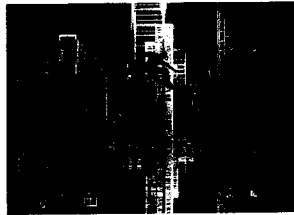
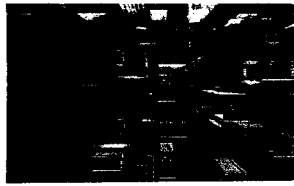


CAMPAGN - 8/11/05

explains: "About once a quarter, the group comes in and gives us its perspective on our advertising. And they decided they wanted to have a go. We don't tell them what to do. They come to us with ideas."

The ad features King boarding around a skate park the collective designed and built earlier this year. There are a few shots of Vauxhall's griffin logo and King jumps over a car at the end. Viewers are then directed to a website that tells them about the touring skate park. And, erm, that's it.

Lowe's executive creative director, Ed Morris, is sceptical about the project. It's the equivalent of getting builders to write a novel, he



Vauxhall... VX Collective's first ad

says, adding: "Advertising is a craft. I want [the ad] to be great, but I have seen these things cock up."

Meanwhile, Vauxhall's marketing department has been distancing itself from the ad. Despite a press release claiming the film will run on "cinema, online and other digital channels", it is not backing it with any of its media budget. "It's not part of our main campaign. It will not be communicated mainstream," Peter Hope, the Vauxhall integrated marketing manager, says. "It doesn't work to normal ad rules and it's not designed to."

So what, then, are the VX Collective's projects designed to achieve? Dunkley says the basic tenet is that

ing talent on projects, the collective consults and advises Vauxhall on the youth market. Does this mean Vauxhall's creative agencies, Delaney Lund Knox Warren & Partners and Lowe, are failing in this area? Hope says: "We are not using the Collective instead of our agencies. They're different things." Dunkley adds: "We target the youth markets in lots of different ways, and this is just one vehicle."

DLKW cites its light-hearted Corsa TV ad as effective on young audiences. Youth is a tough market to crack for a brand with Vauxhall's middle-aged image, but jumping skateboarders seem a leap too far.

trying to appeal to a younger audience than it does at present.

The main trouble is that this commercial lacks anything new, anything exciting, anything persuasive or any idea that might reach them. The under-35s to whom I have shown the ad are more derisive than I am.

And, tellingly, even some members of the VX Collective seem to have doubts about it. Ross Allen, the DJ and founder of Casual Records, said: "It seemed an odd concept to me - the idea of getting involved in big business."

But, unlike us, Allen received a nice big cheque to overcome these misgivings.

# Political ad ban threatened by judicial review

As it stands, the ban may contravene the Convention on Human Rights' protection of free speech, Brinsley Dresden writes

## LIVE ISSUE

The ban on political advertising on television in the UK could soon be relaxed if an animal rights charity, Animal Defenders International, is successful in its application for a judicial review. The charity contests that the ban is incompatible with the right to free speech under Article 10 of the European Convention on Human Rights.

The charity brought its case after the BACC refused clearance for its "my mate's a primate" campaign because it infringed rule four of the Broadcast Committee for Advertising Practice's TV Advertising Standards Code. That rule prohibits commercials by bodies whose objectives are "wholly or

mainly of a political nature", or may be "directed towards any political end".

In doing so, the BCAP Code implements the Communications Act 2003, which contains broad definitions of what defines political objectives. This explains why the ban is so problematic - objectives of a "political nature" include influencing government policy or public opinion on matters of public controversy in the UK.

It is no coincidence that in early September, Ofcom decided that recent television commercials for Make Poverty History infringed rule four. The organisation had persuaded the BACC that although it has some political objectives, its primary function is to raise awareness of global poverty and related issues, thereby getting its commercials on the air in the first place.



MPH... Ofcom over-ruled the ASA

The matter was resolved by Ofcom, rather than the Advertising Standards Authority, because the responsibility for enforcing the rules on political advertising remains with the regulator, despite the fact that, for the most part, advertising regulation has been contracted out to the ASA. Good for the ASA: it has clearly learned its lesson from the furore over the Conservative Party's "demon eyes" poster in its 1997 general election campaign.

Three things become clear from the Ofcom report about Make Poverty History. First, Ofcom was sympathetic to the cause espoused by Make Poverty History. Second, Ofcom rightly concluded that it had no discretion to differentiate between good and bad politics, or to opine on the merits of any particular campaign. And, finally, while Ofcom could consider whether the Make Poverty History campaign breached rule four, it could not address the more fundamental question: does the ban on political ad breach the right to free speech enshrined in the Convention, and now incorporated into English law by the Human Rights Act 1998?

The judicial review application will be heard in the new year and while it seems unlikely that the ban will survive its existing form, the bar on advertising by political

parties may survive. The fear that a rich party could subvert the democratic process by buying up the airways is one that may pass the test for acceptable restrictions on free speech under the Convention. That will unleash huge opportunities for "advocacy advertising" by campaigning organisations, as well as their advertising agencies.

In fields such as global poverty and the environment, this may not prove too controversial. But advertising for and against vivisection, abortion or legalising drugs will present a huge challenge to the regulators, who will be forced to decide what is acceptable, without being able to hide behind a blanket ban.

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