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| COMPLAINT NUMBER | 19/199 |
| COMPLAINANT | C Green |
| ADVERTISER | NZ Transport Agency |
| ADVERTISEMENT | Television |
| DATE OF MEETING | 4 June 2019 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The 60 second NZTA television advertisement shows different examples of passengers being driven at speed. In each case the driver's seat is empty and a voiceover of the driver is heard. The drivers, all male, say things like: "Assertive, that's how I describe my driving. On the open road you are looking to go about 10 to 15kph above the road sign." and "If anyone tells me to slow down, I give them the same response every time. My car, my rules." The advertisement focuses on the reactions of the different passengers in the cars, all looking uncomfortable and concerned about the excessive speed. The advertisement ends with an on-screen message: "Speed is shared. Slow down."

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

Complainant, C Green, said: I wish to complain that this advertisement does not reach the responsible advertising threshold as it is not honest nor truthful. The advertisement shows a gender bias by only using male driver voices, and in doing so giving the impression that male drivers are 100% responsible for reckless dangerous driving incidents. This ad seeks to give the impression that only males are arrogant drivers with no consideration for their passengers. By only using male driver voices it does not reflect the factual statistics showing female drivers contribute to, and cause, vehicle accidents as well as males. This ad should be removed as it is dishonest and disrespectful to the facts. It would seem the aim of this ad is to make the public believe that only male drivers cannot be trusted with passengers. It is a huge failing to not consider, and remind female drivers, to take care when driving as we are the ones normally driving our family about in their day to day activities. This fact should have been acknowledged and it is irresponsible not to do so.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(e)

The Chair noted the Complainant's concern the advertisement showed a gender bias by only using the voices of male drivers, giving the impression that only male drivers are arrogant with no consideration for their passengers.

The Chair said the Advertiser was the New Zealand Transport Agency (NZTA) whose primary function is "to promote an affordable, integrated, safe, responsive and sustainable land transport system". Rule 2 (e) of the Advertising Standards Code allows for expression of opinion in advocacy advertising. Under Rule 2(e) the following must apply:

- Advocacy advertising must clearly state the identity and position of the advertiser
- Opinion in support of the advertiser's position must be clearly distinguishable from factual information

- Factual information must be able to be substantiated

The Chair said the identity of the Advertiser, the New Zealand Transport Agency, was clearly identified through the “Safer Journeys Together” and the New Zealand Government logos.

The Chair said the position of the NZTA is also clear. The advertisement showed dangerous driving at excessive speed, highlighting the risks taken by the driver and the impact it has on passengers. The Chair said the advertisement was intended to educate consumers about what not to do and the risks of speeding.

The Chair considered the advertisement is targeting the group which is most likely to speed. The Chair referred to high risk driver statistics published on the Ministry of Transport website: www.transport.govt.nz. According to these statistics the most high risk drivers are male (84%) and young, with 54% under 30 years of age.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and ruled it was not in breach of Principle 2 or Rules 2(b) or 2(e) of the Advertising Standards Code.

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

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

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.