



Case Report

1	Case Number	0247/10
2	Advertiser	Gizmo Computer Repairs
3	Product	Information Technology
4	Type of Advertisement / media	Radio
5	Date of Determination	22/06/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is for Gizmo home computer help. It starts with an anxious caller who has a computer emergency, calling an emergency line and asking for Gizmo. Gizmo assists the caller with the computer emergency and the caller expresses relief and thanks.

THE COMPLAINT

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

This advert is clearly trivialising the high importance of the 000 Emergency number / service - for the commercial benefit. Anyone who has ever needed the services of an ambulance in particular but any of the emergency services knows that the 000 emergency service number is not a thing to be treated with frivolity as is the case here. This advertisement is personally distressing and aside from the strong disrespect which it shows for a critical often life-saving service I believe it warrants consideration as a health and safety matter in that it has potential to contribute to increase in prank or non-emergency related calls to this service displacing legitimate calls for help.

The Gizmo service advertised may well be a good one and no doubt when someones computer has a problem it can be very stressful. However portraying that this situation / the services of Gizmo are on par with or somehow associated with emergency services that act in life and death situations is extremely poor form. The government on an ongoing basis seeks to reduce the number of rogue or non emergency calls to 000. This advertisement also works against this aim and should be discontinued.

Surely Gizmo can take a different approach that doesn't use such an important service to their own advantage.

THE ADVERTISER'S RESPONSE

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

We do not believe that we are trivialising the importance of emergency services in any way, or indeed that we are being frivolous. We find that customers who experience computer breakdowns are in a high state of anxiety and stress, given the reliance they have on computers for communication, business operations, and general livelihood. These customers therefore do see these events as a critical emergency situation requiring immediate response. We in no way intend to portray the emergency services as trivial, but quite the opposite. The complainant refers to this being a health and safety matter as it has the potential to contribute to an increase in prank calls. The AANA Code of Ethics Clause 2.6 states "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety". We do not believe that this advertisement contravenes this clause or any other covered under the code.

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 trivialising the importance of emergency services and may contribute to increased prank calls.

The Board listened to the advertisement and noted the advertiser's response regarding the reliance people place on computers for communication, business operations and their general livelihood.

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

The Board noted the advertisement related to a home computer help service. The Board considered that most members of the community would understand the advertiser's use of the metaphor relating to an 'emergency situation requiring an immediate response', in this case a computer breakdown, to encourage them to use the service. The Board considered that some people may consider a computer breakdown an emergency that requires urgent attention, albeit not a medical emergency, given the reliance they have on computers for their work and

livelihood. The Board also considered that the depiction of the 'emergency' used in the advertisement would be unlikely to prompt or contribute to an increase in prank calls.

The Board determined that in this instance, 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.