



## **CASE REPORT**

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|-------------------------------|------------------------------|
| 1. Complaint reference number | 178/00                       |
| 2. Advertiser                 | Austereo Pty Ltd             |
| 3. Product                    | Media                        |
| 4. Type of advertisement      | Print                        |
| 5. Nature of complaint        | Violence Other – section 2.2 |
| 6. Date of determination      | Tuesday, 13 June 2000        |
| 7. DETERMINATION              | Dismissed                    |

## **DESCRIPTION OF THE ADVERTISEMENT**

There are five print advertisements in the campaign:

1. Two of the advertisements comprise two photographs each of head shots of Julie Cleeland Nicholls (Director of Marketing Asia Pacific, Monster.com.au) and Martin Hoffman (Chief Executive Officer, Sold.com.au). The first photograph of each is captioned ‘Hit by traffic (time), courtesy of Austereo’, portrays each with bloodied scratches/bruising. The second photograph of each, captioned ‘Hit again (time), Courtesy of Austereo - radio keeps them.coming – For information call 02 9375 1087’, shows the same woman and man each with additional injuries.

2. Three of the advertisements portray head shots of each of Allan Dib (Marketing Manager, Looksmart.com.au), a man wearing glasses and a patterned shirt and a man with spiked hair. The advertisements are captioned, at the bottom, ‘Repeatedly hit by traffic, courtesy of Austereo – radio keeps them.coming – For information call 02 9375 1087’.

## **THE COMPLAINT**

Comments which the complainants made regarding these advertisements included the following:

*‘Has society become so immune to death and injury on our roads that we are able to laugh at the topic and use images depicting a pedestrian hit by a car to promote a radio network? I think not. I hope not.’*

*‘I guess I didn’t want to accept at first such a repugnant lack of taste, to show a “beaten-up” woman with the tenuous meaning implied that she had been “hit” by traffic. I was deeply offended and shocked.’*

*‘They are in extremely poor taste and offend the sensitivities of people who have been involved in “hit by traffic” incidents.’*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether these advertisements breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board noted the complainants’ personal points of view but felt that the advertisements, while confronting, did not go so far as to constitute a breach of the Code in their depiction of ‘injuries’. The Board determined that the advertisements did not breach the Code on any ground and, accordingly, dismissed the complaint.