



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

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0203/19</b>
<b>2</b>	<b>Advertiser</b>	<b>Network Ten Pty Limited</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>10/07/2019</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

## DESCRIPTION OF THE ADVERTISEMENT

The Advertisement is a static image depicting the four hosts of The Project (from left to right) Waleed Aly, Carrie Bickmore, Lisa Wilkinson and Peter Helliar.

The two female hosts are shown to be standing by their bicycles, with their helmets clearly visible in their bicycle baskets. The two male hosts are depicted sitting astride their bicycles, wearing their bike helmets.

The top of the image features the tagline, "News delivered differently".

At the bottom of the image is additional text:

6.30pm Sunday to Friday.

The Project

Network 10

tenplay.com.au

## THE COMPLAINT





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

*To me the ad implies that it is more important for a girl to be pretty than it is to be safe. Why are the two male presenters in helmets while the female presenters are not? It is the law that to ride a bike you need a helmet, so why are the two woman not required to wear them? I understand this seems frivolous, but I do not like the message that it sends to young girls.*

#### **THE ADVERTISER'S RESPONSE**

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

*The section of the Code that may be relevant to the Advertisement is Section 2.6.*

*2.6 Advertising or Marketing Communication shall not depict material contrary to Prevailing Community Standards on health and safety.*

*Network 10 has reviewed the complaint and Advertisement and contends that the Advertisement complies with the AANA Code, particularly with regards to Section 2.*

*We note that the complainant referred to seeing the Advertisement on the side of a tram on Brunswick St, Melbourne. While we do not have a record of the Advertisement being placed on a Melbourne tram, it was placed on Melbourne tram stops and buses as per the images provided (Advertisement 1 and Advertisement 2).*

*The Advertisement does not depict material contrary to Prevailing Community Standards on health and safety as the two female hosts are not depicted bike-riding without helmets. Rather, the two women are shown to be standing by their bicycles, with their helmets visible in their bicycle baskets. They are not depicted sitting astride their bicycles like the two male hosts.*

*This is consistent with the Australian Road Rules (March 2018 version) and previous determinations by the Ad Standards Community Panel.*

*The associated television program promotion shows all the hosts including Carrie and Lisa wearing helmets while cycling. There is no suggestion that "it is more important for a girl to be pretty than it is to be safe" as alleged by the complainant.*

*We do not consider the other provisions of Section 2 of the AANA Code are relevant. Furthermore, the Advertisement does not constitute advertising or marketing communications to children and hence the AANA's Code of Advertising & Marketing*



*Communications to Children is not applicable.*

*Overall we consider that the Advertisement did not depict material contrary to prevailing community standards on health and safety and the complaint should be dismissed.*

## **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 complainant's concern that the advertisement portrayed the women in the advertisement as not wearing bike helmets whilst the men are.

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

The Panel noted the transport advertisement features the four hosts of the television program The Project with bicycles, shown in the bike baskets are newspapers and the tagline of the advertisement is 'News delivered differently'.

The Panel considered whether the advertisement was in breach of 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 Panel noted the complainant's concern that the advertisement depicts the women in the advertisement as not wearing helmets, and that the men are wearing helmets, and this sends worrying messages to young girls about the importance of wearing helmets.

The Panel noted the advertiser's response that the two female hosts are depicted standing beside their bikes, not straddling them like the male hosts, and that their helmets are clearly seen in the baskets of the bikes.

The Panel considered that the female hosts were clearly identified as standing next to their bikes and were not depicted in a way to suggest that the women were riding the bikes. The Panel considered that there is no safety requirement to wear a helmet when standing adjacent to a bike. The Panel considered that the two women in the advertisement clearly had helmets with them and that there was nothing in the still image to suggest that they would start to ride the bikes without first putting helmets on. The Panel considered that the two people in the advertisement who were straddling their bikes were also depicted wearing helmets.



The Panel considered that there was no suggestion in the advertisement that only males should wear helmets and females shouldn't, rather the Panel considered that the impression of the advertisement is that if you are riding a bike you should wear a helmet, and if you are about to ride a bike you should have a helmet to put on before you start.

The Panel considered that most members of the community would not consider it unsafe for a person to stand next to a bike without a helmet on.

The Panel considered that the advertisement did not depict material contrary to prevailing community standards on bike safety and did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

