



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0122-22</b>
<b>2. Advertiser :</b>	<b>iSelect Pty Ltd</b>
<b>3. Product :</b>	<b>Insurance</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>8-Jun-2022</b>
<b>6. DETERMINATION :</b>	<b>Upheld - Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a man, who introduces himself as Chris Hemsworth's good-looking stunt double, running through the woods holding the hand of a woman. He comes to a stop and is surrounded by men who hit him until he is lying on the ground.

### THE COMPLAINT

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

*Violence*

*Gratuitous and graphic violence. In prime time TV. Especially just after a one punch story of someone dying from one punch. Disgusting!*

*In a world of so much violence currently I don't believe this type of advertising is appropriate for our young people to see & feel is normal behavior i.e. encouraging violent behavior.*

*In a society where we speak out about one punch hits I find this ad totally inappropriate.*

### THE ADVERTISER'S RESPONSE



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

*iSelect does not tolerate any sort of violent or dangerous behaviour. The current television advertisement received a P classification approval by the Commercial Television Industry Code of Practice prior to broadcast and is televised at appropriate times and within programs that align to this rating.*

*The advertisement is intentionally dramatised and represents the set of a 'Hollywood-style' blockbuster film and is part of a series of advertisements which feature the same characters and many shots of the film set and film crew surrounding the action. This makes it clear to the audience that the advertisement is not meant to depict reality and scenes are intentionally far-fetched scenarios - which in this case, is a 'hero' fighting off 'villains'.*

*In addition, in the 30" version of the ad (ISE011130E) the main character clearly states in the opening 3 seconds VO that he is a "stunt-double". This asserts to the audience from the beginning that the fight scene is not real, and all punches, both received by the 'hero' character and given by the 'hero' character are stunts and not real.*

#### *CAD Rating*

*We also believe the spots are entirely appropriate for their intended audience, as indicated by the P ratings across the entire series.*

*In summary, iSelect submits that the advertisements in question do not breach any part of Section 2 of the AANA Code of Ethics. Specifically, iSelect submits that these advertisements do not breach the AANA's code in relation to 2.3.*

*We thank Ad Standards for consideration of iSelect's response to these complaints, and trust the information provided satisfies the Ad Standards' request in full.*

#### **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 clearly set in a fantasy scenario of heroes and villains and is not meant to depict reality.

### **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 main character is seen to punch someone in the face, is hit in the face multiple times and is finally knocked to the ground by a group of men.

The Panel noted that the man in the advertisement is a stunt double and that this may indicate to the audience that the fight is staged and not real. However, the Panel considered that the fight appears realistic with sounds of blows landing and people grunting. The Panel considered that most people would consider these combat scenes, even if staged, to be violent.

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

The Panel noted that the advertised product is insurance comparison.

The Panel noted that it had recent considered a similar issue in case 0101-22, in which:

*“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.”*

Consistent with the previous determination, in the current advertisement the Panel considered that while the advertisement is clearly a portrayal of a staged fight and not a realistic scenario, the advertisement does depict a violent scene. The Panel considered that the depiction of a violent fight was not justifiable in the promotion of an insurance comparison service.

### **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**

We refer to your letters dated 22 June 2022 notifying iSelect that complaint **(0122-22)** has been upheld by the Community Panel.

While we are disappointed with the outcome, we respect the decision and can confirm that both advertisements will be discontinued effective as of midnight 28<sup>th</sup> June 2022. For the period 29 – 30<sup>th</sup> June 2022 inclusive we will run an alternative advertisement from the same series which has aired previously.

We are considering modifying the advertisements in question for future use and if so, will engage Ad Standards Copy Advice service to assist us in this process.