

<b>COMPLAINT NUMBER</b>	22/113
<b>ADVERTISER</b>	St John
<b>ADVERTISEMENT</b>	St John Radio
<b>DATE OF MEETING</b>	19 April 2022
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The St John radio advertisement begins with an emergency siren and stating, "this is an announcement from St John". The male voiceover says health services are currently under pressure and urges people to only call 111 in a "medical emergency". He then provides contacts for non-urgent help and directs people to the COVID-19 website for information.

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

**Complaint:** There is an ad on The Hits radio station from St John advising emergency services are stretched and to only call 111 in an emergency. The problem with this ad is at the beginning there's the sound of an ambulance siren which sounds very real. As I listen to the radio when I drive, every time I hear this ad, I'm looking around for the ambulance. If I mistook an actual ambulance for this ad, this could lead to actual accidents. I have nothing against the message itself, just the sound of the siren needs to be removed from the ad.

**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(e), Rule 2(e);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1(e): Safety:** Advertisements must not, unless justified on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

**Principle 2: Truthful Presentation:** Advertisements must be truthful, balanced and not misleading.

**Rule 2(e) Advocacy advertising:** 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** noted the Complainant was concerned the sound of the ambulance siren in the advertisement was very real and could lead to accidents.

The Chair said the likely consumer takeout of the advertisement was health services are under pressure due to COVID-19 and consumers should only call an ambulance in an emergency. The Chair said the advertisement fell into the category of advocacy advertising. The Chair said the advertisement met the criteria in rule 2(e) of the Advertising Standards Code. The identity and position of the advertiser was clear.

The Chair referred to a precedent decision, 21/562, regarding a Waka Kotahi/NZ Transport Agency advertisement, which was also ruled No Grounds to Proceed. In that decision the Complainant was concerned the background noise in the advertisement, which included a siren from an emergency vehicle was “overly realistic” and could be distracting for drivers.

In that decision, the Chair said while there may have been a low level of distraction in the advertisement for some listeners, this did not reach a level to encourage or condone unsafe practices or a disregard for safety.

The Chair said the precedent decision applied to the complaint presently being considered. The Chair noted that the sound of the siren was only heard in the first 5 seconds of the 30 second advertisement. The Chair said the siren sound helped to identify the Advertiser, St John.

The Chair said the advertisement was not misleading and did not encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

The Chair said the advertisement was not in breach of Principle 1, Rule 1(e), Principle 2 or Rule 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](http://www.asa.co.nz). Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.