



CASE REPORT

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| 1. Complaint reference number | 208/08 |
| 2. Advertiser | Motor Accident Commission SA |
| 3. Product | Community Awareness |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6
Other - Social values |
| 6. Date of determination | Wednesday, 9 July 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement begins with an animated, cartoon style and a fast-paced piece of music that runs throughout. A young guy is manoeuvring his car through a strange city scape. The scene distorts in shape, changes in colours and becomes a weird and bizarre place. His car is weaving its way around various objects. It even becomes airborne for part of its journey, but he still manages to magically steer the car in mid-air. As the journey continues the experience appears to get a little out of control. Birds fly at the car and narrowly miss the windscreen. Throughout the animation the driver looks dazed and confused.

The advertisement cuts to a shot from the driver's perspective inside the car. The scene is still animated, but as the driver adjusts his rear vision mirror, the view in the mirror transforms into reality. It's a real cop car with flashing lights. The entire scene snaps to reality. The music stops and a police radio can now be heard in the background. The young driver looks worried.

SUPER 1: If you do drugs and drive you'll get caught.

SUPER 2: More testing. More often.

SUPER 3 FADES ON UNDER SUPER 2: That's the reality. Logos for Motor Accident Commission and the Government of SA.

THE COMPLAINT

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

After watching the advert my teenage children said that if that is what drugs do to you it would be cool to try them. I had to explain to them that it was not a correct depiction of what these drugs do to you.

I object to the portrayal of the driver, Peter, off in some magical land having a "great night" as stated in the ad. This gives off the wrong message to young people about the effects of drugs. My 13 year old daughter actually said to me is that how drugs make you feel. The purpose of the ad is to deter people from driving while taking drugs but it should also be discouraging people from taking drugs at all. Instead it makes the effect of drugs look appealing to young people which is not a good thing.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

MAC always considers the impact our road safety messages will have on the community but this impact must primarily take the form of changing community attitudes and behaviours toward road

safety in order to reduce road trauma.

Between 2006-2007 over 21% of drivers or riders killed that were drug tested had detectable levels of MDMA, THC or methamphetamine in their system. In a 12 month testing trial of 16,053 drivers, 405 recorded positive results - a 1 in 40 positive test or a 2.5% detection rate, over double the static drink drive detection rate of around 1%.

Market research conducted around attitudes toward drug driving indicated a lack of understanding of the illegality of drug driving (as opposed to drug use itself), police enforcement activities and drug testing technology.

In the face of such evidence it was decided to launch a campaign that would strikingly draw the attention of drug users and warn them of the realities of increasing levels of police enforcement and improved testing technology.

With regard to the sections of the AANA Code we have been asked to address, I note that our advertisement is not directed to children and is not concerned with food and beverages.

With regard to the complainant's concern that his child found the advertisement made drug use appealing, I offer the following comments:- While we were concerned with the sensitivities of depicting drug use, we were also aware of the need to stay focused on our agenda to educate on the dangers of taking drugs and driving rather than the associated health issues. Similarly, drink driving campaigns routinely depict arguably appealing scenarios of alcohol consumption with a focus on the dangers of then driving drunk rather than other societal concerns.

It was not our intention to present an appealing drug experience. However, it was our intention to gain the attention of a difficult to reach audience and hold that attention so that we could deliver the key message that the police are targeting, testing and penalising drug drivers. We believe this is a deterrent.

*The advertisement was reviewed and approved for broadcast by Commercials Advice Pty Ltd and given a rating of 'W', directing our media buyers to take care with media placements so as not to inadvertently expose a challenging message to minors. To this end, the schedule has been restricted to programs such as *Desperate Housewives* (where the complainant saw this commercial) which is rated 'M' and suggested for mature audiences.*

In this context, I trust you agree that we have acted appropriately and that the commercial is not in violation of appropriate standards.

We are also sensitive to the needs of the public and can on request, forward a schedule of future media activity, including television programs, that will allow complainants to avoid them.

THE DETERMINATION

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

The Board viewed the television advertisement and noted that its focus was on the effect drugs have on a person's ability to drive.

The Board noted that the advertisement featured a fictional world full of strange apparitions which served to demonstrate the effect the drugs had on the driver's ability to discern reality.

The Board further noted the advertiser's response which stated the purpose of the advertisement was to *educate on the dangers of taking drugs and driving rather than the associated health issues.*

The Board considered that while the advertisement failed to note that drug use can be harmful it successfully communicated that it is illegal to drive under the influence of drugs and that if you do so you will get caught.

The Board further considered that images portrayed in the advertisement were justifiable in the context of the message being conveyed.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the

complaint.