



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0014-21
2. Advertiser :	Victorian Department of Health and Human Services
3. Product :	Community Awareness
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	10-Feb-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

There are four versions of this television advertisement which feature a scene of a man fishing in the background at the start of the advertisement.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

At the start of the ad, a live fish is being waved about in preparation for being put on a hook as bait and another person is laughing. I find this cruelty to fish disgusting and the fact that someone is laughing about it is even more horrible. This ad is repeated ad nauseam on 7 plus and the offensive part is at the very start of the ad so I can't avoid it as I don't know exactly when the ad will be aired.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Advertiser did not provide a response.



THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts cruelty to animals which is laughed about.

The Panel viewed the advertisement and noted the advertiser's response.

Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised

The Panel noted the complainants' concern that the advertisement shows a live fish being put on a hook for bait, and that someone is laughing about it and that such a depiction shows cruelty to animals.

The Panel noted that while there are restrictions/guidelines on using live bait in Victoria, it is not illegal.

The Panel noted that there is no suggestion that the men in the advertisement are laughing at the suffering of the fish.

The Panel considered that while some members of the community would prefer that fishers not use live bait, it is not illegal and not generally considered to be wrong. The Panel considered that the man in the advertisement handles the fish in a manner that is not inappropriate. The Panel also considered the fish appeared to be dead or made of plastic or rubber.

The Panel considered that most members of the community would not consider the advertisement to contain violence.

Section 2.3 Conclusion

The Panel determined that the advertisement did not present or portray violence which was not justifiable in the context of the product or service advertised and did not breach Section 2.3 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.