



## **CASE REPORT**

1. Complaint reference number	183/99
2. Advertiser	Nissan Motor Co. Aust Pty Ltd (Patrol)
3. Product	Vehicles
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 8 June 1999
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement shows an Australian outback scene. A man is seen standing by the road as another drives up and asks ‘What do you think of my new Patrol, Sid?’ The first man looks inside and says ‘It’s alright’. The second man says ‘Cop the inside. So much more space. Very comfy’. The first man says ‘Bit of a Cruiser man myself’. The second man says ‘Yeah, I was too, but the Patrol’s got a 4.2 litre turbo diesel’. The first man says ‘But I’ve always been a Cruiser man’ and stands with his arms folded across his chest. The second man says ‘This carries 175 litres of fuel. You can get coil or leaf’. while taking a chain from the back of the utility, attaching one end to the utility and wrapping the other end around the legs of the first man. The first man pays no attention and continues ‘Yeah, but you’re either a Patrol man or a Cruiser man. Take a lot to move me’. The second man gets into the utility and begins to drive off. As the chain tightens, the first man is seen to wobble but does not move. The second man changes gear and accelerates. The utility then drives off appearing to tow the first man who remains standing upright and says ‘Well, I suppose you’ve got a few good points’. The advertisement concludes with the superimposed words ‘New Patrol 4.2 litre Turbo Diesel. It’ll move anything’.

## **THE COMPLAINT**

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

*“I find this commercial quite offensive and disturbing due to it being similar to what happened to James Byrd, the African American who was chained to the back of a pick-up and dragged for 3 kilometres, eventually being decapitated, last year.”*

## **THE DETERMINATION**

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

The Board determined that the depiction of events, within the overall humorous context of the advertisement, did not breach the Code and would not offend prevailing community standards. It was noted that the exchange between the two men contained no elements of hostility or aggression and that the ‘towing’ of the man in a gentle, gliding manner clearly demonstrated the fictitious nature of the scene. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly, dismissed the complaint.