



Case Report

1	Case Number	0159/11
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	Print
5	Date of Determination	25/05/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Religion

DESCRIPTION OF THE ADVERTISEMENT

A Christ-like figure is shown surfing, with the accompanying text, "We're now betting on surfing...it'll take someone to walk on water to beat Slater."

THE COMPLAINT

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

- 1. It mocks Christianity in an extremely offensive way with it use of the words walk on water and a Christ like figure on a surfboard with the Christian fish symbol on the bottom of the surfboard.*
 - 2. I can guarantee Sportsbet would not do the same with an image of Allah for fear of offending the Islamic faith to the point of violent demonstration fatwah on editorial staff and property damage to both Sportsbet and Herald Sun offices given similar reactions overseas in the recent past.*
 - 3. At the last ABS Census in 2006 60% of Australian identified themselves as Christian.*
 - 4. Sportsbet are willing no doubt to take money from anyone in society (there are no bet limits is my guess) yet pay for such offensive advertising towards 60% of society.*
 - 5. Sportsbet is displaying double standards by mocking 60% of Australians yet willing to accept money from anyone - a true no care attitude to the Australian population.*
 - 6. The advertisement is a form of religious vilification and could be in breach of The Anti Discrimination Act of 1977 and as such should be investigated accordingly.*
- I am a practicing Christian who is Australian by birth and have lived here my entire life.*

I have spoken this morning to staff at both Sportsbet and the Herald Sun without any satisfaction in this regards.

I was unable to be put through to any senior staff at either organisation and was offered to email my complaint to Sportsbet which I have done so.

Australian Press Council Principles that may have been breached are:

4. News and comment should be presented honestly and fairly and with respect for the privacy and sensibilities of individuals. However the right to privacy is not to be interpreted as preventing publication of matters of public record or obvious or significant public interest. Rumour and unconfirmed reports should be identified as such.

No consideration of private citizen's sensibilities being offended by the ad in question.

7. Publications have a wide discretion in publishing material but they should balance the public interest with the sensibilities of their readers particularly when the material such as photographs could reasonably be expected to cause offence.

The image used could reasonably be expected to cause offence given that 60% of Australians identified as Christian in the 2006 ABS Census. Possible religious vilification by mocking Christian's central human figure of Jesus Christ - in the days before Easter but at any time regardless.

THE ADVERTISER'S RESPONSE

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

The advertisement referred to promotes Sportsbet's new Surfing betting markets as well as publishing the odds for the major Easter competition held at Bells Beach every year. Kelly Slater was favourite for the event and has had extraordinary success in surfing. Regarded as the greatest surfer of all time, he has won 10 World Titles, recently, last year's title and last year's Bells event.

The ad depicts an image of a Jesus like figure riding a surf board with a statement that it would take someone to walk on water to beat Slater. It is no longer running.

The complaint states that the ad mocks Christianity and does not site any breach of the advertising code of ethics. The complaint also makes other presumptions and allegations that are unfounded and are not for debate in this submission. We believe them to be unrelated to the advertising code.

We dispute the complaint and do not believe this ad to be discriminatory to Christianity.

Section 2.1 of the Advertising Code of Ethics states: Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.

The advertisement does not discriminate against Christianity nor does it vilify against a person or group of people. It by no means speaks ill of Christians or defames Christianity as a religion.

The advertisement uses a link between the time of the event and the fact that it coincides with a Christian holiday period. It suggests that it would take a miracle to beat Slater, inferring that he will be difficult to beat. Jesus was scripted as walking on water and the material

states that it may take such a feat to beat Slater this year. A humorous take on history and recent events.

We appreciate that the humour may not be to everyone's liking but urge the Advertising Standards Board to dismiss the complaint as humour is an important part of advertising and is certainly subjective.

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 is offensive as it mocks Christianity.

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

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of ...religion..."

The Board noted that the advertisement depicts a Christ-like figure on a surfboard and the accompanying text reads "...it'll take someone to walk on water to beat Slater."

The Board noted that the combination of the appearance of the figure and the wording do give the impression that the figure is supposed to be Jesus, although the Board considered that the phrase 'walk on water' is a general phrase which relates to someone who performs very well or can do no wrong. Although clearly intended as a depiction of Jesus, there is nothing negative in the depiction of Jesus surfing.

The Board considered that although the imagery of the advertisement could be considered offensive to some people with strong Christian beliefs, in the Board's view the overall tone of the advertisement is lighthearted. The Board considered the advertisement does not denigrate Christianity or Christians, and does not discriminate against Christ or Christians.

The Board noted that the advertisement is for gambling and this product is legally allowed to be advertised. The Board considered that whilst some people may find the association of Jesus with gambling offensive, the link is done in a way that would be seen as humorous – and not denigrating – by most people.

Based on the above the Board considered that the advertisement did not discriminate against or vilify any section of the Community and that the advertisement did not breach Section 2.1 of the Code.

