you are taking a huge risk of letting an intruder in to your home and your child's bedroom. If a child saw this advertisement it would leave them frightened and scared and as a parent I couldn't stop thinking about the disturbing ad that promotes the product. The ad effectively communicates that while you are hosting a dinner party with your friends and enjoying yourself (as any family should be able to do) if you don't have crimsafe screens a criminal will break in to your home and enter your child's room. It's a fear campaign to obtain sales of their product and it's disgraceful. The advertiser has decided to take the 2009 'grim reaper' campaign approach, however they are not advertising a spreading disease to raise awareness, they are trying to scare the general public and say they aren't safe unless they buy their product. This commercial should not be on air and they should find a better way to sell their product. They should be ashamed of themselves.*

## **THE ADVERTISER'S RESPONSE**

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

*NOTE - the complaints refer to two different TV ads. Full details are:*

*The rating on all commercials is General/Warning "W"*

*"Regret" advertisement 30 sec – W4716ROA*

*"Regret" advertisement 15 sec – W4717ROA*

*"Home Alone" advertisement 15 sec – W4719ROA*

*Our full response to Section 2 of the Code of Ethics follows:*

*2.1 Advertising or Marketing Communications 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 commercials do not discriminate against any person or section of the community.*

*2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*There is no sexual connotation or appeal, either intended or implied, within these commercials.*

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

*The commercials do not contain any violence. The tool used for the break-in is a screw-driver, which is a very common tool for a burglar to use. I believe the close-up shots make it very obvious the tool is not a knife.*

*The ad "Regret" (Dinner Party) is shown in a 30 and 15 second version. It shows an intruder breaking into the home, unbeknownst to the people at home enjoying their meal and chatting. The intruder quietly moves through the house in an area away from the people. The implication is that his intent is theft, not violence. A child's drawings and toys are seen within the house to suggest that this is a family home, but children do not appear at any time. The room which the intruder is about to enter is not a child's bedroom. The only items in the room clearly visible are a lamp on a side table and a double bed. There are no people in the bedroom.*

*The ad "Home Alone" shows a woman concerned about a possible intruder without ever showing the intruder specifically. The woman is watching TV, thinks she hears a noise and turns the TV down to listen closely.*

*Both ads communicate the very genuine risk that break-ins occur while people are at home. Australian crime and insurance statistics show that nearly 40% of home invasions in Australia occur while someone is at home. Most often, these break-ins are made through an unlocked or poorly secured door or window.*

*The ads are not intended to cause fear or distress; they communicate a documented trend that highlights the benefit of home security.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*There is no reference to sexual activity or nudity within these commercials.*

*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.*

*There is no inappropriate or offensive language in these commercials.*

*2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.*

*The commercials do not contain any content relevant to community health and safety standards.*

## **THE DETERMINATION**

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement depicts scenes that are alarming and distressing particularly to 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 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 there are two versions of the television advertisement. The first one ‘Regret’ depicts two couples having a dinner party at home while an intruder breaks into a separate part of the house. The second one “Home Alone” shows an older woman at home on her own who hears a noise and look concerned as to what it might be. Both advertisements feature the voice-over line: “when will you regret not insisting on Crimsafe.”

The Board noted the Practice Note to the Code which states that “The Board has also found that a strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code.”

In this case, the Board considered that the depiction of an intruder entering a home while the occupants are present is menacing but in the context of a safety product designed to make the home safer, the Board considered that the advertisement uses an acceptable level of menace which is justifiable and relevant to the product.

The Board noted the complainants’ concerns that the advertisements are alarming and cause distress for young viewers. The Board noted that the advertisements have been given a ‘W’

rating by CAD and that they have been aired at times appropriate for the rating.

The Board noted that the intruder breaks in while people are in the home and that he is not seen harming anyone or damaging the home. The Board considered that the intention of the advertisement is to draw the attention of the viewer to the safety product and to the real risk that could occur if the home is not secured properly.

The Board noted that the advertisements do not contain any violence or violent acts and noted that the realistic nature of the advertisement is what causes the alarming reaction of the viewer.

The Board considered that the advertisements are not intended to generate fear but rather to highlight the need to be aware of home security and the products available to assist with better securing the home.

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 complaints.