



Case Report

1	Case Number	0165/15
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	13/05/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

This advertisement features a male having arrived home with several bags of groceries struggling to get his phone from his pocket. Despite having his hands full, the man manages to get his mobile phone from his pocket and the voiceover says 'must, place, multi'. The Advertisement then describes details of the Promotion while showing images of a football and a stadium, 'with Sportsbet this NRL season, place a five or more leg multi, and if one leg fails – cash back – up to a hundred bucks. Make it a multi – with Sportsbet. Download us.'

THE COMPLAINT

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

I object to this advertisement because gambling addiction is a real issue and has a detrimental effect on it's victims. This advertisement doesn't take this fact into any consideration when it says, "MUST place multi (bet)" this exaggerated statement within the sportsbet advertisement acts as if the person placing the bet has no choice in placing the bet. This is taken to mean that the person placing the bet is addicted.

THE ADVERTISER'S RESPONSE

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

Sportsbet has considered the Complaint and does not seek to shy away from the importance of advertising its services in a responsible manner. Sportsbet rejects that the Advertisement in any way breaches section 2.6, or any other section of the Code.

The Complaint suggested that the voiceover ‘must, place, multi’ is suggesting the male in the Advertisement had “no choice” and “is taken to mean that the person place the bet is addicted”. In Sportsbet’s view, the Advertisement merely, in a light hearted and jovial manner, seeks to suggest that the male is out of breath and physically struggling under the weight of his shopping bags whilst trying to place a bet. The Advertisement seeks to use amusing and relatable observations involving common household chores (such as shopping) and trivial inconveniences (such as carrying too many bags at once) to relate to the viewers.

This Advertisement continues on the theme from previous Sportsbet advertisements which showed the same male to be obviously and humorously struggling with the shopping bags whilst trying to place a bet on his mobile phone.

Conclusion

Sportsbet regrets if the jovial nature of the Advertisement was misconstrued by the complainant, but we firmly reiterate our view that the Advertisement does not breach the Code.

For the reasons mentioned above, Sportsbet believes that the Complaint lacks foundation and should be dismissed.

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 complainants’ concerns that the advertisement shows a man in need of placing a bet which is suggesting that he is addicted.

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

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted that this advertisement features a man arriving home with several bags of groceries struggling to get his phone from his pocket. Although his hands are full and the man manages to get his mobile phone from his pocket and the voiceover says ‘must, place, multi’.

The Advertisement then describes details of the Promotion while showing images of a football and a stadium, ‘with Sportsbet this NRL season, place a five or more leg multi, and if one leg fails – cash back – up to a hundred bucks. Make it a multi – with Sportsbet.

Download us.’

The Board noted it had previously considered a similar advertisement for Sportsbet (0015/15) where a man is seen carrying groceries and being reminded to bet by his neighbour that he is

running out of time to bet. The Board noted in this case, there was concern that the advertisement was portraying that placing a bet was of equal importance as grocery shopping. In this matter the Board noted that the man had already done the grocery shopping and considered the focus of the advertisement was on the ease of use of the App rather than suggesting that gambling is more important than buying groceries.

Similar to the case mentioned above, the Board noted in the current case that the man was seen with his hands full with bags of shopping and at the same time trying to use his phone to place a bet. The voice over says “must place multi..” The Board noted that the voiceover is meant to sound desperate as if the man is needing to place the bet. The Board agreed that the desperation was not necessarily about the need to gamble altogether but rather about the struggle of holding the groceries and placing a bet at the same time.

The Board noted that as the man was carrying groceries, it could be reasonably assumed that he was not prioritising gambling over other tasks or duties and that he may have a well-managed balance between his work, life and social activities. The Board agreed that the placing of a bet portrayed in this advertisement was not a suggestion that the man was addicted to gambling.

The Board acknowledged that there is significant community concern regarding the negative consequences of irresponsible gambling but considered that this advertisement’s depiction of the use of a betting App on a phone is not advertising a gambling product in a manner condoning or encouraging excessive gambling.

The Board considered that the advertisement did not depict material contrary to prevailing community standards on responsible gambling.

The Board determined that the advertisement did not breach of Section 2.6 of the Code. Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.