



CASE REPORT

1. Complaint reference number	242/09
2. Advertiser	Unwired
3. Product	Information Technology
4. Type of advertisement	Outdoor
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Wednesday, 24 June 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This Billboard for Unwired depicts a disheveled man sitting in a filthy apartment. There are used food utensils dirty cups and glasses in the background, as well as clothes and other rubbish around the place. The man is leaning against the wall and he is holding a long bladed knife in his right hand, appearing to be cleaning the fingernails of his left hand. Adjacent to the man appears to be a set of drums.

The words superimposed on the image say “I PREFER TO DRUM AT 3AM. THERE’S LESS BACKGROUND NOISE.”

THE COMPLAINT

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

The knife is clearly threatening violence and supports the broad message of antisocial behaviour ('playing drums at 3.00am is just the start...' is the subtext). The promotion of knives as weapons of threat is not suitable for public transport lines where people routinely fear for personal safety and where attacks and antisocial behaviour are common.

Moreover, we don't yet have the regular knife attacks that plague London in youth street crime but advertises like this will promote it.

Images of knife wielding men do not promote a sense of safety when you are alone on a train platform. The promotion of macho knife wielding as admirable 'risk taking' is completely unnecessary in internet sales. I don't like being threatened while waiting for my train.

THE ADVERTISER’S RESPONSE

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

Unwired provides the following response to the Complaint Reference 242/09 about the attached Unwired Broadband train station billboard advertisement entitled 'Drum'.

The advertisement was produced by the advertising agency Three Drunk Monkeys (contact: Mark Green 8665 4200) and booked by Cut Above Media (contact: Veera Ostowari 9955 4044).

The 'Drum' advertisement is part of the 'Move When You Need To' outdoor billboard, press and online campaign which includes four other executions, titled: 'Thai', 'Loo', 'Ferret' and 'Grumpster', which are also enclosed for your reference.

In the 'Move When You Need To' campaign, Unwired illustrates undesirable flat sharing situations, and points out that with Unwired broadband, it's quite easy to remove yourself from

bad living circumstances because there are no contracts or phone lines required with the wireless service. The ad uses realistic photography and exaggerated flatmate quotes to dramatise the uneasy, yet possibly humorous situation of living with a bad flatmate.

The headline in the 'Drum' advertisement is "I prefer to drum at 3am. There's less background noise". The photo features a slovenly and dishevelled looking man looking toward the camera. The nonsensical quote and the grainy imagery are intended to be attention-grabbing. The ad and the others in the campaign are intended to appeal to young people in a transient rental target market, who, along with those who remember their flat sharing days, would see the humour in having such a flatmate, and the desirability of being able to move when you need to and take your internet connection with you.

In relation to Section 2 of the AANA Code, Unwired makes the following observations.

The advertisement is not directed to and does not advertise products targeted toward or which appeal to children, and accordingly the code for Advertising & Marketing Communications to Children does not apply. The advertisement is not for food or beverages.

While the language used may be a little odd, it is not strong, obscene or otherwise inappropriate. To the extent that the presence of the knife may be a little disturbing, Unwired submits that it is not the dominant image and its presence is justified in the context of establishing the credentials of the model as a nightmare flat mate, someone the observer would certainly not want to live next door to; and the fact that the Unwired product is easily portable and can move with the customer without reconnection fees or technical installation. While Unwired regrets the distress caused to the complainant, the ad does not, in Unwired's view, present or display violence.

The 'Move When You Need To' campaign commenced in February 2009 and ended in April 2009. The 'Drum' billboard in question no longer appears in train stations.

THE DETERMINATION

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

The Board noted the complainants' concerns that the advertisement promotes violence and is inappropriate to be shown in train stations/public transports locations.

The Board noted that this advertisement is part of a series that depicts people in situations where they would clearly be considered undesirable housemates (and thereby explaining the benefit of the portability of the internet product). The Board noted that the man is depicted as untidy, rough and noisy. The Board considered that the depiction of the man cleaning his nails with the knife is consistent with the depiction of the man as untidy and rough and that although rough looking the man is not depicted as menacing. The Board considered that the inclusion of the knife is not suggestive of violence.

The Board determined that the advertisement did not depict violence and was not in breach of section 2.2 of the Code. Having considered that the advertisement does not depict violence the Board considered that it was not problematic that the advertisements appeared in train stations.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.