

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0202/10</b>
<b>2</b>	<b>Advertiser</b>	<b>St George Group</b>
<b>3</b>	<b>Product</b>	<b>Finance/Investment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/05/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.6 - Health and Safety        within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

A big rig truck is driving along a highway in rural Australia and puts on the brakes to let a small echidna cross the road. End caption: "St George Big enough, Small enough?

## THE COMPLAINT

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

*The advertisements encourage road users to contravene road traffic Acts and Regulations. I was recently involved in an incident where a female driver stopped in the middle of the Princes Highway just north of Bega to allow an echidna to cross the highway. The driver stopped in a position that was 'blind' to any following vehicle.*

## THE ADVERTISER'S RESPONSE

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

*This advertisement is intended to be a light-hearted look at "Big" acting out of character, which is the new Brand direction for St. George. The ad was filmed in a controlled environment, with no other cars on the road. The rig is not speeding nor contravening any*

*traffic laws. The truck driver appears to break in a safe way (including using the horn and gear changes) to avoid hitting the echidna.*

*The ad is not encouraging inappropriate behaviour, nor was it intended to be a literal interpretation of how to act on the roads.*

*The ad was submitted to Facts for approval, and was approved. We also received a G CAD rating and approval.*

*Specifically, the advertisement was filmed in Victoria in and around Ripley's Rd Little River area, 50 minutes outside of Melbourne, as this was deemed as a low traffic area suitable to conduct filming and approved for filming by Victoria Police.*

*Victoria Police were present and involved during the entire filming of the commercial to make sure road laws were not broken.*

*Further to this 2 Police vehicles were used whilst filming, to clear traffic as well as ensure safety was adhered to at all times.*

*The truck driver used was a qualified accredited stunt driver who is highly skilled.*

*In correspondence with authorities, initial advice regarding wild life on country roads and vehicles, was if a vehicle can stop safely with no risk to it, or other traffic it can do so. As the road was established in the commercial with no other traffic we were confident that there were no issues pertaining to road laws.*

## **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 would encourage road users to contravene road traffic Acts and Regulations.

The Board viewed the advertisement and noted the advertiser’s response in relation to the filming and location of the advertisement.

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

The Board considered that the vehicle is depicted driving in a controlled manner when stopping to avoid the echidna, that the vehicle does not cross the middle line markings on the road and that there is no other traffic or pedestrians in the advertisement. Taking into account the specific depictions in this advertisement the Board determined that the advertisement did not depict unsafe driving.

The Board considered that in this instance, the advertisement did not condone, promote or encourage unsafe driving. The Board therefore determined that the advertisement did not depict material contrary to current 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 other grounds, the Board dismissed the complaint.