



Case Report

1	Case Number	0102/13
2	Advertiser	Addbuild Master Builders Pty Ltd
3	Product	Professional Service
4	Type of Advertisement / media	Radio
5	Date of Determination	10/04/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Cruelty to animals

DESCRIPTION OF THE ADVERTISEMENT

A voice over asks if things are "a bit squeezey at home?" and goes on to say that you should call Addbuild as they have over 30 years experience building extensions to homes. The advert closes with the voice over saying if you don't have room to swing a cat you should give them a call on 9764 6200.

Throughout the advertisement you can hear a cat in the background.

THE COMPLAINT

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

The ads used to be run with the sound of a cat being swung and hitting a wall with the slogan if your home is too small to swing a cat, call addbuild. That stopped for a while but now the ads are the continuous sound of a cat being swung around and thumping against a wall while the voice over talks about addbuild and finishes with ... if your home is too small to swing a cat, call addbuild (or similar).

Frankly, it's cruel and while it's obviously not a real cat, the sound is real enough. My complaint is that this is not acceptable in a society that rejects the cruel treatment of any animal and swinging a cat (presumably by the tail) and thumping it against the wall is cruel. Certainly not something children should hear.

The worded description of swinging a cat suggests that one would need to be grabbing a body part of the victim (cat) and swinging it in a roundabout motion, this is an offence and one can be prosecuted in a court of law for doing so, furthermore the sound effects of the above offence have the sound of the victim (cat) being swung around with a whooshing sound followed by a thud from the cat I assume hitting a wall then followed by a meow of hurt, the process is repeated throughout the commercial, repeatedly inflicting pain to the victim. I feel sick to the stomach that a person\’s can make humour of inflicting pain to a helpless animal and this is not acceptable behaviour to promote in any form, in fact, I find it revolting!

THE ADVERTISER’S RESPONSE

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

- *We have had the same view of the AD’s as advised to you previously where we maintain our position by enlightening those that may complain that it is nothing more than simple “tongue in cheek” humour referenced to a cat.*
- *We have never injured or hurt any cat or animal in the making of our AD’s*
- *We have been running these AD’s for more than a decade and whilst we understand that some radio listeners may find it controversial claiming that we are promoting animal cruelty, we simply ask that people try and show a little more light heartedness when they hear the computer generated sounds. Our AD is no more “cruel” than thousand’s of video’s shown on Australian Funniest Home Video’s where people belly laugh at the misfortune of animals whilst attempting to win monetary prizes. There are many other valid instances like cartoons both printed and on TV, music film clips, TV AD’s etc etc therefore we are requesting that we be allowed to continue with our current format of marketing and advertising.*
- *I have attached a copy of our vehicle signage which clearly shows NO cruelty to any cats.*

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 scene that is intended to sound like an animal is being harmed and is unsuitable for airing on the radio.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that it had previously dismissed complaints about this advertisement in 2002 and 2008 (Case Reference 153/02 and 391/08).

The Board noted that the advertisement refers to swinging a cat and that the sound of a cat's meow can be heard. The Board considered that the cat sound was unrealistic and that, although suggestive of a cat, was intended to be humorous rather than a serious suggestion that a living cat is being swung around a room. The Board noted that the phrase, "not enough room to swing a cat" is part of common Australian vernacular and considered that consistent with its previous determinations, in this instance the references to swinging a cat are not suggestive of actual harm to an animal and do not condone or encourage animal cruelty.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.