



## Case Report

1	Case Number	0221/10
2	Advertiser	Sportsbet
3	Product	Leisure & Sport
4	Type of Advertisement / media	TV
5	Date of Determination	26/05/2010
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.1 - Discrimination or Vilification Gender

### DESCRIPTION OF THE ADVERTISEMENT

The history of sport is illustrated by cavemen playing soccer, using a massive stone and injuring themselves kicking it. The history of betting shows 17th Century Englishmen betting on a duel.

The next scene introduces the internet and shows a man in front of a computer screen looking at a women in a bikini top holding a drill, then quickly changing the screen to show a spice rack when he realises he is being watched. Voiceover states that Sportsbet.com.au is the place to bet on sports on the internet.

### THE COMPLAINT

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

*There is a scene where a man is on his computer looking at a sexually provocative picture of a woman wearing a bikini holding a drill where the audio is "nice rack" and then the screen goes to a picture of spice rack and makes a guilty joke of it.*

*To me "nice rack" is an aggressive and derogatory phrase similar to 'show us your tits'. It is not a genuine compliment like "great body" might be. If a woman was walking down the street and a guy made the comment "nice rack" he would generally get an angry reaction because of the aggressively sexual nature of the comment and the implied insult.*

*To my mind this Ad is offensive because it shows a man who is being derogatory to women. Also the use of the phrase "nice rack" on its own is offensive language for an TV Ad.*

## **THE ADVERTISER'S RESPONSE**

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

*We dispute the complaint and do not believe this ad to be derogative to women. The context of the ad is fun. It is a humorous take on sports, betting and the internet. These events didn't really happen, the messages are exaggerated and not to be taken seriously.*

*Its classification is restricted so it is predominately viewed by mature audiences. The specific reference made by the complainant is a subtle reference to the stereotypical behaviour of males using the internet. It is not exploitive and is exaggerated for the humorous affect, the female using a drill, cave man kicking a rock. There is no use of aggressive tone; it's light, fun and silly.*

*Contradictory to what the complainant states, the "nice rack" comment is not in the scene with the woman. It is after the following scene where the man is looking at the spice rack. It clearly states spice rack on the scene and shows one. The voice over is in reference to this rack and is not directly aimed at the female in the previous shot to avoid direct implications. It is not an insult to the women.*

*The advertisement has been received in this nature. CAD also deemed this to be suitable and resembling the ethics of society in the use of humour to tell our story.*

## **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 concern that the advertisement demeans and objectifies women because there was sexual innuendo in the use of the words 'nice rack' and the use of that language is offensive in any case.

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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief".

The Board viewed the advertisement and noted the advertiser's response that the 'B' CAD classification requires that the advertisement is viewed by a predominantly mature audience.

The Board noted that the advertisement featuring a product for internet betting 'the place to bet on sports on the internet' was placed in programmes targeting adults and considered it was clearly intended to be sexually suggestive. The Board also considered that the advertisement is intended to be and is likely to be seen by most members of the community as a humorous and exaggerated send up of someone caught looking at an inappropriate internet site, and in this instance, a man is depicted quickly changing the page from a scantily

clad woman holding a drill to an illustration of a spice rack. The Board considered that some members of the community may be offended by the sexual innuendo in the advertisement but considered that the 'nice rack' play on words was very mild and that most people in the community would view the advertisement as humorous and silly.

The Board determined that in this instance, the advertisement did not discriminate or vilify women and did not breach section 2.1 of the Code.

The Board also considered the application of Section 2.5 of the Code, relating to the use of language.

The Board considered the phrase 'nice rack' is not offensive in the literal sense and the double entendre is mild and does not amount to inappropriate or strong or obscene language.

The Board determined the language used was not inappropriate and that there was no breach of Section 2.5.

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