

<b>COMPLAINT NUMBER</b>	17/414
<b>COMPLAINANT</b>	I Emery
<b>ADVERTISER</b>	NZ Transport Agency
<b>ADVERTISEMENT</b>	NZ Transport Agency, Television
<b>DATE OF MEETING</b>	27 November 2017
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for the New Zealand Transport Agency featured two men in a car eating and drinking while driving at a slow speed. The driver was slow to react to the green light change. The driver was distracted by a bike that was making a pizza delivery and crossed onto the other side of the road crashing into an oncoming vehicle. The dazed driver sat in the car having flashbacks to smoking drugs. The onscreen text stated: “Hard to stay focused? Drive straight.”

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

**Complainant, I Emery, said:** Hi I’m making a complaint about the tv ad that is demonizing marijuana. Where the guy is tired smokes pot then crashes. Then it says no to drug driving once again demonizing this herb and calling it a drug. why? well I know the real reason why. Please stop this nonsense.

**The relevant provisions were Code of Ethics - Basic Principle 4, Rule 11, Rule 2.**

**The Chair** noted the Complainant’s concern the advertisement was demonising marijuana or cannabis.

The Chair confirmed the advertisement for NZTA was an advocacy advertisement intended to raise awareness about the dangers of driving under the influence of cannabis and that advocacy advertising is provided for under Rule 11 of the Code of Ethics, allowing robust expression of opinion, as long as the advertiser is clearly identified.

The Chair referred to a Precedent Decision, 16/067, which noted the Advertiser’s substantiation for the same advertising campaign and said in part:

“...The Complaints Board then turned to the response from the NZTA and noted where it stated: “Driving under the influence of cannabis is a significant road safety problem in New Zealand, and consequently drug-impaired driving is a high priority in the New Zealand Road Safety Strategy 2010 – 2020. The key objective of the Strategy is to significantly reduce the incidence of drug-impaired driving, with fewer people losing their lives or suffering serious injuries as a result of drugged drivers...”

Cannabis users don’t think they’re taking a risk when they get behind the wheel of a vehicle. They argue driving stoned is harmless – they’re a bit slow but they believe they can compensate by driving more slowly. Our challenge with this campaign was to flip this belief and get them to see that being stoned and a bit slower on the road is much more dangerous than they realise...”

Addressing the Complainant's comments, the Chair noted the Misuse of Drugs Act 1975 classifies cannabis as a Class C illegal drug in New Zealand.

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.

The Chair's view is that the precedent decision applies. Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

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