

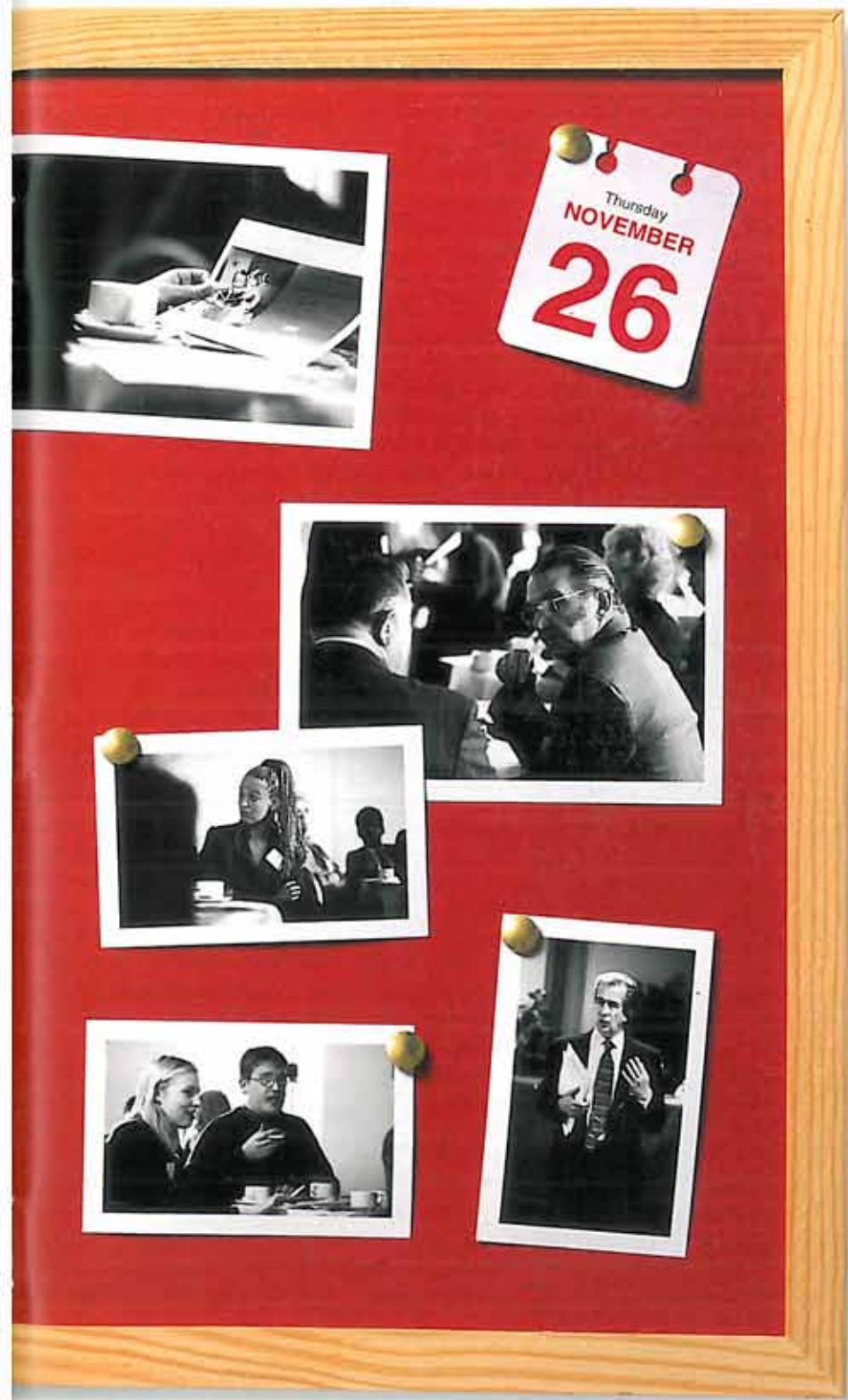


Advertising Standards Authority
Annual Report 1998



In 1998, ASA surveys showed standards of Code compliance
at **98%** for posters and **97%** for press advertising





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A view from Wales:
Welsh consumers had a chance
to voice their views at the ASA's
1998 conference in Cardiff

Chairman's introduction

Rt Hon Lord Rodgers of Quarry Bank



In any business or enterprise the challenge is to keep ahead of the field. The ASA is not in the same sense competitive. But the success of self-regulation in advertising requires a continuous process of self-scrutiny. As the economic, social, cultural and political context changes, the ASA must examine its own role and refine its task.

This year we have been faced with new legislation on human rights – on which we held an important seminar – competition policy and data protection, all of which have implications for our work.

We have been aware of the approach of legislation on freedom of information for which we are preparing. As for our regular contacts with the Office of Fair Trading, these are an agenda item at every Council meeting.

Also on the agenda this year has been a new structure for self-regulation itself, not a radical change but an important step in incremental evolution. The distinction between the Advertising Standards Authority as the body responsible for ensuring that self-regulation works in the public interest and the Committee of Advertising Practice, the representative forum of the industry that writes and enforces the Codes, has been redefined.

Change is also apparent in the complaints that Council considers. In my introduction to last year's Annual Report, I referred to the effects on advertising (and the volume of complaints) of fierce competition for savings in the

financial services sector. This year Council has been particularly aware of the competition, in this case for hearts and minds, between campaigning organisations, often about the treatment of animals. The advertisers are professional and well-funded but the complainants are their match in the strength of their convictions and the advocacy of their cause.

It is sometimes suggested that the Authority should take a softer approach on occasions when advertising by charities appears to fall foul of the Codes. I do not believe it can. Advertisers and complainants deserve the same fair treatment whatever their message. All advertisers should have evidence to prove claims that are capable of objective substantiation. And when in doubt, there is nothing easier than consulting CAP Copy Advice.

Subjective issues, for example, in the area of taste and decency, do not always lend themselves in the same way to substantiation. Here our independent research is helpful. Amongst other things, it enables us to see whether any words commonly regarded as offensive language (swear words) are acceptable in an advertisement.

A further test in areas of obvious subjectivity lies in the response of those who attend our annual Consumer Conferences – Manchester, Bath, Doncaster and this year Cardiff. At Cardiff we asked those present – community leaders in their personal capacity from throughout Wales – what they thought about

advertisements on which the Authority had pronounced. Almost without exception, their verdicts corresponded with those of Council. I believe that the evidence of our research and the experience of our Consumer Conferences, taken together, shows that Council is seldom wide of the mark in its adjudications, difficult though many of these prove to be.

Members of Council are now appointed, as a result of public advertising, for a maximum of six years. Sheila Hewitt retired at the end of her term and Pauline Thomas joined the Council. The balance remains of eight so-called 'independent' or lay members and four from within the industry, although they too are independent and not delegates. All members are appointed by the Chairman.

For the smooth running of the Authority at a time of change, I am particularly grateful to the Director General, Matti Alderson, to the Directors and to all the staff which comprise the Secretariat. The investigation of complaints is a difficult task, given the sensitivity of both advertisers and complainants. It requires persistence, precision and courtesy. I continue to be impressed by the competence with which this is done and the few complaints we receive about the management of our part of the process of self-regulation.

Brian Nicholson, the Chairman of ASBOF which funds the Authority, was ultimately the architect of the changes in self-regulation that occurred during the year. As always he scrupulously maintained his arms-length

relationship with the ASA while being available at all times for advice and support. We were sorry to see the departure of John Robinson, ASBOF's understanding Secretary for many years, but welcome Philip Francis as his successor.

William Rodger

1998 Review

INTRODUCTION

Overall standards in 1998 remain high with a survey of press and poster advertising revealing levels of compliance with the British Codes of Advertising and Sales Promotion of **97%** and **98%** respectively. The proliferation of non-broadcast media and the range of products and services advertised each year raise a diversity of issues for the ASA, the industry and consumers. Some of the areas covered in 1998 are highlighted in this review. They help to demonstrate the ASA's work in administering the self-regulatory system for the UK advertising industry that generates some **30 million** press advertisements, **100,000** posters and just under **4 billion** mailings each year.

WEIGHT LOSS AND SLIMMING

In an image-conscious age the search for the means to a perfect body is big business. However, consumers now regularly question extravagant claims for health and beauty products generally and advertisements in this sector accounted for **1,284** complaints in 1998: nearly **10%** of the total received. **196** complaints related to weight loss and slimming claims and **50** of the **59** advertisements requiring investigation were found to break the Codes' slimming rules. A further **9** cases await ASA rulings.

Safe weight loss

The Codes make clear that amounts of weight loss must be compatible with good medical practice and during the year, in line with advice from the Department of Health, the ASA revised the acceptable limit for weight loss claims in advertisements from **3lbs** a week to **2lbs** a week.

Not to be taken lightly

1998 saw much public debate about weight-related matters in general and the ASA received complaints about advertisements that raised sensitive issues such as anorexia and overweight children. In dealing with such issues, the ASA takes care to judge only whether an advertisement is likely to mislead or cause serious or widespread offence. The Codes are not tools for social engineering and in applying the rules the ASA aims to reflect rather than change prevailing professional and public opinion about diet and body size.

Complaints that this poster offended by making light of eating disorders were upheld



Misleading claims for dietary supplements in this advertisement attracted ASA criticism



In line with good medical practice the safe limits for weight loss were reduced to **2lbs** a week in 1998



1,923 complaints were made about direct mailings in 1998. **120** were found to break the Codes; a small proportion of the **3.9** million mailings distributed

ANIMALS IN ADVERTISEMENTS

Historically the portrayal of women has provoked the strongest reactions of offence about advertisements. But in 1998 it was the British public's love of animals that generated mass complaints. In total, **860** complaints were received about **64** advertisements and **1** poster alone attracted **589** complaints of offence. **2** advertisements were withdrawn but **3** others were not felt to break the Codes even though **2** of them attracted more objections than the combined total of **510** received in the previous year's top ten complaints. (See top ten complaints booklet and page 19).

It is not the quantity of complaints that determines whether or not an advertisement breaks the Codes. The ASA takes account of the context and the choice of media, as well as the complainants' views, in deciding whether an advertisement is likely to cause serious or widespread offence. Animals have been featured in advertisements since the

ASA's records began **37** years ago but their appearance alone, or humorous references to animals, do not amount to a breach of the Codes.

While the ASA did not agree with all those who objected about the portrayal of animals in 1998, advertisers should take note of the weight of feeling that can be stirred up by the use or misuse of animals in advertisements.

CAMPAIGNING COMPLAINTS

The ASA's impartiality and independence is especially important when assessing complaints about advertisements by groups campaigning on opposing sides of the same controversial debate.

The Countryside Rally in July 1998, and the subsequent Parliamentary debates about hunting, sparked passionate protests against advertisements by the pro-hunting lobby. These were swiftly followed by equally passionate complaints against advertisements

by anti-hunting campaigners. While the ASA realises that both the advertisers and complainants are dedicated to their respective causes, it has to remain impartial in assessing evidence for challenged claims put forward by opposing sides. The Authority does not judge the benefits or failings of the cause being promoted but rather whether the advertisements are misleading or likely to cause serious or widespread offence to the public. After investigation, some of the claims made on both sides of the hunting debate were criticised under the Codes when ASA investigation revealed exaggerated or inadequately supported claims.

The motivation behind advertisements by campaigning groups is often emotive, incorporating polarised points of view, which are passionately defended. But irrespective of the cause or product the Codes' rules balance advertisers' rights with their responsibility to produce legal, decent, honest and truthful advertising.



Tempers flared over the fox hunting debate. Both sides complained about each other's campaigns and neither escaped censure by the ASA



The British public's love of animals led **860** of them to complain about their portrayal in 1998. After investigation only **2** advertisers had to be brought to heel

A special thank you to Dodger, star of the West End show Annie

RELIGION

The range of products advertised with religious references or imagery is diverse; from beer to jeans, music to paper and even car repair garages. But when religion is seen to be mocked or treated disrespectfully in advertisements complaints arrive at the ASA in large numbers. During the year, **699** complaints were made about **69** advertisements. The ASA took the view that **4** advertisements went too far and were likely to cause serious or widespread offence. **3** other advertisements await ASA rulings.

Independent research carried out for the ASA in 1998 revealed that **80%** of a representative sample of people claimed to be offended by 'disrespectful references to race, religion or culture'. Similar views were expressed for references to Christian as well as other religions. However, the advertisements in the survey that used gentle humour or mild religious references and images were thought to be acceptable by the majority of those

questioned. This mirrors the approach taken by the ASA when adjudicating on these subjective complaints of offence.

Many people may fear that Christianity is too often the butt of jokes, and its importance undermined by cheeky spoofs; advertisers would do well to be sensitive to the strength of feeling caused by religious references.

FINANCIAL ADVERTISEMENTS

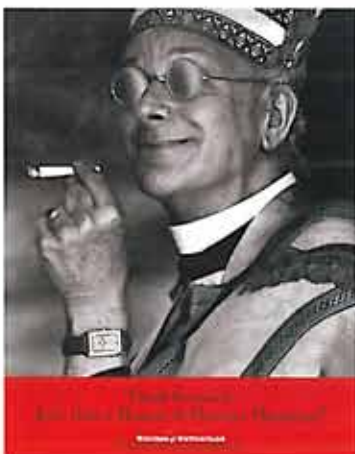
The advertising of financial products is primarily regulated through legislation but the Codes contain a special area of rules for complaints that are not directly covered by the law. In 1998, **561** complaints were made to the ASA about **520** financial advertisements. **29** of the **62** advertisements investigated broke the Codes and **13** other cases await ASA rulings.

Instant access

One of the most prominent ASA rulings during the year concerned the use of 'instant access' claims. The problem arose when customers were required to transfer their funds to an existing bank or building society account before they could have their money. Because this took around **3** days, the ASA considered that it was misleading to claim that such accounts provided 'instant' access. The ASA's decision prompted a welcome change in the financial sector's own codes of practice.

Financial comparisons

In the competition to attract customers the use of comparative claims, tables and charts all had the potential to mislead in 1998. **59** of the complaints received were made by competitors and after investigation **8** of the advertisements were criticised by the ASA for making misleading comparisons. The Codes encourage healthy and vigorous competition but financial advertisers must make sure that their comparisons are fair and not misleading.



Advertisers should be specially careful when using religious imagery. The ASA felt this advertisement went too far

ASA calls for Egg to alter launch work

By Colin Cross
 Profusion has been ordered to alter the launch advertising for its Egg direct banking offer after the Advertising Standards Authority ruled that its claim to offer an instant access account should carry a caveat pointing out that access to funds is not strictly instant.
 The ruling followed a complaint from one of Egg's competitors, Standard Life, which pointed out that until 1997 Egg's work sold in reserved 187 rights not to place with deposits for 60 days or more.
 The ASA is now waiting for a response from Egg and says she complained that as that those direct savings were ignored for 60 days, which is a claim that was untrue in instances.
 Caroline Crowford, director of communications at the ASA, said the Association had not conducted a formal investigation into the case but had based its decision on a past provision. In an earlier case involving Direct Line the ASA ruled that the same "instant access" should be used when a takes three days to open a bank.
 The ASA is now waiting for a response from Egg and says it will change its ruling if the bank can demonstrate that the regulator has interpreted the Egg's terms.
 Egg launched last month with an £8 million campaign through H&M, B. Posters As well as press and TV ads, the campaign includes sponsorship of several Channel 4 programmes and a website.
 The ASA's ruling against Direct Line in February the year allowed competitors to issue. Access access required account holders to have money transferred to another account before they could withdraw it.



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Problems with instant access claims hit the headlines in 1998



Consumer research and **699** complaints revealed public sensitivity about advertisements that are seen to mock religion

Research into Code compliance

HIGH STANDARDS

The number and nature of complaints the ASA receives each year does not give a complete picture of current standards of advertising. In order to get a better idea about how honest and truthful advertisements are the ASA carried out a survey of national and regional press, magazines and posters in 1998.

A representative sample of **1,060** advertisements was collected from the press and magazines; **97%** were found to comply with the Codes, a small increase of **1%** compared with similar research carried out in 1995. This result was encouraging, particularly as all the media categories in the sample had the same compliance rate of **97%**; in the earlier 1995 research the compliance rate in the national press had been **94%** and **90%** in magazines.

In the poster sample, of the **299** assessed, none revealed problems under the Codes. Unlike the sample for press advertisements,

the posters examined were not selected to a statistical pattern. However, the results suggested that the 1995 compliance level of **98%** for posters had been maintained.

While these results are very encouraging, other research projects carried out during the year continued to reveal a significant minority of advertisements that broke the Codes. The ASA Research team works closely with the CAP Copy Advice team to focus on the improvements needed in troublesome sectors.

HEALTH AND BEAUTY ADVERTISEMENTS

The findings of two surveys into standards of health, beauty, nutrition and slimming advertisements in 1997 showed an improvement in compliance from **82%** to **93%**. However, advertisements for vitamins and supplements were singled out for criticism with **35%** containing obvious problems under the Codes. These results prompted a further survey in 1998 which found only a marginal improvement: **31%** of the advertisements in the sample were unacceptable under the

Codes. Each advertiser who had made questionable or unacceptable claims was contacted and advised about the Codes' requirements. The ASA will continue to work with these advertisers to ensure that this sector improves its compliance record.

TENS

During 1998 the team also investigated the validity of claims for the effectiveness of a pain relief device, TENS (Transcutaneous Electrical Nerve Stimulation). After consultation with **10** medical experts, the conclusion was that general claims for relief from minor aches and pains were acceptable, but advertisers could not claim that the product could cure or treat acute or chronic pain.

Watchdogs pledge to cool down adverts for Viagra

ADVERTISING WATCHDOGS have pledged a fight to ensure advertisers do not use Viagra with such claims as 'the most powerful' or 'the most effective'.

The ASA rose to the Viagra challenge and warned the public about misleading or illegal advertisements



Although overall standards in health and beauty advertisements had improved to **93%** significant problems remained in the area of vitamins and supplements

HEALTH PUBLICATIONS

A check on advertising in magazines focusing on healthy living revealed notable results. From the **755** advertisements checked, **98%** were found to be acceptable.

FLIGHT PRICES

Following the issue of a CAP Help Note in 1997 about the indication of flight and cruise prices, the ASA kept travel advertising under close scrutiny in 1998. Very few problems were found during year although the Authority will continue to keep a watch on this sector.

VAT

The long-standing issue of VAT-inclusive prices kept the ASA busy. Advertisers continue to be reminded of the Codes' requirement that they must include VAT in prices where their advertising is aimed at consumers. The price consumers see should be the price they pay.

COMPLIANCE CHECKS

If you are an advertiser who has had a complaint upheld against your advertising you may believe that publication of the adjudication is the last you'll hear from the ASA. However, the Authority follows up its rulings to make sure that advertisements have been withdrawn or changed in line with the Codes.

Following the publication of an investigation, advertisers are asked what action they have taken to ensure their advertising conforms to the Codes. This follow-up action has proved effective in 1998 and **98%** of companies contacted confirmed that their advertisement

had been changed or withdrawn. Only **2%** required the application of further sanctions to bring the advertisers into line with the Codes.

THE CODES? WHAT CODES?

Most advertisers who have a complaint upheld against their advertising are careful to make sure they do not break the Codes again. However, there are some who seem to find it difficult to comply with the Codes. In 1998, the ASA focused on those few who were persistent offenders and took action to put them on the right track.

After compiling detailed chronologies for each offender, marking their track record to-date, **10** companies were found to have repeated earlier problems under the Codes. **5** of these, who seemed to be deliberately ignoring ASA rulings, were invited to meet ASA and CAP staff. **4** of these **5** companies subsequently gave an assurance that they would submit all future advertising material to the CAP Copy Advice team for pre-publication guidance. At the end of the year, the **5th** company was referred to the Office of Fair Trading under the Control of Misleading Advertisements Regulations 1988 when their unamended fax advertisements continued to attract complaints.

The other **5** companies, whose track records showed repeat but apparently unintentional problems, were contacted and reminded of the Codes' requirements. They gave assurances that they would work closely with the CAP Copy Advice team when preparing future advertising.

All these advertisers will be closely monitored to make sure they stick to their assurances and the ASA will continue to watch out for advertisers who break the Codes apparently in the belief that they will not be noticed.

CHECKING IT OUT

As well as conducting research across media and product sectors and following up adjudications, the ASA carries out spot checks and takes action to bring advertisers into line with the Codes whether or not a complaint has been received.

Newspapers and magazines are regularly checked for obviously questionable claims in advertisements. On average **1,000** advertisements a week are scrutinised, only **1%** required ASA intervention in 1998. Where questionable claims are found or obvious details are missing, such as closing dates in promotions or addresses outside mail order coupons, the advertisers are contacted and asked to provide evidence for their claims, or asked to amend or withdraw the advertisement. They are also asked to give a written assurance that they will not make similar claims again and that they will contact the CAP Copy Advice team before future advertising is published.

The ASA and CAP work closely on these and other issues so that, where necessary, further action can be taken to bring advertisements into line with the Codes.

Independent consumer research

PUBLIC OPINION

Consumers continue to find advertising entertaining, informative and educative rather than misleading or offensive. These were the results of an independently conducted survey, commissioned by the ASA in 1998, to assess the public's opinion both of the ASA and how it works and into the public's attitudes to matters of taste and decency in advertising. The findings update a similar survey carried out in 1996.

Self-regulation remains the consumers' choice. The research, which was conducted on a representative sample of **1,000** people, showed that those surveyed believe the ASA makes considered decisions and is an effective regulator. Fewer than **1 in 7** claimed to prefer regulation by a Government body rather than the self-regulatory system overseen by the ASA.

The survey also revealed that **80%** of people agreed there was a need for an effective regulator such as the ASA and a similar proportion believed that complaining to the ASA would have the desired effect. Furthermore, **70%** felt that the ASA protects

consumers' interests. The findings of the research were in line with the results of the 1996 survey, although one of the few significant differences was that respondents seemed to know more about the role and structure of the self-regulatory system than they had **2** years before.

TASTE AND DECENCY

When asked to express their attitudes towards matters of taste and decency in advertising, respondents believed that the ASA got the balance right. The sample were asked for their opinions on particular advertisements and these revealed that the rulings made by the ASA were broadly in line with the views expressed.

Bad language and behaviour

As in 1996, the main area of concern was the suitability of advertisements seen by children; placing advertisements in the wrong place and the use of bad language in advertisements were notably criticised. In 1998, **81%** of those surveyed said that the use of bad language or rude gestures should never be allowed

in advertisements, an increase of **10%** on the 1996 findings.

PORTRAYAL OF RELIGION

Almost **80%** of respondents felt that disrespectful references to religion, race or culture should never be allowed and this was consistent whether towards Christianity or to other religions, races or cultures.

PORTRAYAL OF MEN AND WOMEN

The other area of concern remained the portrayal of men and women. **71%** of those surveyed were concerned about the way women are portrayed as sex objects and **53%** were concerned about the portrayal of men; this is an increase of **12%** since the 1996 research.

Overall, the Authority is reassured by these findings though not complacent and will use research and the ASA's annual Consumer Conference to test whether rulings made under the Codes, especially on subjective issues of taste, continue to reflect the views of the general public.



ASA research showed that drugs imagery caused the most offence

Complaints procedure

One of the ASA's tasks is to investigate complaints that advertisements break the rules in the British Codes of Advertising and Sales Promotion. The procedure has been tested by the courts and is designed to balance speed

and fairness. The investigation is carried out by members of the Secretariat before an adjudication is made by the ASA Council. A simplified version of the complaints procedure is outlined below.

1

Complaint received

ASA sends an acknowledgement card and assesses the complaint

2

Decision

Case needs investigating or complainant advised that there is no case to answer under the Codes

3

Investigation

ASA asks advertiser to comment on the complaint and supply evidence for any disputed claims

Complainant notified of action taken

4

Considering the complaint

Advertisement assessed in the light of advertiser's response

Draft adjudication sent to ASA Council

5

Decision

ASA Council adjudication

6

Taking action

Advertiser and complainant notified of ruling

Where complaint is upheld, ASA asks for the advertisement to be amended or withdrawn

7

Publication of ruling

ASA publishes outcome of the investigation in the Monthly Report which is circulated to journalists and the industry

8

Final check

ASA checks that the advertisement has been changed or withdrawn

Complaints

COMPLAINTS RETURN TO 1996 LEVELS

Complaints in 1998 rose by **14%** on the previous year following a downturn in complaints received in 1997. **12,217** complaints were made in 1998 compared to **10,676** in the previous year. The complaints related to **8,343** advertisements, a **3%** increase on 1997. During 1998, **2,514** complaints about **846** advertisements required formal investigation: the ASA ruled that **623** advertisements should be withdrawn or amended. Overall, less than **8%** of all the advertisements attracting complaints broke the Codes.

10 advertisements attract 13% of complaints

A look at the list of the **10** advertisements that attracted most complaints gives some explanation for the return to 1996 complaint levels (see page 18). The highest numbers of complaints concerned advertisements that raised matters of taste and decency: **1** advertisement alone attracted **589** complaints; more than the whole of 1997's top **10**. In 1998 the **10** advertisements attracting most objections accounted for **1,650** complaints: nearly **1** in **7** of all those received. The ASA Council ruled that **6** of those advertisements went too far and were likely to cause serious or widespread offence.

Any increase in complaints is disappointing but it is useful to set these in the context of the ASA's survey which showed overall advertising standards of **97%** for press and **98%** for posters in an industry that publishes an estimated **30** million advertisements and **100,000** posters each year. This research,

combined with increasing requests for pre-publication advice from CAP, demonstrates that standards remain high and that the advertising industry's commitment to self-regulation and the Codes continues to be strong.

Complaints serve as a barometer of public opinion on some advertising campaigns and there are subjects, such as the portrayal of animals, sex and religion, where advertisers would do well to note the strength of feeling expressed even in those cases where the ASA did not uphold the complaints.

COMPLAINTS RESOLVED

The ASA resolved **16%** more complaints in 1998 than in 1997. The number of complaints resolved informally fell by **15%**. The **673** complaints that were outstanding at the end of the year related to **284** advertisements and the action taken on them will be reported in the 1999 figures.

TASTE AND DECENCY

Complaints on grounds of taste and decency rose by **58%** in 1998 after a fall in the previous year of **42%**. In 1998, **3,156** complaints of offence were received relating to **478** advertisements; the ASA considered that **42** were likely to cause serious or widespread offence. **1,994** complaints were received in 1997 relating to **449** advertisements: **53** broke the Codes' rules on taste and decency.

1995 saw the most complaints to the ASA when **4,402** of the total of **12,804** were made on grounds of taste and decency; one advertisement alone accounted for over **1,000** objections in that year.

PORTRAYAL OF WOMEN

Complaints made about the offensive portrayal of women in advertisements in 1998 are small compared to those received on grounds of religion or use of animals (see pages 8 and 10) yet similar in number to last year. **487** complaints related to **167** advertisements for their portrayal of women. The ASA ruled that **11** advertisements were likely to cause serious or widespread offence and **4** await ASA rulings. These figures compare with **435** complaints made about **131** advertisements in 1997 when the ASA asked for **12** to be withdrawn for the portrayal of women in an offensive way.

COMPETITIVE COMPLAINTS

Competing advertisers keep a watch on each other and their specialised knowledge acts as an additional layer of protection for consumers. 1998 was a fiercely competitive year in a number of sectors and complaints between competing advertisers accounted for **1,368** complaints concerning **1,249** advertisements, an increase on the previous year of **14%** when **1,199** complaints were made about **1,115** advertisements. During the year, **381** competitive advertisements required investigation and **182** broke the Codes: **116** await ASA rulings.

COMPLAINTS BY MEDIA TYPE

The 14% increase in complaints overall appears to be spread across the non-broadcast media categories. Of particular note are the following changes:

Posters

Complaints against posters rose 82% from 1,049 to 1,910 in 1998 but this increase is due largely to the 763 complaints about 3 posters featured among the top 10 complaints. The poster industry is to be commended for introducing a new CAP pre-vetting procedure in June 1998 which should deter those

advertisers who set out to exploit irresponsibly the high profile nature of the medium (see page 28).

Cinema

Complaints against cinema commercials fell 76%: down from 177 in 1997 to 42 complaints in 1998. One of the most tightly regulated of the non-broadcast media, cinema complaint figures in 1997 had been inflated by almost 100 not upheld complaints made against a high profile anti-gun campaign.

Internet

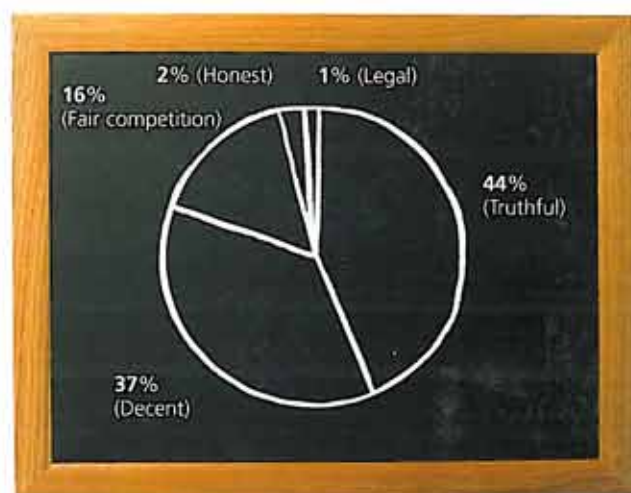
Although still a drop in the ocean compared to the amount of advertising that appears on-line, complaints to the ASA about Internet advertisements have risen steadily since the first 8 complaints received in 1996. Complaints in 1998 jumped to 49 following 14 in 1997. After investigation, 5 advertisements were found to break the Codes and 4 await rulings. The ASA has found to date that problems under the Codes have been resolved without the need for additional sanctions but many advertisers may still be unaware that the Codes also apply to non-broadcast electronic media such as UK advertising on the Internet.

1998 COMPLAINTS FIGURES (Public and industry)

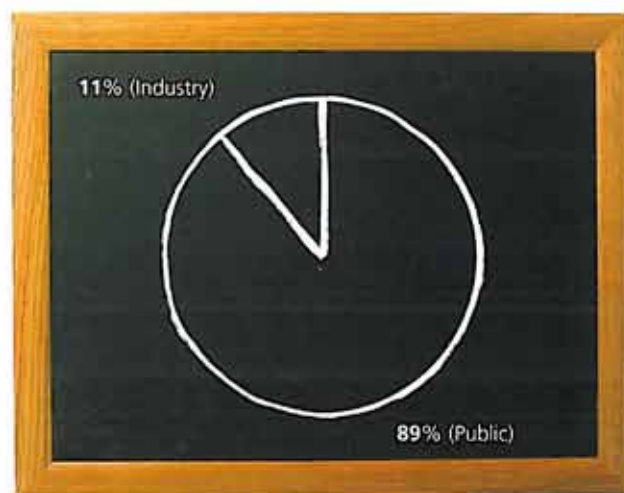
	1998		1997	
	Complaints	Advertisements complained about	Complaints	Advertisements complained about
Investigated cases				
Upheld	1,925	623	1,495	694
Not upheld	589	223	859	252
Resolved informally	871	654	953	789
Total investigated	3,385	1,500	3,307	1,735
Not investigated cases				
No case to answer	2,651	2,651	2,519	2,519
Withdrawn	894	894	696	696
Outside remit	1,569	1,569	1,459	1,459
Not justified	2,147	547	1,522	711
Total not investigated	7,261	5,661	6,196	5,385
Mail order	514	514	884	884
Database	384	384	281	281
Total	898	898	1,165	1,165
Complaints outstanding at year end	673	284	8	6
Total	12,217	8,343	10,676	8,291

Note: 1997 figures differ from those given in the previous Annual Report. All figures for 1997 and 1998 were correct as at 1 February 1999.

BROAD AREAS OF COMPLAINT BY CODE SECTION



SOURCES OF COMPLAINT



TOP 10 COMPLAINTS

Of the 12,217 complaints received by the ASA in 1998, 1,650 (13%) related to 10 advertisements. 6 of these broke the Codes:

Advertisements	Number of complaints	ASA decision
1 AG Barr (Irn Bru)	589	Complaints not justified*
2 Pfizer (TCP)	171	Complaints not justified*
3 The Sunday Times	142	Complaints upheld
4 International Paper	131	Complaints upheld
5 Food Brokers (Nicky Clarke)	131	Complaints not upheld
6 LRC Products (Durex)	125	Complaints not justified*
7 Audi UK	109	Complaints upheld
8 Diesel Publicity	95	Complaints upheld
9 Talk Radio UK	79	Complaints upheld
10 Sony Computer Entertainment	78	Complaints upheld

*Not justified complaints are those where, after consideration, the ASA Council has ruled that the complaints do not justify an investigation under the Codes. In these cases no adjudication is published. Summaries of these decisions together with those that were published appear in the attached booklet.

COMPLAINTS BY MEDIA TYPE

	1998	1997
National press	2,760	2,633
Direct mail	1,923	1,433
Posters	1,910	1,049
Magazines	1,666	1,579
Regional press	837	856
Leaflets	461	392
Brochures	394	363
Catalogue	155	471
Directories	131	103
Fax	129	45
Point of sale	118	102
On pack	97	104
Internet & electronic	94	32
Circulars	62	123
Cinema	42	177
Inserts	42	68
Transport	18	36
Video	2	4

Some complaints relate to advertisements appearing in more than one medium.

ASA Council and Directors

1998 ASA COUNCIL MEMBERS

The ASA Council decides whether or not an advertisement breaks the Codes. The majority of members have to be free of advertising interests and the Chairman advertises for new lay members to reflect a diversity of background and experience.

Rt Hon Lord Rodgers of Quarry Bank (Bill Rodgers)

Rt Hon Lord Rodgers of Quarry Bank (Bill Rodgers) was MP for Stockton-on-Tees from 1962-1983. Elected a Labour MP, he became one of the SDP's founding 'Gang of Four' in 1981. Lord Rodgers became a privy Councillor in 1975 and was made a Life peer in 1992. From 1987-1994 he was Director General of the Royal Institute of British Architects. In 1997, Lord Rodgers was elected Leader of the Liberal Democrats in the House of Lords. Appointed ASA Chairman in January 1995.

Jane Anderson

Jane Anderson is currently joint Head of Personnel in the Lord Chancellors' Department. She worked first for the British Council in Venezuela from 1976-1978. On returning to London, she joined the BBC, working there until 1990 when she left to become a civil servant, initially in the Home Office and then in the Department for Education and Employment. Appointed to ASA Council in January 1996.

Richard Bradley

Richard Bradley is a Director of L'Oreal UK Limited and Chairman of its Pension Fund. He is also Chairman of the Cosmetics Industry cancer charity (Look Good... Feel Better) and its Educational Trust. He is an appeal patron of the charity 'FRAME'. Appointed to ASA Council in May 1993.

Hugh Burkitt

Hugh Burkitt is Chairman of Court Burkitt & Company. He was co-founder and the first President of Alto, a federation of European

advertising agencies set up in 1991. He is a council member of the Institute of Practitioners in Advertising and the Advertising Association. Appointed to ASA Council in June 1995.

Ian Markham

Ian Markham is Professor of Theology and Public Life at Liverpool Hope University College. He has published on the area of Christian ethics and culture. Appointed to ASA Council in June 1993.

Lizzie Marsden

Lizzie Marsden is the Assistant Head of Rugby School where she teaches English and A Level Theatre Studies. Her responsibilities include the pastoral welfare of 760 13 to 18 year-old pupils and the development and training of 100 staff. She is also a Head Masters' Conference (HMC) Inspector. Appointed to ASA Council in January 1998.

Peter Mitchell

Peter Mitchell is a Director of Capital Radio plc and Chairman of Mountain View Group Ltd., a communications company. He retired from Guinness plc in 1997 where he was Director of Strategic Affairs. Appointed to ASA Council in June 1995.

Catherine Peckham

Catherine Peckham is Professor of Paediatric Epidemiology at the Institute of Child Health and Hon. Consultant at Great Ormond Street Hospital, London. She has written extensively on health issues relating to pregnancy and childhood. Appointed to ASA Council in May 1993.

Harry Rich

Harry Rich is Managing Director of Tandem (UK) Limited and Magic Corporation Limited and is a Magistrate in Central London. He trained as a solicitor and was Managing Director of a Midlands electrical distributor and Chairman of New Moon Publications plc. He is a trustee of the Jewish Aids Trust and

has worked with a range of voluntary organisations, including the Board of Deputies of British Jews. Appointed to ASA Council in January 1997.

Len Sanderson

Len Sanderson is Managing Director of Sales at the Telegraph Group Limited and is a member of its main Board. Appointed to ASA Council in June 1994.

Pauline Thomas

Pauline Thomas is a writer and business consultant specialising in the marketing of professional service firms. She has worked in management roles for a number of companies. These have included marketing for Grant Thornton (1989-1995) and Lovell White Durrant (1986-1988), management consultancy for InterMatrix (1984-1986) and strategic planning for British Petroleum (1977-1984). She published her first novel in 1997 and is in the process of writing her second. Appointed to ASA Council in June 1998.

Norman Tutt

Norman Tutt is Director of Social Services (London Borough of Ealing). He was Principal Social Work Services Officer at the DHSS until 1979 when he became Professor of Applied Social Studies at the University of Lancaster. From 1988-1992, he was Director of Social Services at Leeds City Council and from 1992-1999 Director of Social Information Systems. Appointed to ASA Council in January 1996.

Diane Yeo

Diane Yeo is Chief Executive of Sargent Cancer Care for Children. She began her career in BBC Radio. After working for several children's charities she became the first Director of the Institute of Charity Fundraising Managers and then a Charity Commissioner. Appointed to ASA Council in June 1997.



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1. Rt Hon Lord Rogers 2. Richard Bradley, Len Sanderson, Ian Markham 3. Peter Mitchell, Jane Anderson
4. Lizzie Marsden, Hugh Burkitt 5. Norman Tutt, Harry Rich, Pauline Thomas 6. Diane Yeo, Catherine Peckham
7. The Directors: **Phil Griffiths** Director of Finance and Support Services; **Caroline Crawford** Director of Communications;
Tony Butler Deputy Director General (Secretary, CAP); **Matti Alderson** Director General; **Roger Wisbey** Director of Investigations

Note: Council Members and Directors are featured left to right in each frame.



Committee of Advertising Practice



If in doubt check it out. The direct line to CAP Copy Advice, **0171 580 4100**, is used increasingly by those who create, commission, publish and place advertisements and promotions

CAP Chairman's report

David Clayton-Smith,
Director of Customer Marketing, Boots the Chemists



After 2 years as Chairman of the Committee of Advertising Practice, my term of office has come to an end. Over that time, CAP has achieved a great deal. The newly revised 10th edition of the British Codes of Advertising and Sales Promotion will be published in 1999 and the task of reviewing the structure and operation of the Committee has been undertaken: the first time that such a major restructuring had taken place since CAP was established in 1961. I am pleased to say that these tasks have now been completed and CAP is well prepared to take self-regulation into the new Millennium.

CAP RESTRUCTURE – A MORE ACCOUNTABLE SYSTEM

In reviewing its operation, CAP recognised that it had not kept pace with the dynamic industry it represented. While the ASA continued to administer the self-regulatory system efficiently and effectively, the members of CAP felt that more of the 'self' needed to be put back into self-regulation

The UK's system requires the impetus for legal, decent, honest and truthful advertising to come from the industry itself; the industry must be accountable for itself.

The new structure of CAP defines its role more clearly giving it focused responsibility for the Codes and sanctions. Policy development for self-regulation shifts to the Advertising Standards Board of Finance (ASBOF). Finally, the industry also needed a dedicated spokesman to ensure its message was heard and understood by its broad constituency.

NEW CAP CHAIRMAN

CAP has historically been chaired for a 2 year period by an advertising practitioner such as myself. These new CAP/ASBOF structures and responsibilities require more time than a practitioner can give. In future CAP Chairmen will serve for a 2 year term, renewable to a maximum 6 years, on a 2 day a week basis.

Andrew Brown was appointed to Chair the Committee to carry forward the work of self-regulation and co-ordinate the activities of CAP from 1 January 1999. The appointment is made in a personal capacity and is distinct from Andrew's continuing role as Director General of the industry's trade body, the Advertising Association.

To preserve the essential independence of the ASA, CAP believed that there should be a more distinct definition of its self-regulatory functions from those of the ASA. This necessitated changes within the joint CAP/ASA Secretariat and Tony Butler now takes over from Matti Alderson as the CAP Secretary, and Guy Parker, the Manager of CAP's Copy Advice team, becomes the new Assistant Secretary. I, on behalf of CAP, recognise the huge debt of gratitude we owe Matti Alderson for the unfailing support she has given to the industry over the years.

THE NEW CODES

The 1995 edition of the Codes has served the industry well. During 1998 CAP undertook a review to update the Codes. We looked particularly at how they applied to party political advertisements, in addition to

updating other rules in line with legislative and market changes. I am grateful to John Hooper and his team from CAP for their tireless effort in conducting this review.

Party political advertisements

In 1997 I reported that CAP was concerned that political parties were exempt from the requirement of truthful presentation while other rules such as those on taste and decency and privacy remained in force.

In June 1998, together with Andrew Brown and Grahame Fowler from the ASA, I gave evidence to the Neill Committee on Standards in Public Life. We made it clear that CAP felt it was inappropriate for the Codes to apply to any political party advertisements. There was no consensus amongst the parties that they would comply with the Codes; in such circumstances it was unacceptable to ask the ASA to adjudicate on complaints against political advertisements, especially during the heat of an election campaign. CAP offered the Committee its expertise to develop a separate code and system for overseeing party political advertisements. The 1999 edition of the British Codes of Advertising and Sales Promotion totally excludes political party advertisements from the industry's system of self-regulation.

CAP PANELS

CAP continues to be well served by its General Media and Direct Marketing & Sales Promotion Panels. During the year, the respective Chairmen, Andrew Robertson of AMV.BBDO and Peter Le Conte from the Institute of Sales Promotion, handed over chairmanship to

Mark Lund of Delaney Fletcher Bozell and Ellis Watson from News Group Newspapers. I am indebted to all of them, and to those who serve on the Panels for the work that they undertake in guiding the Secretariat and informing the wider industry, CAP and the ASA on the interpretation of the Codes.

1998 has seen Code compliance reach 97% and the use of CAP Copy Advice go up by 8%. These figures help to demonstrate the advertising industry's continuing commitment to self-regulation and the Codes. I am sure that under the experienced leadership of Andrew Brown CAP will continue to develop and safeguard the self-regulatory system into, and beyond the Year 2000, and I look forward to working with him as his Vice-Chairman next year.

CAP Copy Advice

The Committee of Advertising Practice's Copy Advice team has had another busy year helping those who create, commission and publish advertisements to check them against the Codes' requirements before they appear. Nearly **4,200** written and **8,200** telephone requests for advice were handled by the **6**-strong team; an increase on last year's figures of **8%**.

To offer accurate and, therefore, helpful advice, the team draws on its experience of advertising regulation and, vitally, the database of past rulings made by the ASA Council. However, in a business as creative as advertising, one is rarely faced with standard advertisements requiring standard advice. Almost every advertisement is unique in one way or another. An advertisement may be worded slightly differently to an earlier similar advertisement on which the ASA Council has commented. It may be targeted at a different audience. Or run at a time when

recent cultural developments lend a different meaning to the message. To this end it is vital that the team follows the ASA Council's lead of applying common sense to all its deliberations.

ADVICE IN INDUSTRY SECTORS

Though the team spends a significant amount of time seeing new, and often controversial, work at an early stage, 1998 was not only about offering advice on glamorous advertisements for glamorous brands. As in previous years, the amount of time spent advising enquirers on matters relating to both health and beauty products and sales promotions was disproportionately high compared to the number of complaints the ASA received on these issues. It is unsurprising, perhaps, that the industry needed so much help on two sectors which work to such complex rules, but reassuring that advice is still being sought in these perennial problem areas.

CAP HELP NOTES ISSUED IN 1998

To aid the industry in following some of the more complex sections of the Codes, the team produces guidance in the form of CAP Help Notes. Though these do not constitute new Code rules, they do reflect the prevailing interpretation of the Codes by the ASA Council.

Utilities

The CAP Help Note on Price Claims in Utilities Advertising, produced in conjunction with the utilities industry, was written to coincide with the expansion of competition in the gas and electricity markets. It was issued in November 1998. This complex area attracted **202** complaints relating to **139** advertisements in the fierce competition to encourage customers to combine their energy bills and use a single source for both gas and electricity. The ASA upheld complaints against **23** of the **47** advertisements in this sector that required investigation and **15** await ASA rulings.



Negative press coverage can damage the credibility of an entire industry sector



Heated competition in the gas and electricity markets led to **202** complaints to the ASA in 1998. CAP responded with a Help Note to cool misleading price claims

Telecommunications

ASA's receipt of **348** complaints about **282** telecommunications advertisements, together with the resulting adverse publicity from the **24** that were found to be misleading, contributed to the need for a CAP Help Note on Price Claims in Telecommunications Advertising. Produced in May after consultation with the telecommunications industry the Help Note was discussed at the ASA/CAP's well attended June seminar 'Ringing the Changes'. The end of 1998 saw a welcome decline in complaint levels although **19** advertisements await ASA rulings.

Health and beauty

May 1998 saw the launch of the long awaited trilogy of health and beauty Help Notes: the Help Note on References to Ailments in Health, Beauty and Slimming Advertisements; the Help Note on Substantiation for Health, Beauty and Slimming Claims; and the Help Note on the ASA's and CAP's Use of Experts. These were recommended by the CAP Health & Beauty Working Group that met throughout

the latter half of 1997. The guidance in the Notes was discussed at the ASA/CAP's lively seminar, 'Good Health', in September 1998.

PRESCRIPTION-ONLY MEDICINES

The Copy Advice team liaises extensively with the industry and other regulatory bodies. The launch in 1998 of Viagra and Xenecal, two prescription-only medicines that have garnered more than a little publicity, made such co-operation particularly necessary. The Medicines Control Agency, anxious to prevent the appearance of advertisements for these two controlled drugs, enlisted the help of the CAP Copy Advice team to send out Ad Alerts to advise the media to refuse space. With the additional help of the ASA in monitoring compliance, UK media were found to be relatively free of advertisements that, in referring to Viagra or Xenecal, were in breach of medicines law.

POSTER PRE-VETTING

1998 also saw the launch of the Poster Pre-Vetting Procedure. With effect from

1 June 1998 advertisers whose posters result in an ASA upheld complaint for reasons of taste and decency or social responsibility have to pre-vet all their future poster advertisements for the product or service in question with the CAP Copy Advice team for a two year period. The Commission for Racial Equality and Talk Radio earned the dubious distinction of being the first to be subject to this procedure.

CAP PANELS

The Panels, who provide the Secretariat, ASA Council and Copy Advice with a vital industry perspective on the interpretation of the Codes, had a productive year discussing such topics as the distinction between a lowest price guarantee and an offer to guarantee lowest prices, issues of free speech, geographical restrictions to offers when products can be increasingly purchased abroad, and the degree of prominence needed when qualifying statements. (See page 35 for a list of Panel members).



The Commission for Racial Equality became the first organisation to have to pre-vet its posters, after this 'teaser' advertisement caused offence

Case study

THE GATEKEEPERS

The effectiveness of self-regulation relies on the commitment of the advertisers, agencies and publishers to make sure that the public are not misled or seriously offended by advertisements. An essential ingredient of the system's success in keeping standards of compliance at 97% is the vigilance of the publishers and media owners. Publishers are sometimes referred to in the industry as the 'gatekeepers' of self-regulation; acting in advance of publication to protect consumers from misleading or offensive advertisements.

The media members of the Committee of Advertising Practice agree, either through their conditions of membership or contractual arrangements with advertisers, that advertisements and promotions must comply with the British Codes of Advertising and Sales Promotion. It is these arrangements that are called on by CAP to protect consumers from those few advertisers who do not voluntarily withdraw or change an advertisement when the ASA upholds a complaint.

CAP Copy Advice assists the publishers in their task by providing them with essential guidance to help them spot questionable advertisements submitted for publication. The service is fast, free and confidential from competitors.

As an example, when Copy Advice were contacted by FHM magazine for advice on the acceptability of an advertisement for Full Circle clothing, a quick check on the ASA database gave a clear indication that the advertisement was likely to provoke complaints that would be upheld by the ASA Council. The advertisement portrayed a young, naked woman tied by the featured clothing to a chair and looking visibly distressed. The advertisement carried the strapline 'Slightly Twisted'. Copy Advice considered that the advertisement was likely to break the Codes' rules on grounds of social responsibility and could cause serious or widespread offence. On the basis of this advice FHM and other publishers refused to print the advertisement.

Although the advice given was confidential the advertisers were clearly hoping to attract publicity by claiming that such a controversial campaign had been 'banned'. In the event they received very little press attention. Such tactics are well known by journalists who often choose not to report this type of story.

Advertisers who may be seeking to maximise a limited advertising budget through generating column inches of outrage bring advertising and self-regulation into disrepute. Examples such as this one show the commitment of those in the business to prevent such misuse and ensure that the self-regulatory system continues to serve the best interests of both consumers and the industry.

Note: CAP Copy Advice is confidential from competitors. Advertisers who seek publicity on the back of such advice may forfeit the right to having their identities kept confidential but commercially sensitive information will always be respected.



DAILY SPORT 11 August 1998

Following pre-publication advice publishers decided not to print this image

ASA Worldwide

The inherent flexibility of self-regulation has served the advertising industry well over many years, but never more so than today. The frenetic pace of technological change combined with the increasingly global nature of advertising has, at times, cast the issue of regulation into a shadow of uncertainty. Fortunately, the principles and the advantages of international self-regulation have shone even more clearly against this background.

The adaptability and proportionality central to the self-regulatory system supervised by the ASA are widely recognised internationally. Government delegations, academics and industry representatives from countries in and beyond the European Union regularly visit the ASA in London to exchange information and find out more about the UK self-regulatory model. In 1998 representatives from Russia, Singapore, Peru and Tanzania were among those who liaised with the ASA. In May the Authority's Director General, Matti Alderson was invited to speak at the 25th Anniversary Conference of ASA New Zealand. The support

of the British Council was instrumental in turning this invitation into a valuable exchange of ideas for everyone involved.

During the year, the ASA also worked with the International Chamber of Commerce on their Internet guidelines, and was invited to participate in conventions in Geneva and Budapest.

THE ASA IN EUROPE

It is now over 5 years since the ASA helped to establish the European Advertising Standards Alliance (EASA), but the Authority remains closely involved with the Alliance's wide range of activities. Matti Alderson continued as Vice-Chairman of the Alliance, bringing her wide experience to bear on the challenges raised by advertising regulation within an international dimension.

Under the able leadership of Dr Oliver Gray, the Brussels-based EASA has grown in both size and stature. It now comprises 27 self-regulatory bodies, 25 of them from 23 European countries, but its objectives have

remained constant: to promote self-regulation in Europe and beyond; to co-ordinate an effective cross-border complaints mechanism; and to provide information and research on these issues to government, the industry and other key opinion formers.

EASA and its activities have, as a consequence, been mentioned in several EU initiatives including the Comparative Advertising Directive, the Green Paper on Access to Justice and the Green Paper on Commercial Communications. The EASA cross-border complaints system allows consumers in one country to complain about misleading or offensive advertisements addressed to them yet published in another country. 40 cases were investigated and resolved by Alliance members in 1998, 27 of them involved the ASA. The complaints mechanism has proved its worth since it was set up in 1992 and it will be developed further in 1999 to resolve complaints made about Internet advertisements.



Outlandish slimming claims in this mailing were referred by the ASA to the regulators in Switzerland, its country of origin



Effective self-regulation is not a UK phenomenon: ASA helped New Zealand to celebrate **25** years of advertising self-regulation in 1998

Financial report and update

YEAR TO 31 DECEMBER 1997

Last year's financial statement predicted expenditure of £3,496,412 and anticipated a pre-tax loss of approximately £14,750. Audited figures for 1997 confirm actual expenditure of £3,496,412 and a pre-tax profit of £14,785; the profit after tax was £4,289. Details of expenditure for 1997 are shown below.

YEAR TO 31 DECEMBER 1998

At the time of preparing this Report, audited income and expenditure figures for 1998 are not available. Provisional indications can, however, be given and these are shown below. Finalised accounts will be presented to the Council of the Authority at its Annual General Meeting in May 1999 and will be lodged subsequently with Companies House in the normal way.

INCOME

Compared with 1997, income received from the Advertising Standards Board of Finance Ltd fell by £210,694 (6.1%) to £3,253,972. Interest received increased by £15,044 and produced additional income of £61,575. The total income for 1998 was £3,315,547 – down 5.6% on 1997.

EXPENDITURE

Expenditure in 1998 fell by £181,140 (5.2%) to £3,315,272 compared with 1997.

The significant increases in expenditure over 1997 were in staff costs and legal fees. Staff costs rose by 6.6% against a budgeted increase of 3.7% largely because of higher than normal staff turnover and ensuing recruitment and retention costs. Legal fees for 1998 were more than 1997 because of

the award of court costs in the Authority's favour in 1997. No court costs were incurred in 1998.

The significant decreases in expenditure were in direct marketing and premises costs: the major redevelopment of computer software was completed in 1997 and the building maintenance planned for 1998 has been rescheduled to 1999.

All other expenditure was planned and within overall budgetary provisions.

PROFIT/LOSS

A break-even position between income and expenditure, and a loss of approximately £2,000 after tax, is anticipated.

FOR THE YEAR ENDED 31 DECEMBER 1998

	1998	1997
	£	£
Income		
Cash received from the Advertising Standards Board of Finance Ltd	3,253,972	3,464,666
Interest receivable	61,575	46,531
Total	3,315,547	3,511,197
Expenditure		
Salaries and staff costs	1,824,033	1,710,077
Rent and accommodation costs	200,212	242,465
Travel, subsistence and entertaining	61,799	55,183
Consultancy and professional fees	149,252	95,430
Council honoraria and expenses	78,367	83,305
Depreciation	128,274	131,700
Telephone, postage, printing, stationery and other general expenses	364,970	339,582
Advertising and promotion	271,990	260,250
Direct marketing	236,375	578,420
Total	3,315,272	3,496,412
Excess/(shortfall) of income over expenditure	275	14,785

Registered Office
The Advertising Standards Authority Limited
2 Torrington Place, London WC1E 7HW

Registered in England No 733214



Self-regulation is funded by the advertising industry at no cost to consumers: The system cost **£3,315,272** to operate in 1998. Complaints only cost the price of postage to the independent ASA

About the Advertising Standards Authority

The Advertising Standards Authority promotes and oversees the highest standards in non-broadcast advertisements in the UK. It acts independently of both the Government and the advertising industry.

The Authority operates in the public interest and in co-operation with the advertising industry by ensuring that those who commission, prepare, place and publish advertisements observe the British Codes of Advertising and Sales Promotion.

The Codes require that advertisements and sales promotions should be;

- legal, decent, honest and truthful
- prepared with a sense of responsibility to consumers and to society
- in line with the principles of fair competition generally accepted in business.

SANCTIONS

If an advertisement or promotion breaks the Codes, advertisers are asked to amend or withdraw it. If they choose not to comply, a number of deterrents and sanctions are available;

Adverse publicity

The ASA's Monthly Reports contain details of complaint adjudications, including the name of the advertiser, agency and the media involved.

The reports are circulated to journalists, Government agencies, the advertising industry, consumer bodies and the public. Published cases receive extensive media coverage and are also available through a searchable database on the ASA's website.

Refusal of further advertising space

CAP can issue an Ad Alert asking their media members to enforce their standard terms of business that require compliance with the Codes. Publishers and media owners may decide to refuse further space to advertisers until the advertisement has been amended.

Poster pre-clearance

Posters that are the subject of upheld complaints on grounds of taste and decency or social responsibility are subject to a compulsory two year pre-vetting procedure through the CAP Copy Advice service.

Removal of trade incentives

Both advertisers and their agencies may jeopardise their membership of trade or professional organisations. This could result in the loss of financial and other trading benefits.

Legal proceedings

Ultimately, the ASA can refer a misleading advertisement to the Office of Fair Trading. The OFT can obtain an injunction in court to prevent advertisers from using the same or similar claims in future advertisements.

COMPLAINTS

All complaints must be in writing and should be accompanied, wherever possible, by a copy of the advertisement and as much relevant information as possible. Complaints should be addressed to:

The Advertising Standards Authority
2 Torrington Place
London WC1E 7HW

For further information, telephone the ASA enquiry desk on **0171 580 5555**. The enquiry desk is open from 9.30am to 5.30pm on weekdays.



The ASA's website continues to attract on average 500 visitors a day

www.asa.org.uk

About the Committee of Advertising Practice

The Committee of Advertising Practice is the self-regulatory body that writes and enforces the British Codes of Advertising and Sales Promotion. CAP is made up of 21 trade and professional bodies representing the advertising, sales promotion, direct marketing and media businesses.

CAP COPY ADVICE

As part of their commitment to the Codes and the ASA, CAP provides a free pre-publication Copy Advice service to help advertisers, agencies and publishers to check advertisements in advance of publication. Copy advice is confidential from competitors. This service and the industry's support for the system of self-regulation help to maintain the highest standards of non-broadcast advertising, to the benefit of both consumers and the industry.

CAP SANCTIONS

The organisations that make up CAP support the operation of the self-regulatory system and implement the sanctions to enforce compliance with the Codes. Each of them requires their respective members to abide by the Codes and the ASA's adjudications as a condition of membership or as part of a contractual agreement. It is this support that achieves compliance rates of 98% for posters and 97% for press advertising.

GENERAL MEDIA PANEL

Chairman

Mark Lund Delaney Fletcher Bozell

David Abraham St Luke's

Michael Brodie Broadchurch Communications

Bruce Koster Cinema Advertising Association

Ian Markham ASA Council

Andrew Melsom Agency Insight

Chris Nadin UDV Ltd

Simon Rhodes PPP Healthcare

SALES PROMOTION & DIRECT RESPONSE PANEL

Chairman

Ellis Watson News Group Newspapers

Lynn Ashman Brann Ltd

Philip Circus Institute of Sales Promotion

Mark Dugdale Dial Home Shopping

Colin Fricker Direct Marketing Association

Lesley Godwin Readers Union

Sarah Harrison ICSTIS

David Payne Payne Stracey

Harry Rich ASA Council

Sue Short Institute of Sales Promotion

Mike Slipper Van den Berghs Foods

Note: Panel members as at year end 1998.

Team managers

1998 ASA/CAP STAFF:

The ASA Council and CAP are served by a Secretariat of 65 people who carry out the day to day running of the office:

Head of Strategic Affairs

Grahame Fowler

Head of Investigations

Mark Whitbread

Operations Managers

Jenny Graves

Britta Griffiths

Joanne Poots

Complaints Managers

Russell Gordon

Niamh McGuinness

Claire Serle

Research Manager

Ailsa Chater

Information Manager

Linda Wheeler

CAP Copy Advice Manager and Assistant Secretary, CAP

Guy Parker

Systems Manager

Laura Fishman

External Affairs Manager

Chris Reed

Office Manager

Richard Aubigne



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1. Laura Fishman, Richard Aubigne 2. Russell Gordon, Niamh McGuinness, Claire Serle 3. Grahame Fowler, Mark Whitbread 4. Ailsa Chater, Linda Wheeler 5. Chris Reed 6. Britta Griffiths, Joanne Poots, Jenny Graves 7. Guy Parker

Note: Managers are featured left to right in each frame.

