



## CASE REPORT

1. Complaint reference number	441/06
2. Advertiser	Transport Accident Commission (Reconstruction)
3. Product	Community Awareness
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on the body of a young woman lying on a road, and a policeman relating “Our job is to investigate serious crashes and get evidence that may be used in court.” Film of the current accident is then wound backwards to “reconstruct” the accident – blood flowing back up her nose, her shoes back on her feet, her scattered possessions returning to her handbag, and also showing in reverse, the impact of her body being thrown six metres by the force of the collision. The police officer explains that they can work out at what speed she was hit by analysing the car and the tyre marks on the road. It was ascertained that if the driver was going 5kph slower when the woman stepped out onto the road, her injuries may have been reduced to a bruised leg, and the police would never have been called to this incident. The advertisement ends with the message “Wipe off 5”.

## THE COMPLAINT

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

*We find that the people stepping out on to the roads are not shown to be making any attempt to look both ways (as we were taught to do).*

## THE ADVERTISER’S RESPONSE

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

*The Wipe off Five campaign was initiated in 2001 to combat community perceptions regarding the acceptability of low-level speeding (between 5 -10km/h over the limit). Research undertaken by road safety experts and recreation of crash scenarios provided evidence that if every driver reduced their speed by 5km/h, then about 95 lives and 1,300 serious injuries could be saved every year. Wiping off five km/h cuts stopping distance, lowers the risk of crashing and reduces impact and injury severity. “Reconstruction” is the tenth phase of the campaign which compliments the initiatives of other road safety agencies such as enforcement and lower speed limits.*

*‘Reconstruction’ demonstrates the difference in injuries that may be suffered by a pedestrian at impact speeds of 32km/h and 5 km/h. The injuries referenced in these scenarios reflect the most probable injury outcomes. Obviously, lesser and more extreme injuries may be suffered by pedestrians, particularly dependent on which part of the car they impact with.*

*Years of research show that road safety messages are more likely to impact road users' attitudes and behaviours when the realistic portrayal of road trauma is utilised to communicate messages. In this most recent ad we have show the pedestrian being hit at both the higher and lower speeds deliberately as it clearly describes the difference travel speed can make to trauma outcomes.*

*In this example the pedestrian does walk on to the road in a manner that unfortunately happens on Australian roads each and every day. The TAC is by no means supporting this behaviour, but in a*

*subtle way educating the community to take extra care when crossing the road.*

*Furthermore, the Reconstruction campaign in Victoria has gone a long way to educating and reminding the driving public that they as drivers are responsible for the speed they travel when driving their vehicles.*

*I believe this campaign has done more for road safety than any other campaign in the last five years. It is interesting to note that in Victoria the road is currently on track for the lowest on record only further support the effectiveness of safety campaign such as this one.*

## **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 and considered the complainant’s comments that the advertisement depicts a pedestrian behaving in an unsafe manner by not looking both ways before stepping out onto the road.

The Board considered whether the advertisement breached section 2.6 of the code dealing with prevailing standards of community health and safety.

The Board noted the pedestrian walking out onto the road, but the Board also noted that the consequences of not looking both ways was shown as well – the pedestrian was hit by a car. The Board accepted that the advertisement depicted unsafe behaviour inasmuch as the pedestrian did not look both ways, but the Board agreed that this was acceptable given that the consequences of the unsafe behaviour were also shown, hence no-one in the community was more likely to behave in that way. To the contrary, the Board felt that the advertisement had a strong road safety message for both drivers and pedestrians and that the depiction was justified in the context of the message of the advertisement.

The Board determined that the advertisement did not breach prevailing standards of community health and safety and hence did not breach section 2.6 of the Code.

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