



CASE REPORT

1. Complaint reference number	356/08
2. Advertiser	WA Dept of Premier & Cabinet
3. Product	Community Awareness
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Wednesday, 8 October 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on two cars, red and blue, stopped at traffic lights in a city - as the lights turn green the cars race each other, speeding through city streets, until they come to a screeching halt on a main road - blocked by a giant mobile telephone placed across the highway. A male voice over explains "Hoons can be stopped with a phone. Just call this number and report them" Text on screen reads "Report hoon drivers on 131 444".

THE COMPLAINT

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

The advertisement features a depiction of the unsafe practice of illegally racing on a public road.. I believe the point the ad is making is that you can do in a hoon for unsafe road use.. Lots of dubbed roaring engines with flashes to vehicles speedos etc.. Hardly a positive message.. For some reason the government wont let car companies advertise like this but the govt cant do this stuff itself ?? a clear double standard be it for safety, community or whatever...Unfortunately this advertisement seems to be having the absolute reverse impact on the so called hoons.. Myself even felt empowered to jump in my motor vehicle and go out and drive very fast.. I have also seen comments posted on many Internet forums about this ad and it impact on young people..The advertisement shows the vehicles being stopped by a large telephone in the middle of the road.. Yes I get the point however it also depicts 2 late model motor vehicles that are both factory fitted as standard with ABS leaving 50 metre skid marks.. Lets not sensationalise the point for the sake of impact.. Quite clearly if car companies cannot advertise this way then nor can government departments, regardless of the message the advertising is offering..I think the ad also makes people that may drive a modified vehicles a target for overzealous do gooders..

THE ADVERTISER'S RESPONSE

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

This advertisement is the second ad in a series to target hooning. The first ad was developed to target "hoons" and the second ad is designed to encourage the community to report hoon behaviour.

Four concepts were developed by Gatecrasher Advertising. These concepts were tested by Synovate Ltd, an independent market research company. This concept testing included a series of focus groups with the target audience (wider community) and secondary audience (young men aged between 17 and 24 who are more likely to engage in hooning behaviour).

The concept "Road Block" was selected for the following reasons:

- *The public want the hoon issue to have an increased focus;*

- Reporting a hoon is seen as appropriate and empowering;
- The advertisement was seen as generating community support;
- The advertisement was the most motivational to report hoons; and
- Other concepts tested did not evoke the same degree of public concern or sympathy.

The results from the testing do not support the premise of this complaint that the ad encourages hooning behaviour. On the contrary, the results found the following. The ad:

- Shows the dangerous side of hooning, therefore the danger was a compelling reason to report hoons;
- Was engaging to watch and entertaining;
- Showed consequences of reporting a hoon;
- Was empowering and proactive “We can do something, it’s in our control”;
- Put a solution within reach for the target audience (wider community)
- Did not place judgement a particular group, neither the hoon nor the caller;
- Clearly showed what was happening, and was easy to understand;

There were no significant negatives arising from the concept testing, except the type of phone depicted at the end.

Nowhere in the message takeouts from the concept testing was it indicated that the ad encouraged hoon behaviour. The comments received from “hoons” in the concept testing were about the believability of the ad:

“It’s good because it’s got a bit of a story to it, everyone likes a story.”

“I like seeing cars in ads. I’d watch this.”

“It’s sort of effective – you’d think about it.”

“It was a bit like the booze bus ad with the pins... yeah that’s a good ad.”

“I was excited at first thinking what’s going to happen.”

“The giant phone was good, everyone’s going to talk about it.”

The ad was recommended for its cut through and call to action. The ad is successful in engaging an audience who do not have explicit knowledge of hooning, such as displayed by the complainant in terms of hoon behaviour and the specifications of “hoon” cars.

The complainant raises a question about the presence of skid marks behind vehicles fitted with ABS. The appearance and length of the skid marks were digitally enhanced deliberately to reinforce the fact the drivers were speeding and engaged in dangerous behaviour. It was not possible to create real skid marks because the ad was filmed in a strictly controlled environment. Please note: Police and Local Government approval was sought, and the road was closed to traffic during filming. The cars did not travel at high speeds during the filming - this is an effect created by “dubbed roaring engines with flashes to vehicle speedos”.

In relation to the comment about car companies not being able to film this sort of ad, this is beyond the scope of this office to address. This office sought appropriate approvals from Government Media Office, Police and Local Government prior to filming.

The Office of Crime Prevention is currently monitoring the number of calls reporting hoon behaviour during the advertising period. These figures will be compared to reported calls prior to and post this campaign. Preliminary results suggest that there is an increase in reports of hoon behaviour as a result of the campaign.

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 the application of Sections 2.2 and 2.6 of the Code, relating to violence and health and safety.

The Board discussed whether the advertisement had the effect of promoting “hoon” behaviour rather than preventing such behaviour. The Board noted that nothing bad happens to the hoons in the advertisement and that it is pitched at “dobbing” in the hoons, rather than stopping the hoons themselves.

The Board then considered whether the advertisement is contrary to prevailing standards of health and

safety. The Board noted that a series of community safety messages on the issue of hoons has been used in Western Australia, targeted at different groups of people. The Board noted that the drivers all appear to be in control of their vehicles, and that the advertisement aims to encourage the reporting of the hoon driving. Therefore, the Board considered there was no contravention of prevailing standards of health and safety.

The Board then considered whether the portrayal contravened the provision of the Code relating to violence. The Board considered that while the advertisement depicts hoon behaviour it does not portray violence, with potential harms demonstrated by implication only and being contextually justifiable.

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