

ASA Adjudication on Cycling Scotland

Cycling Scotland

24 Blythswood Square

Glasgow

G2 4BG

Date:

29 January 2014

Media:

Television

Sector:

Non-commercial

Number of complaints:

5

Complaint Ref:

A13-238570

Ad

A TV ad for a campaign promoting safer cycling on the road, stated in the voice-over "Not a lot of people know this but you should treat a cyclist the way you treat a horse ... slow down, treat them with care and give them their space on the road." The final shot showed a young woman cycling down the road whilst the on-screen text stated "SEE CYCLIST THINK HORSE."

Issue

Five complainants challenged whether the ad was irresponsible and harmful, because it showed a cyclist without a helmet or any other safety attire, who was cycling down the middle of the road rather than one metre from the curb.

BCAP Code

[1.24.14.4](#)

Response

Cycling Scotland pointed out that wearing a cycling helmet was not a legal requirement in Scotland, but a personal choice for the individual. This they considered was illustrated in the ad, by showing various cyclists with and without helmets.

Cycling Scotland further commented that cycling had a high benefit:disbenefit ratio, even when factoring in injuries and referred to the national cycling charity (CTC) report. Cycling Scotland also referred to their helmet policy, which discussed the possible undesired outcomes of wearing helmets, including limiting uptake of cycling (leading to less physical activity) and influencing a driver's behaviour to be less careful when interacting on the road.

Regarding the cyclist's clothing, Cycling Scotland commented that this was to reflect the accessibility of cycling and to help promote it as a viable way to make everyday journeys.

With regards to the cyclist's positioning, Cycling Scotland stated that given the width of the road featured in the advert, the cyclist was safer riding out past the parking area where they could be clearly visible to other road users. Furthermore, they informed the ASA that the shoot for the advert was supervised by one of their most experienced cycling instructors.

Cycling Scotland referred the ASA to the National Standard for cycling training's recognised reference source for cycle training, "Cyclecraft", which identified two clear

positions: the first being the primary position, which is the default position for urban roads, placing the cyclist in the centre of the active traffic lane; and the secondary position, placing the cyclist on the left of the primary position, but not less than half a metre from the kerb. In this case, the advertiser commented that the cyclist was not less than half a metre from the parking lane.

In their response, Clearcast reiterated that it was not a legal requirement in Scotland for cyclists to wear helmets. Referring to various scenes in the ad, they also commented that cyclists were shown with and without helmets, and believed this reflected an individual's preference.

Clearcast stated that the ad was focusing on care and safety in the form of giving space to cyclists on the road, and was communicating a positive message in that respect. Furthermore, they considered that the ad depicted a realistic situation, in that not all cyclists wore helmets. This they considered illustrated that the same care and respect should be given to all cyclists, whether they wore a helmet or not. Furthermore, they considered that the cyclist was clearly positioned on the road and therefore, visible to all motorists.

Clearcast believed that the cyclist's distance from the curb appeared to be around or within one metre, and commented that the final scene only featured one car, which had adequate space to safely overtake the cyclist.

Assessment

Upheld

The ASA acknowledged that the ad was primarily encouraging motorists to take care when driving within the vicinity of cyclists.

We noted that the cyclist in the final scene was not wearing a helmet or any other safety attire, and appeared to be more than 0.5 metres from the parking lane. We also acknowledged that the cyclist was shown in broad daylight on a fairly large lane without any traffic.

We understood that UK law did not require cyclists to wear helmets or cycle at least 0.5 metres from the kerb. However, under the Highway Code it was recommended as good practice for cyclists to wear helmets. Therefore, we considered that the scene featuring the cyclist on a road without wearing a helmet undermined the recommendations set out in the Highway Code. Furthermore, we were concerned that whilst the cyclist was more than 0.5 metres from the kerb, they appeared to be located more in the centre of the lane when the car behind overtook them and the car almost had to enter the right lane of traffic. Therefore, for those reasons we concluded the ad was socially irresponsible and likely to condone or encourage behaviour prejudicial to health and safety.

The ad breached BCAP Code rules 1.2 (Social responsibility), 4.1 and 4.4 (Harm and offence).

Action

The ad must not be broadcast again in its current form. We told Cycling Scotland that any future ads featuring cyclists should be shown wearing helmets and placed in the most suitable cycling position.