



CASE REPORT

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| 1. Complaint reference number | 28/05 |
| 2. Advertiser | Lisa De Luca & Co Solicitors |
| 3. Product | Professional Services |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 8 March 2005 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is a radio advertisement in which the voiceover states: “If you drink and drive, you’re a bloody idiot. But if you do drink and drive and get caught, who can you turn to?” The voiceover states that people who have been booked on a drink driving offence can call Lisa De Luca & Co Solicitors for representation.

THE COMPLAINT

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

“Basically they were speaking about drink driving and if you were caught then they would do the worrying for you.”

“This is shocking – it was like they were saying it’s okay to drink drive – we have solicitors that can get you off with all the thousands killed on our roads each year because of idiots who drink and drive...”

THE ADVERTISER’S RESPONSE

At the time of drafting this case report, the advertiser had not submitted a response to the complaint/s regarding this advertisement.

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 that natural justice dictates that accused persons are also entitled to legal representation. The Board also noted that the advertisement did not state that the advertiser would do the worrying for the accused as alleged by the complainant.

The Board found that the depiction did not contravene the provisions of the Code relating to health and safety.

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