



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0353-20
2. Advertiser :	PD Insurance
3. Product :	Insurance
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	25-Nov-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts a mother driving her car and listening to her daughter questioning whether she will be able to use the car once she gets her drivers licence. The mother does not respond verbally but rather her reactions/responses are captured in thought bubbles. The daughter reaches the conclusion that she should get her own car and look for a job. Her mother turns to her daughter briefly with a pleased look. Cuts to logo, conditions etc.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Mum breaks eye contact with the road while vehicle is still travelling along the road to turn her head slowly towards her daughter and nod her head all the while no longer paying attention to the road. This promotes unsafe driving.

THE ADVERTISER'S RESPONSE



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

PD rejects the complaint on the basis that the incident, of the mother turning to look at her daughter, is brief in nature (1.5 seconds in 15 second execution/1.8 seconds in 30 second execution) and, as such, does not create a dangerous event nor break any road rules.

While usage of a mobile phone while driving is illegal in all states, there are no specific laws related to a driver looking away from the road briefly. In fact, using of a rear vision mirror requires a similar action.

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement depicts unsafe driving behaviour.

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

Section 2.6: 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 a driver looking away from the road and not paying attention and that this promotes unsafe driving behaviour.

The Panel considered that the vehicle does not appear to be being driven at speed, and noted that in both versions of the advertisement the driver is shown to look away from the road for approximately two seconds.

The Panel noted that the issue of driver inattention is of concern to the community, noted that advertisers should take care to ensure that depicting unsafe behaviour does not occur as a result of the creative storyline of an advertisement.

The Panel noted that there are many reasons for which drivers take their eyes off the road (such as changing the radio station, checking mirrors etc). The Panel considered that in the context of a 15 and 30 second advertisement in which the driver is looking at the road the whole time, a two second scene showing her looking at her passenger while driving at a speed which would not breach the law is unlikely to be considered by most members of the community to be depicting or promoting unsafe driving practices.

Section 2.6 conclusion



The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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