



CASE REPORT

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| 1. Complaint reference number | 445/08 |
| 2. Advertiser | Transport Accident Commission |
| 3. Product | Community Awareness |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2
Other - Causes alarm and distress |
| 6. Date of determination | Wednesday, 12 November 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television commercial for the Traffic Accident Commission of Victoria shows an accident in which a motorcyclist comes off his bike. Later in the emergency department of a hospital, a surgeon explains the extent of the motorcyclist's injuries and stresses that the injuries would have been significantly reduced had the motorcyclist been wearing proper protective clothing rather than the denim jeans he was wearing. The advertisement closes with the words "what's between you and the operating theatre?" on the screen

THE COMPLAINT

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

TAC Motor Bike Accidents Advertisements (which my youngest son finds very distressing) where they show hospital scenes involving graphic injuries (during children viewing times). They are far too graphic, sickening. Surely there is a better, less 'splatter gun' approach to getting their message across.

THE ADVERTISER'S RESPONSE

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

Thank you for notification of the advertisement complaint - reference 445/08 made to the Advertising Standards Board. Provided below is background about the Transport Accident Commission (TAC) advertising campaigns being queried and the rationale for the use of this particular creative. I am confident that you will concur that the TAC has produced advertising that conforms to AANA's Advertiser Code of Ethics and are 'justifiable in the context of the product or service' (ie. road safety) that it promotes.

The TAC public education campaign continues to focus on accident prevention, with the intention of reducing fatal, serious and minor casualty crashes on Victoria's roads. The development of the TAC's high profile public education campaigns has received both acclaim and criticism over the years, as the road toll has drastically reduced from numbers in the high hundreds (776 in 1989 when the campaign began) to a low of 332 in 2007.

The Motorcycle Safety Protective Clothing campaign was developed in 2008 to highlight the risks of riding a motorcycle or scooter without the correct protective clothing.

The television commercials feature a motorcyclist who has been involved in a crash and is being treated in the emergency department of a hospital. The commercial depicts the extent of the injuries sustained by the motorcyclist who was only wearing denim jeans rather than protective

rider clothing. The Emergency Department surgeon explains the rider's injuries and the comparison between denim fabric which lasts as little as half a second while leather which will resist heavy abrasion for up to six seconds.

The strength of this execution lies within the realistic depiction of the rider's injuries and the fact that the injuries could have been prevented if he had been wearing the correct protective clothing. The commercial was produced with both a PG and M rating version for suitable program placement.

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. Social marketing campaigns can cause contention, however, unlike product advertising, this is often necessary when the benefit to consumers is not initially apparent.

I trust that you will view this response favourably given these communications are critical to influencing road user behaviour and have played a critical role in helping to reduce the level of trauma on Victoria's roads over the past 19 years.

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 the complainant's concern that the advertisement is overly graphic and is distressing to viewers particularly children.

The Board noted that the advertisement depicts a man being treated for injuries in a hospital emergency room. There are images of the man's leg, which is torn open from his accident. There is a Doctor explaining the type of injury.

The Board considered the application of Section 2.2 of the Code, relating to violence. The Board considered that, although the advertisement did have some images of the man's injured leg, the advertisement was not excessively graphic. The description by the Doctor however does contribute to the overall effect of the advertisement and the Board agreed that the advertisement might be likely to upset or disturb younger viewers. The Board noted however that the advertisements were rated PG and M, and considered that the advertisement was not inappropriate for viewing by a child in its parent's company.

Consistent with previous decisions about advertisements directed to positive public health outcomes, the Board considered that this advertisement did not breach the Code. The Board considered that the value of the message contained in the advertisement outweighed any distress it may cause to some viewers. The Board therefore considered that the depiction was justified in the context of that message and was not in breach of Section 2.2 of the Code.

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