



CASE REPORT

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| 1. Complaint reference number | 522/09 |
| 2. Advertiser | Adroit Panels |
| 3. Product | House goods/services |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Wednesday, 25 November 2009 |
| 7. DETERMINATION | Upheld – not discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement includes the sound of a woman saying 'You mongrel. how dare you cheat on me.' A man is heard to say 'Babe ...please not the car.' The woman is then heard saying again 'Say hello to my little friend.' Sounds of breaking glass. 'What? sorry - couldn't hear over all that smashing.' Sound of glass smashing Voiceover says 'Someone needs Adroit Panels. Adroit panels is the quality panel repairer that does the job quickly....See Adroit panels for an obligation free quote at...':

THE COMPLAINT

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

Violence of any kind is never acceptable. Just because a relationship has turned bad is no reason to destroy another person's property. I feel that the ad is promoting an unlawful and negative attitude for getting one's car repaired. If it's meant to be a joke or just poking fun then it is in very poor taste. This is not the message that should be encouraged."

THE ADVERTISER'S RESPONSE

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

We have been notified by Adroit panels of the complaint received by the Advertising Standards Bureau.

In response to the complaint " Violence of any kind is never acceptable. Just because a relationship has turned bad is no reason to destroy another person's property. I feel that the ad is promoting an unlawful and negative attitude for getting one's car repaired. If it's meant to be a joke or just poking fun then it is in very poor taste. This is not the message that should be encouraged."

The commercial in no way condones or advocates the use of violence, nor does it suggest violence is ever acceptable. It reflects a situation of how a car can receive damage that is of a semi-regular occurrence for the business being advertised. The client (Adroit Panels) has advised us that deliberate damage to vehicles by a person accounts for 20% of repairs they undertake. Therefore, we believe that in that context that under Section 2.2 " Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

That scenario presented is justified in its use.

The complainant's assertion that the ad is "promoting an unlawful and negative attitude " and "is in very poor taste" does not constitute a breach of the AANA Advertising Code of Ethics.

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 present violence.

The Board listened to the advertisement. The Board considered that the advertisement clearly sounds as if a woman is violently damaging her partner's property. The actions of the woman are made to sound vindictive and nasty and evoke a scene of violence between a couple. The Board considered that the advertisement does not depict violence in a joking manner but that the depiction is presenting a particular violent act as justified.

The Board considered that the violence in the advertisement is not relevant to the product - regardless of whether or not some panel repairs are as a result of such behaviour.

The Board considered that the suggestion and sounds of violence as presented in this advertisement were more likely to promote than discourage violent behaviour between couples. The Board determined that the advertisement did depict violence and that the depiction of the violence was not justifiable in the context of the service advertised. The Board determined that the advertisement breached section 2.2 of the Code and upheld the complaints.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

At time of publication the Advertiser had not responded to the Determination.