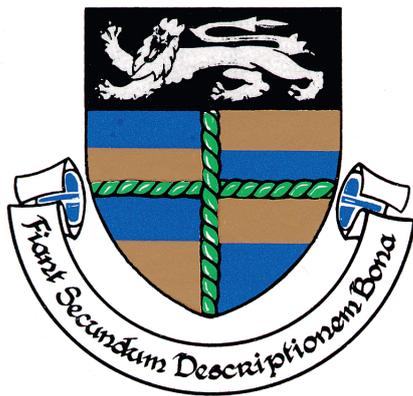




Advertising Standards Authority for Ireland

Annual Report

34th Annual Report 2014



THE OFFICIAL HERALDIC ACHIEVEMENT OF ASAI

The coat of arms or official heraldic achievement of the Advertising Standards Authority for Ireland was granted by the Chief Herald of Ireland and registered in his Office in April, 1983.

The design and composition of the arms graphically symbolise the sphere of influence as well as the function of ASAI.

The heraldic arrangement of the national tinctures enhanced by the wreathed cross is designed to suggest the packaging of goods on a nationwide basis, while the lion, traditional symbol of active vigilance, signifies the role of ASAI as overseer in relation to the advertising of those goods.

The shield, historically an emblem of defence, is symbolic of the protection afforded the consumer public by the ASAI, which seeks to establish and maintain principled advertising in Ireland.

All these items are encapsulated in the slogan or motto of the ASAI, 'FIANT SECUNDUM DESCRIPTIONEM BONA' - let the product accord with its description - which bespeaks the ideal of the Advertising Standards Authority for Ireland.



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CHAIRMAN'S STATEMENT



Sean O'Meara, Chairman

It is no exaggeration to say that the past year has been one of the most interesting and stimulating in the long history of the Advertising Standards Authority for Ireland. This is mostly because of two significant undertakings, namely, the review of our Code and the commencement of the external part of our Strategic Review.

The painstaking work of our Code Review Working Group enlightened the fundamentals of self-regulation in a unique and reassuring way. This brought us face-to-face with the professional quality and depth of our multifaceted organisation and confirmed the ever-increasing importance of the ASAI.

As Chairman, I feel that my report for this year would serve very well if I briefly restate our remit, principles, structures and expertise. While most of this will be familiar, it is worthwhile to remind ourselves and others who may not fully grasp the extent or significance of our work.

We operate a self-regulatory system funded and strongly supported by almost all Irish advertising and media organisations. We are committed to maintaining the highest standards in all marketing communications including sales promotions in the best interests of consumers, business and Irish society in general. Our Code of Standards for Advertising, Promotional and Direct Marketing in Ireland is structured, operated and maintained with the involvement, agreement and support of advertisers, advertising agencies, marketing companies and all Irish media encompassing broadcast, online, print, outdoor and direct mail.

As our Code is based on principles established by the International Chamber of Commerce and drawn up by the ASAI in structured consultation with all relevant bodies including the public, consumer representative

organisations and government departments and agencies, it is within our remit to insist that all advertising must be legal, decent, honest and truthful.

Our media partners, crucially, also act as 'gatekeepers' and will refuse advertisements that contravene the ASAI Code.

In everyday terms, we are the first point of contact for consumers who may wish to make a complaint where they feel a marketing communication is misleading or offensive. Initially, the ASAI Secretariat analyses complaints thoughtfully and carefully. The Secretariat resolves most complaints informally, for example, some are out of remit and some, on examination, have no basis under the Code. In other cases, once the advertisers' comments have been received it may be appropriate for the case to be closed. Such cases will include a number where changes are made to the content or presentation of the advertising material.

However, in appropriate cases where there is evidence of a breach of the provisions of the Code, including cases where there is evidence of widespread offence, the complaint goes before our Complaints Committee and their decisions are binding. Any advertising messages, which fail to adhere to our standards, are quickly removed or amended. Our monitoring of advertisements across all media has shown that there is a very high level of compliance with the requirements of the Code.

To help advertisers, agencies and media we offer pre-publication copy advice free-of-charge. On our own initiative, we undertake programmes of monitoring, which covers most major brand, product and service categories over time.

On the Board of the ASAI and on our Complaints Committee we are fortunate to have dedicated people who serve unselfishly and give of their experiences, expertise and time with admirable generosity.

In her statement in this report the Chairperson of the Complaints Committee has referred to the range of diverse skills available to her when the Committee is

making decisions. I would also like to thank the members of the Committee, particularly those leaving after many years service, for their work on behalf of consumers and the advertising industry.

In relation to the Board of the ASAI, I consider that it is strong because of the members' unique experiences and insights into the worlds of modern business-ethics and communications, with many holding positions of senior responsibility in their own organisations, such as CEOs, MDs, heads of operations, marketing directors, communications directors, and so on.

Self-regulation operates successfully in almost all EU member states. With the benefit of our involvement with the European Advertising Standards Alliance (EASA) we have access to important research and legal issues as they arise internationally and can quickly and effectively adapt our procedures where appropriate.

This has been of particular importance in the whole area of Online Behavioural Advertising (OBA) and its increasing relevance in Irish society.

ASAI seeks to oversee a regulatory regime with a high level of responsiveness. We ensure that while the needs of complainants are met, we provide fair play to those complained about and overall we seek to operate a system with a sense of equity and balance.

As always, it rightfully falls on me, with great pleasure, to thank everyone associated with the ASAI, both internally and externally, for their quite invaluable contributions to making us what we are.

Thank you.

Sean O'Meara
Chairman

REVIEW OF THE YEAR

REVIEW OF THE YEAR

This is the 34th Annual Report of the Advertising Standards Authority for Ireland (ASAI) for the year 2014.

The ASAI is the independent self-regulatory body set up and financed by the advertising industry (advertisers, advertising agencies and media) and is committed to promoting the highest standards of advertising and sales promotions in the public interest. Membership of the ASAI embraces all major advertisers and agencies and all major media, including broadcast, outdoor, digital and the print media.

The ASAI, since its foundation in 1981, has built up an extensive body of expertise in the regulation of commercial advertising in all Irish media. In 2009, we began expanding the jurisdiction of the ASAI in the area of digital media and since then we regulate commercial communications on advertisers' own websites, in addition to those on third-party sites. From 2012, the remit was again expanded to include non-paid for space online and this involves new areas of regulation in social media.

In 2013, the ASAI's remit was extended further to encompass Online Behavioural Advertising (OBA). These new rules provide for a high level of consumer transparency and choice regarding OBA.

An independent Complaints Committee adjudicates on the content of advertisements. These adjudications are enforced through the co-operation of the media members of the ASAI whom we regard as the 'gatekeepers' for the Code. Media members should not carry advertisements that are in breach of the ASAI Code. Details of the adjudications are regularly carried in the media and on our website (www.asai.ie).

The ASAI Code of Standards for Advertising, Promotional and Direct Marketing is based on the principles established by the International Chamber of Commerce (ICC), which assert that all advertising and promotions must be legal, decent, honest and truthful and must be undertaken with a sense of social responsibility. On an ongoing basis, the work of implementing the provisions of self-regulatory codes is being enhanced and supported by the development

of Best Practice Guidelines, in all areas of complaints examination, by the EASA.

The ASAI commenced a general review of the Code in late 2013 with an extensive publicity campaign and public consultation. Details of the review and progress are included on page 10.

In past years the ASAI operated primarily by inviting and resolving consumer and industry complaints, which help to keep the Authority informed of the public's current concerns regarding advertising. Information and statistics on how complaints are resolved by the ASAI are given on page 12. The identity of individual complainants remains confidential unless a commercial or other interest is involved. Even then, the identity of a complainant will only be disclosed with their permission. Anonymous complaints are not pursued and all complaints must be in writing (by post, fax or by using the online complaints form). In certain circumstances, where the interests of consumers are involved, intra-industry complaints will be investigated. However, the ASAI is not an arbitration service for disputes between commercially interested parties.

Prior to 2006, the ASAI only monitored advertising in particular industries or media when issues identified from complaints indicated the existence of an underlying problem with a category of advertising. However, in late 2006 a new monitoring programme was introduced. An overview of the monitoring carried out can be found below.

In the conduct of our regulatory tasks we have a good, ongoing working relationship with the then National Consumer Agency (now the Competition and Consumer Protection Commission) and other agencies including ComReg and the Food Safety Authority of Ireland.

MONITORING AND COMPLIANCE

In late 2006, the ASAI decided to conduct ongoing monitoring of advertising across all media. The extent of the monitoring conducted in any one year will be influenced by a combination of the concerns arising in particular areas of economic activity, as evidenced from

the outcome of individual complaints and the resources available to the ASAI. Since the actual work commenced in 2007, almost 27,000 advertisements have been examined with an overall compliance rate of over 98 per cent.

During 2014, we examined nearly 700 advertisements across all media but in the area of alcohol, where 200 advertisements were examined, we concentrated on digital media. However, the overall results again demonstrated a compliance rate in excess of 98 per cent. In the small number of cases where it was necessary to contact advertisers for non-compliance, agreement was obtained to withdraw or alter the advertising. Only one case is still being followed up as we finalise this report.

The Secretariat also manages an ongoing exercise in ensuring compliance with new and existing adjudications of the Complaints Committee.

COPY ADVICE

The ASAI's principal activities are resolving consumer complaints and actively monitoring advertising. However, it also provides a valuable pre-publication copy advice service, which is available to all those involved with advertising – advertisers, their agencies and the media. During 2014, 60 advertisements were submitted to the ASAI Secretariat in this way. Informal advice was also given in respect of a further 80 proposed advertisements. This advice is free and given on a confidential basis but does not bind the independent Complaints Committee should the advertisement subsequently come before them. However, where the service has been utilised advertisements are less likely to contravene the Code in any substantial way.

REVIEW PANEL

In January 2007, in line with commitments given in conjunction with the EASA to the EU Commission, the Board of the Authority appointed a three-person Review Panel for a five-year term of office. The panel comprises a Chairman and two ordinary members. The Chairman of the panel is independent of the advertising industry and the ASAI. One ordinary member has a background in the advertising industry and the second ordinary member has a consumer background.

In 2013 Mr Pat Whelan, a retired senior public servant, took over from Dr Miriam Hederman O'Brien as Chairman of the Review Panel. In 2014, Ms Josephine

Garry finished her term as the consumer representative on the panel and Ms Mary-Rose Tobin has now taken her place. Mr Tom McGowan continues in the role of the representative of the advertising industry.

The grounds on which a review can be requested and the procedures involved are fully set out in Appendix 1 of the Code.

DIGITAL ADVERTISING

The Authority's remit in the area of digital advertising was extended to advertisers' own websites in 2009. We are glad to report that with the exception of a small number of individual advertisers, all others are fully compliant when accepting the adjudications of the Complaints Committee or, indeed, advice from the Secretariat in relation to their websites.

During 2012, the ASAI finalised plans for the extension of its digital remit to new areas of digital media including advertisers' pages on social media. An extensive consultative exercise was carried out with consumers, NGO's and government departments and agencies in advance of the changes. In late 2012 and early 2013, a range of presentations were made by the Secretariat to industry groups in advance of the introduction of the new remit, which came into effect on 2nd January, 2013.

A separate area of digital advertising that is currently attracting attention is OBA. OBA involves the use of internet 'cookies' based on a web user's browsing experiences, thus presenting recipients with advertising that is likely to be of most interest to them.

In 2011, the EASA produced a Best Practice Recommendation on Online Behavioural Advertising. This document incorporates the IAB's framework on the same issue. This industry-wide self-regulatory standard ensures consumer privacy in Europe. This is based on the use of an icon and will allow consumers to exercise choice as to whether or not they want to receive OBA advertising.

During 2013, preparatory work including the training of staff for the regulation of OBA was completed and ASAI commenced the regulation of the area in September 2013. While a number of queries have been received none as yet have been actionable complaints and no great volume is expected.

PUBLIC AWARENESS OF THE ASAI

The ASAI's effectiveness as a regulatory body depends on the practical and active support of advertisers, agencies and the media.

The ASAI Code specifies that it should be implemented primarily in the interests of consumers. Indeed, the main area of work of the ASAI – the examination of complaints – depends on the public being aware not only of the Authority's existence but also of its role. Consequently, public awareness of the ASAI is a vital element of its successful operation. In December 1998, the ASAI began commissioning independent research to objectively measure such awareness. The research is conducted by means of an omnibus survey by an independent market research organisation.

The ASAI wishes to increase levels of awareness of the organisation and, in particular, of the services offered. This is done partly through the publication of the adjudications of the independent Complaints Committee, which are regularly carried in the media, in trade publications and on the ASAI website. In addition, media members in a range of areas will, when requested, carry advertising promoting the services of the ASAI.

The most recent research, conducted in 2012, showed a drop in the level of awareness amongst some groups. We expect that the advertising carried out in late 2013 related to the review of the Code and the further publicity associated with the launch of a new Code will begin to address this issue. New research to check on the position will be conducted during 2015.

EUROPEAN CONNECTIONS

THE EUROPEAN ADVERTISING STANDARDS ALLIANCE

Set up in 1992, the European Advertising Standards Alliance (EASA) promotes responsible advertising through best practice in self-regulation for the benefit of consumers and business. Its work is vital to the development and continuation of advertising self-regulation.

The EASA is the unified voice for advertising self-regulation in Europe and, increasingly, it also represents self-regulatory organisations (SRO's) with similar

missions in locations such as Australia, Brazil, Canada, Chile, Columbia, India, Mexico, New Zealand, Peru and South Africa. In fact, the EASA brings together 38 SRO's and 16 bodies representing the advertising industry.

Membership of the EASA also serves to ensure that the ASAI is informed both on industry developments and, equally, the developments in 27 other European SRO's on the regulation of advertising. These relationships are particularly relevant at the present time when experience is being developed on the handling of complaints in digital media, including the entirely new role in relation to Online Behavioural Advertising (OBA). The EASA has a close working relationship with DG SANCO, the directorate responsible for health and consumer matters, and with DG Connect, the Directorate General for Communications Networks, Content and Technology. This allows the staff of the EASA to keep self-regulatory and industry members informed on – and, where appropriate, have an input into – legislative and policy developments in these critical areas.

The EASA promotes advertising self-regulation for the benefit of the general public and business. In practical terms, the EASA supports the development of the system of advertising self-regulation through the development of best practice guidelines for all aspects of the work.

Under the Cross Border Complaints system operated by EASA, a complaint received by the ASAI, or other national advertising self-regulatory body, concerning an advertisement published in another member country is referred to the appropriate national regulatory body for consideration under their code. This ensures that a consumer can have redress in the case of misleading or offensive advertising originating anywhere in Europe.

EDAA

The key stakeholders in the European digital advertising community, including the EASA and the IAB Europe, launched the European Interactive Digital Advertising Alliance (EDAA) in Brussels in October 2012.

The EDAA is responsible for the administration and granting of licences for the use of an interactive icon to businesses operating in the delivery of Online Behavioural Advertising (OBA). Through use of the icon consumers can obtain information on data collection and how it can be controlled. This service includes linking to

a ‘one-stop shop’ website www.youronlinechoices.eu, and is available in 24 languages.

The EDAA organised a complementary pan-European education campaign in 2013 aimed at increasing awareness of the icon and informing European citizens in relation to online advertising.

The EDAA report for 2014 shows an increased level of activity in all areas of development of the new regulatory model throughout Europe. The full report is available on the EDAA website – www.edaa.eu/edaa-news/online-behavioural-advertising-self-regulatory-programme-gains-traction-across-europe-in-2014/

In 2014, the EASA organised a number of webinars on OBA self-regulation in Europe and they are also available on the EDAA’s website.

ONGOING DEVELOPMENTS

1. Nielsen

In early 2012, the ASAI signed up to access the Nielsen system for advertising spend. In May 2012, we commenced a review process with the main media purchasing agencies to improve the level of compliance with payment of the voluntary levy on advertising spend. Work on increasing the participation of advertisers in payment of the levy is continuing with some mixed results.

In the coming months the Board of the ASAI will, with the support of the Association of Advertisers in Ireland (AAI) and the Institute of Advertising Practitioners in Ireland (IAPI), work to ensure that all advertisers and agencies play their part in fully supporting the industry’s own system of self-regulation.

2. Code Review

Details of the launch of the review in 2013 were provided in the report for that year. Since then an extensive research programme was completed and an amended Code has been substantially rewritten with extensive changes in the content of individual sections and a new section on the regulation of gambling marketing communications being included.

Final consultations on the document are currently underway and we plan to launch the amended Code mid-year. This will primarily relate to the current remit of commercial marketing communications. However, discussions are continuing to extend the remit of the Code into areas of non-commercial communication including advertising by public bodies. The details of this extension will be announced at a later date.

3. Strategic Review

In late 2014, the ASAI retained an external consultant with extensive expertise of the advertising industry and public service to carry out research with 25 Senior Executives/Managers in the advertising industry, NGO’s and public service. The research relates to the current role of the ASAI and services that can usefully add value to the role of the ASAI for both consumers and the industry. The output from the research will be presented to the Board of the ASAI in mid-2015.

4. Change in the regulation of Alcohol Marketing Communications

In late 2013, the Government announced its intention to introduce a range of statutory restrictions on the pricing and promotion of alcohol products. The Public Health (Alcohol) Bill was developed during 2014 and published in February 2015. At the time of finalising this report the extent of the restrictions on marketing communications for alcohol products had not been published.

COMPLAINTS

In 2014, the ASAI received 1,394 written complaints concerning 895 advertisements. This represents a small increase of 92 complaints compared to 2013. The number of individual advertisements, which attracted complaints, is also broadly consistent with the number of advertisements complained about in 2013 (895 compared to 888).

At 895 the number of advertisements, which received complaints, is a very small proportion of the thousands

of advertisements that were published during the year in all Irish media – TV, radio, newspapers, magazines, outdoor, brochures, leaflets and the Internet.

There were 215 complaints carried forward from 2013, and the ASAI dealt with 1,384 in 2014, leaving 225 in respect of 127 advertisements to be carried forward to 2015.

	2014		2013		2012	
	Complaints	Ads	Complaints	Ads	Complaints	Ads
Carried forward from previous period	215	147	145	115	132	96
Received during period	1,394	895	1,302	888	2,275	880
Resolved during Period	1,384	915	1,232	856	2,265	864
Brought forward to next period	225	127	215	147	145	112

How Complaints Are Dealt With

After an initial evaluation, and investigation where appropriate, complaints are either dealt with informally by the Secretariat or submitted to the independent Complaints Committee for formal adjudication. The decision on how the complaint will be processed depends on whether or not the advertisement in question is likely to be in breach of the provisions of the Code.

Most complaints are suitable for dealing with informally, using well-established procedures. The Complaints Committee at each meeting reviews a sample of complaints dealt with by the Secretariat. Further details on the complaints dealt with by the independent Complaints Committee are set out in the section of this report devoted to the Complaints Committee.

Resolution of Complaints

	2014		2013		2012	
	<i>Complaints</i>	<i>Advertisements</i>	<i>Complaints</i>	<i>Advertisements</i>	<i>Complaints</i>	<i>Advertisements</i>
Additional information Requested but not provided	197	180	188	169	149	141
<u>Out of Remit</u>						
Media/matter out of remit	83	61	153	63	911	77
Cross-border complaint	14	13	13	13	55	10
	97	74	166	76	966	87
<u>Preliminary Assessment of Advertisement</u>						
Complaint withdrawn	18	18	20	20	18	18
More appropriate for another body	35	35	52	45	33	32
No basis under Code	319	248	250	225	270	240
No evidence of offence	76	45	89	53	51	41
Previously adjudicated	95	19	5	3	104	31
	543	365	416	346	476	362
<u>Investigation by Secretariat</u>						
Formal - referral to Complaints Committee	254	133	164	91	289	111
Informal resolution by Secretariat	293	253	298	253	385	266
	547	386	462	344	674	377
TOTAL	1,384	1,005	1,232	935	2,265	967

One of the features of the ASAI system is that an advertisement can be the subject of different categories of complaint.

For example, in the case of one advertisement, two complainants who were asked for their full postal address did not provide it (the ASAI does not investigate complaints where we cannot verify the complainant details). Another 14 complaints, regarding the same advertisement, submitted to the Complaints Committee were not upheld and finally, a further 21 complaints received after the Committee adjudicated on the advertisement were advised that the Committee did not consider the advertisement to be in breach of the Code. In this case, the advertisement was recorded in 'Additional Information Requested but not Provided', 'Preliminary

Assessment of Advertisement – Previously adjudicated' and 'Formal – referred to the Complaints Committee.'

Grounds of Complaint

In general, the two main areas of complaint relate to advertising being misleading or offensive. In 2014, 64 per cent of the complaints were made on the basis that an advertisement was misleading with 24 per cent made on the basis that an advertisement was offensive. However, there are a wide range of other issues covered by the Code provisions that were raised by members of the public, including concerns about alcohol advertising, children, employment and business opportunities, financial services, food and non-alcoholic beverages, health and beauty claims and slimming claims.

Complaints by Sector

The main sectoral areas attracting complaints are set out in this table.

Sector	2014	2013	2012
Leisure	275	111	842
Telecommunications	182	142	235
Household	143	88	81
Food & Beverages	127	82	146
Miscellaneous	94	72	102
Health & Beauty	93	127	104
Travel / Holidays	90	105	103
Financial	81	60	56
Motoring	72	86	78
Alcohol	57	47	57

Intra-Industry Complaints

Advertisements must not only be legal, decent, honest and truthful, but must also respect the principles of fair competition generally accepted in business. Section 2.50 of the ASAI Code states that, “Advertisers should not unfairly attack or discredit other businesses or their product.”

While comparisons are allowed (for example, between an advertiser’s goods or services and those of competitors) they must be fair and the consumer must not be misled. Generally, competitor complaints are made under the Code rules relating to substantiation, truthfulness, prices, comparisons and denigration. In 2014, 57 competitor complaints were received, the lowest level of competitive complaints received since 2007. From 2013, 21 complaints (recorded as 20 in last year’s report) were carried forward with 70 complaints resolved in 2014 and 8 complaints brought forward to 2015. The Complaints Committee formally adjudicated upon 16 complaints relating to 15 advertisements, 11 of which were found to have breached the Code rules.

Complaints by Media

Media	2014	2013	2012
Digital Media	606	575	1,179
Broadcast*	450	353	605
Outdoor	126	165	290
Print	124	114	166
Brochures/Leaflets	57	61	63
Direct Marketing	21	20	20
Cinema	8	2	21
Other	79	66	77
	1,471	1,356	2,421
*Broadcast Breakdown:	450	353	605
Radio	150	124	197
Television	300	229	408

In 2014, following the trend evident in earlier years, digital media gave rise to the largest block of complaints. As a proportion of all complaints it has been increasing steadily; in 2010, it represented 22 per cent of total complaints compared to 41 per cent in 2014.

As complainants will frequently refer to having seen an advertisement carried in more than one form of media, the number of complaints by media is greater than the actual number of complaints received. However, capturing all media that complainants refer to, gives a more accurate picture of the complainants’ experience.

Alcohol Advertising

Since 2003, all alcohol advertisements are pre-vetted by Central Copy Clearance Ireland, trading as CopyClear, which was set up under the auspices of the Association of Advertisers in Ireland (AAI) and the Institute of Advertising Practitioners in Ireland (IAPI), facilitated by the Drinks Industry Group. No advertisement can appear in the Irish media without pre-vetting and clearance from CopyClear. The ASAI Secretariat and the CopyClear managers meet on a regular basis to discuss the provisions of the Code to ensure that the application of the Code by CopyClear is in line with the ASAI interpretation. Such meetings help to ensure that alcohol advertising in Ireland continues to operate to the highest standards.

Of the 1,394 complaints received in 2014, 57 of them were against 37 advertisements related to some aspect of alcohol advertising, be it alcohol brand advertising, venue advertising or retail advertising. Complaints about 22 of the 37 advertisements related to the specific alcohol provisions of the Code.

Eleven complaints about seven advertisements were referred to the Complaints Committee for a decision. Two complaints from an NGO (about two advertisements) were upheld under the specific alcohol provisions of the Code. Both complaints related to postings on social media. The first complaint related to photographs of an event in a nightclub, which in the Committee's view, showed immoderate consumption and was therefore in breach of the Code.

The second complaint, also about a nightclub, related to an advertisement which was posted during school mid-term and referred to a last night to have drinks before school restarted. The Committee considered that the advertisement was directed at children, a breach of the Code. Although the advertisers did not co-operate during the complaint investigation, they afterwards confirmed in writing their intention to remove the post and expressed a greater understanding of the rules they should follow.

A selection of cases dealt with informally by the Secretariat was also reviewed by the Committee, in line with normal practice for all areas of complaints.

COMPLAINTS COMMITTEE

CHAIRPERSON'S STATEMENT



Bairbre Redmond, Chairperson,
Complaints Committee

I have great pleasure in presenting my report as the independent Chairperson of the Complaints Committee.

The number of advertisements considered by the Committee in 2014 was 134, an increase of 43 per cent since 2013. A further 123 complaints dealt with by the Secretariat were also reviewed by the Committee. The actual number of advertisements complained about overall in 2014 was 895.

The rise in the number of advertisements considered by the Committee this year partially reflects a welcome growth in Irish advertising as the Country moves into better financial times. However, it also represents a considerable increase in the work of Complaints Committee members in fully familiarising themselves with the diverse cases that they need to consider. Not only have case numbers been increasing, so too is the level of complexity of some of the complaints, particularly in the area of intra-industry complaints. In some of these cases the work of the Complaints Committee is informed by expert opinions from outside specialists, sourced by the Secretariat.

I want to pay particular thanks to the members of the Complaints Committee who not only carry out their work in a considered and objective manner, they also bring a range of

important professional skills to the adjudication process. The majority of the Committee is comprised of non-industry members and, as Chair, I am fortunate to be able to draw on expertise in areas such as clinical psychology, child and adolescent health and mental health, consumer affairs, and national and international policy making. These skills are complemented by the considerable experience provided by the industry members. The Committee members all give their time voluntarily in order to uphold high standards in Irish advertising.

This year a number of long-service members of the Complaints Committee stood down. We will miss their expertise and insights and are very thankful to them for their work with the ASAI. Five new industry and non-industry members have joined the Committee and have undertaken training to familiarise themselves with the ASAI Code and the important decision-making processes expected of them on the Committee.

Finally, as always I would also like to thank the Secretariat and the Board of the ASAI for their work and support in the last year.

Bairbre Redmond
Chairperson, Complaints Committee

COMPLAINTS COMMITTEE

The role of the independent Complaints Committee is:

- (a) To consider and adjudicate on complaints submitted by the public, by a member of the ASAI, by a government department or by any other person, or body of persons, in the light of the ASAI Code;
- (b) To initiate corrective action where necessary and to issue appropriate directives;
- (c) To notify the Board of the ASAI when the corrective action or directive is not complied with or is ignored.

The Complaints Committee may vary in size from 11 to 15 members, including the independent Chairperson. It comprises people with a background in advertising and others with no connection with the industry. The composition of the Complaints Committee is designed to ensure the objectivity of the complaints investigation procedure and to provide assurances that the system is operated with special regard for the interests of consumers. The members of the Committee act in an individual capacity and consider each case put before them on its particular merits in the light of the requirements of the Code of Standards for Advertising, Promotional and Direct Marketing in Ireland.

While the Secretariat of the ASAI may resolve cases informally when the circumstances do not justify or require referral to the Complaints Committee, the Committee retains the right to review any of these cases and to request that they be put before them for adjudication.

The Complaints Committee met formally eight times during 2014. The Committee's adjudications are published regularly in the media and are posted on the ASAI website.

Analysis of Adjudications by the Complaints Committee

Of the 134 advertisements considered by the Committee, complaints in relation to 92 were upheld and 40 were found not to be in breach of the provisions of the Code. As in previous years, the principal reason advertisements were found to be in breach of the Code was because they were considered to be misleading. In addition, in the case of two advertisements, the Committee decided that it was more appropriate to make a statement providing advice/guidance or indeed warnings for advertisers in relation to future campaigns.

Resolution of Complaints by Complaints Committee

	<u>2014</u>		<u>2013</u>		<u>2012</u>	
	<i>Complaints</i>	<i>Advertisements</i>	<i>Complaints</i>	<i>Advertisements</i>	<i>Complaints</i>	<i>Advertisements</i>
Submitted to the Committee	254	134	164	94	288	111
Upheld / In Breach	159	92	84	65	222	83
Not Upheld	93	40	78	27	65	27
Statement	2	2	2	2	1	1

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