



## **CASE REPORT**

1. Complaint reference number	414/06
2. Advertiser	TransACT Communications Pty Ltd
3. Product	Telecommunications
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement depicts a protesting crowd marching through a city street, the leaders with loud hailer calling “What do we want” and the traditional reply “Free Speech!”, then “When do we want it?” and the reply “Now!”. As the leader stops to address the crowd, he is approached by a man in a TransACT uniform who hands him a flyer announcing “Get unlimited FREE local calls to other TransACT phone customers”. Trying to maintain his past momentum, the leader calls out “TransACT can give us free speech” as the crowd responds “Now!” and starts cheering.

## **THE COMPLAINT**

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

*Surely the media should be working to break down the violence, confusion and noise rather than encouraging it and bombarding viewers with this menace. A “protest for peace” would be an alternative.*

## **THE ADVERTISER’S RESPONSE**

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

*The commercial depicts a peaceful protest where the growing crowd is calling for free speech. The commercial does not depict any violence and is merely fighting the good fight against the current apathy of paying for local calls. The commercial ends positively with a happy and cheering 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 viewed the advertisement, took note of the depiction of the protest and considered whether the advertisement may have contravened section 2.2 of the Code, relating to violence.

The Board considered the complainant’s view that the protest was ‘violent, confusing and noisy’. The Board found that the advertisement did not breach Section 2.2, finding no evidence of violence in the advertisement. The Board agreed that the images of the protest were innocuous.

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