



Ad Standards Community Panel  
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## Case Report

1. Case Number :	0040-22
2. Advertiser :	ReAmped Energy
3. Product :	House Goods Services
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	23-Feb-2022
6. DETERMINATION :	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence  
AANA Code of Ethics\2.5 Language

### DESCRIPTION OF ADVERTISEMENT

This animated advertisement features a family (the Davies) talking about how typical they are. The advertisement includes a scene depicting a boy playing jenga on a cat's head which then collapses on the cat. The cat jumps away and the boy laughs. The voiceover in that scene states "I mean the kids lack empathy, but does that mean we deserve to be ripped off on power?" In the next scene the grandmother kicks towards the couch the cat is on and the cat runs away.

### THE COMPLAINT

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

*I find the animal cruelty to be really bad it is a cartoon but people will see it and think it is ok for a kid to smash toys over a cats head and for people to kick the chair the cat is sitting on and I am finding seeing this ad very disturbing.*

*It promotes animal cruelty kicking a cat .. being a cartoon and actually saying the children lack empathy prior to kicking the cat is inappropriate. Children emulate what they see animals have enough abuse without advertising it*



## THE ADVERTISER'S RESPONSE

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

*The complaints received assert that the treatment of the cat in the ad is in breach of the code. One complaint asserts that the behaviour shown in the ad will increase the likelihood that kids will be cruel to their household pets.*

*We have a few points for the panel to consider:*

- 1. When a kid is placing blocks on the cat, the grandma is specifically referencing the fact that the child's behaviour is not acceptable, saying "the kid lacks empathy". The ad is not endorsing this behaviour and is in fact creating a teaching moment for parents. Should a child ask "why do the kids lack empathy?" a parent could reply "because empathy is thinking of others, and that kid is not thinking about how the cat will feel when it wakes up surprised to have blocks on it".*
- 2. We do not consider that either of the moments constitutes violence towards animals. The first moment is certainly not something that we would encourage children to do (and this fact is directly referenced in the creative) but it's not violent. Getting this right was considered with great care during the development process. In the second moment, the gran does not touch the cat. While some people may see these moments as 'mean' they do not depict violence towards animals in our view.*
- 3. The ad depicts exaggerated behaviour in all of its examples of family life. Typical families do not really have exploding power tools, and we would hope they are kind to their animals too. Due to this, we believe it is obvious that the behaviour in the ad is not a reflection of usual family life.*
- 4. We also note that the ad is animated. No cat was actually involved, and it is generally accepted that more outrageous things happen in an animated context (for example, Homer strangles Bart in almost every episode of The Simpsons).*
- 5. Lastly, it should be noted that ReAmped is a supporter of several animal initiatives including sponsorship of the Currumbin Wildlife Hospital and Moonlit Sanctuary Conservation Park. We respect the views raised, and carefully considered this element of the ad. ReAmped seeks to stand out in a very crowded market, so we do aim to be edgy - but, as animal lovers, careful consideration was given to where the line is regarding the treatment of pets.*

*We do not believe the ad is in breach of the code for these reasons. We appreciate your consideration of our response.*

## THE DETERMINATION



The Ad Standards Community Panel (Panel) considered whether the versions collectively forming this advertisement breach Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concern that the advertisement depicts animal cruelty and sets a bad example for children.

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

**Section 2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.**

The Panel noted the Practice Note for this section of the Code which states "*Although the depiction of violence in an advertisement may be relevant to the story being told in the advertisement, any violence must also be justifiable in the context of the product being advertised, or else will be in breach of this section of the Code. The results or consequences of violence (e.g. a black eye) and audio representations of violence may also be prohibited. However, graphic depictions of violence or the consequences of violence may be justified by the community safety message involved. Violence against animals is caught by this section. However graphic depictions of violence against animals or the effects of such violence may be justified by the community message involved*".

**Does the advertisement contain violence?**

The Panel noted that there is clear community concern regarding cruelty to animals and that promotion of animal abuse or cruelty is inappropriate for use in advertising.

The Panel noted that there are two scenes of concern in the advertisement. The first depicts a child playing Jenga on a cat's head, the second depicts a woman kicking towards a cat.

In the scene showing the child playing Jenga on the cat, the Panel noted that the advertisement depicts the grandmother saying that "the kids lack empathy" and that it suggests that the child's behaviour is inappropriate, however noted that the child is not reprimanded in any way.

The Panel noted that while the cat appeared to be startled when the Jenga tower fell, there was no depiction of injury or pain. The Panel noted that there is a social media trend of putting things on cats until they notice.

The Panel considered that while the scene showing the boy playing Jenga on the cat may be considered by some members of the community to be unnecessary to the advertisement, the advertisement does not promote or endorse the harm of animals and is unlikely to be considered to encourage viewers to deliberately injure cats.



In the scene showing a woman kicking towards a cat, the Panel considered that it is quite clear that she kicks the chair/kicks towards the cat, and that she does not appear to intend to and does not actually make physical contact with the cat.

### **Section 2.3 conclusion**

In the Panel's view the advertisement did not portray violence and did not breach Section 2.3 of the Code.

**Section 2.5: Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.**

The Panel noted the Practice Note for Section 2.5 of the Code states:

*"Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner."*

The Panel considered that the use of the phrase 'cut the crap' in this context is a colloquial term used to describe getting to the point and describing the real situation . The Panel considered that the use of the word crap in this advertisement is not aggressive or used to denigrate another person.

The Panel considered that most members of the community would consider that the language was not inappropriate and was not strong or obscene.

### **Section 2.5 conclusion**

The Panel determined that the advertisement did not breach Section 2.5 of the Code.

### **Conclusion**

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.