



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 387/05 |
| 2. Advertiser | Queensland Transport (BBQ/baby) |
| 3. Product | Community Awareness |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2
Health and safety – section 2.6
Other - Causes alarm and distress
Other - Causes alarm and distress to children |
| 6. Date of determination | Tuesday, 14 February 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is the third in a series where a father driving with his son to get BBQ gas, loses control of the car and hits a woman who is walking on the footpath pushing her baby in a pram. Written statements that describe the consequences of the accident are superimposed on a sequence of still images as follows:

1. An image of the mother lying on the ground covered in blood with the words: “*Amy Louise Oliver. Killed instantly*” displayed.
2. An image of the baby on the ground covered in blood crying with the words: “*Hayley Jane Oliver. Will spend the rest of her life without her mother*” displayed.
3. An image of the son of the car driver sitting in the car crying and calling out for his Daddy with the words: “*Jack Michael Attwood. Undergoing trauma counselling*” displayed.
4. An image of the driver of the car holding the crying baby with the words: “*Michael John Atwood. Charged with dangerous operation of a vehicle causing death. Facing up to 7 years imprisonment*” displayed.

The images are followed by a graphic screen which reads: “*Every K over is a killer*”. The sounds accompanying this screen is that of the son (Jack) crying out for his Daddy.

THE COMPLAINT

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

“The explicit life-like depiction of such an horrific accident is beyond what should be allowed to be used for shock tactics.”

“The infant is covered in blood and screaming and the mother is shown covered in blood and dead.”

“I find it offensive and horrifying and violent because it’s far too graphic and hard-hitting.”

“This campaign is traumatising to no avail.”

“I do not watch television to see dead women and babies screaming, covered in blood.”

“I can only imagine the distress it would cause children seeing the ad.”

“The message of road safety is totally eclipsed by the graphic nature of this advertisement.”

“The blood and the screaming were far too realistic for children to view.”

“I feel I have been traumatised by the footage...”

THE ADVERTISER’S RESPONSE

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

“Preliminary data from 2005 shows an increase in the number of fatalities... this increase reinforces the need to continue to show graphic advertisements...”

“The pram series of road-safety television commercials is based on extensive research which showed this approach to be effective because it appeals to viewers on an emotional level.”

“Three-quarters of motorists believe that since seeing the commercial they have made more of an effort to slow down when they drive, with two-thirds saying they have encouraged family and friends to drive at or below the speed limit.”

“Research also showed that 90% of respondents support the style of advertising used in this current 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 found the advertisement disturbing and noted that, in its view, this advertisement achieved the advertiser’s goal of appealing to viewers on an emotional level. The Board considered that people could be upset by the advertisement.

The Board considered the wording of section 2.2 of the Code which requires that: *‘advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised.’*

The Board noted that the product or service advertised is road-safety, and noted the advertiser’s comments that research has shown the need to continue to show graphic advertisements in order for such campaigns to have effect.

The Board considered that the violence in the advertisement was justifiable in the context of the important road-safety message that is being presented. The Board considered, however, that due to the potentially distressing nature of the advertisement to children and to some viewers, the advertiser should include a warning statement at the commencement of the advertisement. The Board also considered that the advertisement is not suitable for showing in G timeslots and asked that the advertiser restrict the advertisement to appropriate time zones and programmes.

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