



## CASE REPORT

1. Complaint reference number	239/06
2. Advertiser	Tyco Fire & Security (ADT Fire Alarm)
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Health and safety – section 2.6
6. Date of determination	Tuesday, 11 July 2006
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a family playing in a park. The father, sitting on a bench, tells us “You’ve seen the ads on TV about the new smoke alarm laws. Nothing to worry about. A standard alarm is all you need to comply. And that’s good enough. Really. Cos when you get down to it, ‘good enough’ is right for *your* family, isn’t it?” A male voiceover advises “You can do better than mere compliance. Contact ADT for a FREE ‘whole home’ assessment, covering monitored smoke detection *and* home security. ADT – Always There.”

## THE COMPLAINT

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

*The message was clear – if you are one of the many MILLION Australians who can only afford to buy “standard” smoke alarms then you are not taking your family, and their lives, seriously. The language was all about “good enough” and the implication was clear.*

## THE ADVERTISER’S RESPONSE

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

*The TV ad does not at any point discuss or imply any financial or monetary considerations to the level of protection required to entirely protect your home and family. The considerations to “taking your family seriously” are instead safety-based, not financially based.*

*We do not believe that the ad discriminates against lower socioeconomic groups but instead discusses doing more for your family than “mere compliance” regarding different levels of home safety protection not levels of affordability.*

*The ad reinforces the NSW government legislative position clearly stating that a standard smoke alarm is good enough to meet the legislative requirements.*

## THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board considered that the advertisement did imply that a smoke detector that complied with the new NSW legal requirements, while compliant with the new laws, is really not what a responsible family would have in their home. The Board considered that the advertisement used sarcasm to make a point that mere compliance is not good enough and that the overall tone of the advertisement was

designed to make people feel guilty if they did not have more than a basic smoke alarm.

The Board considered whether the advertisement discriminated against people on the basis of their socioeconomic status (noting that people who could not afford to purchase a monitored security and smoke alarm system should not be made to feel that compliance with the law was insufficient). However the Board decided that, while the advertisement was an unpleasant one and an inappropriate way to try to obtain business, the advertisement did not discriminate against any identifiable sector of society.

The Board also considered whether the advertisement depicted material that was contrary to prevailing community standards on health and safety by suggesting that compliance with the legal requirements for smoke alarms was not good enough. The Board found the advertisement borderline on this point and considered that had the advertisement clearly stated that compliance with the NSW law was not good enough then it would undoubtedly breach this provision of the Code. On this occasion the Board decided that the advertisement did not breach the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.