

THE ADVERTISING
STANDARDS AUTHORITY ✓


A N N U A L

R E P O R T

1 9 8 7 - 1 9 8 8

25

25TH ANNIVERSARY



The Advertising Standards Authority is an independent body, with an independent Chairman and Council. It is financed from a levy on advertising costs which is collected by the advertising business. It is the job of the ASA to keep advertising standards high and to see that advertisements comply with the British Code of Advertising Practice.

The Authority's remit extends to advertisements in the following media: newspapers, magazines, brochures, the cinema, video tapes, posters, vehicles, aircraft towed banners, viewdata and text-only cable services.

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CONTENTS

Members of the Council	2
Silver Jubilee	4
Lord Drumalbyn PC (1908-1987)	8
The CAP Year	10
ASA Case Reports	17
ASA Complaints Analysis	19
External Relations	21
Consumer Advice Units	26
ASA Monitoring	28
Publications	33
Financial Report	35
Secretariat	36



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MEMBERS OF THE COUNCIL



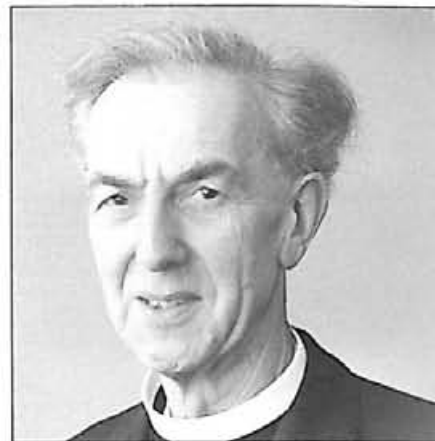
DAME JOSEPHINE BARNES
DBE FRCP FRCS FRCOG

Consulting Obstetrician and Gynaecologist Charing Cross Hospital and Elizabeth Garrett Anderson Hospital. President Women's National Cancer Control Campaign. Hon. Fellow Medical Defence Union. President British Medical Association 1979-1980. Hon. Fellow Lady Margaret Hall, Oxford. President of the Royal Medical Benevolent Fund. December 1980*



LADY ELIZABETH CAVENDISH
LVO JP

Chairman of the Cancer Research Campaign. Chairman of the Hammersmith Juvenile Court. Member of Marre Committee on Future of the Legal Profession 1986. November 1981*



**PROFESSOR
THE REVEREND G R DUNSTAN**
MA Hon DD Hon LLD FSA

Emeritus Professor of Moral and Social Theology in the University of London. August 1981*

List of Council Members
1 July 1987 - 30 June 1988

CHAIRMAN

Professor Lord McGregor of Durris

MEMBERS

Dame Josephine Barnes
DBE FRCP FRCS FRCOG

Lady Elizabeth Cavendish LVO JP

Professor The Reverend G R Dunstan
MA HON DD HON LLD FSA

Mrs Elizabeth Filkin B. SOC. SC.

A M Fisher Esq MA

Winston Fletcher Esq MA FIPA

Christopher Hawes Esq MA FIPA

The Baroness Lockwood
DL D LITT (HON) LLD (HON)

Alistair M Moffat Esq

Sir Frank Rogers



CHRISTOPHER HAWES ESQ
MA FIPA

Chairman of Davidson Pearce 1972-1988. Council member and past President, Institute of Practitioners in Advertising. January 1988*



THE BARONESS LOCKWOOD
DL D LITT (HON) BRADFORD
LLD (HON) STRATHCLYDE

Founder Chairman of the Equal Opportunities Commission 1975-83. President of Birkbeck College. President of Hillcroft College. Council member and a Pro-Chancellor of Bradford University. Council member of Leeds University. Member Leeds Urban Development Corporation. August 1983*



MRS ELIZABETH FILKIN
B.Soc.Sc.

Director National Association of Citizens Advice Bureaux. Member BBC Advisory Council. Member NCVO Executive Committee. August 1987*



A M FISHER ESQ
MA

Consultant. Director of ASBOF 1981. Chairman of the Code of Advertising Practice Committee 1973-75. February 1976*



WINSTON FLETCHER ESQ
MA FIPA

Founder and Chairman of advertising agents Delaney Fletcher Delaney. Former Chairman Ted Bates Limited. Chairman Public Action Group, Advertising Association. Member IPA Council. Author of six books. October 1986*



ALISTAIR M MOFFAT ESQ

Executive Producer for Scottish Television. Administrator of the Edinburgh Festival Fringe, 1976-1981. Documentary film maker. November 1984*



SIR FRANK ROGERS

Chairman of EMAP plc. Deputy Chairman of the Daily Telegraph plc. A member of the Council and Executive Committee, Industry and Parliament Trust. May 1985*

All members serve as individuals and not as representatives of any industry, trade or professional association

**Date of appointment as member of the Council*

SILVER JUBILEE

As part of its Silver Jubilee celebrations, the Authority produced a brochure recording the achievements of 25 years. Lord McGregor's introduction to the brochure, reprinted below, serves aptly to introduce our photographic record of some of the many events at which the Jubilee has been celebrated.

During the last quarter of a century a variety of means has been established to enable citizens aggrieved by the performance of concentrations of power to have their complaints examined and remedied. These bodies are of many types. They range from the local ombudsmen to the consumers' councils of public utilities, from the Press Council to the Council on Tribunals when it deals with complaints about the proceedings of administrative tribunals and public enquiries, and they include such institutions as the Trading Standards Departments. There is now a network of complaint procedures, public and private, which has grown up unsystematically as a series of *ad hoc* responses to pressures from citizens in search of cures for grievances.

The ASA has that derivation; and it has become a success story. When its capacity to control the content of print advertising was strengthened in 1974, the advertising industry made it an exemplar of self-regulation. Although the Authority's revenue comes from a levy of 0.1% on display advertising, it plays no part in raising or collecting the money. Its formal relations with the industry are at arm's length. It is and remains as independent of the industry as constitutional ingenuity can devise. The government of the ASA is in the hands of a Council in which a preponderance of independent members rub shoulders with a small number of experts drawn from the industry. The Council works in close association with the Code of Advertising Practice Committee which, in turn, is

constituted by all the relevant trade associations. The ASA's concerns extend far beyond dealing with complaints from the public, though this is one of its main duties. Other functions are to monitor observance of the Code and to assimilate and advise upon the range of consumer and public policy considerations affecting its jurisdiction.

The ASA is a characteristically British institution – an Authority without authority in the guise of legal sanctions. It enforces the British Code of Advertising Practice largely through hortatory procedures. The Authority's aim is to set standards rather than to secure convictions, to persuade not to coerce, to prevent not to prosecute. The success of this self-regulatory system rests upon the determination of the advertising industry to impose a discipline of restraint upon itself for which it has the indispensable backing of advertisers, advertising agencies and the print media which will not publish advertisements declared in breach of the British Code of Advertising Practice.

The particular merits of the ASA are the provision, within the framework of statute law, of a cheap, speedy (compared with the law) and easily invoked facility by which the public can seek remedies without payment or the intervention of lawyers. The ASA has enlarged the content of democratic citizenship by conferring rights for remedies for complaints. It has also extended the administration of justice by showing how the rule of law can be made to operate outside formal legal institutions, thus becoming an instrument for positive social betterment.

Jubilees are occasions for looking forwards as well as backwards. Developments in all the advanced industrial societies suggest that the withdrawal of central governments from direct intervention in economic and social life will characterise the next quarter of a century. If the British Code of Advertising Practice changes in



For the extra work involved in the Silver Jubilee, Lord and Lady McGregor invited ASA staff to a reception in the House of Lords. Kevin McKee, on behalf of the Staff Council, presented him with a book as a memento.

line with public opinion and is fairly and firmly enforced, it is hard to imagine any government destroying an effective self-regulatory system which makes no call upon either scarce legal resources or public funds.

Even if the ASA has not yet survived for

long enough to become venerable, it is an established institution accepted as such by the advertising industry, the media, consumer organisations and governments. I am confident that the ASA will celebrate the next jubilee in 2012 with its independence ensured and its authority enhanced.



The Silver Jubilee lecture at Mid-Kent College of Higher and Further Education attracted a large audience of students on the Marketing and Advertising course for the BTEC National Diploma. Outside the College is a group of senior students with, left to right front row: Lecturer Paul Barnes; Diana Bird; Lord McGregor; Vice-Principal Dr Michael Lane, and behind Dr Lane, lecturer Graham Clayton.

SILVER JUBILEE



The Birmingham reception was held in the City's Museum and Art Gallery in February. At that time the National Union of Townswomen's Guilds was preparing to celebrate its Diamond Jubilee. Some of their national officers were in Birmingham and attended our reception. With Lord McGregor are, left to right: Mrs Jean Ellerton JP, Townswomen's Guild National Chairman, Mrs Betty Scourfield, National Treasurer and Mrs Pat Fox, National Vice-Chairman.



The reception for the South-West was held at Bristol in the Watershed Conference Centre, which is Britain's first Media Centre. At the display stand, Professor the Reverend Gordon Dunstan, member of the ASA Council (right) talks with Robin Chermiside JP, High Sheriff of Avon (centre) and Jay Tidmarsh JP, Chairman of Radio West.



The Whitworth Art Gallery, loaned by kind permission of Manchester University, was the venue for the North-West reception. With Peter Thomson, Director General, (centre) are Colonel Arthur Axford, CBE, OBE, High Sheriff of Greater Manchester (left) and Colonel John Timmins, OBE, TD, ADC, the Lord Lieutenant for Greater Manchester (right).





In St David's Hall, Cardiff, Peter Thomson, ASA Director-General, walks round the display with Councillor B J E Phillips, Vice-Chairman of South Glamorgan County Council (left) and Mrs S E Williams MBE, JP, Her Majesty's Lord Lieutenant of South Glamorgan.



Centre left: Alistair Moffat, ASA Council member and documentary film maker with Sue Tramontini, Managing Director, Independent Business Television at the Mall Galleries, London.



Nicholas Baker, MP for Dorset North, was successful in the ballot for displays in the Upper Waiting Hall of the House of Commons. He hosted the ASA exhibition, which was opened by John Butcher, Parliamentary Under-Secretary of State for Industry Consumer Affairs, on 25th April 1988. At the opening are, left to right: Nicholas Baker MP, John Butcher MP and Lord McGregor.



On the steps of the Scottish Exhibition and Conference Centre, Glasgow, are, left to right: Steve Bolchover, Deputy Director of Consumer and Trading Standards, Strathelyde; Jim Short, Director of Trading Standards, Lothian; and Matti Alderson, Manager of the CAP Secretariat.



LORD DRUMALBYN PC (1908-1987)



The saddest event of the year was the death on the 11th October, 1987 of Lord Drumalbyn. Niall Drumalbyn served twice as the Authority's Chairman, from 1965 to 1970 and again from 1974 to 1977. After a distinguished career at Oxford, where he won a double First and played rugger for the University, Niall Macpherson joined J&J Colman Ltd, with whom he stayed until the war, for several years as the company's manager in Turkey. After war service with the Cameronians, he was elected as National Liberal Member of Parliament for Dumfriesshire – a seat he held (in later years as National Liberal and Unionist) until, on leaving Harold Macmillan's administration in 1963, he was elevated to the House of Lords as the first, and sadly, the last Baron Drumalbyn.

From 1960 to 1962 Niall served as Parliamentary Secretary to the Board of Trade. A happy fate thus decreed that he was responsible for Government's oversight of the advertising business at the very time that it was taking its first tentative steps towards the establishment of an effective, centralised system of self-regulation; his help and guidance were not the least important elements in ensuring that the infant system was allowed to prove itself at a time when loud voices were raised demanding the imposition of a draconian and inappropriate system of statutory regulation. As a result, it was not surprising that, out of office in 1965, he should have been asked to become Chairman of the Authority on the retirement of Sir Arnold Plant, the first holder of the post. The Authority and the advertising business both have good reason for gratitude that Niall was prepared to accept their offer, since it was under his wise leadership that the development of the self-regulatory system, as we now know it, may fairly be said to have begun. One important step taken shortly after his arrival at Bell Yard, where both the Authority and the Advertising Association were at that time

quartered, was to provide it with a home of its own. Only thus, he reasoned, could one effectively demonstrate the essential independence of ASA. But he also saw clearly that close day-to-day liaison with the business of advertising was vital if the Authority was to fulfil its task of shaping as well as supervising the new self-regulatory system. With this in mind, he pushed forward the planned amalgamation of what had been, till then, the distinct secretariats of ASA and the CAP Committee. Under his politically astute leadership, the Authority rapidly overcame the suspicions which had been voiced at its inception, and the process of steady consolidation continued under his successor, Lord Tweedsmuir, who took over the reins when Niall was summoned in 1970 to serve in Edward Heath's Government as Minister Without Portfolio.

Niall's period as Chairman coincided with the passing of the Trade Descriptions Act of 1968. He was closely concerned with the passage through Parliament of the Bill, based as it was on the recommendations of the Molony Committee, which had been set up during his time at the Board of Trade. The good relations he established at this time with the new Trading Standards Inspectorate bore fruit in later years when, after his retirement from the Authority, he became the President of the Institute of Trading Standards Administration.

When Niall returned to the Authority as Chairman in 1974, it was to confront a fresh challenge. One of the last acts of the Heath Government had been to establish the Office of Fair Trading and the Office's first Director-General, John Methven, took an early interest in the performance of advertising's self-regulatory system. He concluded that self-regulation both could, and should, be doing more and this conclusion was endorsed by Shirley Williams, the newly appointed Secretary of State for Prices and Consumer Protection. At the Advertising Association Conference in 1974, they took

the opportunity of putting the business on notice that, unless steps were taken significantly to increase both the scale and the rigour of its self-regulatory effort, there would be no alternative but to introduce, at an early date, further statutory controls. The advertising business responded swiftly to this challenge and, under the skilled guidance of George Bogle, devised a system of funding which was simple to administer and yet able to generate an income sufficient to permit the central mechanisms of self-regulation to assume and discharge considerably increased responsibilities. It was particularly fortunate that Niall Drumalbyn, with his extensive experience, was available to supervise the early years of the reformulated system and to ensure that the twin dangers of over-hasty expansion and of inappropriate timidity were both avoided. It was a strong and healthy institution that he handed over in 1977 to his successor, Lord Thomson, and one well able to emerge with credit from the enquiries conducted into its operations by the OFT in 1978 and by the Department of Trade and Industry in 1980.

After relinquishing the chairmanship of the Authority, Niall continued until his death as an active member of the House of Lords. He was greatly affected, in 1979, by the death of his wife, Peggy. She was loved by all who knew her, not least by those who worked for her husband at the ASA. It was a cause of great happiness to all his friends when, in 1985, he married Mrs Rita Edmiston.

Niall Drumalbyn was a true Scot: conscientious, hard-working, frugal, a shrewd but charitable judge of his fellow men and women and of their achievements, warm-hearted and blessed with a delightful sense of humour. He was a fine servant of his country and an inspiring Chairman of ASA. He is greatly missed.

THE CAP YEAR

CHAIRMAN'S REPORT FOR 1987/88

The previous Chairman of the Committee, Anthony Bracking, in his concluding report on his term of office, said he had no doubt that the self-regulatory system of advertisement control in the UK could adapt to new circumstances and challenges, and draw strength and improvement in the process. Appropriate words, when we consider that in this year of the Committee's activities, the Regulations which implement the European Community's Directive on Misleading Advertising came into effect on the 20th June 1988. This was marked by the publication by the Office of Fair Trading of an admirably clear and helpful guide for people working in advertising which stressed that the Director General's role under the Regulations is to support and reinforce existing advertising controls, not to replace them. Although the Director-General has the power to intervene if he considers the public interest requires that advertisements complained of should be stopped by means of a court injunction, it is his intention that the bulk of complaints will continue to be handled through the existing established means, principally the Trading Standards Departments which enforce consumer laws, and the Advertising Standards Authority which supervises the administration of the British Code of Advertising Practice and the British Code of Sales Promotion Practice. CAP joins ASA in welcoming these Regulations as providing a long-awaited statutory back-up to our work. Throughout the months preceding implementation there were many discussions between the OFT and the joint secretariat, to ensure clear understanding and good working relationships when the legislation was placed on the statute books.

The year has also been one of self-

assessment, both of the internal procedures of the Committee and of wider concerns of self-regulation. The Advertising Association enquiry into the future of the self-regulatory system, under the chairmanship of Sir Kenneth Clucas, produced a thought-provoking document which led us to discuss possible avenues of development for CAP, although there had not been direct interface between the Committee and the enquiry during its procedures. This also came at a time when it was difficult to guess at the possible effect upon the self-regulatory system of impending legislation under the EC Directive and the Financial Services Act. The Committee was sure that however extensive and restrictive the legislation to control financial services might be there none the less remained a role for the self-regulatory system in those aspects of advertising not touched by the requirements operated through the Securities and Investments Board. Almost immediately this proved to be correct when we were called upon to take swift action in respect of an advertising campaign, part of which was found on complaint to CAP to be both unfair competitively and potentially misleading to the lay reader.

There were two instances during the year when, acting in consultation with ASA, the system showed that it could respond swiftly to any need to review the requirements of the Code. First, the advertising of alcoholic drinks was heavily criticised by pressure groups and professional bodies when expressing their concerns to Government at the social implications of the abuse of alcohol. An initiative from the ASA brought swift response through the ISBA and manufacturers of alcoholic drink, resulting in a critical appraisal of the rules in BCAP. This rapid action anticipated a request from the interdepartmental government review body, under Mr John Wakeham, that both IBA and the ASA review their Codes. The resulting clarification and strengthening of the rules in BCAP, with particular emphasis

on avoiding subject matter which could appeal to the young, has been readily supported by advertisers and advertising agencies. The revised requirements for the advertising of alcoholic drinks and a number of other amendments will be incorporated in an eighth edition of BCAP to be published shortly.

The Committee again responded swiftly when, arising out of the review of the Gun Laws by the Home Office after the Hungerford incident, advertising for weapons and particularly those offered by mail order became a matter of ministerial concern. Although it had been confirmed that it was not intended to forbid the mail order supply of weapons, the Home Office asked, through the ASA, whether CAP could discuss with its media members its anxiety about this area of advertising. The ensuing discussion, with the help of the PPA and through direct contact with publishers not in membership of the CAP bodies, provided useful guidance on what publishers should, and should not, accept in advertisements. A survey of the media revealed a small number of objectionable advertisements, mainly because of the names of some of the products and their presentation. None the less, the Committee considered it helpful to strengthen the cautionary advice in the Code against the representation of violence in advertisements and a specific rule on advertisements for weaponry will be contained in the forthcoming edition.

Sadly, the year was marked by the death of two people to whom we all owe a considerable debt of gratitude for their unstinting work on behalf of self-regulation: Lord Drumalbyn, former Chairman of the Advertising Standards Authority, and Mr Frederick Edwards, Secretary of the Advertising Standards Board of Finance.

In conclusion I would like to thank all those who contribute to the Committee's work through its member organisations, specialist sub-committees, copy panels, and

all those who are called upon to give us expert advice in our task of ensuring that both Codes are applied swiftly and effectively. Self-regulation demands constant alertness and sensitivity to changing circumstance; its effectiveness depends on the quality of those who ensure that it works. And happily, I would like to end by congratulating the Advertising Standards Authority on the celebration of its Silver Jubilee.



J P Wells OBE, CHAIRMAN
Code of Advertising Practice Committee

THE CAP COMMITTEE

Self-Regulation and the Advertising Business

The existence of a Code of Advertising Practice Committee, as well as an Advertising Standards Authority, is proof that the British system of advertising self-regulation is backed – as it must be if it is to succeed – by the business itself. CAP's main task is to co-ordinate the actions of those involved in advertising, through their trade associations, so that the business at large achieves as high a degree of compliance as possible with its two Codes – of Advertising and Sales Promotion Practice.

The Chairman of CAP, John Wells, writes immediately above in general terms of how the Committee discharged its responsibilities over the past year. But much detailed work is remitted to four standing Sub-Committees dealing respectively with Health and Nutrition, Financial Advertis-

THE CAP YEAR



'Couldn't they have put a warning on the packet - Smoking these can damage our profits?'

As part of the smoking debate in *The Times* Diary, Barry Fantoni added his personal footnote.

ing, Mail Order and Direct Response Advertising and Sales Promotion, and in this section we look more closely at what they have done in the period under review.

HEALTH AND NUTRITION SUB-COMMITTEE

CHAIRMAN · MRS G L S PIKE

The Sub-Committee's sphere of activity is advertising for such products as: pharmaceuticals, vitamins, and foods; appliances and treatments supposed to help with mental or physical ill-health; and slimming, fitness and exercise regimes - in short, advertising for any product which claims to improve or regulate our health. Many toiletries and cosmetics also make claims about health and the improvement of bodily fitness and to the extent that they do so, advertisements for these products also fall within the remit of the Sub-Committee.

During the past year, as in previous years, the Sub-Committee has been greatly involved with the way in which slimming products are advertised. Once again, it has had to express its concern at the continued promotion of a small number of products for the effectiveness of which no satisfactory evidence has been forthcoming. Detailed guidance on this whole subject of slimming has been available for many years (it is presently set out in Section C (IV) of the Code) yet several advertisers continue to offer, and some publishers continue to accept, advertisements for products which are wholly unable to show that they have any effect on weight loss. The depressing aspect of all this is that so many of the so-called "break-throughs" are merely fresh attempts to foist on a gullible public products (not even always under a new name) that have been shown useless in past years.

During the year two advertisers, Atlantico International, who offered a "Grapefruit Pill", and Slimweight Company

Limited, the promoters of Bai Lin Tea, were both successfully prosecuted under the Trade Descriptions Act. Publishers who accept advertisements for these or similar products in the future should note that they could themselves be prosecuted. If they are, the Sub-Committee will not hesitate to recommend to the CAP Committee that all information at its disposal be passed to the appropriate Authorities.

But prevention is better than prosecution. Publishers are urged to make use of the CAP Secretariat's Advisory Service whenever they are in doubt about whether to accept a slimming advertisement from a source with which they are not familiar, or one which makes claims that they do not already know to be adequately substantiated.

After careful consideration of a study undertaken to measure the effect of vitamin and mineral supplementation on the intelligence of a sample of school children, the Sub-Committee concluded that, although the subject was worthy of further study in a controlled and scientific way, the evidence as it stood did not provide proof of improved performance as a result of such supplementation; nor was it likely that supplementation would benefit all children. On the same subject the Sub-Committee noted with approval the cautionary advice issued to parents by the British Dietetic Association, *viz* that they should not assume that it was possible to counteract the effects of an unbalanced diet by giving vitamin and mineral supplements to their children. The Sub-Committee is keeping under review claims for calcium supplementation for osteoporosis, or brittle bone disease; meanwhile they advised advertisers not to claim that calcium supplementation is the only, or the main, means of preventing this condition.

The Sub-Committee noted with approval the Report from the Committee on the Medical Aspects of Food Policy (COMA)



A CAP seminar at the Daily Telegraph headquarters in the Isle of Dogs. Mike Davies, Diana Bird and Matti Alderson of ASA put the questions and provide the answers to Daily Telegraph staff.

which had studied the use of very low calorie diets in obesity. The conclusions reached by the Committee fully supported the advice already given by CAP to advertisers on the topic of diet and weight reduction.

The Sub-Committee responded to consultation documents issued by the Ministry of Agriculture, Fisheries and Food on the use of the word "natural" and allied terms in the labelling and advertising of food. The Sub-Committee accepted that there was confusion about what "natural" meant, and about its appropriate use, but did not think that the extensive limitations proposed were either justified or workable as they stood.

FINANCIAL ADVERTISING SUB-COMMITTEE

CHAIRMAN · MR C A K FENN-SMITH

During the past year, this Sub-Committee has been concerned mainly to establish a clear understanding of the effect on the

Code of Advertising Practice of the new Financial Services Act. A series of meetings with the Securities and Investments Board and various of the new self-regulatory bodies established under the Act helped to delineate the distinct roles of the different bodies, and made clear their willingness to deal directly with any complaints against advertisements by their members. These meetings also enabled CAP to clarify its continuing role in the field of financial advertising. CAP emphasised that it could not undertake to interpret the rules drawn up by the new self-regulatory organisations insofar as these impinged on advertising, but pointed out that there was much in its Code that would remain a direct application to investment advertising. The validity of this latter point was quickly underlined by the CAMIFA case.

The Sub-Committee continued its close watch on advertisements for consumer credit and responded to a consultative paper from the Department of Trade and Industry which is engaged in reviewing the

THE CAP YEAR



The launch of 'Green Pages' directory of opportunities in the environment business persuaded Ken Pyne to produce this cartoon for David Nicholson-Lord's article in *The Times*.

considerable body of regulations issued under the Consumer Credit Act 1973, some of which bear on advertising. Once again, a plea was entered for simplicity and clarity in credit advertising. The complexity which characterises the present statutory regime, though aimed at protecting the consumer from exploitation, has in too many cases had the effect of mandating disclosures which baffle and of preventing truthful claims which could illuminate.

The Sub-Committee reviewed a number of advertisements for low-start mortgages. Its advice was that when advertising the advantage offered by a lower initial outlay, care needed to be taken to avoid anything which had the effect of minimising either the overall cost of the loan or the scale of the future commitment being entered into.

It was noted that some investment advertisers had already diluted the effect of the warning notices required by the Code. The Sub-Committee re-emphasised its view that such warnings should be stated without alteration or adulteration and without ambiguity.

The Sub-Committee raised with the Stock Exchange, and with the Department of Trade and Industry, an innovation which it felt gave cause for concern, namely,

short-form prospectus advertisements for share offers. These invited investment "off the page" but failed to indicate – as the Code requires – that the value of any investment could go down as well as up. Discussions on this point continue.

MAIL ORDER AND DIRECT RESPONSE SUB-COMMITTEE CHAIRMAN · MR D SNOXALL

During the year, the Sub-Committee gave special attention to the advertising of weapons and recommended a strengthening of the Code; it now reads:

Violence and anti-social behaviour

Advertisements should neither condone nor incite to violence or anti-social behaviour. *Advertisements for weapons and for items, such as knives, which offer the possibility of violent misuse, should avoid anything in copy or illustration that may encourage such misuse.*

The Sub-Committee also urged publishers to exercise particular vigilance when accepting advertisements for weapons. The number of advertisements concerned was small and very few of these raised any question of acceptability. None the less, the Sub-Committee concluded that publishers would be prudent to take note of the heightened public sensitivity about this issue. Any advertising which appeared to glorify violence – even in such a relatively minor respect as the choice of inappropriate names for legitimate products – was likely to increase pressure for tighter statutory regulation. In this context the Sub-Committee was glad to note that most publishers already had their own strict guidelines for the acceptance of advertisements for weapons.

The Sub-Committee completed its review of Section C (IX) of the Code, which deals with limited editions, and new rules were approved.

On the general conduct of mail order, the Sub-Committee noted with concern that many advertisers did not appear to

appreciate the obligation to quote in their advertisements a period within which any goods ordered would be delivered. After a monitoring operation carried out with the assistance of the Direct Mail Services Standards Board, the Sub-Committee was able to report an increased consciousness among advertisers of the need to comply with the Code in this as in other respects.

SALES PROMOTION SUB-COMMITTEE
CHAIRMAN · MR K HOLLAND

A special concern of the Sub-Committee has been the numerous schemes which involve the issue of cards with "lucky numbers". Although the impression often given by promoters is that any such card may win, in fact the distribution of prizes is controlled by using a disproportionately tiny number of cards which have any potentiality of winning. Constructive consultations took place with the media, particularly the Newspaper Publishers' Association, and this resulted in the Sub-Committee issuing a Guidance Note on "Controlled Promotional Schemes with Prizes". The advice given is, in summary, that provided the true nature of any "lucky number" promotion is made clear in the rules, control in the manner described above is not objectionable (a similar view was taken by the Press Council in 1985). The Sub-Committee also advised that, if rules could not be made available on cards themselves, they should be published regularly during the course of the promotion concerned and be made available on request to any participant.

The Sub-Committee also gave consideration to the many promotional schemes which offer free accommodation at hotels. A frequent condition of such schemes is that a participant, in order to qualify for the "free" room, must buy hotel meals, sometimes at higher prices than other residents. The Code lays it down that when

two or more items, only one of which is free, are offered together, great care must be taken to ensure that people know where they stand. A particular problem for hotels is that they often have complicated pricing structures under which the cost of a room depends on how many nights are spent, and whether they fall in the week or at weekends. The Sub-Committee concluded that while there can be no objection in principle to this kind of "free" offer *provided that the terms are explicit*, it is incumbent upon promoters to explain very clearly and fully any conditions which go beyond those which the average participant might expect. The Sub-Committee will keep this matter under review, but has been pleased to note that a number of major companies engaged in such schemes are in the process of preparing a code of practice for their administration.

Some time-share advertisements also have presented problems when they have offered discounted prices as promotional prizes. In such cases it is not always easy to determine whether the Code is being observed or not. The Sub-Committee hopes that the formation of the Timeshare Developers' Association will improve standards in this sector.

The Sub-Committee welcomed the re-launch by the Institute of Sales Promotion of their competition registration scheme.

COPY PANEL
CHAIRMAN · MR E BURLETON

CAP calls for assistance from its Copy Panel in cases in which the proper application of the Code is in doubt, whether because an issue is finely balanced or because it presents aspects which have not previously been the subject of deliberation.

During the year under review the Copy Panel met nine times and gave advice on 51 matters dealing with advertisements for products as diverse as alcohol, financial



In the 'People' column of The Observer, Tim Walker wrote about the variety of chat line services provided through BT. Jim Colthorpe illustrated one of the complaints received by ASA.

THE CAP YEAR

services, travel, computer systems, vehicles, and servicing.

COMPLAINTS TO CAP

The Committee dealt with 1,349 intra-industry complaints, of which 326 proved to be justified in whole or in part. Of the remainder, 466 complaints were rejected while 199 were withdrawn by the complainants; 45 were already under investigation and 313 were either outside the Committee's remit or were of such a minor nature that formal investigation was not warranted but copy advice was given directly to the adviser.

ADVISORY SERVICE FOR CAP MEMBERS

A weekly confidential newsletter from the CAP office draws the attention of member organisations to advertisements that do not conform to the Code. Slimming advertisements have featured prominently; so have advertisements for oriental carpet auctions suggesting that the sales concerned had been forced on the advertisers. Attention was also drawn to the unsubstantiated nature of many claims for earnings from home work and self-employment schemes; and to the persistence of some advertisements for goods which, in fact, were not obtainable.

Member organisations were again reminded that both the Advertising and the Sales Promotion Codes apply to editorial promotions in newspapers.

Other topics covered included advertisements for "adult" videos, spectacle frames and lenses, jewellery and silver-plating, computer software and video games, low-cost air fares, tip sheets, fur sales, self-protection devices and directory services. Advice was also given on Sunday trading and the promotion of lotteries from outside the United Kingdom.

COPY ADVICE

During the year, there were 1,388 written submissions to the Secretariat seeking pre-publication copy advice. Of these, 271 concerned sales promotions. 157 certificates of clearance were issued under the special arrangements for cigarette advertising.

There were several thousand telephone requests for copy advice.

The areas in which advice was most frequently sought were: alcohol; cosmetics and toiletries; domestic appliances, insurance and investments; food supplements; medicinal products; slimming products including exercise; therapies and treatments; hair products; cars and motor accessories; business and office services; entertainment and leisure; property; recruitment; travel and holidays; and mail order advertisements.

As usual, most enquiries were raised by advertising agencies, closely followed by requests from media. The Secretariat's advice is available free of charge, and not only to those who are members of the CAP organisations.

THE SOCIETY OF FILM DISTRIBUTORS

The CAP Committee has observers on the Viewing Committee of the Society of Film Distributors, which is responsible for vetting the press advertisements, posters and front-of-house 'stills' publicising films in the '18' category.

During 1987-88, 79 press and poster advertisements were submitted for approval; 18 advertisers were required to re-submit artwork before approval; 2 items were rejected.

126 front-of-house photographs were submitted; in 18 cases alternative photographs were requested.

ASA CASE REPORTS

COMPLAINTS

During the twelve months to June 1988, the Authority received 8,167 complaints of which, after investigation, 827 were upheld, either wholly or in part. The overwhelming majority of those advertisers who were found to have breached the Code gave assurances that their advertising would be amended or withdrawn (the Authority routinely checks that each such assurance is honoured). In only 26 cases did an advertiser either decline to give an assurance of amendment or withdrawal or fail to respond to the Authority's enquiries. The identity of these recalcitrant advertisers was promptly drawn to the attention of the member organisations of the CAP Committee, each of which is pledged to see that its members do not accept any advertisement which is contrary to the Code, or the truth of which has not been proved on challenge. We are happy to report that, once again, the sanction of non-publication worked effectively though a handful of publishers showed less than total awareness of their obligations – or commitment to fulfil them. The Authority will not hesitate to publicise the identity of publishers who take no care for the protection of the interests of their readers in that they accept advertisements which they have been told are not in conformity with the Code.

WHERE DO ADVERTISERS GO WRONG?

The most common basis of complaint once again was that advertisements were misleading, and where this allegation was shown to be true it was usually because the advertiser could not, on enquiry, produce substantiation for what he had claimed in his advertisement. The Code requires that

before offering an advertisement for publication the advertiser should have in his hands full

documentary and other evidence necessary to demonstrate the advertisement's conformity to the Code

Yet a depressingly high proportion of those against whom complaints were upheld appeared either unaware of the good sense of that requirement or inclined to think it applied to others rather than to themselves.

The point can be illustrated from the substantial number of cases that arose during the year about non-availability of advertised goods. Sometimes such a state of affairs comes about simply because the advertisement in question has been more successful than was hoped: a surge of demand is produced that no supplier could reasonably have foreseen. But in too many cases it is the consequence of carelessness or bad management – even occasionally causing us to suspect a deliberate attempt at switch selling – that is, attracting the interest of customers with irresistible but unavailable offers, while hoping to sell them something else less desirable and more expensive. We urge all advertisers, and multiple retailers in particular, to institute simple checks on previous demand levels, current stock levels at branches, and staff comprehension of advertised special offers and their conditions. Such action would avoid much heartache for the advertiser as well as for his customers.

WHICH ADVERTISERS OFFEND?

The advertisers against whom complaints were upheld ranged from nationalised industries to local estate agents and from well-established household names to small businessmen who had contrived some new gimmick. The products they were selling covered the whole spectrum.

In our last Annual Report, we noted the increased number of complaints about financial advertisements and this is the category that heads the list this year



An article in Marketing Week by Iain Murray, giving a view on London Underground advertisements, prompted this cartoon by Ken Pyne.

though, given the impact of the Financial Services Act, it seems unlikely that it will do so next year.

The second category in terms of total complaints is that of advertisements for cars and car accessories; then come holiday and travel advertisements. Recruitment advertisements were another major source of concern: the most common objection was to advertisements which claimed levels of remuneration which could not be substantiated. Sometimes this was because the claim rested on a freak situation and represented earnings which were not generally attainable. Sometimes the claim was unsubstantiated because it rested not on evidence of actual earnings, but on a projection which itself rested on unrealistic assumptions. Against this background it is good to report that complaints about computer advertisements were well down on their levels in 1986-7.

Of 212 complaints brought under the Code of Sales Promotion Practice, 184 were upheld. The number of complaints is relatively modest but the proportion of those upheld remains unacceptably high. The Authority proposes to devote particular attention during the forthcoming year to an education programme aimed at reducing this proportion and to ensuring that the requirements of the Sales Promotion Code are known to and understood by those involved in this rapidly growing business.

THE VOICE OF THE AUTHORITY

ASA's monthly Case Reports have become an established element in its communications. The reports, of which we published 12 during the year, give details of every complaint we investigated, naming the advertiser (and his agency if he employed one). Publishers are also named when they shared any of the blame for the publication of unacceptable material.

Each report also carries an editorial. This year's editorials included one about the spate of complaints provoked by a relative newcomer, the booming telephone service businesses which provide information of various kinds and what is loosely described as 'entertainment' in response to a telephone call. Our editorial pointed out that ASA was concerned only with the advertising of such services and not with their content, which was the concern of ICSTIS. But it went on to point out that there was evidence of irresponsible advertising in the appeals which many advertisements contained to young people who then ran up large bills which their long-suffering parents had to pay. We like to think that our intervention played some part in bringing about the considerable improvement in this area that has been noted over recent months.

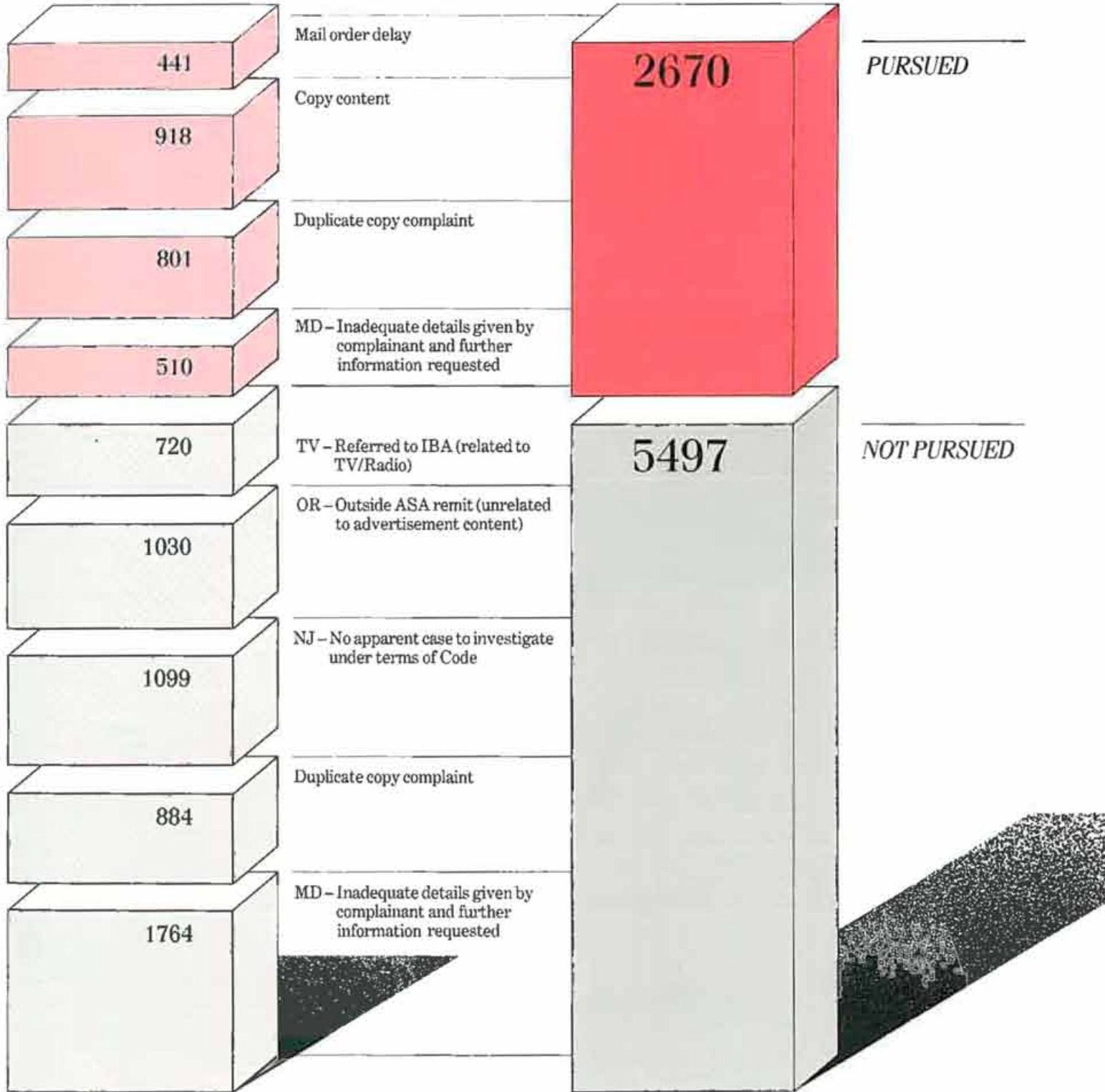
Case reports also draw attention to current advertising abuses through the "In this Issue" column on the front page. One topic featured in this column during the year was the extraordinary propensity of some specialist auctioneers of oriental carpets to trick out their announcements with a range of hopefully impressive, quasi-legal mumbo-jumbo calculated, it would seem, to give the impression that, because of the straitened circumstances of the seller, bargains are likely to be available. Sober analysis has usually shown that little more lies behind these auctions than the perfectly normal desire of the seller to do business with willing buyers, and that the hints of distress and hence of bargains are wholly without foundation.

COMPLAINTS ANALYSIS

Complaints received from members of the public: July 1987 to June 1988 - 8,167. Complaints requiring investigation - 2,670 (33%).

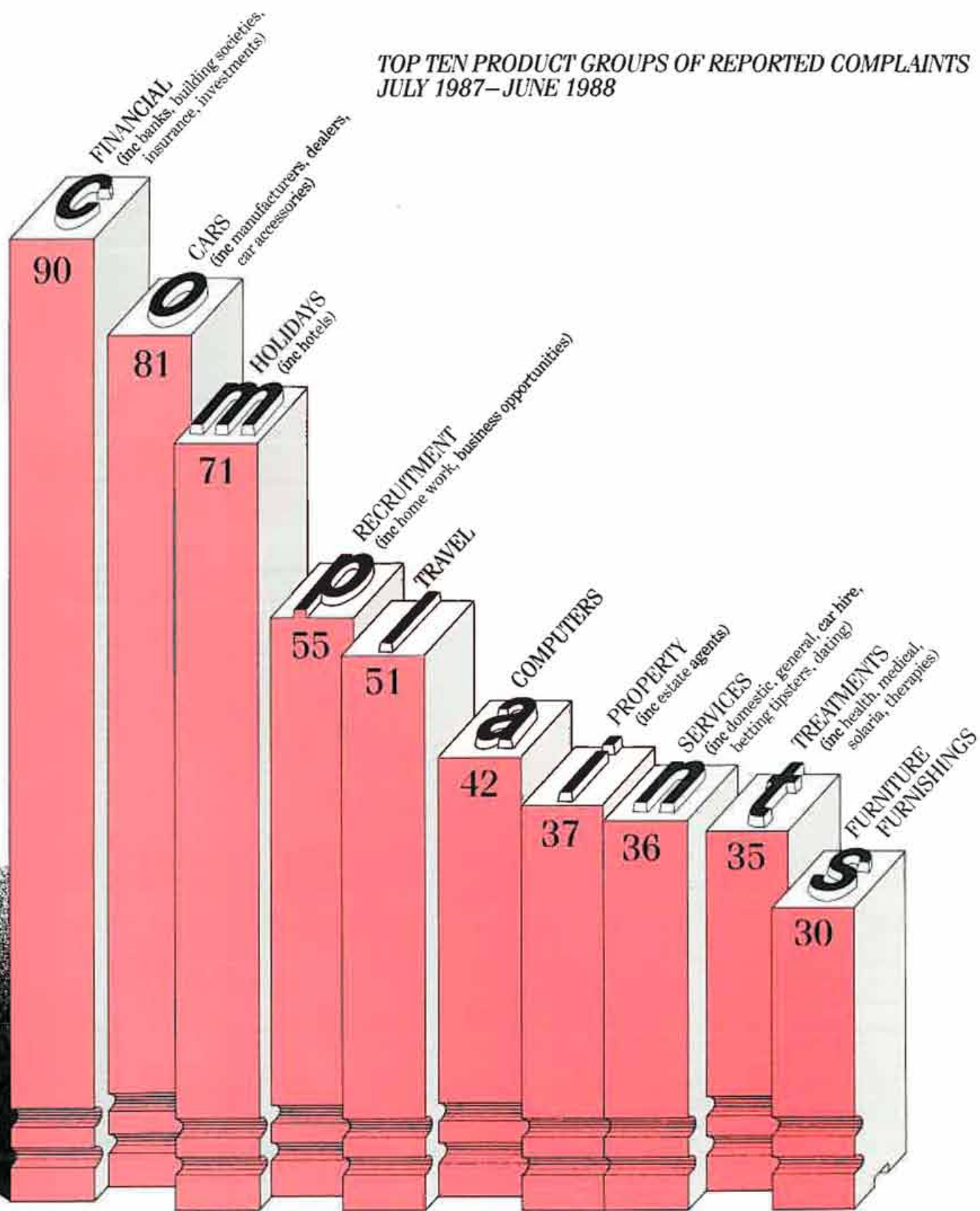
ASA COMPLAINTS ANALYSIS

TOTAL COMPLAINTS RECEIVED JULY 1987- JUNE 1988 8167



TOP TEN COMPLAINTS

TOP TEN PRODUCT GROUPS OF REPORTED COMPLAINTS
JULY 1987-JUNE 1988



EXTERNAL RELATIONS

HOW SELF-REGULATION WORKS

The External Relations Department has had another busy year explaining the advertising industry's self-regulatory system at a wide range of conferences, seminars and exhibitions. Much of the activity this year was linked to the celebration of ASA's 25th Anniversary – which provided opportunities to introduce the Authority and the Code of Advertising Practice to many people who previously had had, at best, only a sketchy notion of how advertising is regulated, and of our role in it.

But the celebrations have not been allowed to stand in the way of maintaining our long-standing links with the many other bodies who, like us, are involved in the regulation of advertising and in consumer protection.

EXHIBITIONS CONFERENCES AND SEMINARS

National Association of Public Service Advertisers.
Southern Counties Ironmongers Association, Enfield.
Institute of Sales Promotion, Barbican Centre.
Publicity Club, Edinburgh.
Trading Standards Training Unit, Weston-Super-Mare.
Southern Public Relations Officers Group, Missenden Abbey.
Association of Free Newspapers CONF-EX, Harrogate.
ASA Silver Jubilee Celebration, Mall Galleries, London.
ASA Silver Jubilee Celebration, Whitworth Art Gallery, Manchester.
ISBA Policy Conference, Hilton Hotel, London.
ASA Silver Jubilee Celebration, Museum and Art Gallery, Birmingham.
ASA Silver Jubilee Celebration, Watershed, Bristol.
Advertising Association - Speakers Panel, London.
Young Newspapermen's Association, London.
ASA Silver Jubilee Celebration, St David's Hall, Cardiff.
Marketing Week Conference, London.



Regional Newspaper Advertising Bureau, CONF-EX, Torquay.
Incentives and Marketing Exhibition, Brighton.
House of Commons – Upper Waiting Hall, Exhibition, London.
Media 88 Exhibition, Cardiff.
Newspaper Society CONF-EX, Brighton.
National Housewives Register, CONF-EX, Nottingham.
Advertising Association Alcohol Seminar, BAFTA, London.
British Toy Association, IBA, London.
Institute of Sales Promotion Awards, London.
Newspaper Society Press Conference on Advertisements – Points to Watch.
Manchester – Presentation of Code in Chinese.
Institute of Trading Standards Administration Conference, Scarborough.
Peterhouse Seminar (Advertising Association).
Office of Fair Trading at the Advertising Standards Authority.
Consumer Credit Association Conference and Exhibition, Droitwich.

At the National Association of Public Service Advertisers' seminar in the boardroom of The Observer are, left to right: Gene Wonnacott, Secretary; Robin Treacher, Chairman NAPSA and David Williamson, ASA.

EXTERNAL RELATIONS



Michigan State University's Media Studies in Britain programme, under the direction of Dr Gretchen Barbatsis, Department of Telecommunications Professor, brought 23 American students to the ASA's Council room, where the Authority's role in advertisement control was explained by David Williamson.

A section of the NWR delegates in the conference hall in Nottingham University's Portland Building.

SILVER JUBILEE LECTURE PROGRAMME

A distinct part of our public affairs programme and one of growing importance is directed at those educational institutions which offer media and communications studies as part of their curriculum.

Last year Lord McGregor set the ball rolling with a lecture on 'Freedom of Expression in Advertising' on three campuses. The programme was successfully adapted this year, with Lord McGregor speaking on the general ethics of commercial freedom of expression, and the undesirability of censorship, and Diana Bird giving an audio-visual presentation on the self-regulatory system.

Audiences, which included students of business, law, English and general studies, as well as those from faculties of media and communications studies, took part enthusiastically in the question-and-answer sessions. Lectures were given at:

Redbridge Technical College.
Mid Kent College of Further Education.
Manchester Polytechnic Faculty of Management & Business Studies

Visits are planned to:

Somerset College of Arts and Technology.
Dundee College of Technology.
Blackpool and Fylde College.
Inverness College.

CAP SEMINARS

Standards at the Grass-Roots

Seminars at which people actively involved in advertising exchange ideas on the Code of Advertising Practice are a vital part of our annual programme: the Code is only as strong as the advertising business makes it.

These are practical working sessions designed to help both those who create advertisements and those who have to take the decision whether or not to accept an advertisement when there is doubt if it meets the standards of the Code. It is,



after all, *their* Code, and ultimately the self-regulatory system can work only if they feel confident in operating it.

The demand for seminars – from local newspaper groups, from daily newspapers and from advertising agencies – is heartening. During the year we were unable to accommodate all the requests that came in. The programme which was promoted to delegates at the conferences of the News-

paper Society and the Association of Free Newspapers will continue. It involves no charge to the host organisation.

The basic structure of the sessions, which can be tailored to meet the needs of different groups of participants, was revised and updated during the year to reflect the expressed needs of publishers and agencies.

The seminars, conducted by Matti Alderson and Diana Bird, with assistance from Michael Cowie and Michael Davies, took place at the following organisations:

Portsmouth Weekly Newspapers.
London & Essex Guardian Newspapers.
Yorkshire Weekly Newspaper Group.
West Briton Newspaper Co.
Salisbury Journal & Times Series.
Aldershot News Ltd.
Wiltshire Newspapers.
Saatchi & Saatchi Advertising.
Daily Telegraph.
Halifax Courier Group.
Shropshire Newspapers Ltd.
Cumbrian Newspapers.
Davidson Pearce.
Arnold Worth Group.

A VIDEO FOR ADVERTISING PEOPLE

The ASA has commissioned a new video aimed at the staff of agencies and their



clients. It will illustrate how CAP is not only necessary but a practical and efficient aid to their business.

The video, commissioned from Independent Business Television, will update the film *To Cap It All* and is being produced with advice from John Wells, Chairman of the CAP Committee.

Alongside the Chinese Arch in Manchester, Lord McGregor hands the first copies of the ASA leaflet in Chinese to Mr Peter C K Chin JP, watched by Miss June East, Senior Organiser, Manchester Citizens Advice Bureau.

ETHNIC LANGUAGE PUBLICATIONS

During the year we have increased the number of languages in which we explain our part in advertising regulation. The leaflets already available in Welsh, Hindi and Gujarati have now been joined by versions in Chinese, Bengali and Urdu.

Such information of course is of little value if it simply remains in libraries without getting into the hands of the people who need it. We are therefore particularly grateful to the organisations that have helped to distribute our leaflets in appropriate places: Merchyd y Wawr and the Welsh Consumer Council; the Confederation of Indian Organisations (UK), which assisted with the translations and printing as well as distribution; and the National Congress of Gujarati Organisations, which

The National Women's Register held its National Conference at Nottingham University in April. Over 500 delegates attended and at the Saturday morning session David Williamson and Diana Bird gave an illustrated talk on the work of the Authority. Sue Malpas, Conference Chairman, receives an answer to her question from David Williamson.

EXTERNAL RELATIONS

Diana Bird broadcasting on 'You and Yours' – the BBC Radio 4 consumer information programme. In the course of the year ASA staff have contributed to over seventy radio broadcasts.



Mrs Elizabeth Filkin, Director of the National Association of Citizens Advice Bureaux and Council member of ASA, handing a consumer leaflet to Sir Kenneth Clucas, Chairman of NACAB, at their York University Conference.

was particularly helpful in arranging a direct distribution to all its members.

The translators and printers of the Chinese version have arranged to include it as an insert in their publication Si-Yu, which has a circulation of 5,000 to the Chinese community in Britain, while the Chinese Information and Advice Centre in London has taken stocks of the leaflet for distribution to enquirers.

The National Association of Citizens Advice Bureaux has distributed copies of each of the leaflets to those of its Bureaux that deal with ethnic minorities.



PUBLICITY

The extension of local radio and television services in the United Kingdom is reflected in the number of programmes which have featured the work of the Authority. ASA staff took part in 76 national and regional television and radio programmes. A further 183 programmes referred to ASA.

ENQUIRIES

Direct enquiries from the public and the advertising business form a substantial part of the work of the External Relations Department. 4,812 requests were processed in the year. Most requests are for student project kits, teaching materials or the reports of specific adjudications by the Council. There are many general enquiries



Examining potential material for inclusion in the new industry video commissioned by ASA are Sue Tramontini, Managing Director and Patrick Veale, director/scriptwriter, of Independent Business Television Ltd.



about advertising and these are re-directed to the appropriate trade organisations.

The year's most unusual request came from Lagos in Nigeria asking for a lecturer to talk on the British system of advertisement control. We were able to offer on loan a free video, thus saving both us and our correspondent a great deal of money!

FILMS AND VIDEOS

During the year there were 1,022 borrowings from our Film and Video Library. The most recent video *So You Think You Know the Code*, had a particularly successful year, with 264 bookings. The other programmes available are:

Two Too Many

To Cap It All

Legal, Decent, Honest and Truthful

The title *A Question of Standards* has been deleted from the service. Loans are free. Programmes are available, on VHS, Beta-max, U-Matic and 16mm, from:

The Viscom Film and Video Library,
Unit B11, Parkhall Road Trading Estate,
London SE21 8EL.

Telephone: 01-761 3035

At the ASA stand in the Scarborough Spa Centre, during the Institute of Trading Standards Conference, is Gerry Lanchin, Chairman of the Direct Mail Services Standards Board, accepting a Silver Jubilee brochure from David Williamson.

CONSUMER ADVICE UNITS



The unit was visited at Deptford Central Library by local Member of Parliament Joan Ruddock. Left to right: Vaughan Wibley, Principal Librarian of Deptford Borough, Joan Ruddock MP and Hugh Paton, librarian.



The consumer advice unit, which is based in Wales, was shown to officers of the Welsh Trading Standards service at Miskin Manor near Cardiff when the tour schedule was prepared. Left to right are some of the women who will be supervising its progress: Christine Pike, Consumer Adviser Gwent County Council; Karen Bateup, Complaints Enquiries Officer, West Glamorgan County Council; Janet Gethin, Senior Consumer Affairs Officer, Mid-Glamorgan County Council; Gail McGarvey, Consumer Adviser, Mid-Glamorgan County Council.

INSTANT INFORMATION

A new venture in telling the public about the ASA has been successfully launched in the form of instant impact exhibition stands. Designed in conjunction with the Libraries Association, the stands, which will visit all major population centres during a three-year programme, tell their story in simple words and imaginative graphics. Their message can be grasped, it is calculated, in less than twenty seconds. For people who want more detail, each stand carries stocks of leaflets, including information about our videos, teachers' packs and other material.

Each display remains on site for two weeks. At present we have four units which have visited a total of 109 sites in libraries, consumer advice centres and colleges of higher education in places from



Following his lecture to students at Watford College, Lord McGregor visited the consumer advice unit in the foyer where he presented a copy of the Silver Jubilee brochure to Dr T J Howard, Principal of the College.

Kensington to Abergavenny. Response has been good and has led to a large number of enquiries and requests for loans of videos. Consumer education co-ordinators of Trading Standards Departments in Wales have arranged for a stand to be shown during the year at all the major consumer advice centres in South, West and Mid Wales. Scotland will be covered next year.

The stands were developed after concern had been expressed at the 1987 National Consumer Congress – and by John Wells, Chairman of the Code of Advertising Practice Committee – that so few members of the public knew of the range of consumer agencies available to help them – and that so little was done by those agencies to inform them!

Anyone wishing to take a stand for two weeks should contact Mike Davies at the ASA office.



In the new library at Crowborough, East Sussex, Sir Geoffrey Johnson Smith, MP for Wealden, raises a smile from librarian Sarah Browning as they examine a leaflet from the consumer advice unit.

In the entrance hall of the London College of Printing, Matti Alderson discusses the message on the consumer advice unit with the Principal of the College, Mr Hedley Lewis.



Ken Phillips, Chief Trading Standards Officer for Bedfordshire, is given an up-to-date advice leaflet by Pat Hutchinson, his Chief Consumer Adviser, when he visited the Luton Trading Standards Office.

Two women with Greenwich interests at heart meet at the consumer advice unit in Greenwich Public Library. Local Citizens Advice Bureau adviser Traci Jenkins (left) and Rosie Barnes MP (right) look at some of the free leaflets.



ASA MONITORING

THE ROVING EYE

The Authority's constant monitoring is our way of keeping a finger on the pulse of British advertising. It enables us to report that in 1987-8, the patient remained generally healthy, although there are certain areas of disease, some of them troublesome and persistent, that need

attention. Such potentially troublesome areas are the subject of more intensive monitoring. This has enabled us over the past year, for instance, to play our part in ensuring the maintenance of socially responsible alcohol advertising. It has also enabled us to promulgate our view about the unwisdom of car advertisements that foster a mystique of speed that may have fatal consequences. And this year, following the Hungerford shooting tragedy, we

SAMPLE MONITORING CATEGORIES OF ADVERTISEMENTS INVESTIGATED

July 1987 – June 1988

TABLE A	July '87- June '88 No.	%	Jan '86- June '87 %
Holidays / Travel	49	17.5	12
Financial	45	16.5	13
Home Improvements	30	10.5	9
Cars, car accessories	12	4	5
Recruitment	10	3.5	9
Property	10	3.5	2
Health, treatments, therapies	10	3.5	2
Business Opportunities	8	3	2
Remainder of Investigations (various)	107	38	46
TOTAL NUMBER OF ADVERTISEMENTS INVESTIGATED	281	100	100

RESULTS

	No.	%	%
Satisfactory substantiation provided	78	28	50
Advice given under the Code	83	29.5	15
Breach of the Code, resulting in amendment	24	8.5	6
Breaches of the Code not resulting in amendment (media notices)	3	1	2
Advertiser failed to provide adequate substantiation	24	8.5	
Outstanding enquiries	69	24.5	27
TOTAL NUMBER OF ENQUIRIES	281	100	100

conducted a special monitoring exercise on the way weapons available by mail order were advertised.

The monitoring of special categories or selected publications is one half of the operation. The other half is general monitoring carried out by sampling the advertisements that appear across the whole range of newspapers and magazines. The vast majority of advertisements that are identified through this sampling process give no cause for concern (only 281 out of more than a quarter of a million scanned gave any apparent cause for investigation). We underline this tiny number to make the point that for an advertiser to be the subject of a monitoring investigation is in no sense an implicit criticism of him or her. We are grateful for the ready co-operation we receive from the overwhelming majority of those to whom we write and who are usually able to show that any suspicions we may have are wholly unfounded. We recognise that responding to our monitoring enquiries absorbs time and energy on the part of advertisers that they must feel could be better spent on other things. But the contact that it gives us is invaluable in enabling us to explain to many small advertisers, who are aware only in the vaguest of ways of what the Code requires, how CAP can help them and in particular how it can give confidential advice to them about any problems they may face.

During the year our Sales Promotion monitoring programme also continued. This is based principally on store visits when we note the nature and number of any special offers, promotional competitions, and the like, that are on current display.

GENERAL MONITORING

General monitoring involves a systematic sampling of the whole field of printed advertising. Over one complete cycle of the

process every category of advertising is considered at least once. Indeed, 16 per cent of the field is continually under review, while 80 per cent of the total is reviewed every month.

The sample design reflects the amount of exposure to the public that each advertisement receives, being weighted to reflect the circulation of the publication in which it appears.

Because advertising is a dynamic process, the operation of the sample is reviewed regularly to ensure that it reflects properly the state of the art. The latest review showed that the sample is working well.

Between July 1987 and June 1988, 80,000 pages of printed material, containing over a quarter of a million advertisements, were reviewed. From those pages, 10,000 advertisements were selected by a systematic random sample for detailed scrutiny.

Of those 10,000, nearly 1,500 warranted a close investigation which resulted in 281 – less than 3 per cent of the sample selected for detailed scrutiny – giving rise to further enquiries and in some cases discussions, with the advertisers concerned.

The results of those enquiries are shown in table A. Advertisements relating to holidays and travel and those concerned with financial matters formed over one-third of the total – significantly more than the proportions for those categories last year. For other categories the proportions were similar to those shown in the last report. Home improvements formed over 10 per cent of the total.

SPECIAL CATEGORY AND SELECTIVE PUBLICATION MONITORING

There is once again ample proof that there remain advertisers who are prepared to take short cuts to sell to people who are hoping – or sometimes desperate – to better themselves. Of the 106 investiga-



'Splendid. What'll we have to celebrate?'

The ministerial group set up by Home Secretary Douglas Hurd to review and develop the Government's strategy for combating the misuse of alcohol was commented upon by Barry Fantoni in *The Times Diary*.

ASA MONITORING

tions we undertook as a result of our selective monitoring, no less than 31 were in the 'health' field involving products like vitamin supplements, hair products, cosmetics, sunbeds, slimming items and hearing aids. The public is forever hungry for new miracle cures to solve the same old problems – how to stay young, slim, beautiful and healthy – and there are always advertisers claiming to have the answers. In most cases we are still waiting to be convinced that they do.

More serious are those advertisers who hold out unrealistic hopes to people wanting to better themselves financially or to extricate themselves from debt.

Finance

14 of our investigations were of advertisements which failed to make clear that investors might lose as well gain from their investment. Before long, such matters are likely to be dealt with very largely under the new mechanisms that have been introduced to implement the Financial Services Act, which came into force during the year, and thus our major concern in future years, as this year, is likely to lie with credit advertisements.

We explained last year how, in March 1987, we had carried out an extensive spot check of 150 advertisements placed by more than 100 credit advertisers. We contacted 60 of those advertisers to give them detailed advice and particularly to re-emphasise their duty under the Code, as well as the Consumer Credit Act, to explain in their advertisements the implications of any loan that was secured on the borrower's property. We were quite clear that wording such as "secured loan" or "sorry no tenants" was by no means enough to make it clear that the borrower was putting his home at risk. That is a fact so important that it must be stated clearly and directly.

We also made clear to all those whom we contacted that the general rules of the

Code apply *in addition to* such special legal requirements as there may be. Often enough, conscientious fulfilment of the requirements of the law still leaves the consumer with a confusing advertisement. It is in resolving this confusion that the Code has a special role to play.

Cars

In monitoring car manufacturers' advertisements, we are responding to fears that advertising copy preoccupied with speed – using imagery that compares a new model to an aeroplane or a racing car, for instance – can have a real and dangerous effect on driving behaviour.

We took cuttings of 131 advertisements during September 1987. We classified them like this:

85 of the 131 concentrated on factual information – technical specifications, safety features, credit terms, etc;

18 contained simple statements in unobjectionable terms of top speed and capability;

19 referred to speed or capability linked to the attractiveness of the car's performance or in the context of driving on the Continent in circumstances where speed limits are higher;

9 advertisements were considered questionable.

The Council, having discussed this analysis, enabled us to put together notes which were sent to the Motor Manufacturers' Association giving guidance for the preparation of future advertising.

Alcohol

The past year has seen much pressure, by the Government and other organisations, to prevent alcohol abuse, particularly among young people. There was severe criticism of the tone of alcohol advertising, both on television, which of course is not our responsibility, and on posters and in newspapers and magazines. On investiga-



Maria Scott's examination of direct mail in *The Daily Telegraph* provided this comment by Maddocks.

tion, much of that criticism appeared to be based upon recollections of campaigns which had long ceased, or upon advertisements which had never been displayed in Britain. None the less, ASA was aware that a minority of drink advertisers sailed unnecessarily close to the wind.

To obtain an objective picture of what liquor advertisers were doing, ASA carried out a monitoring operation in the weeks leading up to Christmas 1987. Of 98 advertisements examined, only four proved to be questionable.

A further exercise was carried out in February-March, when 35 advertisements were scrutinised. Five were considered worthy of discussion by the Council of the ASA, which decided that, although none breached the industry's guidelines, all were so close to the borderline of acceptability as to point to the desirability of an early review of the rules.

A third exercise in April found only one advertisement, out of 79, that conflicted with the Code: an editorial competition run in conjunction with the advertiser. One of the phrases used in the copy, which described a holiday, gave the impression that there was nothing remarkable about excessive drinking and the advertiser and publication were both given guidance about the avoidance of such unintended implications for the future.

The information that emerged from these various monitoring exercises helped considerably when the CAP Committee came to redraft the alcohol code with the results considered elsewhere.

Direct Mail

The Direct Mail Services Standards Board referred to us 130 examples of advertising that it had drawn from its continuous survey of the mail received by a sample of 1,000 households. We decided that 42 of the examples passed over warranted investigation; this led to 24 being amended and 4 withdrawn. Two advertisers were able to

ENQUIRIES PURSUED SPECIAL CATEGORY MONITORING

July 1987 – June 1988

TABLE B	No of Cases	%
Health (vitamin supplements, cosmetics, hair products, sunbeds, hearing aids etc)	31	29
Mail Order	19	18
Financial Advertising	14	13
Substantiation / misleading	13	12
Slimming	11	10.5
General Categories	11	10.5
Alcohol	4	4
Cars / speed	3	3
TOTAL NUMBER OF ADVERTISEMENTS	106	100

RESULTS

	No of Cases	%
Breach of Code identified – advice given / amendment	50	47
Breach of Code identified – advertisement withdrawn	18	17
Satisfactory substantiation supplied	3	3
Media advice issued	4	4
Outstanding investigations	31	29
TOTAL NUMBER OF INVESTIGATIONS	106	100

substantiate their claims and advice on copy was given to two other advertisers. Advice to media was issued in respect of one mailing and advice by the DMSSB was given to its members. Nine advertisements are still under investigation.

Weapons by Mail Order

The White Paper issued by the Government after the Hungerford tragedy found no evidence that mail order sales evaded the laws which control all purchases of weapons. The ASA nevertheless examined advertisements for weapons which appear

ASA MONITORING

in the 20 odd special-interest magazines to which would-be owners of weapons might be expected to turn. Very little was found in the advertising copy that was objectionable - although we noted that some weapons are given deliberately, and unnecessarily, violent names.

However, in view of the gravity of the subject, a new paragraph was introduced to the Code of Advertising Practice, requiring that advertisements should not contain anything which might encourage misuse of weapons (see page 14).

Wine

Through its public complaints procedure, the Authority received a suggestion that mail order advertisements for wine should indicate the volume of the bottles offered. An in-house survey (of the advertisements, not the bottles' contents!) indicated that not all advertisements do include this information, which could easily be stated either in the text or in a clear picture of the bottle. The information would indeed be useful to consumers and we have urged wine merchants to respond positively.

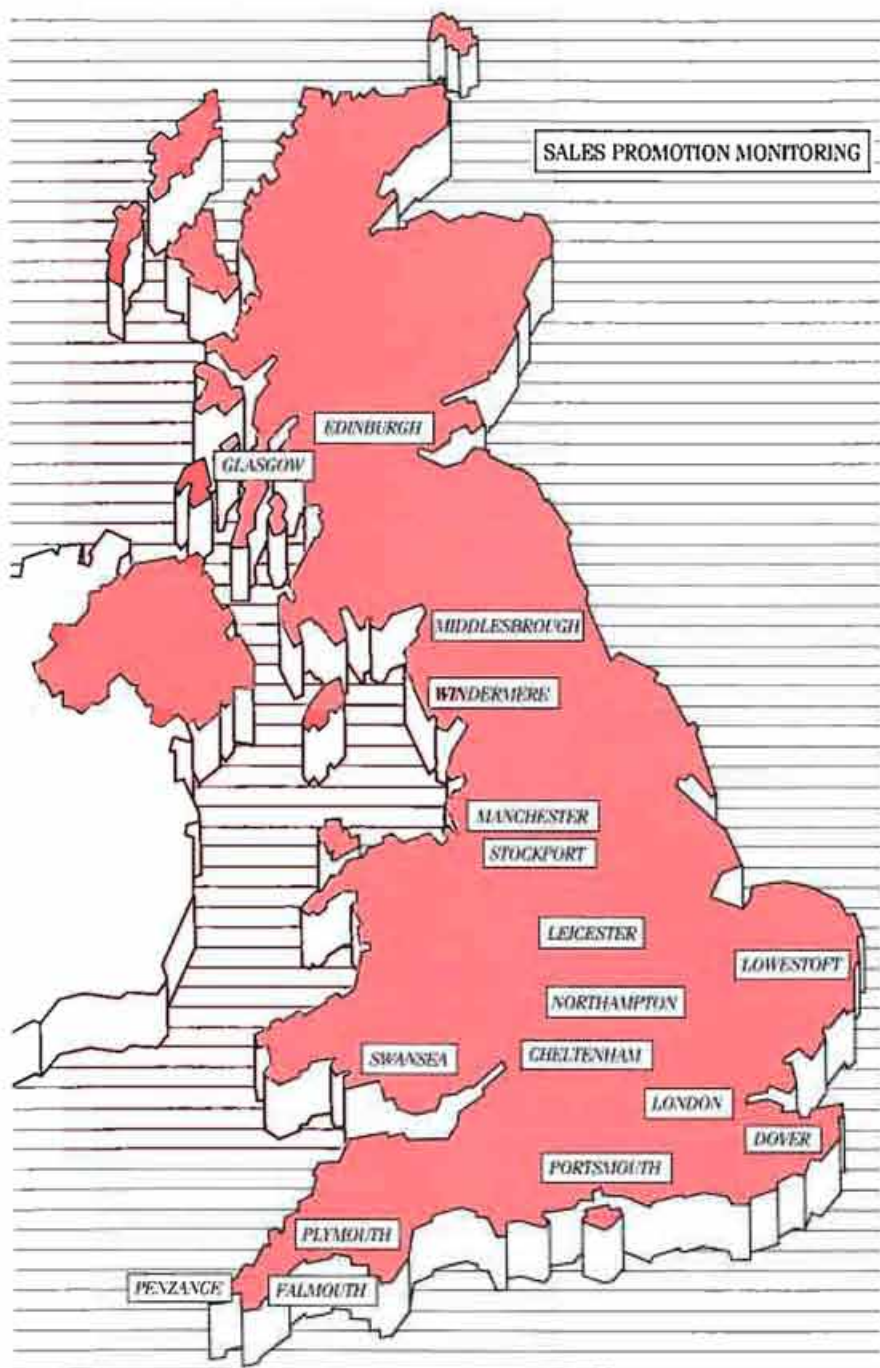
DIRECT MAIL PROMOTIONS

The Direct Mail Services Standards Board's monitoring department has increased its input of sales promotions from all over the United Kingdom for examination. A variety of promotions, predominantly prize promotions, has been examined and investigations taken up on 80 cases, in which 74 contraventions of the Code were identified.

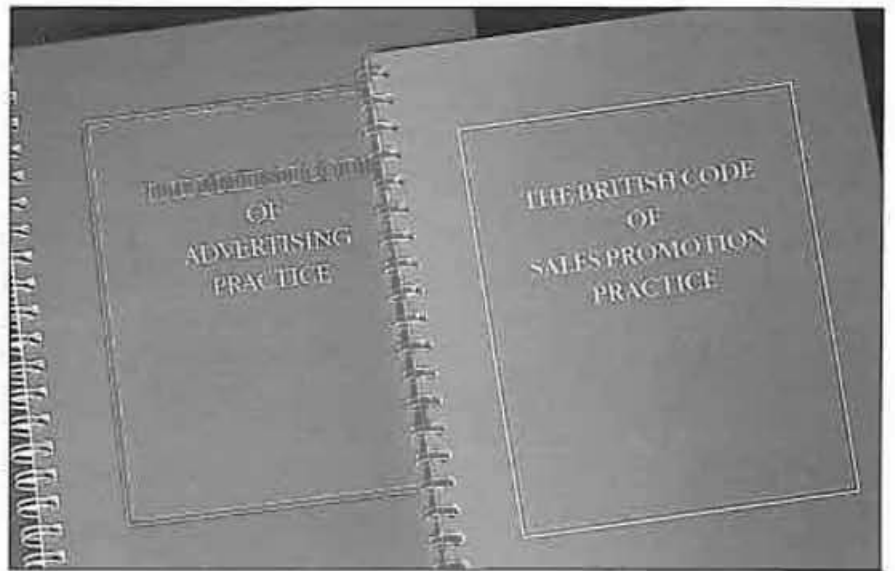
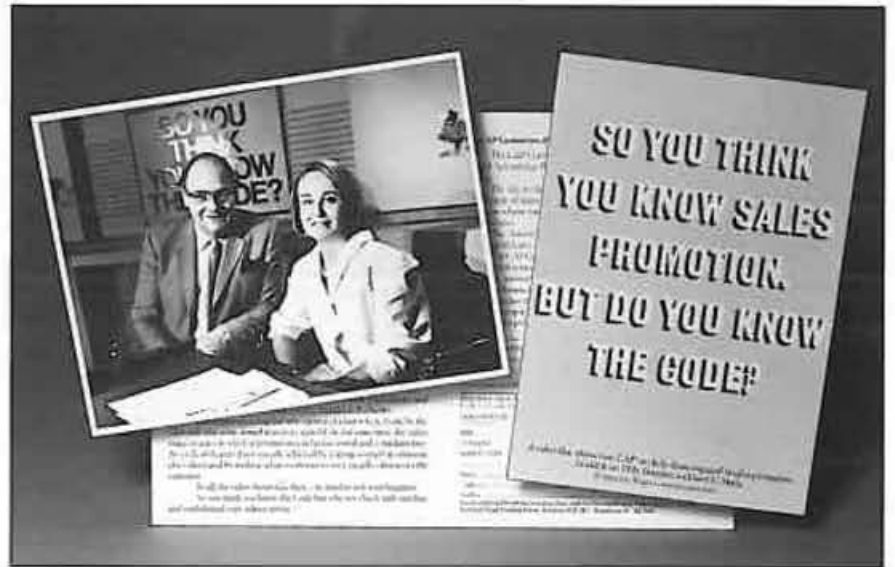
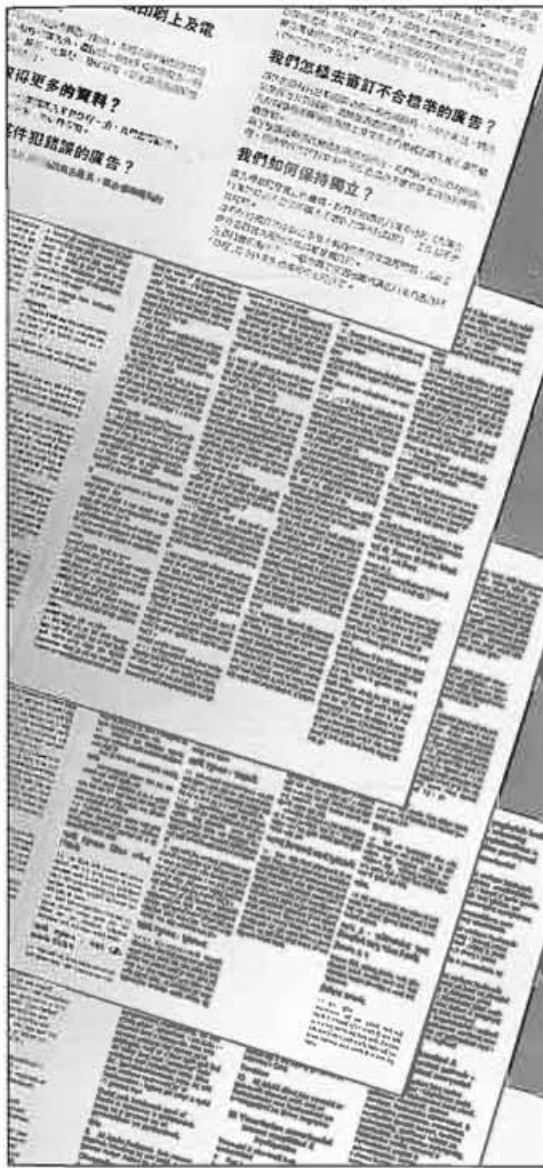
SALES PROMOTION MONITORING

During the year the system of Sales Promotion Monitoring was reviewed and during the review visits were suspended. These visits are now reinstated and arrangements have been made for Northern Ireland to be included, giving a more representative geographical sample.

Seventeen towns and cities were visited and 485 promotions were examined giving rise to 21 enquiries. 19 contraventions of the Code were identified and the companies concerned were advised.



PUBLICATIONS



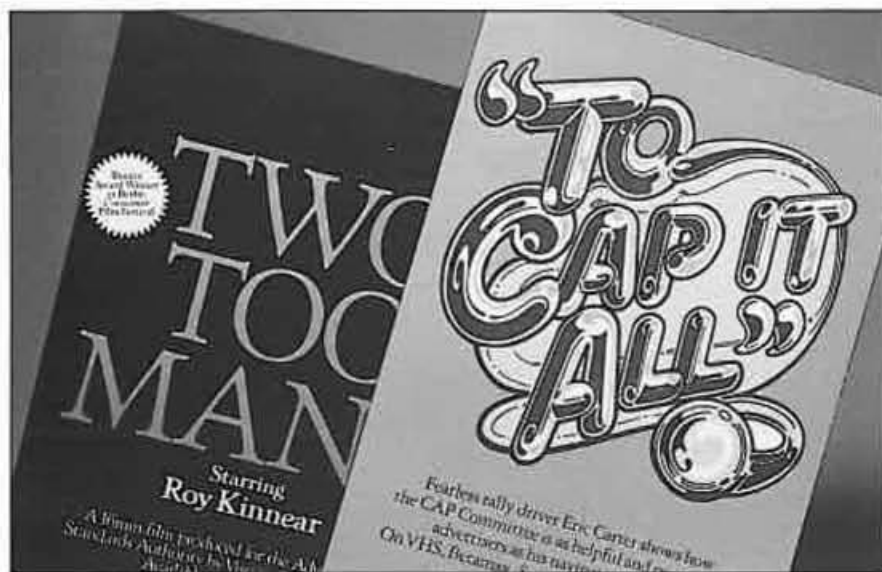
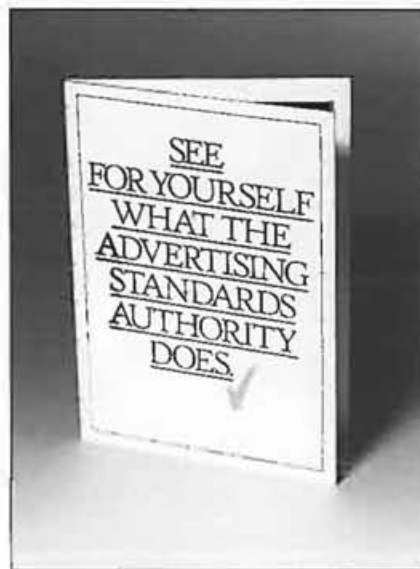
The following publications are available from the Authority. They can be obtained by sending a cheque, postal order or stamps of the appropriate value to:

The Advertising Standards Authority Ltd
Brook House, 2-16 Torrington Place
London WC1E 7HN

Cheques should be made payable to The Advertising Standards Authority, and crossed. For free publications send a self-addressed stamped envelope.

	COLLECT	POST
British Code of Advertising Practice (7th edition)	FREE	**
British Code of Sales Promotion Practice (4th edition)	FREE	**
Annual Report	£2.75	£3.00
Case Reports (published monthly)	FREE	
The ASA: What it does and how it works	FREE	
Can you believe all the advertisements you see?	FREE	
The do's and don'ts of complaining	FREE	
ASA Complaints Procedure (advertisers and general copy)	FREE	
British Code of Sales Promotion Practice: How it guides the promoter and protects the consumer	FREE	

PUBLICATIONS



	COLLECT	POST
Mail Order Advertising and the Code	FREE	
How the British Code of Advertising Practice affects advertising for slimming products	FREE	
CAP at your service	FREE	
The ASA: What it does and how it works in: Welsh, Hindi and Gujarati, Urdu, Bengali and Cantonese	FREE	
Schools wall chart project kit	FREE	£1.00
FILM & VIDEO LEAFLETS: "Two Too Many"	FREE	
"To Cap it all"	FREE	
VIDEO LEAFLETS: "Legal, Decent Honest and Truthful"	FREE	
"So you think you know the Code" (of Sales Promotion Practice)	FREE	

**Postage will be charged for multiple copies - please enquire

FINANCIAL REPORT

THE ADVERTISING STANDARDS AUTHORITY LIMITED
Expenditure Account for the Year Ended 31st December 1987

EXPENDITURE	1987 £	1986 £
<i>SALARIES AND STAFF COSTS</i>	824,513	721,378
<i>RENT AND ACCOMMODATION COSTS</i>	169,693	151,086
<i>TRAVEL, SUBSISTENCE AND ENTERTAINING</i>	47,013	46,784
<i>CONSULTANCY AND PROFESSIONAL FEES</i>	52,597	57,514
<i>COUNCIL HONORARIA AND EXPENSES</i>	20,283	15,696
<i>DEPRECIATION</i>	32,079	18,654
<i>TELEPHONE, POSTAGE, PRINTING, STATIONERY, FURNITURE AND OTHER GENERAL EXPENSES</i>	192,529	162,589
	1,338,707	1,173,701
<i>ADVERTISING AND PROMOTION</i>	574,204	532,744
	1,912,911	1,706,445
<i>EXCESS OF INCOME OVER EXPENDITURE FOR THE YEAR</i>	54,650	16,829

THE ADVERTISING STANDARDS AUTHORITY

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