



Ad Standards Community Panel  
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Ad Standards Limited  
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## Case Report

|                                  |                         |
|----------------------------------|-------------------------|
| 1. Case Number :                 | 0137-20                 |
| 2. Advertiser :                  | Southern Cross Austereo |
| 3. Product :                     | Other                   |
| 4. Type of Advertisement/Media : | TV - Free to Air        |
| 5. Date of Determination         | 22-Apr-2020             |
| 6. DETERMINATION :               | Dismissed               |

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a CGI lip-syncing giraffe dancing to the Whitesnake song 'Here I Go Again'. He begins by lip-syncing sedately, and looking at himself in a mirror, before starting to dance wildly, kicking over a lamp and stomping on the ground so that items fall off the wall.

### THE COMPLAINT

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

*This ad portrays violence in a home setting involving destruction by an animal but nonetheless and a young tall good looking male like it's acceptable. It's not. I'm a family law barrister and in the setting of the virus, family violence instances are increasing for obvious reasons. Gratuitous violence should not be on TV like it's ok when you're listening to music.*

*The 3MMM radio ad with the giraffe seen on the same Chanel 9 at about 7.30pm portrays violence in a family home and destruction because you cannot feel like it. That doesn't wash in my view given serious and chronic instances of family violence which should not be normalized or it be suggested it's ok if you're a giraffe.*



## THE ADVERTISER'S RESPONSE

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

*I refer to your letter dated 9 January 2020 regarding a complaint (Complaint) made by a complainant and submitted to Ad Standards on 23 March 2020. The Complaint concerns an advertisement (Advertisement) by Southern Cross Austereo promoting its radio station Triple M.*

### *1. Description of the Advertisement*

*The Advertisement was created by creative agency Thinkerbell, in response to a brief by Southern Cross Austereo.*

*The Advertisement runs for 30 seconds and promotes the radio station Triple M. A digital copy of the Advertisement, and the script, accompanies this response.*

*The Advertisement features an animated giraffe dancing and lip-synching to Whitesnake's song "Here I Go Again On My Own" in a living room.*

*The Advertisement was submitted to Free TV for ClearAds (formerly CAD) review and was approved and classified "G" on 27 February 2020.*

### *2. Broadcast of the Advertisement*

*The Advertisement has been regularly broadcast on television, on the Nine and Seven networks, since 1 March 2020. While we respect the right of any member of the community to complain about an advertisement, we also note that no other complaint has been received in relation to the Advertisement in the time that the Advertisement has been on air.*

### *3. Section 2 of the AANA Code of Ethics*

*Your letter indicates that the Advertisement raises issues under section 2 of the AANA Code of Ethics (Code).*

*We are satisfied that the Advertisement does not any raise any issue under any part of section 2 of the Code. We comment below in relation to each part of section 2.*

*2.1 - not portray or depict material 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 Advertisement does not depict material which discriminates against or vilifies a person or section of the community on any of these grounds.*



*2.2 - not employ sexual appeal in a manner (a) where images of Minors or people who appear to be Minors, are used; or (b) in a manner which is exploitative or degrading of any individual or group of people.*

*The Advertisement does not employ sexual appeal using Minors or people who appear to be Minors and is not exploitative or degrading of any individual or group of people.*

*2.3 - not present or portray violence.*

*The Advertisement does not present or portray violence. The protagonist of the Advertisement is an animated giraffe of unspecified age and gender. The giraffe is clearly home alone, with no other people or animals appearing in the Advertisement. The giraffe starts off by slowly swaying and lip-synching to a song in its living room. Then, as the song's tempo increases, the giraffe begins to dance energetically, knocking over a lamp. This is not intended to be an act of violence or deliberate destruction, but an example of getting carried away with the music by a tall animal in a confined space. In fact, the 45 second version of the advertisement ends with the giraffe straightening a picture frame that was knocked off kilter while it was dancing.*

*2.4 - not present sex, sexuality or nudity.*

*The Advertisement does not present sex, sexuality or nudity.*

*2.5 - not employ strong or obscene language.*

*The Advertisement does not employ strong or obscene language.*

*2.6 - not depict material contrary to Prevailing Community standards on health and safety.*

*The Advertisement does not depict material of this nature. It makes reference to leg-lengthening surgery but does not encourage such surgery nor comment on the medical reasons for which such surgery might be appropriate.*

*2.7 - clearly distinguishable as an Advertising or Marketing Communication.*

*The Advertisement is clearly distinguishable as such.*

#### *4. Other Codes*

*The Complaint does not fall within the remit of the AANA Code for Marketing & Advertising Communications to Children or the AANA Food & Beverages – Advertising & Marketing Communications Code.*

#### *5. Conclusion*



*For the reasons set out above, we request that the Complaint be dismissed.*

*We look forward to your determination. If you require any further information, please do not hesitate to contact me.*

## **THE DETERMINATION**

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement portays violence in a home setting.

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

The Panel considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 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 Panel noted that the Practice Note for the Code provides: "*Realistic depictions of the consequences of violence are not acceptable. More leeway is permitted where the depiction is stylised rather than realistic.*"

The Panel noted the complainant's comment that the advertisement depicted a giraffe that was representative of a young tall good looking male. The Panel considered that there is no indication in the advertisement as to the gender of the giraffe.

The Panel noted the advertised product was Triple M radio, a network known for rock music, sports and comedy. The Panel considered the fantasy nature of the advertisement, considered that it had a humorous and fun feel and considered that this is a depiction that most members of the community would interpret as a depiction of enjoying music and dance.

The Panel considered that the destruction of the room by the giraffe was related to its enthusiastic dancing and was not a result of aggressive, malicious or deliberately violent behaviour. The Panel considered that the advertisement did not depict violence rather it depicted accidental damage.

The Panel acknowledged that violence in the home is a significant issue of concern in the Australian community and that advertisements should not condone or normalise behaviour which suggests such behaviour is acceptable. However the Panel considered that the giraffe is alone and the damage to the home is a result of its dancing and there was no indication that this was a family violence situation.



The Panel considered that most people would consider that the advertisement did not depict violence, but that in the case of people who did consider that violence was depicted that it was very mild violence related to enjoyment of music from the radio station and was justifiable in the context of the product advertised and did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.