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| COMPLAINT NUMBER | 17/140 |
| COMPLAINANT | N Denby |
| ADVERTISER | NZ Transport Agency |
| ADVERTISEMENT | NZ Transport Agency Television |
| DATE OF MEETING | 1 May 2017 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The television advertisement by the NZ Transport Agency showed a young person driving on a restricted licence late at night with passengers. The passengers were shown distracting the driver by talking and at one stage one of the passengers put her hands over the driver's eyes. The driver was shown making various mistakes such as driving through changing lights and nearly colliding with a truck after pulling out in front of it. At the end of the advertisement the young driver was shown telling her parents that she would again be giving her friends a lift home and would be home after 10.00pm. While hesitant, the father gave his daughter the keys while looking anxiously at his wife. At the end of the advertisement the onscreen text stated: "There's a reason for the restrictions. Home by 10. No passengers," along with the Safer Journeys and New Zealand Government logos.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, N Denby, said: The advertisement concerns a young lady whom is a restricted driver, and clearly she is in breach of her license going by the events that occur shown in the add. She is not allowed to carry passengers and also has a 10pm curfew. The add shows her doing all the wrong things. We have also been told in the past through the same advertiser that once your son/daughter has got their restricted license, the parental responsibility does not end, but needs to carry on in a manner that helps to keep their child safe. In this particular advert, the daughter is clearly using the family car because the keys are handed to her by a parent. Now the complaint. Bearing in mind what I have previously outlined, the daughter tells the parents that she might be home "a bit after" 10pm. Now she has just told her parents that she intends to breach her license conditions, but her parents still hand her the keys with a smile. So what is wrong with this picture? Here we have parents who are not acting in their daughter's best interest, and on hearing what she just told them, should have refused the use of the car. The parents have allowed their authority to be undermined by their daughter openly declaring her intentions, and them not responding to it as they should have. Looks very much to me like the daughter is running the show here. Not a good look. Who knows what other breaches of her license and the law she intends to carry out? Well, the advert shows her behavior, and disregard for the law. To me, the advert appears to condone her behavior, and shows her and her friends "just having a bit of fun". I expect there will be a "consequences" advertisement which will make sure that "everyone" is to blame for the outcomes when the daughter kills a couple of her friends. I must say that the Skoda car she is driving has a 5 star plus safety rating, so that factor is certainly in her favor when she prangs the car. I believe this is a flawed method of advertising and it has been seen in many other so called "safer journeys" adverts where "everyone to blame" outcomes are planned. Who is to blame here? Clearly the blame falls directly on the parents.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 11, Rule 5.

The Chair noted the Complainant's concerns that demonstrating dangerous and illegal driving practices could encourage young drivers to emulate this behaviour. The Complainant also wanted to know if the advertisement was part of an on-going series.

In considering the issue raised by the Complainant, the Chair referred to a precedent decision, 16/112 for the same advertisement, which was Not Upheld by the Complaints Board. The Chair noted the advertisement was an advocacy advertisement by the New Zealand Transport Agency (NZTA) that highlighted the need for parents to enforce the restrictions placed on their teenage drivers with restricted licences.

That decision said in part:

...“The Complaints Board said the overall theme of the advertisement was to encourage safe driving practices by demonstrating dangerous and illegal behavior. Taking into account the safety message, the Complaints Board said the advertisement promoted safe driving practices for people on their restricted licence and did not encourage a disregard for safety...”

The Chair confirmed that this decision applied to the complaint before her and ruled the advertisement did not reach the threshold to breach the Code of Ethics. She noted that the advertisement made it clear what the rules for restricted drivers were by reinforcing the educative message in writing on the screen at the end of the advertisement.

In response to the Complainant's second concern, about the possibility of a follow up advertisement, the Chair advised this information could be sought by the Complainant directly contacting NZTA.

The Chair ruled the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of the Code of Ethics.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**