



## **CASE REPORT**

- |                               |                                   |
|-------------------------------|-----------------------------------|
| 1. Complaint reference number | 17/02                             |
| 2. Advertiser                 | Lois Lane Shoes                   |
| 3. Product                    | Retail                            |
| 4. Type of advertisement      | TV                                |
| 5. Nature of complaint        | Health and safety – section 2.6   |
| 6. Date of determination      | Tuesday, 12 March 2002            |
| 7. DETERMINATION              | Upheld – discontinued or modified |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on a view of a woman talking on a mobile telephone while driving in an open convertible automobile of American origin. She refers to the caller as ‘Charlie,’ and he to her as ‘Angel,’ saying he has a “very interesting shoe mission” for her. The woman is seen to alight from the car alongside signage for ‘Louis Lane Factory Outlet’. After close-ups of a range of shoes and shoppers, the advertisement goes on to show the woman, still talking on the mobile telephone, paying for her purchases by credit card. Responding to the congratulations of ‘Charlie’ by saying “believe me, the pleasure is all mine” as she returns to the car, the woman tosses out the shoeboxes and other packaging as she drives away.

## **THE COMPLAINT**

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

*“My concern is with the last few seconds of the ad where a young woman has purchased many pairs of shoes and as she drives off in her large convertible car she simply throws all the show boxes and packaging out of her car onto the road as though it is a really ‘cool’ thing to do.”*

*“...an advertisement...which offends me and breaks the law on two occasions...It’s taken from the theme of Charlie’s Angels and depicts a young woman driving a white Limo whilst talking on a Mobile Phone (offence No. 1). After making her purchases of shoes she drives off and throws the empty containers out of the car and on to the road (offence No 2).”*

## **THE DETERMINATION**

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

The Board determined that the advertisement did constitute a breach of the health and safety area of the Code in its positive portrayal of the woman using a mobile telephone handset while driving.

The Board upheld the complaint. In reaching this view, it took into consideration an undertaking from the advertiser to discontinue screening the material, together with an explanation that the portrayal of a mobile telephone being used while driving was an oversight and that the littering was intended as ‘a bit of fun’. The Board upheld the complaint.