



**ADVERTISING
STANDARDS
BOARD**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph: (02) 6173 1500 | Fax: (02) 6262 9833
www.adstandards.com.au

ACN 084 452 666

Case Report

1	Case Number	0392/17
2	Advertiser	Cockburn Central Hyundai
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/09/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This 15 second television advertisement is a parody of the old City Subaru commercial, and features a man playing guitar and singing on the fascia of the Hyundai car dealership. At the end of the advertisement we see the man fall off the roof very un-dramatically with an almost cartoon scream sound. The final image shows a mud map and logo for Cockburn Central Hyundai.

THE COMPLAINT

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

There is a strong association that visual material depicting suicide location and method is more likely to lead someone to committing the act of suicide. I believe that this advertising could be a trigger and potentially lead to someone trying to replicate the behaviour, as research shows this is the case.

THE ADVERTISER'S RESPONSE

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

The Cockburn Central Hyundai Advert in question is a 15-second TV Commercial which is a parody of a well-known old City Subaru commercial. This commercial can be reviewed via this link: <https://www.youtube.com/watch?v=-llu-bMaY2o>

The main character Johnny Hu is playing guitar in a wig and singing on the fascia of the car dealership. Before the end-frame, the character is swapped with a blow-up-doll dressed in the actors clothing, and he falls off the roof very un-dramatically with an almost cartoon scream sound. It is incredibly obvious that he both falls (not jumps) and that it is a dummy falling. If you look closely, you can also see the actor laying on the fascia and dropping the dummy. We chose to use a blow-up doll so as to appear obvious to reviewers that it was not the human actor and that it was intended to be amusing. We do not believe this represents or demonstrates suicide, however we are sympathetic to the complainant's opinion.

In terms of the complaint addressing section 2.6 of the AANA Code of Ethics that "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety" we do not believe that our commercial breaches this code. The dummy falling off the roof was intended to be a humorous address to the original City Subaru ad where their guitarist is sitting precariously on the roof of the dealership. The silliness of having a musician sitting dangerously on a rooftop for seemingly no good reason is why we believe our parody is an amusing comment on the original ad. Johnny Hu falls off the roof because it is inherently a dangerous place to be and if anything, we believe our ad offers a comment on community safety. The fall the dummy takes is also only a few meters, a fall that would not result in someone's death.

Regarding the other codes of Section 2 of the AANA Code of Ethics, we do not believe that the advertisement in question breaches any of these codes. The ad is not discriminatory or sexual in nature (2.1, 2.2, 2.4), uses no foul language (2.5) and is clearly an ad for a car dealership (2.7). In regards to the portrayal of violence (the Johnny Hu dummy falling off the roof) we believe it is justifiable as a parody of an already existing and well-known commercial in the Perth community (2.3).

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 depicts a person throwing himself off a roof which is against prevailing community standards as it could lead a person to commit suicide using this same method.

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

The Board 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 Board noted this television advertisement features a man playing a guitar and singing whilst sitting on the fascia of a Hyundai dealership. The Board noted that at the end of the advertisement the man falls from the roof.

The Board acknowledged that the issue of suicide is a serious community issue and concern and considered that it would not be appropriate to depict or make light of this topic in an advertisement. The Board noted the advertiser's response that it is a dummy and not the man that falls from the roof and considered that the manner in which the man is shown to fall from the roof is clearly unrealistic. The Board noted the overall tone and execution of the advertisement – the man's poor singing skills and ill-fitting blond wig – coupled with the cartoon-like yell from the man as he supposedly falls and considered that this amounts to an overall depiction which is in no way intended to be representative of a person who is suicidal and is clearly unrealistic.

The Board considered that the complainant's interpretation of the advertisement depicting a person committing suicide is an interpretation unlikely to be shared by the broader community.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on suicide and 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 Board dismissed the complaint.