



Ad Standards Community Panel  
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## Case Report

1. Case Number :	0101-22
2. Advertiser :	Raiz Invest Ltd
3. Product :	Finance/Investment
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	25-May-2022
6. DETERMINATION :	Upheld – Modified or Discontinued

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts a couple eating at a restaurant. The man has a black eye. The woman suggests that they go dutch, and he declines and says he has the bill. He raises his hand and a large man dressed in underpants and a cape appears. He explain that that is Hector who helps him with his saving, and he has to fight him in order to access his wallet. The two fight, with Hector throwing the man through a table.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*It was funny but it was too violent for the time slot. My kids were pretty surprised at the violence. The wrestler smashed the guy in the head with a stool . I get it's supposed to be fake as it's a wrestler but the violence was a bit too real for the time slot.*

*My complaint is about the ad itself, where the guy in the ad has a black eye, and says to the girl he is with he got the black eye while trying to fight for his wallet. Every time he needs to spend money, he has to fight him off.  
I get that it the intention is not to incite violence, but I am finding it difficult to understand why this ad is 1) allowed to be shown, in prime time, with I'd imagine a lot of kids watching 2) allowed to be shown at all, I don't think violence in any way, 2022 is acceptable*



*Ironically, the following ad that came on was about violence against women.*

## **THE ADVERTISER'S RESPONSE**

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

*The ad is part of an integrated advertising campaign, comprising three ads in total. They were designed to position Raiz as the better way to save and invest, by telling the stories of a non-Raiz customers who go to 'absurd' lengths to save money.*

*The 'violence' in the ad is intentionally comedic as the idea of a professional wrestler walking into a fine dining establishment is ridiculous.*

*A pre-check application was submitted to ClearAds prior to shooting the ad, and the ad was given a classification of PG. After the ad was shot, a final application was submitted to Clear Ads, and the ad was given a classification of M.*

*Prior to scheduling the ad, we consulted with Channel 7's legal counsel to understand our obligations. When preparing the schedule, all time zone requirements were taken into consideration. Channel 7's legal counsel has since advised that while it's not a legal requirement for any amends to be made to the schedule, as a courtesy to viewers, action should be taken to amend the schedule so that the ad runs on BVOD in the same time zones as it runs on linear. This action has been taken.*

## **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 complainants' concern that the advertisement depicts violent behaviour that is inappropriate for advertising.

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

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

The Panel noted that the Practice Note for this section of the Code 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."*



The Panel noted the advertiser's response that the advertisement is intentionally comedic and ridiculous.

### **Does the advertisement contain violence?**

The Panel noted that the Code and the Practice Note do not provide a definition of violence. The Panel noted that they needed to consider whether the general community would consider this ad to portray violence.

The Panel noted that the man is seen with a black eye and that this provides a clear indication that the man does sustain injuries when fighting. The Panel noted that the man is shown being thrown through a table and other actions which would likely result in pain and injury. The Panel considered that most members of the community would consider that the advertisement contains a high level of violence.

### **Is the violence justifiable in the context of the product or service advertised?**

The Panel noted that the advertised product is a financial app to help with savings.

The Panel considered that most professional wrestling is staged, and that the violence in the advertisement was highly fantastical and not a portrayal of a realistic scenario. However, the Panel noted that the violence in the advertisement would need to be justifiable in the context of the product being advertised, and not the scenario depicted in the advertisement.

The Panel considered that the harm and injury portrayed in the advertisement, including the black eye, is realistic and was not justifiable in the promotion of a financial product.

### **Section 2.3 Conclusion**

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

### **Conclusion**

Finding that the advertisement did breach Section 2.3 of the Code, the Panel upheld the complaints.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

In response to the outcome of Community Panel's finding on the complaint/s against Raiz's advertisement, we have removed this advertisement from our BVOD campaign as of today (7th June 2022).



We will evaluate if we can amend the advertisement to meet codes raised by Ad Standards.

We hope that this modification in our programmed deployment of the advertisement will be to the satisfaction of Ad Standards.