



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0068/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Aussie Broadband</b>
<b>3</b>	<b>Product</b>	<b>Information Technolo</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/03/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a man betting his friend \$30 to tape a raw chicken to his back and let a Rottweiler dog chase him. The man agrees but then after the chicken has been secured to his back with red tape he looks at the dog and appears to change his mind. We then see the man shouting "Wait! I said, wait!" as the dog chases him and a female voiceover explains that Aussie Broadband NBN services start at \$30 a month.

### THE COMPLAINT

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

*This in our opinion is not a good look for kids to follow. On the news just last week a young girl had part of her nose bitten off by a dog. Was food involved in this accident? A definite "NO" to this advert.*

### THE ADVERTISER'S RESPONSE

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

*“The Dare” outlines the story of what people will do for \$30 per month.*

*The main selling point is that our service starts at \$30 per month. Through an implied dare a male tapes a chicken onto the other male’s back and proposes to set a dog after him (the dog is not acting aggressively). He then lets the dog go to chase the chicken, but the male wearing the chicken is never caught.*

*Section 2 of the code of ethics addresses the following*

*2.1 discrimination of vilification*

*We do not believe we have breached this sub section of the code.*

*2.2 Exploitive or degrading*

*We do not believe we have breached this sub section of the code.*

*2.3 Violence*

*We do not believe we have breached this sub section of the code.*

*2.4 sex, sexuality and nudity*

*We do not believe we have breached this sub section of the code.*

*2.5 Language*

*We do not believe we have breached this sub section of the code.*

*2.6 Health and Safety*

*We do not believe we have breached this sub section of the code.*

*In response to this complaint regarding the appropriateness for children our commercial placement for “The Dare was primarily targeted during the Australian Open as well as the Big Bash league cricket. The ad does not carry a C classification through CAD and we have not requested that this ad be placed during children’s viewing timeslots.*

*We are also given filler commercials during the day as extra bonuses, for which are out of our control as to when these go to air during normal programming, again these are usually not used during the times which children are the prime audience.*

*In addressing section two of the advertising standards bureau and our advertisement “The Dare” we believe does not breach any part of the code, we are of the belief that with this being the case that an objection cannot be made on the grounds of it suitability for children,*

*as it has been CAD approved, and been running for 2 years uncontested.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement depicts a man with a chicken taped to his back being chased by a dog which is unsafe and a poor message.

The Board viewed the advertisement and noted the advertiser’s response.

The Board 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 Board noted that this television advertisement features a man being dared to have a chicken taped to his back before being chased by a dog.

The Board noted the complainant’s concern that in light of recent news stories featuring dogs which have attacked people the advertisement is depicting a poor message.

The Board noted the advertiser’s response that the dog in the advertisement does not act aggressively and we do not see the dog catch up with the man it is chasing.

The Board noted that the dog appears calm and is wagging its tail and considered that given the dog’s happy demeanour and the lack of barking the overall suggestion is not of danger but rather that the dog is playing a game with the man. The Board noted the advertisement had been rated ‘PG’ by CAD and considered that overall in the context of a humorous advertisement for an internet services advertisement the content was unlikely to encourage copycat behaviour.

The Board noted that although the man initially agrees to the dare and allows a chicken to be strapped to his back he changes his mind when he looks at the dog. The Board acknowledged that the issue of bullying is also of community concern but considered that the overall tone of the advertisement is humorous and the manner in which the man calls out, “I said wait!” when being chased by the dog is not suggestive of fear but has a comedic tone. The Board considered that the advertisement did not depict, encourage or condone bullying behaviour.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards.

The Board 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 Board

dismissed the complaint.