



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0311/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Huawei</b>
<b>3</b>	<b>Product</b>	<b>Mobile Phone/SMS</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Billboard</b>
<b>5</b>	<b>Date of Determination</b>	<b>24/08/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.2 - Violence Other

### DESCRIPTION OF THE ADVERTISEMENT

Large image of a mobile phone with the text on the screen projected out as though it is 3D. The text reads, "The 3 most important things in a relationship: Trust, honesty & stalking on Facebook".

The Huawei logo is at the top right of the screen and in the bottom left is another, smaller, image of a phone.

### THE COMPLAINT

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

*I am all for appreciating a witty commercial but this one is just dangerous in the climate we are in at the moment and with the current dedication at every level of government to protecting kids in cyberspace. Children are unable to identify where these boundaries are in view of such inappropriate encouragement.*

*Just wondering if you are able to exert any influence to have these ads taken down immediately?*

### THE ADVERTISER'S RESPONSE

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

*We would like to apologise to the individual who took offence to our advertisement and registered their complaint with ASB.*

*It was never our intention to upset anyone with this advertisement, nor to condone any kind of anti-social behaviour. This advertisement is a part of an overall campaign which is designed to be humorous, and the particular headline in question was not intended to be taken seriously.*

*We understand the complaint is around possibly confusing children who could see the advertisement to be accepting of, or as endorsing cyber-stalking behaviour.*

*We fail to understand however, how this complaint could be classified under section 2.2 Violence, as this advertisement does not present or portray violence in any way.*

*The entire campaign, of which this advertisement in question is a part, is deliberately delivered in a tongue in cheek fashion, and this advertisement is not meant to condone cyber-stalking behaviour.*

*We ask the Board to please refer to the creative provided.*

*On viewing the advertisement, we believe that our target market of young adults would recognise that our ad is deliberately tongue in cheek, and that it is readily apparent that the whole style, look and feel of the advertisement is intended to be humorous.*

*This is evident in the playful style and choice of multi-coloured font calling out from the phone, designed to position the message in a jocular fashion and therefore not one to be taken seriously. The headline also conforms with a commonly used structure for a joke, by delivering 2 serious statements, juxtaposed with a punch line. The advertisement also includes comedic eyes within the image of the binoculars positioned within the headline. Further, we believe that the interpretation of 'stalking on Facebook' within this complaint has also been taken out of context. It is important to point out that the words 'stalking on Facebook' mean something completely different to the young adult target within this context of social networking, than it does for their parents.*

*Within the target market, the words 'stalking on facebook' refer to the most common usage of Facebook, the harmless activity of simply keeping up with updated comments, posts and photos of those within their social network. Similarly, other examples of words which lose their potentially sinister meanings when used within the context of social media, are 'poking' someone on Facebook or 'following' someone on Twitter. Neither of which are harmful in their meaning or intention.*

*Finally, we believe the headline is also clearly presented within the context of a relationship between two people known to each other and of similar age. This is evident with the use of love hearts appearing within the headline copy.*

*There is clearly nothing sinister within the style of this advertisement to suggest or condone the darker interpretation of the word stalking, outside of social media, or outside of a relationship between people of the same age. And the Facebook logo is used within the creative to keep this line within the context of social media.*

*It should also be noted that the writers of this advertisement within the Creative Agency are themselves responsible parents, naturally concerned for the welfare of their own and children alike.*

## **THE DETERMINATION**

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

The Board noted the complainant's concerns that the advertisement inappropriately encourages children to stalk one another in cyberspace.

The Board noted Section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted the advertisement features text which reads, "The 3 most important things in a relationship: trust, honesty and stalking on Facebook".

The Board noted the advertiser's response that the term 'stalking' has a different meaning to young people than it does to the older generations and that it would be interpreted by young people in the intended context of keeping an eye on what your friends are doing on Facebook.

The Board noted that some members of the community may find the term 'stalking on Facebook' to be unpleasant and/or offensive however in the Board's view the intended audience of this advertisement would clearly understand the meaning of the advertisement, and to those who do not readily understand the contemporary meaning of the term 'stalking on Facebook' the phrase in itself is not inappropriate in the context of the advertisement.

The Board determined that the advertisement did not breach Section 2.2 of the Code as it does not depict or condone violence.

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