



Case Report

1	Case Number	0071/16
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/03/2016
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

The commercial begins by showing a man using his 'mantuition' to fire up a BBQ by comically applying a large amount of lighter fluid. Shortly after, a puff of grey smoke billows over the fence. He then uses his 'mantuition' again in a different scenario when piecing together a couch - by ignoring the instructions and discarding some screws as 'spares'. Finally, he uses his 'mantuition' to place a live bet on a game he is watching with friends - before the couch he assembled previously collapses.

THE COMPLAINT

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

First scene shows 2 guys outside squeezing what looks like a container of lighter fluid on a pile of sticks in a BBQ. Followed by a shot on other side of the fence of a small explosion. I'm offended because this is highly dangerous and the ad shows it as something funny and comedic. Persons watching the ad (younger kids), could think it's funny to do this and seriously cause harm to themselves or others by copying this behaviour.

THE ADVERTISER'S RESPONSE

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

Sportsbet has considered the Complaint and considers that the Advertisement does not breach section 2.6, or any other section of the Code.

The Advertisement depicts that trusting a man's 'mantuition' against his better judgment is not always the most sensible approach and can lead to adverse outcomes.

The Advertisement demonstrates two comical examples of 'mantuition', stating that 'mantuition' has got 'no time for kindling' when lighting a BBQ (and instead, applies lighter fluid in an exaggerated manner) and 'doesn't need instructions, either' in assembling a couch. To comically demonstrate the risks of relying on 'mantuition', in both of these examples, the result is far from perfect – there is a puff of grey smoke from the BBQ, and the couch collapses beneath the three men sitting on it.

In order to promote Sportsbet's 'bet live' telephone betting feature, the Advertisement then shows a further example of 'mantuition' stating that it 'knows exactly when to bet live with Sportsbet'. In this instance, the Advertisement does not go on to show whether or not 'mantuition' has been successful, although the character using the 'bet live' telephone betting feature displays the same high level of confidence as per the previous two examples.

Sportsbet rejects that the Advertisement in any way encourages kids or minors to copy the behaviours comically depicted in the Advertisement, particularly the BBQ scene. The two examples of 'mantuition' show adults performing activities that are clearly targeted at adults and are not typical for a minor to engage in – namely, igniting a BBQ and assembling a couch.

There is nothing in the Advertisement which indicates minors should ignite a BBQ or cook on a BBQ, let alone any minors shown in the Advertisement. Indeed, the perils of the 'mantuition' (and attendant stupidity) are inferred by the puff of grey smoke shown from over the fence.

As such, it cannot reasonably be interpreted as encouraging others, especially minors, to copy this behaviour, or depicting material contrary to Prevailing Community Standards on health and safety.

Sportsbet believes that the Complaint lacks foundation and should be dismissed.

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 concern that the advertisement depicts a man pouring a bottle of lighter fluid on a BBQ which is dangerous and could encourage copycat behaviour.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race,

ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this television advertisement features a man helping his friend by pouring lighter fluid on to a BBQ resulting in a large plume of smoke, and then by throwing away instructions to assemble a lounge despite not knowing how to assemble it correctly and subsequently being left with spare screws.

The Board noted the advertiser's previous advertisements along similar lines where some complainants were concerned about the depiction of men in a negative light. The Board noted the humorous tone in the current advertisement and considered that the man's behaviour is exaggerated. Consistent with a previous determination in case 0213/15 the Board considered that the advertisement does not suggest that all men would or should behave in this manner or that women would not also behave in this manner.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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 after the lighter fluid has been emptied on the BBQ we see a large plume of smoke and considered that although we do not see how this smoke affects the men we do see the same men in a following scene so the implication is that they were not harmed.

The Board noted the complainant's concern over the amount of lighter fluid used. The Board acknowledged that excessive use of lighter fluid could be dangerous and considered that the man's actions in the advertisement are clearly presented as undesirable with the resulting smoke plume indicating that the man's actions were not sensible.

The Board noted the complainant's concern that children could copy the man's actions. The Board noted that the advertised product is not a product directed to children and that the advertisement had been rated 'B' by CAD which means it cannot be aired in any Program that is broadcast between 5am and 8.30am and is principally directed to Children (aged under 15). The Board noted however that some adults may not realise how dangerous it can be to use lighter fluid on a BBQ and considered that by portraying the BBQ scene as an equal situation to not assembling a lounge correctly, the advertisement underplays the potential dangers of lighter fluid and in the Board's view this scene could encourage copycat behaviour.

The Board noted that fire safety is of significant concern to Australians given the high risk of bush fires and their devastating consequences and considered that, in spite of the overall humorous tone of the advertisement, depicting a situation that trivialises fire safety is against Prevailing Community Standards on health and safety.

Based on the above the Board determined that the advertisement did breach Section 2.6 of the Code.

Finding that the advertisement did breach Section 2.6 of the Code the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We have received the attached, and in accordance will withdraw this commercial from our TV schedules.