



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

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0058/18
2	Advertiser	Buccaneer Pools & Spas
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Out of home
5	Date of Determination	21/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts two children talking about the style, shape and size of the pools available and one of the boys is depicted lying in an Aqua bed. Both boys are then shown jumping into a pool.

THE COMPLAINT

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

I find it highly irresponsible to allow an advert where a child is 1. Standing by a pool unsupervised

2. Lying in a pool unsupervised

With all the child drownings in Australia grab a brain!!!

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this





advertisement include the following:

We are responding to a viewer complaint regarding the latest Buccaneer Pools TV commercial.

The complainant has made claim that the TV commercial portrays irresponsibility towards children swimming without adult supervision.

We refute the claim and our response to these claims are as follows:

- *The first shot is a tight shot of two children talking to each other (not in the pool). There is nothing to suggest that parental supervision is not close by.*
- *The next shot (again another tight shot) shows the boy laying on an Aqua Bed (not in the pool) saying “how cool is this Aqua Bed” which could well be being said to his parent/s*
- *The last piece of vision of the boys jumping in the pool is clearly shot at the Buccaneer Pools Display Centre (a place of business) where there are many pools in the ground and where the Centre is always supervised.*

There is nothing in this commercial to suggest that adult supervision is not close by and we make no claim that these boys are acting without adult supervision. Buccaneer Pools have been in the Perth market place for over 50 years and as one of the largest brands in this market have always promoted the brand responsibly.

We take the complaint very seriously but our view is that the TV commercial meets all conditions as approved by CAD.

THE DETERMINATION

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

The Panel noted the complainant’s concern that the advertisement depicted children using a pool unsupervised and that this behaviour is unsafe and contrary to community standards on health and safety regarding pool safety.

The Panel reviewed the advertisement and noted the advertiser’s response.

The Panel considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Panel noted the television advertisement depicts two children talking about the style, shape and size of the pools available and one of the boys is depicted lying in an Aqua bed. Both boys are then shown jumping into a pool.



The Panel noted the complainant's concern that the advertisement suggests that depicting children in and around pools unsupervised is dangerous, especially in the context of child drownings in Australia.

The Panel acknowledged that pool safety is an issue of significant community concern and that it is important that advertisements don't portray material which is contrary to pool safety messages.

The Panel noted the advertiser's response that the advertisement was filmed in the display centre and that although no adults are shown it is not clear from the advertisement that the boys are unsupervised.

The Panel considered that the advertisement clearly showed safety features such as a pool fence and there was nothing in the advertisement which suggested that the boys were unsafe.

The Panel considered that the advertisement featured quite close frames of the boys and that the rest of the pool and pool area was not shown.

The Panel considered that just because there was no adult shown in the advertisement, the overall effect of the advertisement did not suggest that the boys were unsupervised.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety regarding pool safety.

The Panel determined that the advertisement did not breach Section 2.6 of the Code.

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

