



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0290/18
2	Advertiser	McMillan Law
3	Product	Professional Service
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/07/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a home kitchen scene as a man snoozes in a chair as his wife prepares a meal. Suddenly two police enter the room and grab the man, dragging him outside as his wife screams after her husband "What do I do?" The husband calls back "Call McMillan". Contact details for the legal service then appear on screen.

THE COMPLAINT

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

It shows our Police Officers in a bad light, while I understand that they need to advertise, showing Police as the the villain is not correct very biased advertising should not be allowed

The ad condones violence against the police and violence in general. It portrays an





assault against the Police arresting a male. It also appears to make it OK to hit a policeman. All for advertising a Solicitor's practice.

THE ADVERTISER'S RESPONSE

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

Dear Sir or Madam,

This same type of complaint has been made about that add on numerous occasions and your body has ruled on it previously, finding that the complaint is unsubstantiated.

This complaint is, like all the others, baseless and clearly written by someone who fails to understand what is occurring and what it intends to convey. It was professionally made and have has been screened many thousands of times on various TV channels over the last 5 to 10 years. Invariably it draws positive comments from my colleagues, clients, members of the public and the Queensland Police Service. All it does it imparts to viewers the notion that when your civil rights are at risk from an authority, the lawyer to call is McMillan Criminal Law. Those that complain about it are almost always anonymous, have very poor spelling and/or grammar, and raise claims that cannot be demonstrated when viewing the actual footage.

For these reasons I ask that the complaint be dismissed.

If I can be of any further assistance, please do not hesitate to contact me.

THE DETERMINATION

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

The Panel noted the complainants' concern that the advertisement is violent.

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

The Panel noted that this television advertisement features two police entering a home and dragging a man out of the house. The man's wife asks what she should do and the man tells her to call McMillan.

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 complainants' concern that the advertisement condones violence against the police and that this violence is not appropriate in the context of an advertisement for legal services.

The Panel noted the advertiser's response that the advertisement is designed to convey the message that when civil rights are at risk people should contact their legal representative.

The Panel considered that this was a realistic depiction of a stressful situation. The Panel considered that the depiction of the woman interacting with the police officers was a depiction showing the woman reacting emotionally to a stressful situation and was not a depiction of assault on law enforcement officers.

The Panel considered that the policemen in the advertisement do not react to the woman remonstrating with them, and do not appear hurt or concerned by the woman's behaviour.

The Panel considered that the advertisement was acknowledging how people may behave in a stressful situation, and was not an endorsement of this kind of behaviour.

The Panel considered that the level of violence in the advertisement was justifiable in the context of the product being advertised and in the Panel's view the advertisement did not breach Section 2.3 of the Code.

The Panel considered 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 Panel noted the complainant's concern that the advertisement depicts police as the villains.

The Panel considered the advertisement was showing two policemen making an arrest and considered that this is a realistic depiction of a role that police undertake. The Panel considered that the policemen were not depicted as unprofessional, violent or abusive and considered that the overall interpretation of the advertisement is not that police are violent or the villains in this scenario.

In the Panel's view the depiction of the police making an arrest in this advertisement was not a depiction that would be contrary to prevailing community standards on health and safety. The Panel determined that the advertisement did not breach Section 2.6 of the Code.



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