



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0217/18
2	Advertiser	Crimsafe
3	Product	House Goods Services
4	Type of Advertisement / media	Radio
5	Date of Determination	09/05/2018
6	DETERMINATION	Dismissed

## ISSUES RAISED

2.3 - Violence Violence

## DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features 'Kimmy's Dad' interviewing the owner of a competitor company, connected to a lie-detector. 'Kimmy's Dad' asks questions and the lie detector will emit a sound. The advertisement indicates that a wrong answer shocks the competitor.

## THE COMPLAINT

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

*This advertisement depicts torture as a means of coercing an individual into saying something they don't believe. This breaches Commercial Radio Code of Practice 2.1.1 and 2.1.2 as it promotes torture as a means of obtaining cooperation, and may be distressing to refugees and returned servicemen who may have actually experienced torture.*



## THE ADVERTISER'S RESPONSE

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

*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 tone and language of the commercial does 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, in the script of this commercial. We do not believe this clause applies.*

*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 tone of the commercial is light hearted and humorous. The suggestion that the lie detector provides a slight 'shock' when a lie is spoken is delivered in a humorous way and is not intended to convey any suggestion of genuine violence or pain.*

*This is supported by the person's name – Eric Twaddle – clearly a made-up character who speaks 'twaddle', i.e. nonsense.*

*When taken in the larger context of the series of ads featuring Kimmy's Dad, this humorous tone is a common feature.*

*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 this commercial.*

*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 language in this commercial is colloquial and at times uses Australian slang. The tone of delivery is intentionally humorous and conversational.*

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

*This commercial does not contain any content relevant to community health and safety standards.*

## THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement featured torture



which is inappropriate.

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

The Panel noted that this radio advertisement featured 'Kimmy's Dad' interviewing a man who is identified as a competitor about their security screens. The man is connected to a lie detector and when he answers the question the detector emits a buzzing sound and the man makes a noise.

The Panel considered whether the advertisement breached 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 Panel noted the advertiser's response that the suggestion that the man is given a slight shock is light-hearted and unrealistic, and not intended to convey any suggestion of actual violence or pain.

The Panel considered the names of the men in the advertisement 'Kimmy's Dad' and 'Eric Twaddle' were humorous and light-hearted and added to the unrealistic nature of the advertisement.

The Panel also considered that the nature of radio meant that there was no depiction of torture, only a suggestion that the man is being shocked. The Panel considered that the reaction of Twaddle was one of shock and it was not clear from the advertisement that he was being harmed.

The Panel considered that the humorous and unrealistic tone of the advertisement lessened the suggestion of real or condoned violence.

In the Panel's view the advertisement did not portray violence and did not breach Section 2.3 of the Code.

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

