



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0183-22
2. Advertiser :	Mitre 10 Australia
3. Product :	Hardware/Machinery
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	24-Aug-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a young boy on a staircase with his head through the balusters on the handrail. His father is sitting at the bottom of the stairs in a chair. His mother comes home from shopping with a saw.

THE COMPLAINT

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

This is a bad advertisement. Kids have died sticking their head through rails. It is not showing children good behaviours and kids will think this is an ok behaviour.

THE ADVERTISER'S RESPONSE

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

Mitre 10 Australia acknowledges the complaint by McGary on our TVC advertisement on Channel 9 – Free to Air.

Mitre 10 Australia is not condoning this behaviour by any means. We want to show our customers that there is another hardware store in town and that we have DIY solutions to even the most delicate situations.



The situation depicted is not life threatening as suggested by the complainant, as the boy's head is wider than his neck. The child cannot fall or hurt themselves and are under parent supervision for the duration of the tv. There is no suggestion that the situation is fun or enjoyable for the child so we are not encouraging copycat behaviour.

There was no discomfort to the actor at any time during the filming. As a minor, we also ensured that the young boy's mother was present and that he had multiple breaks during the filming of this commercial for his health and safety.

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement promoted unsafe behaviour.

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

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note to the Code which states:

"Advertisers should take care not to depict behaviour that children may imitate. For example, advertisements which are likely to attract the attention of children or could indicate to children that appliances or other domestic/commercial equipment are a safe place to hide, are seen to encourage unsafe behaviour."

The Panel noted that the boy in the advertisement has his head stuck through two stair balusters and appears to be unable to withdraw his head. His mother arrives at the end of the advertiser holding a saw, presumably to release him.

The Panel noted that the advertisement does not show how the boy became stuck, and considered that the advertisement does not suggest this is a good thing to do, with the boy looking unhappy with his predicament.

The Panel noted that it is not recommended to try to insert limbs between stair balusters, however considered that the advertisement is depicting a scene of a child making a mistake in order to promote various DIY solutions to delicate situations.

The Panel considered that the advertisement is clearly intended to be humorous, and considered that the advertisement is unlikely to encourage copycat behaviour given the unhappy demeanour of the child and the lack of clear indication of how he found himself in the position.



The Panel considered that most members of the community viewing the advertisement would be unlikely to find it to be suggesting the behaviour is desirable or to be encouraging or condoning such behaviour.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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