



Case Report

1	Case Number	0539/14
2	Advertiser	Road Safety Advisory Council
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	14/01/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.5 - Language Inappropriate language
- 2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features puppets singing about sharing the road with different types of road users – pedestrians, cyclists, drivers – and that the chorus includes the line, “Say thank you, not <beep> for sharing the road”. When the beep is played there is a black strip across the mouths of the puppets.

THE COMPLAINT

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

The advert uses puppets and animation to draw your attention however the puppets repeatedly use the word mothers fuckers (however the word fuckers is beeped out). The intention and interpretation is obviously there.

I feel that this advert should be removed due to the language content. It was also aired earlier in the evening when children were awake.

I do not think there is any need for this ad. It is inappropriate with the beep it's pretty obvious what it's meaning to say (say thank you not fuck you). I do not think the Muppets

should be swearing encouraging my children to copy. I'm disgusted!!

THE ADVERTISER'S RESPONSE

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

The Share the Road campaign was developed to increase awareness in relation to vulnerable road users and to promote sharing the roads safely, respect between all road users and the importance of taking responsibility for the safety of others on Tasmanian roads. The campaign is aimed at adult Tasmanians, specifically motorists, motorcyclists, bike riders and pedestrians. Tasmanian crash statistics show that vulnerable road users are over represented in road crashes.

The television advertisement was focus group tested on Tasmanians aged between 25 and 65 throughout the State. While some people may be unsure about the use of puppets in the campaign, the advertising company decided to use them for three reasons:

- People tend to identify with characters in advertising. When people don't identify with the people in advertisements they switch off and think the advertisement is not applicable to them;*
- The unusual nature of the advertisement grabs attention and achieves cut through in a very competitive market; and*
- The puppets represent all road users, the target audience for this campaign.*

The advertisement has so far been successful in capturing the public's attention and promoting the road safety message.

However, the campaign is not aimed at children, but adults. In recognition of concerns about the advertisement being shown at a time when children may be exposed to the advertisement, the advertising schedule has been amended so that the advertisements run after 8:30pm of a night effective 6 December 2014 (noting it is understood a scheduling error has resulted in the advertisement screening on Win Television on 9 December at approximately 8.30am).

Each of the puppets featured in the Share the Toad television advertisement represent common road users: motorists, motorcyclists, bike riders and pedestrians. Props are used by the puppets to make them immediately identifiable to viewers such as a steering wheel in the case of the motorist. Headphones were chosen to characterise pedestrians as it is commonplace to see pedestrians wearing headphones.

A feature of the Share the Road campaign is to encourage people to visit the supporting website (<http://sharetheroad.tas.gov.au>) to make a pledge to share the road safely and to find out more information and tips on safe road behaviour. For pedestrians one of the suggestions for safe road use is to:

“LISTEN – remove headphones when walking in busy areas or when crossing the road.”

The Road Safety Advisory Council takes every injury and death on our roads very seriously. We will continue to try to promote road safety to the community in innovative ways to raise awareness and reduce road trauma in Tasmania.

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 complainants’ concern that the advertisement features puppets who, despite the use of a beep, are clearly swearing and that this is inappropriate and could encourage children to swear. The Board noted that some complainants were also concerned about the puppets portraying unsafe behaviour that could be copied by children.

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

The Board then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted the advertisement features puppets singing about sharing the road with different types of road users – pedestrians, cyclists, drivers – and that the chorus includes the line, “Say thank you, not (beep) for sharing the road”. The Board noted that when the beep is played we see black tape across the mouths of the puppets.

The Board noted the advertiser’s response that the aim of the advertisement was to raise awareness amongst adults regarding sharing the roads in a safe and courteous manner and that puppets were used because they are not representative of specific people and are therefore more likely to get the message across.

The Board noted the advertisement had been rated ‘W’ by CAD. The Board noted that the puppets are similar in appearance to the puppets used in Sesame Street and considered that if children saw the advertisement they would likely be attracted to the advertisement but that the overall message is delivered as an example of what “not” to do and child viewers would understand that the behaviour depicted is a negative one and not something that is encouraged or condoned.

The Board noted the advertiser’s response that in response to concerns about the advertisement being viewed by children, the advertiser has changed the advertisement schedule to only be aired after 8.30pm.

The Board noted that the use of the <beep> sufficiently covers any sound that may be coming from the puppets and that the message that swearing and getting angry with other road users is an important public safety message and is delivered in a humorous way.

The Board considered that the advertisement did not use language which was strong, obscene or inappropriate in the circumstances and did not breach Section 2.5 of the Code.

The Board then 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 the complainant’s concerns that the advertisement is unclear in the safety message and could encourage road users to use unsafe practices such as wearing headphones while on the road.

The Board noted that one of the safety messages is directed to cyclists and pedestrians and that as responsible road users they should not use headphones while sharing the road space. The Board considered that this safety message was clear in the advertisement.

The Board considered that the characters themselves do not come to any harm as they are puppets and that the actions they display are indicative of actions that should not be copied and that the important message of sharing the road is apparent.

The Board noted the call to action at the end of the advertisement reinforces the road safety message reminds the viewer to make a pledge to share the road and help to save lives.

The Board considered that the advertisement did not depict material contrary to 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 complaints.