



CASE REPORT

1. Complaint reference number	407/03
2. Advertiser	Samsung Electronics Australia Pty Ltd (E700 Digital Phones)
3. Product	Telecommunications
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 9 December 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a young man in a suit taking a photo of a well-dressed woman, who he appears not to know, while she is walking across the street. When she realises that her photo has been taken, she appears offended and walks straight over to him with an expression that would indicate her indignation. She takes the phone from him and begins taking photos of herself in various positions while stretched out across the hood of a parked car.

THE COMPLAINT

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

“... this ad encourages the use of ‘spy pics’, photos of people, particularly women... Furthermore, this type of act strongly promotes the social acceptance of stalking.”

“This surely is encouraging invasion of privacy, voyeurism, and at the very least pestering of innocent people going about their private lives.”

THE ADVERTISER’S RESPONSE

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

“The marketing strategy undertaken was to highlight the key features of the handset to the target market. The marketing strategy implemented is targeted at a specific and definable target market being male/female, aged 20-35, A/B quintile demographics. The phone is for those who want to capture their own unique style rather than blending into the crowd.”

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 the advertisement was light hearted and not one that was likely to be taken seriously.

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.